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Thursday, 26 February 2015

To: The Members of the **Planning Applications Committee**  
(Councillors: Edward Hawkins (Chairman), Glyn Carpenter (Vice Chairman), David Allen, Richard Brooks, Mrs Vivienne Chapman, Colin Dougan, Surinder Gandhum, David Hamilton, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton)

**In accordance with the Substitute Protocol at Part 4 of the Constitution, Members who are unable to attend this meeting should give their apologies and arrange for one of the appointed substitutes, as listed below, to attend. Members should also inform their group leader of the arrangements made.**

Substitutes: Councillors Rodney Bates, Ian Cullen, Paul Ilnicki, Lexie Kemp, Bruce Mansell and Alan Whittart

#### Site Visits

**Members of the Planning Applications Committee may make a request for a site visit. Requests in writing, explaining the reason for the request, must be made to the Development Manager and copied to the Executive Head - Regulatory and the Democratic Services Officer by 4pm on the Monday preceding the Planning Applications Committee meeting.**

Dear Councillor,

A meeting of the **Planning Applications Committee** will be held at Council Chamber, Surrey Heath House on **Monday, 9 March 2015 at 7.00 pm**. The agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Karen Whelan

Chief Executive

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#### AGENDA

	Pages
<b>1 Apologies for Absence</b>	
<b>2 Minutes</b>	<b>3 - 12</b>

To confirm and sign the non-exempt minutes of the meeting held on 9 February 2015.

### **3 Declarations of Interest**

Members are invited to declare any disclosable pecuniary interests and non pecuniary interests they may have with respect to matters which are to be considered at this meeting. Members who consider they may have an interest are invited to consult the Monitoring Officer or the Democratic Services Manager prior to the meeting.

#### **Planning Applications**

<b>4</b>	<b>Application Number: 14/1127 - Kennels, 79 Guildford Road, Bagshot, Surrey GU19 5NS - Bagshot Ward</b>	<b>15 - 24</b>
<b>5</b>	<b>Application Number: 15/0055 - 113 Frimley Road, Camberley, Surrey GU15 2PP - Watchetts Ward</b>	<b>25 - 30</b>
<b>6</b>	<b>Application Number: 15/0015 - 55 The Avenue, Camberley, Surrey GU15 3NF - St Michaels Ward</b>	<b>31 - 36</b>
<b>7</b>	<b>Application Number: 14/0987 - 67-69 Park Street, Camberley, Surrey GU15 3PE - Town Ward</b>	<b>37 - 40</b>
<b>8</b>	<b>Application Number: 14/1146 - Crabtree Park, Crabtree Road, Camberley, Surrey - Watchetts Ward</b>	<b>41 - 44</b>
<b>9</b>	<b>Application Number: 14/1016 - 67 High Street, Bagshot, Surrey GU19 5AH - Bagshot Ward</b>	<b>45 - 52</b>
<b>10</b>	<b>Application Number: 14/1120 - Unit 1 Frimley Road, Camberley, Surrey GU15 3EN - St Michaels Ward</b>	<b>53 - 56</b>
<b>11</b>	<b>Application Number 14/1138 - 1 Dean Parade, Camberley, Surrey GU15 4DQ - Old Dean Ward</b>	<b>57 - 62</b>
<b>12</b>	<b>Application Number: 15/0088 - 9 Garrick Way, Frimley Green, Camberley, Surrey GU16 6LY - Frimley Green Ward</b>	<b>63 - 66</b>
<b>13</b>	<b>Supporting Documents</b>	<b>67 - 94</b>

#### **Glossary**

**Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House on 9 February 2015**

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+ Cllr Edward Hawkins (Chairman)  
+ Cllr Glyn Carpenter (Vice Chairman)

+ Cllr David Allen	+ Cllr Ken Pedder
+ Cllr Richard Brooks	+ Cllr Audrey Roxburgh
+ Cllr Mrs Vivienne Chapman	+ Cllr Ian Sams
+ Cllr Colin Dougan	+ Cllr Pat Tedder
- Cllr Surinder Gandhum	+ Cllr Judi Trow
- Cllr David Hamilton	+ Cllr Valerie White
+ Cllr David Mansfield	+ Cllr John Winterton

+ Present  
- Apologies for absence presented

(Councillors Judi Trow and Pat Tedder from min 106/P)

Substitutes: Cllr Paul Inicki (In place of Surinder Gandhum)

In Attendance: Duncan Carty, Michelle Fielder, Jessica Harris-Hooton, Gareth John, Chenge Tarvinga, Cllr Paul Deach, Lee Brewin and Jonathan Partington (Councillor Paul Deach from min 106/P to min 111/P)

**106/P Minutes**

The minutes of the meeting held on 12 January 2015 were confirmed and signed by the Chairman.

**107/P Application Number: 14/0893 - Krooner Park and Land at Crabtree Park, Wilton Road, Camberley GU15 2QP - Watchetts Ward**

This application was for the creation of a Football Centre, to include 1 full size artificial grass pitch, 7 artificial 5-a-side pitches with associated clubhouse, changing rooms and spectator seating.

The Committee was advised of the following:

*'This application has been deferred from this evening's agenda. This follows the receipt of a late letter of objection from West Surrey Badger Group. The applicant is commissioning a badger survey to address the objection and once complete this will be submitted to the LPA and a revised consultation will be undertaken. The matter will then be presented to the next available Committee.'*

**108/P Application Number: 14/0802 - Land at Frimley Fuel Allotments, Old Bisley Road, Frimley, Camberley - Mytchett and Deepcut Ward**

This application was for the change of use of land from informal recreational use to the provision of a Suitable Alternative Natural Greenspace (SANG) and associated development. (Amended key plans rec'd 24/09/14).

Members were advised of the following updates:

*'A formal request by the applicant to revise the time limit to complete the legal agreement extended to 8 April 2015.*

*Adopted Bridlepath No. 14 runs through the application site.*

*In this respect, the Countryside Access Management Team at Surrey County Council has raised no objections, subject to:*

- *Safe public access to be maintained at all times [Officer comment: This would form part of the required service/management plan];*
- *No obstruction of footpath [Officer comment: This would form part of the required service/management plan];*
- *Any alterations to the boundary of the path and its surfacing has to be agreed with the Public Rights of Way officer [Officer comment: See proposed Informative below];*
- *Any access to the bridlepath by vehicles should be signposted and vehicles give way to members of the public using the bridlepath [Officer comment: This would form part of the required service/management plan];*
- *Any damage to the bridlepath made good by the developer [Officer comment: This would form part of the required service/management plan]; and*
- *Planning permission does not give the developer the right to block the right of way [Officer comment: See proposed Informative below].*

#### **AMENDMENT TO RECOMMENDATION**

*To allow completion of legal agreement by 8 April 2015.*

#### **ADDITIONAL INFORMATIVE**

*The applicant is advised that adopted Bridlepath No 14 passes through the application site. The Rights of Way Officer at Surrey County Council will be required to agree any future alterations to the existing boundary of this path and alterations to its surfacing/maintenance. The applicant is also advised that planning permission does not give the right to block a public right of way (such as this Bridlepath).'*

Councillor Paul Deach, ward councillor for Mytchett and Deepcut favoured the officer's recommendation but was mindful of any impact the proposal would have on the golf club and businesses in the area.

**Resolved that application 14/0802 be approved as amended subject to the conditions and receipt of a legal agreement as set out in the report of the Executive Head – Regulatory.**

**In the event that a satisfactory legal agreement has not been completed by the 8 April 2015, the Executive Head of Regulatory be authorised to refuse for the reason as set out in the report of the Executive Head – Regulatory.**

**Note 1**

Councillor Paul Innicki declared a disclosable pecuniary interest as he was a Trustee of the Frimley Fuel Allotments and left the Chamber during its consideration.

It was noted for the record that Councillor Edward Hawkins declared that his wife, a fellow councillor, was a Trustee of the Frimley Fuel Allotments and as a member of the Pine Ridge Golf Club he used the bridle paths at the site.

**Note 2**

The recommendation to approve as amended was proposed by Councillor Glyn Carpenter and seconded by Councillor Richard Brooks.

**Note 3**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to this application was as follows:

Voting in favour of the recommendation to approve the application as amended:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

**109/P Application Number: 14/0800 - The Ridgewood Centre, Old Bisley Road, Frimley, Camberley GU16 9QE - Heatherside Ward**

This application was for the residential development of 100 dwellings (comprising 9 one bed, 27 two bed, 49 three bed, 11 four bed and 4 five bed units) with garaging/parking, access roads, other ancillary development and landscaping following the part demolition/part conversion of existing building. (Additional info rec'd 08/10/2014)

Members were advised of the following updates:

*'A formal request by the applicant to revise the time limit to complete the legal agreement extended to 8 April 2015.*

*Natural England raise no objections to the approach taken to securing the SANG proposal (under SU/14/0802) which supports this residential development proposal.*

*The County Highway Authority has raised no objections, subject to conditions for:*

- *Cycle/footway provision between the site and Maguire Drive/Theobolds Way open space [Officer comment: the footpath provision within the application site is to be proposed to be provided and retained by Condition 22 (below) and the remainder (i.e. off-site) is provided as a contribution as required through the legal agreement];*
- *Cycle route provision on Old Bisley Road between Edgemoor Road and The Maultway and crossing improvements to the Edgemoor Road/Old Bisley Road roundabout junction [Officer comment: local improvements to the highway network are covered by CIL Regulations and therefore cannot be requested in addition. Whilst for larger developments there is an option to provide site specific requirements, these have to be fully justified. This has not been provided by SCC.];*
- *Footway widening and crossing improvements to site access [Officer comment: Proposed by Condition 23 (below)];*
- *Provision of parking/servicing arrangements [Officer comment: See Conditions 11 and 12 on Agenda report];*
- *Cycle parking provision [Officer comment: See Condition 16 on Agenda report];*
- *Method of construction statement [Officer comment: See Condition 10 on Agenda report];*
- *Measures to prevent the disposal of material on the adjoining highway network [Officer comment: Proposed by Condition 24 (below)]; and*
- *Travel statement including “welcome pack” and delivery of “Facebook” style travel plan page for new residents to access [Officer comment: With the exception of the delivery of a travel plan page (which would not meet the tests for imposing Conditions), a scheme is to be provided to deliver the travel statement requirements as proposed by Condition 25 (below)].*

### **AMENDMENT TO RECOMMENDATION**

*To allow completion of legal agreement by 8 April 2015*

### **ADDITIONAL TO CONDITIONS**

*22. No development shall be occupied until a 3 m wide shared pedestrian/cycle link has been provided between the proposed highway and north site boundary (as shown on Drawing No. 14018/C1901J) and thereafter retained in perpetuity.*

*Reason: In the interests of promoting the use of more sustainable modes of transport and reducing the use of the motor car and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Network.*

*23. Details of a scheme to provide access details including visibility splays, pedestrian crossing points and footway access into the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall*

*not be occupied until these details have been provided and shall thereafter be retained in perpetuity.*

*Reason: In the interests of highway safety and to accord with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Network.*

*24. Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as must be agreed with the Local Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.*

*Reason: In the interests of highway safety and to accord with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Network.*

*25. Prior to the occupation of the development a Travel Statement shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, 'Surrey County Council's "Travel Plans Good Practice Guide' to include the provision of a 'welcome pack' comprising information on walking, cycling and public transport alternatives to the car for local journeys. The approved Travel Statement shall be implemented before occupation of the first dwelling and for each and every subsequent occupation of the development.*

*Reason: In the interests of promoting the use of more sustainable modes of transport and reducing the use of the motor car and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Network. '*

An additional update was provided as follows:

***'For proposed condition 25, delete "and for each and every subsequent occupation"***

*A late new neighbour representation received raising an objection to the proposal on the following grounds:*

- Introduction of a footpath link across open space for which there is no information available but would like to be kept informed of developments*
- Impact of footpath on open space*
- Increased disruption from noise*
- Increased risk of car vandalism*
- Statement required from police as to how they are going to police the area*
- Statement required from council to ensure that litter and dog mess are regularly cleaned.*

*Further comment from an existing objector to the proposal received requesting:*

- *If minded to approve, has requested to be consulted regarding any details of soft and hard landscaping provided by the developer [officer comment: it is normal practice that such details required pursuant to proposed condition 5, see pages 89 and 90 of agenda report, do not undergo a consultation process with neighbours].'*

Speakers in objection to this application were concerned mainly about the type of tree landscaping. The agent confirmed that the applicant would work with the officers to try to overcome these concerns.

Officers reminded Members that condition 5 in the agenda report dealt with landscaping. There was also the high hedges legislation which could be referred to.

Some Members sought clarification on the height of the three storey buildings and the increase in the footprint. Officers advised that the height of the ridge of these buildings was 12 metres. In addition Members were advised that the total footprint had increased.

The Committee was also advised that the affordable housing part of the proposal was a 50% mix of intermediate and social housing.

There was concern over space made available for the recycling bins including the food recycling containers. Condition 16 provided for the recycling provision to be retained. However, an informative could be added to deal with the provision of food waste and dry recyclables.

There was also some concern about the traffic near the entrance to the site. However, the County Highways Agency had raised no objection to the application.

Some Members asked about the density of the proposal in comparison to the surrounding area. Officers advised that the density was slightly more on the application site due to the flatted development.

**Resolved that application 14/0800 be approved as amended subject to the conditions and receipt of a legal agreement as set out in the report of the Executive Head – Regulatory.**

**In the event that a satisfactory legal agreement has not been completed by the 8 April 2015, the Executive Head of Regulatory be authorised to refuse for the reason as set out in the report of the Executive Head – Regulatory.**

#### **Note 1**

Councillor Paul Ilnicki declared a disclosable pecuniary interest as he was a Trustee of the Frimley Fuel Allotments and left the Chamber during its consideration.

For the record it was noted that Councillor Edward Hawkins declared that Members had received a letter from the applicant.



**Note 2**

As this application triggered the Council's public speaking scheme, Mr Russell and Mrs Greaves spoke in objection and Mr MacKenzie, the agent spoke in support.

**Note 3**

The recommendation to approve as amended was proposed by Councillor Richard Brooks and seconded by Councillor David Allen.

**Note 4**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to this application was as follows:

Voting in favour of the recommendation to approve the application as amended:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

**110/P Application Number:14/1097 - 1 Commonfields, West End, Woking GU24 9HY - West End Ward**

This application was for the erection of two detached two storey dwellings following demolition of existing bungalow.

Members were advised of the following update:

*'A SAMM payment has been received in respect of this application. As such, the proposal accords with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies.'*

**Resolved that application 14/1097 be approved subject to conditions as set out in the report of the Executive Head – Regulatory.**

**Note 1**

It was noted for the record that Councillor Edward Hawkins declared that a neighbour to the site was a friend of his wife.

**Note 2**

The recommendation to approve was proposed by Councillor Glyn Carpenter and seconded by Councillor David Mansfield.

**Note 3**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to this application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Ilnicki, David Mansfield, Ken Pedder,

Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

**111/P Application Number: 14/1115 - 86 High Street, Chobham, Woking GU24 8LZ - West End Ward**

This application was for the demolition of existing single storey building at the rear of Saddlers Halt and replacement with 2 two bedroom cottages.

**Resolved that application 14/1115 be refused for the reasons as set out in the report of the Executive Head – Regulatory.**

**Note 1**

The recommendation to refuse was proposed by Councillor Vivienne Chapman and seconded by Councillor Audrey Roxburgh.

**Note 2**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to this application was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Ilnicki, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton

**112/P Application Number: 14/1012 - 2 Chertsey Road, Chobham, Woking GU24 8NB - Chobham Ward**

This application was for the change of use and extension to the existing building comprising of a hairdressing salon on the ground floor and a first floor 3 bedroom flat, to a reduced ground floor financial services office use (A2) and 3 x 1 bedroom flat within the ground and first floor levels.

Members were advised of the following updates:

*'A SAMM payment has been received in respect of this application. As such, the proposal accords with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies.'*

Some Members requested that a condition be added to retain the chimney stack.

Members were informed that the parking allocation was for commercial and residential use.

**Resolved that application 14/1012 be approved as amended subject to conditions as set out in the report of the Executive Head – Regulatory.**

**Note 1**

The recommendation to approve as amended was proposed by Councillor Glyn Carpenter and seconded by Councillor Judi Trow.

**Note 2**

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to this application was as follows:

Voting in favour of the recommendation to approve the application as amended:  
Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Ilnicki, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton

**113/P Application Number: 14/1086 - Outfall Cottages, Blackstroud Lane East, Lightwater - Lightwater Ward**

This application was for the change of use from Class B8 (Storage) to Class C3 (Residential Dwelling) following the provision of a single storey side and rear extension.

Members were advised that the application had been withdrawn by the applicant.

Chairman

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## **PLANNING APPLICATIONS COMMITTEE REPORTS**

**Report of the Executive Head - Regulatory  
to be considered at the meeting held on**

**Date**

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2014/1127

Reg Date 08/01/2015

Bagshot

**LOCATION:** KENNELS, 79 GUILDFORD ROAD, BAGSHOT, GU19 5NS  
**PROPOSAL:** Demolition of boarding kennels and erection of six 3 bed dwelling houses.  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr P Gray  
**OFFICER:** Chenge Taruvinga

**RECOMMENDATION: GRANT subject to conditions**

## 1.0 SUMMARY

- 1.1 The proposal relates to the provision of 6 semi-detached two storey dwellings following demolition of existing dog kennels and associated buildings. Two static caravans presently located within the site would also be removed.
- 1.2 A previous application under SU/14/0202 for the erection of 4 link detached dwellings and a bungalow was refused on the basis that the Council did not have SANGs capacity to mitigate the impact of the development of the Thames Basin Heath SPA. The proposal was also refused on affordable housing and infrastructure grounds given the applicant had not completed an agreement to secure contributions in respect of these matters.
- 1.3 The report concludes that the proposal would be appropriate development in the Green Belt as it would represent a complete redevelopment of previously developed land that would have no greater impact on openness than the existing mixed use of the site with its built form and associated hard standing. It is considered that the proposed residential use would offer an improvement to the visual character of the Green Belt and wider area. The proposal is considered to be acceptable in terms of its impact on highway safety and trees. Subject to a contribution in respect of SAMM by the determination date or the completion of a legal agreement to secure this, the application is recommended for approval.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is located along a small enclave adjacent to Guildford Road, Bagshot and is served by an access road that runs to the east of the site serving a group of 7 neighbouring properties. Dwellings within close proximity to the site are of a significant size and massing. The application property's site boundaries are surrounded by mature trees and vegetation. However, within the plot is a complex mix of both brick built and steel framed dog kennels, accommodating up to 90 dogs at any one time. The site is also characterised by high fences and extensive areas of hard standing as well as two static caravans sited to the east.

### 3.0 RELEVANT HISTORY

- 3.1 SU/14/0202 Erection of 4 link detached two storey dwelling houses and 1 bungalow following demolition of existing dwelling, 2 static caravans and kennels.  
*Refused 09/04/2014 due to the absence of SANGS mitigation by which the development could mitigate its impact on the SPA. In addition the application was also refused on planning infrastructure and affordable housing grounds.*
- 3.2 SU/14/0152 Application for lawful development for an existing use of land for the stationing of two mobile homes occupied for residential purposes  
*Agreed 26/04/2014*
- 3.3 SU/14/0004 Erection of 5 detached (4 bedroom and 1 three bedroom) dwellings following demolition of existing bungalow and kennels  
*Withdrawn 11/02/2014*
- 3.4 SU/04/0517 Redevelopment of existing kennels with extensions to include covered areas  
*Approved 30/07/2004*
- 3.5 SU/88/0422 Erection of new block of kennels  
*Approved 22/09/1988*

### 4.0 THE PROPOSAL

- 4.1 The proposal would provide 6 semi detached residential properties. The proposed dwellings would be set within individual plots with a mutual internal site access characterised by a turning head and associated landscaping. The detached bungalow that had formed part of the planning application considered under SU/14/0202 is to be retained on a separate plot not forming part of the current application.
- 4.2 The proposed 6 semi-detached dwellings would be to a maximum height of 7.9 metres reducing to 5 metres at the eaves. The dwellings would be of a hipped roof design with recessed front and rear elevations as well as some variation in fenestration design between each pair.
- 4.3 The proposed two storey dwellings would have a comparable internal arrangement to each other. The plot layout would be linear with Plot 1 and Plot 6 benefiting from marginally wider gardens
- 4.4 The main differences between the current application and refused scheme under SU/14/0202 outlined below:
- The current proposal would provide 6 semi-detached dwellings. Under SU/14/0202 a total of 5 detached dwellings were proposed with a net addition of 4 residential properties given the detached bungalow adjacent to the application site was to be replaced. This bungalow does not form part of the current scheme.
  - The dwellings proposed under the current application are at an average internal floor area of 141 square metres; under SU/14/0202 the dwellings proposed were at an average floor area of 214 square metres.



- The height of buildings under the current application are 7.9 metres with hipped roofs and flat roof sections. Under SU/14/0202 half hipped gable ends were proposed to a maximum height of 8.5 metres.
- Link detached garages were proposed under SU/14/0202. Under the current application no garages are proposed.

## 5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Council Highway Authority No highway comments.
- 5.2 West End Parish Council No objections subject to provision toward affordable house [see para.7.6 on affordable housing]

## 6.0 REPRESENTATIONS

At the time of preparation of this report one representation is in support of the application had been received with the following comments:

- 6.1 The residential use of the site would be welcomed.

## 7.0 PLANNING CONSIDERATION

- 7.1 The National Planning Policy Framework (NPPF); Policies CP1, CP2, CP14, DM9, DM11 and DM13 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); and, Policy NRM6 of the South East Plan are material considerations in this application.
- 7.2 As the principle of development was considered acceptable under the SU/14/0202, it is considered that the main issues to be addressed in determining of this application are as follows:
- The proposal's impact on the openness of the Green Belt;
  - The proposal's impact on the amenities of neighbouring properties and the amenity to be afforded to future residents;
  - The impact of the development highway safety and parking;
  - The impact of the development on the provision of affordable housing;
  - The impact of the development on the provision of community infrastructure;
  - The impact on the Thames Basin Heaths Special Protection Area; and
  - The impact of the development on trees.

### 7.3 The proposal's impact on the Green Belt

7.3.1 The previous application under SU/14/0202 was considered to be acceptable in Green Belt terms. However, as the current application relates to a materially different proposal, a Green Belt assessment has been undertaken in accordance with the NPPF.

7.3.2 Paragraph 89 of the Framework indicates that the construction of new buildings is inappropriate in the Green Belt with exceptions including *"the limited infilling or the partial or complete redevelopment of previously developed sites [PDL] (brownfield land), whether redundant or in continuing use..., which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."* Given the expanse of hard standing, and fencing within the site, in addition to the large number of single storey structures littered across a significant proportion of the plots, the site meets the definition of previously developed land as set out in Annex 2 of the NPPF.

7.3.3 Paragraph 79 of the Framework advises that one of the essential characteristics of the Green Belt is its openness. As such an assessment of the proposal's impact on the openness of the Green Belt and the purpose of including land within it compared to the existing development on the site is required. The primary indicator of openness is built form and so the table below illustrates the difference between the existing buildings and proposal in relation to volume, floor area and footprint.

7.3.4

	Existing buildings	Proposed dwellings
<b>Floor Area</b>	842.48 m <sup>2</sup>	842 m <sup>2</sup>
<b>Footprint</b>	842.48 m <sup>2</sup>	425.48 m <sup>2</sup>
<b>Volume</b>	2754.51m <sup>3</sup>	2752.02m <sup>3</sup>

7.3.5 The total combined footprint of existing buildings on the site is approximately 842 square metres. In contrast the total combined footprint of the proposal is 425.48 square metres which is a considerable reduction of 417 square metres. It should be noted that in addition to the footprint of buildings, vast areas of the site are currently characterised by hard standing which further detracts from the openness of the Green Belt.

7.3.6 Under SU/14/0202, 4 detached dwellings were proposed within the part of the site to which this current application relates. As substantial two storey dwellings at a height of 8.5 metres it was considered that the impact of the development on the openness of the Green Belt would be negligible given the existing clutter, expanse of built form and areas of hard standing. The current proposal provides 6 residential units of accommodation in 3 clusters of two storey built form at 7.9 metres in height. As such, in comparison to the previous scheme, the height and visual impact of the proposed development on the openness of the Green Belt has been marginally reduced.

7.3.7 The current proposal, with 6 residential properties proposed on the reduced site would, however, intensify the residential use in this location. The proposed garden areas and domestic paraphernalia associated with the 6 residential properties proposed would have a more urbanising impact on the site, compared to the previous proposal. However, when considering the wider context of the site, within close proximity to the A322 and M3 motorway, in combination with the relatively suburban neighbouring dwellings to the east of the site it is considered the proposal would not be harmful to the openness of the Green Belt.

7.3.8 On the basis of the above considerations it is considered that the proposed residential units would improve the appearance of the site from a visual amenity perspective, with the removal of industrial looking sheds, ad hoc fencing and areas of hard standing currently on the site. As such, the proposal would not be inappropriate development in the Green Belt as it would represent a complete redevelopment of the site that would have no greater impact on openness than the existing development.

#### **7.4 The proposal's impact on the amenities of neighbouring properties and the amenity to be afforded to future residents**

7.4.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 of Core Strategy advises that in the consideration of development proposals, the amenities of the occupants of neighbouring properties should be respected.

7.4.2 The application site would be closest to the neighbouring property to the south east of the site, at Stone Hill House. This neighbouring property would be set some 36 metres away from the nearest proposed residential unit. An extensive tree screen would be retained along the common boundary with this neighbouring property, thereby limiting mutual views between the application site and Stone Hill House. On this basis it is considered that there would be no adverse impact on the amenities that the occupants of Stonehill Close or any other neighbouring property in this vicinity currently enjoys. In addition, it is considered that the proposed development would improve the amenity relationship between the site and neighbouring properties given the loss of the dog kennels which typically generate significant noise.

7.4.3 It is considered that the proposed residential units would each be afforded an acceptable level of residential garden space to meet the needs of family housing of this size. It is also considered that the built relationships between each of the dwellings would be acceptable and not give rise to overlooking, an overbearing impact or any other adverse amenity relationship.

#### **7.5 The impact of the development highway safety and parking**

7.5.1 Policy CP11 of the Core Strategy advises that new development will be directed toward previously developed land in sustainable locations to reduce the need to travel and promote travel by sustainable modes of transport. Policy DM11 of the Core Strategy advises that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.

7.5.2 The proposed development would result in a reduction of vehicular trips compared with the existing use and therefore would have a reduced highway impact. In regards to sustainable travel opportunities there is a bus stop less than 100 metres from the site. However as the site will be less intensely used compared to its previous use the highway authority raises no objections. The current proposal would therefore be acceptable on these grounds, conforming with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012

#### **7.6 The impact of the development on the provision of affordable housing**

7.6.1 It is noted that Policy CP5 of the Core Strategy requires a 20% on site provision for developments proposing a net increase of 5 - 9 units. However since November 2014, the Planning Practice Guidance now advises that residential proposals of fewer than 10 dwellings amounting to no more than 1000 square metres in floor space should be exempt for the financial requirements of section 106 planning obligations and from the provision of affordable housing. In light of the above, therefore, no contributions are sought in respect of

affordable housing.

## **7.7 The impact of the development on the provision of community infrastructure**

7.7.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more.

7.7.2 Under the current application there would be a net reduction in floor space on the site of 0.83 square metres. Accordingly in the officer's opinion the development is not liable for a contribution towards community infrastructure in accordance with the CIL Regulations 2010 (as amended).

## **7.8 The impact on the Thames Basin Heaths Special Protection Area**

7.8.1 The application site is located within approximately 628 metres away from the Thames Basin Heaths Special Protection Area (SPA). Natural England are currently advising that new residential development within 5km of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use.

7.8.2 In January 2012 the Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS. The Council's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As a SANGS is considered to be a form of infrastructure, it is pooled through CIL. The Council currently has sufficient SANGS capacity to mitigate the impact of the development on the SPA.

7.8.3 Policy CP14B requires that all net new residential development provide contributions toward strategic access management and monitoring measures. As such, subject to payment received in respect of SAMM prior to the determination of this application or the completion of a legal agreement to secure this contribution by the 9<sup>th</sup> of March 2015, the proposal would accord with Policy CP14B of the Core Strategy and the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document.

## **7.9 The impact of the proposal on trees**

7.9.1 Policy DM9 advises that development will be acceptable where trees and other vegetation worthy of retention are protected.

7.9.2 There are no extant statutory controls in relation to the trees currently located on the site and no tree removal is proposed as part of the proposed development. The Council's Tree Officer has assessed the tree report submitted with the planning application and advised that the proposed works could be undertaken without undue threat of damage to retained vegetation providing the detailed precautions are carried out. Accordingly, suitable ground protection measures and a detailed landscape scheme will also be required by condition if the application is approved.

7.9.3 As such the proposal accords with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies.

## **8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER**

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included:

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Have communicated with the applicant through the process to advise progress, timescale or recommendation.

## **9.0 CONCLUSION**

- 9.1 The report concludes that the proposal would be appropriate development in the Green Belt as it would represent a complete redevelopment of previously developed land that would have no greater impact on openness than the existing mixed use of the site and the built form and hard standing associated with it. It is considered that the proposed residential use would offer an improvement to the visual character of the Green Belt and wider area. The proposal is considered to be acceptable in terms of its impact on highway safety and trees. Subject to a contribution in respect of SAMM by the determination date or the completion of a legal agreement to secure this, the application is recommended for approval.

## **10.0 RECOMMENDATION**

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile, guttering and fenestration. Once approved, the development shall be carried out using only the agreed materials.

Reason: In the interests of visual amenities of the area and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

3. The proposed development shall be built in accordance with the following approved plans: 13-P921-LP101, 101, 102, 103, 104, 105, TCP001 (Rev 2),

TCP001 (Rev 1), unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

4. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].
5. No development shall take place until a Method of Construction Statement, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding
  - (f) hours of construction

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. The construction of the development hereby approved, including the operation of any plant and machinery, shall not be carried out on the site except between the hours of 8am and 6pm on weekdays and 8am and 1pm on Saturdays and none shall take place on Sundays and Public Holidays without the prior agreement in writing of the Local Planning Authority. For the avoidance of doubt 'Public Holidays' include New Years Day, Good Friday, Easter Monday, May Day, all Bank Holidays, Christmas Day and Boxing Day.

Reason: In the interests of the amenities of adjoining residential occupants and to accord with the National Planning Policy Framework.

7. No new development shall be occupied until space has been laid out within the site in accordance with drawing no. 13-P921-101, for a maximum of 12 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to

satisfy the Surrey Heath Core Strategy and Development Management Policies Document (2012) Policy DM11.

8. Following the completion of any Arboricultural works but before any equipment, materials or machinery are brought onto the site in connection with the development, protective fencing at least 2m high and comprising of a vertical and horizontal framework of scaffolding (well braced to resist impacts) and ground protection methods, in compliance with **BS5837:2012 – Trees in Relation to Design, Demolition and Construction**, shall be erected in accordance with the submitted and approved Arboricultural Impact Assessment and Arboricultural Method Statement and Tree Protection Plan, unless otherwise agreed in writing with the Local Planning Authority.

Such protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular access be made, without the written consent of the borough council.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. Decision Notice to be kept DS1
2. Building Regs consent req'd DF5

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2015/0055

Reg Date 20/01/2015

Watchetts

**LOCATION:** 113 FRIMLEY ROAD, CAMBERLEY, GU15 2PP  
**PROPOSAL:** Change of Use from A1 (Coffee Shop) to A3 (Dessert Parlour).  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr Arfan Khatana  
**OFFICER:** Chenge Taruvinga

**RECOMMENDATION: GRANT subject to conditions**

**1.0 SUMMARY**

- 1.1 The application property is located along the Frimley Road Neighbourhood Parade, to the south west of Camberley Town Centre. The ground floor Class A1 unit is presently vacant but is surrounded by a variety of retail and restaurant establishments. The proposal seeks planning permission for a Class A3 use on the site to allow for the consumption of food on the premises. A previous application under SU/13/0879 was refused on the basis that the extraction system proposed was considered to require a high degree of maintenance and would have had an adverse impact on the residential amenities of neighbouring properties. The applicant advises that no external extraction system is required for this dessert parlour use.
- 1.2 This report concludes that the development proposed is acceptable in principle, would respect the character and the form of the surrounding development and would not detract from the character or the quality of the area. The development would not materially impact on the amenities enjoyed by the occupants of the adjoining residential properties and would not result in conditions prejudicial to highway safety. On this basis the application is recommended for approval subject to conditions in respect of opening hours and extraction details.

**2.0 SITE DESCRIPTION**

- 2.1 The application site is located along the Frimley Road neighbourhood parade which is characterised by a mixture of A1, A3 and A5 establishments. The unit measures 12 metres in depth and 5.7 metres in width.

**3.0 RELEVANT HISTORY**

- 3.1 SU/13/0420 Change of use from A1 use (sandwich and coffee bar/selling cold food) to A3/A5 (restaurant and takeaway/selling hot food)  
*Withdrawn 06/12/2013*
- 3.2 SU/13/0879 Change of use from A1 use (sandwich and coffee bar/selling cold food) to A3/A5 (restaurant and takeaway/selling hot food)  
*Refused 09/04/2014. This application was refused due to the inadequacy of the extraction system which would have required a high degree of maintenance and*

*would have failed to adequately control the future emissions of noise and odour to the satisfaction of the Planning Authority. These emissions would have had adverse impacts on the health and quality of life and amenities of the neighbouring first floor flat and the residential flats within the adjoining building Courtney House. It was not considered that conditions could have been imposed to mitigate the impacts.*

- 3.3 SU/15/0054 Advertisement Consent for the display of two illuminated fascia signs and one projecting sign.

*Currently under consideration*

#### **4.0 THE PROPOSAL**

- 4.1 The full application seeks the change of use of the existing unit from Use Class A1 (Retail) to a Class A3 dessert parlour. The planning statement supporting the application advises that the proposed A3 unit would serve fresh cakes, waffles, crepes, ice cream, coffee and teas, as well as yogurts and cold drinks. The proposed café would occupy a floor area of 69 square metres.
- 4.2 The applicant advises that due to the nature of the proposal, an external extraction system is not required to facilitate the proposed café.

#### **5.0 CONSULTATION RESPONSES**

- 5.1 County Highway Authority No comments
- 5.2 Environmental Health Officer No comments received at the time of writing of this report

#### **6.0 REPRESENTATION**

At the time of preparation of this report four representations of objection and two of support had been received.

The following objections have been raised:

- 6.1 Too many restaurants along this part of Frimley Road – [see para.7.3.2]
- 6.2 Small businesses are struggling because of too much competition – [see para. 7.3.2]

#### **7.0 PLANNING CONSIDERATIONS**

- 7.1 The application site is located along Frimley Road, Camberley within a local neighbourhood parade. As such Policies DM9 and DM12 of the Surrey Heath Core Strategy and Development Management Policies 2012 and policy within the National Planning Policy Framework and advice in the associated Planning Practice Guidance are relevant.

- 7.2 It is considered that the main issues to be addressed in determining this application are:
- The principle of the proposed use;
  - The impact of the development on the character and the appearance of the area; and
  - The impact of the development on residential amenity of neighbouring properties

### **7.3 The principle of the proposed use**

7.3.1 The application site is located within a local neighbourhood parade as identified by the proposals map of the Core Strategy. Within these areas Policy DM12 of the Surrey Heath Core Strategy advises that proposals for changes of use from A1 to other retail uses will be assessed having regard to the impact of the proposed use on the character and the function of the neighbourhood parade, alone or in combination with other non-A1 uses.

7.3.2 Policy DM12 advises that unless exceptional circumstances can be demonstrated, development at ground floor level should not lead to an over proliferation of non-retail uses comprising Class A2, A3, A4 or A5 uses such that less than 50% of the total shopping area and less than 75% of a primary shopping area contains non-retail uses. The latest retail assessment of the Frimley Road (No's 114-146) parade was carried out by the Council in July 2012. It finds that out of the 19 units in the parade, 12 (including 2 vacant units) are in Class A1 retail use and seven units are in non-retail use. This gives 63% of all units in the parade as retail use.

7.3.3 The applicant proposes an A3 café in the premises. Although the proposal would result in the loss a retail unit within the neighbourhood parade, the retail review cited above suggests that there is a healthy balance of retail and non-retail uses within this shopping parade. It is also considered that neighbourhood parades are typically served by a small number of A3/A5 uses in addition to a larger proportion of A1 units. As such, it is not considered that the current proposal would have an adverse impact on the function or viability of this particular locale. Accordingly it is considered that the development meets the objectives of Policy DM12 of the Surrey Heath Core Strategy and no objection should be raised to the principle of the change of use.

### **7.4 The impact of the development on the character and the appearance of the area**

7.4.1 The NPPF seeks a presumption in favour of sustainable development securing high quality design, as well as taking account of the character of different areas. Paragraph 59 of the NPPF requires design policies to concentrate on guiding the overall scale and density of new development in relation to neighbouring buildings and the local area more generally. Policy DM9 of the Core Strategy is reflective of this, requiring development proposals to respect and enhance the local environment.

7.4.2 Apart from changes proposed in respect of fascia signage to the front of the unit (under consideration in separate application SU/15/0054), there are no external changes proposed to the premises. On this basis, it is considered that the proposal would accord with the design considerations as set out within Policy DM9 of the Core Strategy.

### **7.5 The impact of the development on residential amenity of neighbouring properties**

7.5.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 of Core Strategy advises that in the consideration of development proposals, the amenities of the occupants of neighbouring properties are respected.

- 7.5.2 The application site is bounded by a residential flat above the site at first floor level as well as to rear. There are also neighbouring flats contained within Courtney House to the immediate north of the site. In the context of the established retail and commercial frontage in this setting, it is not considered that the proposed change of use to a dessert parlour would have an adverse impact on the amenities of the occupants of any neighbouring property in this setting.
- 7.5.3 Although noted that the proposed A3 use would be of a limited scale, given that it would be a dessert parlour, by permitting this change of use the applicant could still amend the cafe use in the future, or the premises could be used for any other Class A3 use by another occupier without requiring planning permission. The Planning Practice Guidance advises that restricting changes of use will rarely pass the test of necessity for imposing conditions and should only be used in exceptional circumstances. Whilst therefore in the officer's opinion it would be unreasonable to impose a personal permission it is still necessary for the Planning Authority to retain control in the interests of residential amenities. This is particularly important taking into account the planning history (see paragraph 3.2 above) and the problems experienced with providing a suitable extraction system. Hence, it is recommended that a condition be imposed requiring any new Class A3 occupier to submit details of an extraction system. It is also recommended that a supporting informative be added advising the applicant that other A3 uses, other than a dessert parlour will be extremely problematic given the difficulties of providing necessary extraction.
- 7.5.4 The café would be open between the hours of 11.00 am to 10.00 pm 7 days a week. These hours are later than the previous application which only proposed until 5.00 pm. It is, however, noted that the application site sits within a shopping parade characterised by a mixture of hot food takeaways, and convenience stores with a thriving night time economy. Notwithstanding this, comments in respect of noise nuisance have been sought from the Environmental Health Officer and these will be provided at the meeting.
- 7.5.5 Having regard to the above, the proposed use is not envisaged to materially impact upon the residential amenities of neighbouring properties. No objections are therefore raised on these grounds

## **8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER**

- 8.1 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Paragraphs 186-187 of the NPPF. This included the following:
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

## **9.0 CONCLUSION**

- 9.1 This report concludes that the development proposed is acceptable in principle, would respect the character and the form of the surrounding development and would not detract from the character or the quality of the area. The development would not materially impact on the amenities enjoyed by the occupants of the adjoining residential properties and would not result in conditions prejudicial to highway safety. On this basis the application is recommended for approval subject to conditions.

## 10.0 RECOMMENDATION

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The A3 Use (Restaurants & Cafes) hereby approved shall only open between the hours of 11am and 10pm Monday to Sunday unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenities enjoyed by neighbouring residents and to accord with the National Planning Policy Framework.

3. Prior to the first commencement of use hereby permitted (for the selling of ice cream, cakes, frozen yoghurt, waffles, crepes, milkshakes, hot and cold drinks and sweets), or the future occupation of the premises by any other Class A3 use (as defined by the Town and Country Use Classes Order as amended or any other order revoking or re-enacting that Order), full details of any required noise and odour extraction systems shall be submitted and approved in writing by the Planning Authority. Details submitted shall include scaled plans/elevations of the position and size of the extraction systems and manufacturers specifications. Once approved the systems agreed must be implemented prior to commencement and thereafter serviced and maintained to the satisfaction of the Planning Authority.

Reason: To retain control in the interests of the visual and residential amenities of the vicinity and to comply with Policy DM9 of the Surrey Heath Development Management Policies Document 2012 and the National Planning Policy Framework.

4. The proposed development shall be built in accordance with the following approved plans: 1001/AA/001, unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

### Informative(s)

1. Decision Notice to be kept DS1
2. The applicant is advised that in relation to condition 3 this condition has been imposed on the basis of the application submission for a dessert parlour whereby it was indicated that no external alterations for an external extraction system were required. Should the use change to another use within Class A3 which then necessitates an extraction system then the applicant is advised that it must be of the highest specification but it may be extremely problematic to provide such a

system without harming the visual and residential amenities of the area. The applicant, or any future occupiers are therefore strongly advised to first contact the Council's Environment Health Officer for advice on a workable, manageable and enforceable system.

2015/0015

Reg Date 16/01/2015

St. Michaels

**LOCATION:** 55 THE AVENUE, CAMBERLEY, GU15 3NF  
**PROPOSAL:** Change of use from C1 Bed and breakfast/Guest house to C2 Residential Institution including detached garage for 8 service users with learning disabilities.  
**TYPE:** Full Planning Application  
**APPLICANT:** Care Management Group Ltd  
**OFFICER:** Chenge Taruvinga

**RECOMMENDATION: GRANT subject to conditions**

**1.0 SUMMARY**

- 1.1 Planning permission is sought for the change of use of existing property from a C1 (bed and Breakfast/Guest House) to a Class C2 (Residential Care Facility) for adults with learning disabilities.
- 1.2 This report concludes that the proposed change of use would generate employment and there would be wider community benefits. Therefore, there is no objection to the proposal in principle, and the proposal would not detract from the character and appearance of the area, highway safety or the residential amenities of neighbouring properties. Subject to a payment of SAMM before the determination date of the application or the completion of a legal agreement in respect of this, it is not considered that the development would have an adverse impact on the SPA.

**2.0 SITE DESCRIPTION**

- 2.1 The application site is located within the settlement area of Camberley within an area characterised by mostly residential properties, with the exception of a few D1 and D2 uses in close proximity to the site. Its location on The Avenue means that the site is within walking distance of Camberley Town Centre.
- 2.2 The application property is characterised by a relatively large two storey building with roof space accommodation in current use as a bed and Breakfast facility (C1). The property benefits from 8 bedrooms with 8 car parking spaces and an additional garage car parking space.

**3.0 RELEVANT HISTORY**

- 3.1 SU/08/1119 Change of Use from Class C3 (Dwelling House) to Class C1 (Bed and Breakfast/Guest House).  

Approved 10/02/2009

## 4.0 THE PROPOSAL

- 4.1 The proposal relates to the change of use of the existing property from a Class C1 (Bed and Breakfast/Guest House) to a Class C2 (Residential Care Home). The proposed development would provide accommodation for 8 permanent residents with 4 members of staff in attendance during the day, and 2 overnight staff. With the exception of 1 intermediate living unit that is proposed with a small kitchenette area, the proposed accommodation will be assisted living with shared dining and communal lounges.
- 4.2 No external changes to the existing building are proposed as part of the change of use.

## 5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Council No objections  
Highways
- 5.2 Natural England Verbal Comment - The development would have an impact on the SPA given the relatively more active occupiers of the C2 facility

## 6.0 REPRESENTATIONS

At the time of preparation of this report 3 representations of objection have been received which raise the following issues:

- 6.1 Parking problems would be exacerbated on this frontage [see *para.7.6*]
- 6.2 The residents in the care facility may cause significant noise and other disturbance [see *para.7.5*]
- 6.3 There are no security provisions for neighbouring properties given the proposed use [see *para.7.5*]

## 7.0 PLANNING CONSIDERATION

- 7.1 The National Planning Policy Framework (NPPF); Policies CP8, CP14, DM9, DM11 and DM14 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); and, Policy NRM6 of the South East Plan are material considerations in this application.
- 7.2 It is considered that the main issues to be addressed in determining of this application are:
- The principle of development;
  - The proposal's impact on the character and appearance of the area;
  - The proposal's impact on the amenities of neighbouring properties;
  - The impact of the development highway safety and parking;
  - The impact of the development on the provision of community infrastructure; and
  - The impact on the Thames Basin Heaths Special Protection Area



### **7.3 The principle of development**

- 7.3.1 Policy CP8 of the Core Strategy advises that the loss of employment land will only be permitted where the wider benefits to the community can be shown. Policy DM14 advises that the provision of community facilities is essential for achieving sustainable communities.
- 7.3.2 It is noted that a Class C1 Bed and Breakfast use would be lost as part of the development proposed. However, the proposed C2 use would generate a greater level of employment than the current use given the daily requirement of 6 members of staff working within a shift pattern. On this basis it is considered that the current proposal would benefit the community by way of the provision of a residential care facility and also improve the level of employment provision on the site. As such, there is no conflict between the Policies CP8 and DM14 of the Core Strategy.
- 7.3.3 Given the wider community benefits demonstrated by the applicant (supported by Policy CP8) and increase in the employment generated on the site there is no in-principle objection to the proposed change of use of the property.

### **7.4 The proposal's impact on the character and appearance of the area**

- 7.4.1 The NPPF seeks a presumption in favour of sustainable development securing high quality design, as well as taking account of the character of different areas. Paragraph 59 of the NPPF requires design policies to concentrate on guiding the overall scale and density of new development in relation to neighbouring buildings and the local area more generally. Policy DM9 of the Core Strategy is reflective of this, requiring development proposals to respect and enhance the local environment.
- 7.4.2 The application site is located within a predominantly residential area, forming part of the settlement area of Camberley. As noted in Para. 2.0 there are a few properties in D1 and D2 use in close proximity to the site. The supporting statement submitted with the application advises that the care facility would be aimed at encouraging service users to live more independently in the community. In the context of the primarily residential setting within the Avenue, it is not considered that the proposal would have any greater impact on the character and appearance of the area than its current use. Given that the existing bed and breakfast accommodated 8 letting rooms, with a total capacity in excess of 16 persons, it is considered that the proposed residential use of the site would not be so different to the existing use as to have a significant impact on the character of the area.
- 7.4.3 On the basis of the above considerations it is considered that the revised scheme accords with the design principles contained in both the NPPF and Policy DM9 of the Core Strategy.

### **7.5 The proposal's impact on the amenities of neighbouring properties**

- 7.5.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 of Core Strategy advises that in the consideration of development proposals, the amenities of the occupants of neighbouring properties are respected.
- 7.5.2 As noted above, there are no changes to the existing fabric of the building; as such amenity relationships between the site and neighbouring properties remain the same. Although it is noted that the proposed development would accommodate adults with learning disabilities, they would be supported by staff 24 hours a day. In that respect, it is not considered that the development would give rise to anti-social behaviour or an adverse impact on the amenities that neighbouring properties in this setting enjoy.

7.5.3 On the basis of the above considerations it is considered that the proposed development accords with the amenity principles contained within Policy DM9 of the Core Strategy as well as the NPPF.

## **7.6 The impact of the development highway safety and parking**

7.6.1 Policy DM11 (Traffic Management and Highway Safety) seeks all development ensures that no adverse impact on the safe and efficient flow of traffic movement on the highway network results.

7.6.2 The submitted site plan drawings indicate that there is provision for 8 parking spaces, as well as an additional garage car parking space. Given that none of the residents would have the use of a vehicle, the proposal exceeds the parking requirements set out in Surrey County Council's Parking Standards Guidance. In addition, given the sustainability of the site within walking distance of Camberley Town Centre with bus and rail links, the County Highway Authority raises no objection to the proposal.

7.6.3 It is therefore considered that the proposal accords with Policy DM11 of the Core Strategy as well as the relevant policies contained within the NPPF.

## **7.7 The impact of the development on the provision of community infrastructure**

7.7.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more. Given that the proposal results in a nil increase of floor space, the development is not liable for a contribution towards community infrastructure as set out in Community Infrastructure Levy Regulations 2010 (as amended) and the Infrastructure Delivery Supplementary Planning Document.

## **7.8 The impact on the Thames Basin Heaths Special Protection Area**

7.8.1 The application site is located approximately 842 metres away from the Thames Basin Heaths Special Protection Area (SPA). Although it is noted that the proposal would provide a C2 care facility for residents with learning disabilities, it is considered that the residents are likely to be active in their transition to community living which could give rise to a potential impact on the integrity of the SPA through increased dog walking and general recreational use.

7.8.2 In January 2012 the Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS. The Council's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As a SANGS is considered to be a form of infrastructure, it is pooled through CIL. The Council currently has sufficient SANGS capacity to mitigate the impact of the development on the SPA.

7.8.3 Policy CP14B requires that all net new residential development provide contributions toward strategic access management and monitoring measures. As such, subject to payment received in respect of SAMM prior to the determination of this application or the completion of a legal agreement to secure this contribution by the 9<sup>th</sup> of February 2015, the proposal would accord with Policy CP14B of the Core Strategy and the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document.

## **8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER**

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included:

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Have communicated with the applicant through the process to advise progress, timescale or recommendation.

## **9.0 CONCLUSION**

- 9.1 This report concludes that the proposed change of use would generate employment and there would be wider community benefits. Therefore, there is no objection to the proposal in principle, and the proposal would not detract from the character and appearance of the area, highway safety or the residential amenities of neighbouring properties. Subject to a payment of SAMM before the determination date of the application or the completion of a legal agreement in respect of this, it is not considered that the development would have an adverse impact on the SPA.

## **10.0 RECOMMENDATION**

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans: 1775 03, unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

3. The total number of residents accommodated at the property shall not exceed 8 in number unless otherwise agreed in writing with the local planning authority.

Reason: To retain planning control over the use permitted in the interests of residential amenities and the Thames Basin Heath SPA.

Informative(s)

1. Decision Notice to be kept DS1

2014/0987

Reg Date 01/12/2014

Town

**LOCATION:** 67-69 PARK STREET, CAMBERLEY, GU15 3PE  
**PROPOSAL:** Change of Use from retail use (class A1) to a flexible use (class A1, A2 and A3) use.  
**TYPE:** Full Planning Application  
**APPLICANT:** TA Fisher & Sons Directors Pension Scheme & Kingpin Property Services Directors  
**OFFICER:** Chenge Taruvinga

**RECOMMENDATION: GRANT subject to conditions**

## 1.0 SUMMARY

- 1.1 The application proposes the change of use of the ground floor of 67-69 Park Street from an A1 retail unit to a flexible A1, A2 (financial professional service) and A3 (café/restaurant) use.
- 1.2 The report concludes that the proposed development would not have an adverse impact on the character and appearance of the area, the residential amenities of neighbouring properties, or an adverse impact on highway safety. On this basis the application is recommended for approval.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is located within Camberley Town Centre within a primary shopping frontage characterised by a mixture of retail, financial services and restaurant uses. The site comprises a three storey building which fronts onto Park Street with a small service yard to the rear and vehicle access from Albert Road. Pedestrian access is from Park Street.
- 2.2 The building is opposite 'The Atrium', a major regeneration development comprising of retail, restaurant and residential uses.

## 3.0 RELEVANT HISTORY

- 3.1 SU/13/0663 - Application under Class J, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order for prior notification of change of use from B1 (Offices) to C3 (Residential) for 5 flats.

Approved 11/10/2013 (this relates to upper floor accommodation)

## 4.0 THE PROPOSAL

- 4.1 The full application seeks the change of use of the existing unit from Use Class A1 (Retail) to a flexible A1, A2 and A3 use. No structural changes are proposed to the external appearance of the building.

## **5.0 CONSULTATION RESPONSES**

- 5.1 County Highway Authority No comments
- 5.2 Environmental Health Officer No comments received at the time of writing of this report

## **6.0 REPRESENTATION**

At the time of preparation of this report no representations had been received.

## **7.0 PLANNING CONSIDERATIONS**

7.1 The site lies within Camberley Town Centre as defined on the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012. The application should therefore be determined against Policies CP10 and CP12 of the Surrey Heath Core Strategy and Development Management Policies 2012. Policies TC1, TC2, and TC3 of the Camberley Town Centre Area Action Plan (AAP); and, the National Planning Policy Framework (NPPF) and Western Urban Area Character SPD 2012. In light of this policy framework the main issues in the determination of this application are considered to be:

- The principle of the development and impact on the character of the area;
- The impact on the residential amenities of existing residents in the vicinity; and,
- The impact of the development on highway safety

### **7.3 The principle of the proposed use and impact on the character of the area**

7.3.1 The NPPF expects policies for town centres to be positively prepared and to support their viability and vitality. Policy TC2 of the Camberley Area Action Plan advises that the town centre retail role will be maintained and enhanced through the protection of retail activity within the Primary Shopping Area. The site lies within a primary frontage, Policy TC2 advises that development that results in the loss of A1 retail units to A2 and A3 will be permitted where it can be shown to be appropriate to the character and retail function of the area, not result in adverse impacts or the permanent loss of prominent A1 retail uses, supporting the vitality and viability of the town centre.

7.3.2 Park Street benefits from a significant level of retail and restaurant uses and the proposed development would allow for flexibility between uses that are relatively prevalent within this part of the Town Centre. The application site is presently vacant but has historically been in use as a cycle shop. The site is within 20 metres of the Carpenter's Arms, a popular town centre public house generating an active night time economy within this part of the Town Centre. Within this setting are also some larger 'high street' brand retailers which also generate a significant level of footfall. As such, it is considered that an A2 or A3 use would be complimentary to the prevailing character of this primary shopping area and would not significantly diminish the level of retail activity within this setting.

7.3.3 In light of the above it is considered that the principle of development is acceptable and given there are no external changes proposed it is not considered that the proposed change of use would have an adverse impact on the character of the commercial unit or wider street scene.

#### **7.4 The impact of the development on residential amenities**

7.4.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 of Core Strategy advises that in the consideration of development proposals, the amenities of the occupants of neighbouring properties are respected.

7.4.2 The proposal would be sited a significant distance away from any residential properties and would therefore not impact on residential amenity. As such it is considered that the proposal accords with the character and amenity considerations set out within Policy DM9 of the Core Strategy.

7.4.3 It is considered reasonable to allow for opening hours between 7 am and 11 pm 7 days a week given the application site sits within the town centre where night time economies are encouraged. Additionally a number of nearby pubs are also open at similar hours. Notwithstanding this, comments in respect of noise nuisance have been sought from the Environmental Health Officer and these will be provided at the meeting.

7.4.4 Having regard to the above, the proposed use is not envisaged to materially impact upon the character and appearance of the area or the residential amenities of neighbouring properties. No objections are therefore raised on these grounds.

#### **7.5 The impact on highway safety**

7.5.1 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

### **8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER**

8.1 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Paragraphs 186-187 of the NPPF. This included the following:-

a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

### **9.0 CONCLUSION**

9.1 This report concludes that the development proposed is acceptable in principle, would respect the character and the form of the surrounding development and would not detract from the character or the quality of the area. The development would not materially impact on the amenities enjoyed by the occupants of the adjoining residential properties and would not result in conditions prejudicial to highway safety. On this basis the application is recommended for approval.

## 10.0 RECOMMENDATION

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The A1 (Retail), A2 (Financial Services) and A3 (Restaurant and Cafe) Use hereby approved shall only open between the hours of 7am and 11pm Monday to Sunday unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenities enjoyed by neighbouring residents and to accord with the National Planning Policy Framework.

3. Prior to any A3 (Restaurant and Cafe) use hereby permitted opening for trade, details of the odour and fumes emission system shall be submitted to and approved by the Local Planning Authority. Any works which form part of the emission system shall be installed before the use hereby approved is commenced and thereafter retained to the reasonable satisfaction of the Local Planning Authority.

Reason: In the interests of the residential amenities of adjoining occupiers and to accord with the National Planning Policy Framework.

4. The proposed development shall be built in accordance with the following approved plans: 182PS02/01, 01/12/2014, unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

### Informative(s)

1. Decision Notice to be kept DS1



2014/1146

Reg Date 23/12/2014

Watchetts

**LOCATION:** CRABTREE PARK, CRABTREE ROAD, CAMBERLEY  
**PROPOSAL:** Change of Use of land to provide an extension to the northern boundary of existing pumping station and erection of associated boundary fence (amendment to SU/12/0870).  
**TYPE:** Full Planning Application  
**APPLICANT:** C/O Agent  
 Thames Water Utilities  
**OFFICER:** Chenge Taruvinga

**RECOMMENDATION: GRANT subject to conditions**

### 1.0 SUMMARY

- 1.1 The current application is an amendment to an extant permission ref. SU/12/0870 and seeks to marginally widen the pumping station beyond the approved northern boundary. The site is located to south west of Crabtree Park within close proximity to the southern boundary with Crabtree Road. The site covers an area of approximately 25 square metres.
- 1.2 The report concludes that the proposal would not be harmful to the character and appearance of the area, or impact on the approved and implemented pumping station and ground protection measures already approved pursuant to the extant planning permission. The proposal is therefore considered to be acceptable.

### 2.0 SITE DESCRIPTION

- 2.1 Crabtree Park is located within the settlement area of Camberley, in close proximity to residential properties forming part of a Post War Council Estate, as classified by the Western Urban Area Character SPD 2012. The site is located to the south west corner of Crabtree Park, within a few metres of the public highway (Crabtree Road to the south) and a Girl Guide Hall to west. The site is immediately adjacent to the approved pumping station under SU/12/0870.

### 3.0 RELEVANT HISTORY

- 3.1 SU/72/0328 Erect a sports centre - Approved 18/07/1972.
- 3.2 SU/72/0645 Erect a sports pavilion and changing room - Approved 12/12/1972.
- 3.3 SU/12/0870 Installation of a pumping station comprising boundary security fencing, gate, vent column GRP control and actuator kiosks with associated works.

Approved 19/03/2013

## **4.0 THE PROPOSAL**

- 4.1 Following the implementation of SU/12/0870 it was established that there was insufficient space at the northern end of the site to accommodate the overflow weir and manhole. As a consequence, the pumping station's northern boundary has been widened by 2 metres to provide clear access within the fence line for maintenance to take place on the site. The eastern edge of the extension has been tapered to avoid the site fencing intruding on the adjacent footpath.
- 4.2 The main kiosk approved under SU/12/0870 remains as approved and in other respects the approved details will be carried out as agreed under the provisions of the extant permission.

## **5.0 CONSULTATION RESPONSES**

- 5.1 Surrey County Council      No highway comments.  
Highway Authority

## **6.0 REPRESENTATIONS**

At the time of preparation of this report one representation in support of the application had been received.

## **7.0 PLANNING CONSIDERATION**

- 7.1 The National Planning Policy Framework (NPPF); Policies DM9, DM10, DM11 and DM15 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); and, Policy NRM6 of the South East Plan are material considerations in this application.
- 7.2 As the principle of development was considered acceptable under the extant planning permission SU/12/0870, it is considered that the main issues to be addressed in determining of this application are:
- The principle of development;
  - The proposal's impact on the character and appearance of the area;
  - The proposal's impact on the amenities of neighbouring properties; and
  - The impact of the development highway safety and parking.

### **7.3 The principle of development**

- 7.3.1 Policy DM15 of the Core Strategy advises that green spaces within settlement areas will be protected through the restriction of development to appropriate informal recreation uses or recreation facilities that are of a scale commensurate with the size of the space.
- 7.3.2 The principle of the change of use of land from green space within the settlement to a pumping station was established under SU/12/0870. The current proposal seeks to marginally enlarge the site to facilitate improved accessibility within the approved compound area through the enclosure of an additional 25 square metres of green space. It is considered that the loss of green space proposed under the current application is

relatively modest in comparison to the large area of parkland remaining, along with the wider community benefits to be realised as a result of the wider development. On this basis the principle of development is considered to be acceptable and the proposal accords with Policy DM15 of the Surrey Heath Core Strategy and Development Management Policies 2012.

#### **7.4 The proposal's impact on the character and appearance of the area**

- 7.4.1 The NPPF seeks a presumption in favour of sustainable development and to secure high quality design, as well as taking account of the character of different areas. Paragraph 59 of the NPPF requires design policies to concentrate on guiding the overall scale, landscape, and access of new development in relation to the local area. Policy DM9 of the Core Strategy is reflective of this, requiring development proposals to provide high quality design and enhance the local environment.
- 7.4.2 It is considered that the proposed development is of a modest scale and would only occupy a limited ground area beyond what has been granted under SU/12/0870. Given the proposed enlargement to the compound would be sited to the top (northern) end of the site, some distance away from the street frontage, it is not considered that the proposal would have any greater impact on the character and appearance of the area than what has already been permitted and partly implemented under SU/12/0870.
- 7.4.3 As such, no objection is raised to the proposed development and it is considered to accord with the principles of Policies DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

#### **8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER**

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included:

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Have communicated with the applicant through the process to advise progress, timescale or recommendation.

#### **9.0 CONCLUSION**

- 9.1 The report concludes that the proposal would not be harmful to the character and appearance of the area, or impact on the approved and implemented pumping station and ground protection measures already approved pursuant to the extant planning permission. The proposal is therefore considered to be acceptable.

## 10.0 RECOMMENDATION

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans: B806X02-A2-40000 (Rev D), 40001 (Rev D), 40003 (Rev D), 40004 (Rev D), unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

### Informative(s)

1. Decision Notice to be kept DS1

2014/1016

Reg Date 21/11/2014

Bagshot

**LOCATION:** 67 HIGH STREET, BAGSHOT, GU19 5AH  
**PROPOSAL:** Change of Use of the ground floor from a Class A3 restaurant to a Class C3 two bedroom residential unit.  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr Richard Waple  
 Lovelace Homes Limited  
**OFFICER:** Michelle Fielder

**RECOMMENDATION: REFUSE**

**1.0 SUMMARY**

- 1.1 The application proposes the change of use of a ground floor premises last used for A3 purposes to a two bed unit of residential accommodation. This report notes there is no amenity, CIL or highways objection, however, it is considered that the application would be harmful to the pattern of use, viability and vitality and character of both the designated district centre and the Conservation Area and is recommended for refusal.

**2.0 SITE DESCRIPTION**

- 2.1 The application site is located within the settlement of Bagshot. The site also lies within the designated shopping district centre and the Conservation Area.
- 2.2 The application site is currently occupied by a semi-detached building with the adjoining neighbouring property to the north east in residential use.

**3.0 RELEVANT HISTORY**

- 3.1 For 67 High Street:

SU/93/0218 - Change of use from retail (Class A1) to professional and financial services (Class A2). Approved in May 1993.

SU/98/0476 - Change of use of ground floor from retail (Class A1) to food and drink (Class A3). Approved in August 1998.

The officer report for SU/98/0476 confirms that the ground floor unit is self-contained, with access to the first floor offices provided from 69 High Street offices.

Across the application property (the whole of 69 High Street and first floor of 67 High Street), it can therefore be confirmed that it has been lawfully used for office purposes (under Class B1a of the Use Classes Order), also with the property being last used by chartered accountants.

3.2 For both 67 and 69 High Street:

SU/14/0233

Application under Class J, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) for prior notification of Change of Use of Offices (Class B1a) at 69 High Street and first floor of 67 High Street to provide 2 one bedroom and 1 two bedroom flats.

#### 4.0 THE PROPOSAL

- 4.1 Permission is sought for a change of use of the ground floor of the property from A3 to a 2 bedroom residential unit. The submitted details indicate that there will be no alteration to the physical appearance of the building.
- 4.2 The application is supported by a planning statement and marketing information. The applicant submits that the application should be approved because:

- The premises have been actively and continuously marketed with very limited interest;
- The premises are located in a low footfall area, the premises are small and have poor servicing arrangements;
- Policy DM12 allows for a change of use where the balance of retail to non-retail uses would be unaffected;
- Neighbouring properties have changed to residential use and this provides an indication of the acceptability of residential uses in Conservation Areas; and,
- The existing vacant unit is harmful to the vitality and viability of the centre and this part of the Conservation Area.

#### 5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Council Highway Authority No highway comments.
- 5.2 Windlesham Parish Council Comment: concern regarding the loss of a retail unit and the resulting impact on the vibrancy of the High Street as a retail destination.
- 5.3 Historic Buildings Officer Object: the proposal would result in a loss of vibrancy and street activity which is an important characteristic of this part of the retail high street. In addition subsequent alterations by the future occupiers could also be harmful to the street scene. The proposal would fail to preserve the character of the Conservation Area.

## **6.0 REPRESENTATIONS**

6.1 At the time of writing of this report no representations had been received.

## **7.0 PLANNING CONSIDERATION**

7.1 The National Planning Policy Framework (NPPF); Policies CP14, DM9, DM11, DM17 and DM12 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); the Infrastructure Delivery Supplementary Planning Document and Policy NRM6 of the South East Plan are material considerations in this application.

7.2 It is considered that the main issues to be addressed in determining of this application are:

- The principle of the change of use, including the loss of a unit in a 'A' use class;
- The proposal's impact on the character of area;
- The proposal's impact on Thames Basin Heaths SPA;
- The proposal's impact on residential amenities;
- Whether the development is acceptable in terms of parking and highway safety; and,
- The proposals impact on Infrastructure.

### **7.3 Principle of change of use, including loss of employment use**

7.3.1 Paragraph 17 of the NPPF states that one of the overarching roles of the planning system is to "encourage the reuse of existing resources, including conversion of existing buildings." Policy DM12 of the CS&DMP 2012 also supports the reuse of buildings but caveats this with a need retain a balance between retail and non-retail uses in district centres.

7.3.2 The applicant argues the proposal is compliant with Policy DM12 because the premises have been vacant and marketed since May 2012 and the loss of an A3 use would not affect the overall balance of retail and non-retail uses. In this regard while it is noted that the existing lawful use of the premises is A3, the applicant fails to have regard to the fact that the premises could also be used, without the need for planning permission, for any A1 – A3 use and on this basis the applicant's simplistic assessment fails to have regard to the wider picture, that is, that the loss of this unit to a residential use would result in the permanent loss of an unit in a 'A' use class in a designated district centre. This would affect the long-term balance of uses.

7.3.3 At the time of the officers site visit there did not appear to a proliferation of empty units on the High Street, within the designated district centre. There also appears to be a viable mix of 'A' class units and office uses interspersed with limited examples of residential uses. It was also noted that a recently let unit was being fitted out. Accordingly, at street level, the area does not appear to be particularly unattractive to either shoppers or businesses.

7.3.4 In addition while the premises appear to have been marketed since 2012, it must be noted that this marketing has been successful with the property being sold to its current owner in July 2014. The marketing information submitted since this change in ownership is however lacking with the following matters being of particular concern:

1. The site is advertised on Right Move as being 100sqft. (This is assumed to be an error and the size of the premises is nearer 1000sqft);
2. The duration of the properties marketing is limited to approximately 6 months (for sale) and 4 months (to let);
3. The annual market rental value of £226.48 per m<sup>2</sup> does not compare favourably with other premises located in similar district centres (by way of examples, a premises in the primary shopping area of Bagshot has an annual rental value of 160 per m<sup>2</sup> (this unit has been let), in addition a premises in Frimley shopping parade is currently being marketed at an annual rent of £151.79 per m<sup>2</sup>);
4. Much is made of the application site's location in what is reported to be an unviable location with comparisons being made with Camberley, Bracknell and Farnborough; however it must be noted (and is commonly accepted) that district centres fulfil a different function to town centres and as such it is considered the premises should be more competitively priced and marketed.

7.3.5 In summary, it is acknowledged that both the previous and current owners have made efforts to advertise the property for sale via a commercial agent. During the previous ownership, the property generated significant interest, which eventually resulted in its purchase by a new (the current) owner. This essentially demonstrates that the marketing of the property during that period was successful. The ground floor of the property has again been marketed for sale since its purchase. It is noted however, that the premises has not been advertised on the rental market until more recently. Nonetheless, the marketing information states there have been 9 viewings since August 2014, which fails to imply a lack of prospective interest in the premises. Realistically, it is considered that following the sale of the property a period of at least 18 months marketing (with the matters of concern outlined above addressed) will be necessary in order to demonstrate a lack of interest. On this basis, the evidence provided is not considered to support an exception to the loss of an 'A' class use at ground floor level. As such, an objection on the basis of DM12 is raised.

#### **7.4 The proposal's impact on the character of area**

7.4.1 The applicant argues that the proposal is acceptable in conservation terms because the use would not result in any changes to the fabric of the building and because, the residential uses have been shown to be acceptable in conservation areas. In respect of this latter matter the applicant relies on the approval of a residential unit at the ground floor of the premises next door and at Heath House (No.44), however both of these units were in office use and the more recent of the two, no.69, was a Class J prior approval in which the LPA was unable to assess the proposal's impact on the retail function of the district centre.

7.4.2 The Historic Buildings Officer has reviewed the proposal and objects to it noting that a residential use is of a different character in terms of its pattern of activity and adds that any potential reduction in vibrancy and street activity should be avoided. This is perhaps even more relevant given the adjacent building has been the subject of a Class J change of use to residential and places even greater emphasis on the need for decisions likely to impact on the retail function of an area to be fully justified.



7.4.3 A further more tangible concern is that notwithstanding the assertions made by the applicant that the proposal will not require any change to the fabric of the building, it must be noted that the premises features a large glazed shop window with the pedestrian high street immediately abutting it. It is plainly clear from the adjacent property that such a frontage will require some form of alteration if the occupants are to be afforded any kind of privacy. This concern is raised because at the time of the officers site visit a clear view of the entire living accommodation provided in the recently converted residential accommodation at the ground floor of No.69 was obtained from the pedestrian highway. In this regard it is considered that even measures as simple as hanging net, or obscure glazing the remaining clear glazed windows and door, would give rise to a largely dead frontage along this part of the High Street, which coupled with a lack of daytime activity, often associated with a residential use, would be at odds with and harmful to the character and appearance of the historic High Street within the Conservation Area. The proposal is therefore considered to be contrary to the aims and objectives of Policy DM17 of the CS &DMP 2012.

## **7.5 Impact on Thames Basin Heaths SPA**

7.5.1 The application site is located within approximately 1.1 km of the Thames Basin Heaths Special Protection Area (SPA). Natural England are currently advising that new residential development within 5km of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes a net increase of 2 units, which in combination with other development, to have a significant adverse impact on the protected site.

7.5.2 In January 2012 the Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS. The Council's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As SANGS is considered to be a form of infrastructure, they are pooled through CIL. The Council currently has sufficient SANGS capacity to mitigate the impact of the development on the SPA.

7.5.3 Policy CP14B requires that all net new residential development provide contributions toward strategic access management and monitoring measures. As such, subject to payment received in respect of SAMM or the completion of a legal agreement to secure this contribution by the 9 March 2015, the proposal would accord with Policy CP14B of the Core Strategy and the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document.

## **7.6 Impact on residential amenities**

7.6.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 (Design Principles) ensures that the amenities of the occupiers of the neighbouring properties and uses are respected.

7.6.2 The proposal would provide a small unit of residential accommodation with a small rear private amenity area. The size of both elements is considered acceptable in context of the nature of the proposal and this sites location. While it is noted that privacy to the unit would be compromised by the existing part clear glazed shop front and the footpath proximity it is noted that this concern could be overcome by netting or obscure glazing (notwithstanding the LPA's concerns about what such measures would have on the character of the Conservation Area).

7.6.3 It is not considered the proposal would have an unacceptable impact on nearby residential occupiers. The proposal is therefore considered to be acceptable in terms of Policy DM9.

#### **7.7 Whether the development is acceptable in terms of parking and highway safety**

7.7.1 Policy DM11 (Traffic Management and Highway Safety) seeks all development ensures that no adverse impact on the safe and efficient flow of traffic movement on the highway network results.

7.7.2 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway.

#### **7.8 Impact on Community Infrastructure**

7.8.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more. The proposal would not result in a net increase in floor space and accordingly the development is not CIL liable.

### **8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER**

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included:

a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

c) Have communicated with the applicant through the process to advise progress, timescale or recommendation.

### **9.0 CONCLUSION**

9.1 The proposed development would not have an adverse impact on residential amenity or, highway safety. However, it is considered the proposal would give rise to a loss of an 'A' class unit in the designated district centre which, in the absence of a robust marketing report, would, be harmful to the viability and vitality of the district centre. Moreover, the introduction of a residential use at ground floor would be harmful in terms of the character and pattern of use in the historic High Street and at odds with the prevailing 'A' use classes and commercial uses. In addition, in light of the existing part clear glazed shop frontage and the proximity of the public highway to the premises, the residential use would, by any reasonable expectation, require the future occupier to provide some form of screening, netting or obscure glazing which would compound the loss of daytime activity and lead to a

dead frontage along this part of the High Street. The application is therefore considered to be contrary to the aims and objectives of Policies DM17 and DM12 of the CS&DMP 2012 and is recommended for refusal.

## **10.0 RECOMMENDATION**

REFUSE for the following reason(s):-

1. The proposal would result in a loss of unit in which could be used for any Class A1 to A3 use. The loss of this unit has not been justified by the submission of an accurate and robust marketing report. In addition it is considered that the proposed residential use would result in a change in the character and pattern of use and associated activity in this part of the historic High Street which would, in combination with the steps reasonably required to provide a satisfactory level of privacy to future occupiers, result in a dead frontage to this part of the High Street. The proposal is therefore considered to be harmful to the character, viability and vitality of the designated district centre and wider Conservation Area and contrary to aims and objectives of Policies DM12 and DM17 of the Core Strategy and Development Management Policies 2012 and the NPPF.

### Informative(s)

1. The applicant is advised that in respect of the reason for refusal the market evidence submitted is not accurate (the property is marketed as being 100sqft on the Right Move website); is not considered to be competitively priced in comparison with other premises located in similar district centres; and, has not been undertaken over a long enough period (in terms of time since the property was purchased in July 2014).

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2014/1120

Reg Date 24/12/2014

St. Michaels

**LOCATION:** UNIT 1 FRIMLEY ROAD, CAMBERLEY, GU15 3EN  
**PROPOSAL:** Erection of a ground floor entrance to service first floor flat.  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr Edward Huntsman  
**OFFICER:** Michelle Fielder

**RECOMMENDATION: GRANT subject to conditions**

## 1.0 SUMMARY

- 1.1 The application proposes the change of use of a small part of an existing vacant retail unit to form an independent access to an existing unit of residential accommodation above. It is considered the proposal would not materially impact on the retail function or viability of the neighbourhood parade and subject to conditions would not be harmful to the character of the area. The proposal is therefore considered to be acceptable.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is located within the settlement and is located in a designated shopping parade. The area is characterised by a mix of ground floor commercial buildings with residential accommodation over. The existing retail unit at ground floor is vacant.

## 3.0 RELEVANT HISTORY

- 3.1 None.

## 4.0 THE PROPOSAL

- 4.1 Planning permission is sought for a change of use of part of the ground floor area of the existing retail unit to form an independent access to the existing first floor flat. The area to be lost to provide the entrance is approximately 7m<sup>2</sup>.

## 5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Council      No highway comments.  
 Highway Authority

## 6.0 REPRESENTATIONS

- 6.1 At the time of writing of this report two representations of objection have been received. These raise the following concerns:

- The site access would be unsafe *[officer note: see section 7.6]*
- The proposed extension would be out of keeping *[officer note: the proposal does not include an extension to the building]*
- The proposal would lead to a reduction in parking *[officer note: parking would not be affected by the application]*
- Parking outside the application site could lead to congestion *[officer note: please see comment above, please note parking restrictions are in force immediately outside the application site]*
- Will cause pedestrian conflict *[officer note : please see section 7.6]*
- Will increase fire risk *[officer note: please see section 7.9].*

## **7.0 PLANNING CONSIDERATION**

7.1 The National Planning Policy Framework (NPPF); Policies DM9, DM11, and DM12 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); the Infrastructure Delivery Supplementary Planning Document are relevant to this application.

7.2 It is considered that the main issues to be addressed in determining this application are:

- The principle of the change of use;
- The proposal's impact on the character of area;
- The proposal's impact on residential amenities;
- Whether the development is acceptable in terms of parking and highway safety; and,
- The proposal's impact on Infrastructure.

### **7.3 Principle of change of use**

7.3.1 Paragraph 17 of the NPPF states that one of the overarching roles of the planning system is to “encourage the reuse of existing resources, including conversion of existing buildings.” Policy DM12 of the CS&DMP 2012 also supports the reuse of buildings but caveats this with a need retain a balance between retail and non-retail uses in protected retail areas.

7.3.2 The proposal would appear contrary to aims and objectives of Policy DM12 which seeks to retain floor area in ‘A’ use class. However, it is noted that the proposal only amounts to approximately 7m<sup>2</sup> and that the proposed alterations to the access would improve the access arrangements to an existing residential unit (currently only accessible via a rear access) while retaining 50m<sup>2</sup> of useable floor area for A1 retail use. It is considered that the floor area to be lost, as a percentage of that to be retained in the unit, and wider area, is so small as to not be material to the function of the area. It is therefore considered that the proposal would not offend the aims and objectives of Policy DM12.

#### **7.4 The proposal's impact on the character of area**

- 7.4.1 The proposal would result in the provision of an extra pedestrian entrance and associated alterations off the main thoroughfare. It is not, however, considered this would be harmful to the character or appearance of the area and subject to conditions, would comply with Policy DM9.

#### **7.5 Impact on residential amenities**

- 7.5.1 The NPPF seeks a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 (Design Principles) ensures that the amenities of the occupiers of the neighbouring properties and uses are respected.
- 7.5.2 The small scale nature of the proposal is noted, and in this regard, it is anticipated that proposal would have a marginal, positive impact on the occupiers of the existing residential unit provided at first floor but it would not have any material impact on any other nearby occupiers.
- 7.5.3 The proposal is therefore considered to be acceptable in terms of Policy DM9.

#### **7.6 Whether the development is acceptable in terms of parking and highway safety**

- 7.6.1 Policy DM11 (Traffic Management and Highway Safety) seeks all development ensures that no adverse impact on the safe and efficient flow of traffic movement on the highway network results.
- 7.6.2 The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway.
- 7.6.3 The objector comments are noted, however it is not considered that the proposed additional pedestrian access from the street to the residential property would be likely to impede the free flow of pedestrian movement and an objection on this basis is not raised in respect of Policy DM11.

#### **7.8 Impact on Community Infrastructure**

- 7.8.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more. The proposal would not result in a net increase in floor space and accordingly the development is not CIL liable.

#### **7.9 Other Matters**

- 7.9.1 In light of the highways, amenity and character assessment above it is not considered the proposal would result in an increased risk to health and safety in the event of a fire.

#### **8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER**

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF.

This included:

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

## **9.0 CONCLUSION**

- 9.1 The proposed development would not have an adverse impact on residential amenity, highway safety or the retail function of the area. The application is therefore recommended for approval.

## **10.0 RECOMMENDATION**

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until details and samples of all external materials to be in the formation of the new ground floor entrance have been submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out using only the agreed materials.

Reason: In the interests of visual amenities of the area and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

3. The proposed development shall be built in accordance with the following approved plans: P/006 and P/007, unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.



2014/1138

Reg Date 09/01/2015

Old Dean

**LOCATION:** 1 DEAN PARADE, CAMBERLEY, GU15 4DQ  
**PROPOSAL:** Change of Use from Class A1 (Retail) to Class A3 Cafe.  
(Retrospective)  
**TYPE:** Full Planning Application  
**APPLICANT:** Khosla Investments  
**OFFICER:** Ross Cahalane

**RECOMMENDATION: GRANT subject to conditions**

## 1.0 SUMMARY

- 1.1 The application premises is located on the southern side of Dean Parade, within the settlement of Camberley and within a Neighbourhood Parade as defined under the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012. As such, the area is primarily commercial in character, although there are several first floor flats above and adjacent to the site.
- 1.2 This application seeks the change of use of the premises from Class A1 (Retail) to Class A3 (Cafe). This report concludes that the development does not detract from the character or the appearance of the area and contributes to the viability and the vitality of the Neighbourhood Parade. There is no adverse impact on highway safety, and subject to appropriate conditioning, residential amenities can be safeguarded in the future.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is located at the end of a row of commercial premises fronting the northern side of an open pedestrianised shopping courtyard known as Dean Parade.
- 2.2 The surrounding area is primarily commercial in character, although there are first floor flats above and adjacent to the proposal site, and a number of two storey dwellinghouses to the north.

## 3.0 RELEVANT HISTORY

- 3.1 There is no relevant planning history at this site, or any record of enforcement complaints received in respect of the existing use.

## 4.0 THE PROPOSAL

- 4.1 The application site is currently in use as a café, and the application seeks to retain the change of use of the premises from Class A1 (retail) to Class A3 (Cafe). The applicant states in the supporting statement that the premises is currently in use as a 'Temporary' A3 use courtesy of current amendments to Permitted Development rights. However, the Local Planning Authority has no record of receipt of a 'prior notification' application, which is a requirement for such a change of use. As such, this application is retrospective, but must still be considered on its own planning merits.

## 5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No objection.
- 5.2 Environmental Health Comments will be reported at the meeting.

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report no representations had been received. Any representations subsequently received will be included within a separate written update.

## 7.0 PLANNING CONSIDERATION

- 7.1 The application site is located within the settlement of Camberley and within a Neighbourhood Parade as defined under the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012. As such, the main Policies relevant to this application are Policies CP9 (Hierarchy and Role of Centres), DM9 (Design Principles), DM11 (Traffic Management and Highway Safety) and DM12 (District and Local Centres and Neighbourhood Parades) of the Core Strategy. The guidance contained in the National Planning Policy Framework is also a material consideration.

- 7.2 It is considered that the main issues to be addressed are:

- The principle of the change of use;
- The impact of the proposal on the character and the appearance of the area;
- The impact of the proposal on residential amenities; and,
- The impact of the proposal on highway safety.

### 7.3 The principle of the change of use

- 7.3.1 In principle the change of use of the premises to A3 is acceptable. This is because Policy DM12 of the Core Strategy specifically supports the change of use of premises so long as the balance of non-A1 uses in a designated area does not become harmful to its vitality, viability and retail function as a shopping destination. At the time writing this report Dean Parade has a high vacancy level such that the reuse of a unit for a purpose which is likely to result in an increase in footfall to the parade and, as a result, help improve the viability and viability of this small neighbourhood parade is welcomed. It is therefore considered that the introduction of an A3 cafe use to the parade will not harm the objectives of Policy DM12.

### 7.4 The impact of the proposal on the character and the appearance of the area

- 7.4.1 Policy DM9 (Design Principles) continues to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density.

- 7.4.2 The application site is located within a predominantly commercial area, forming part of a row of commercial premises fronting an open pedestrianised shopping courtyard within a defined Neighbourhood Parade. The application seeks to retain the change of use of the premises, and it is noted that the supporting statement states that no alterations or

building works are required to achieve a permanent A3 café use. It is not considered that the change of use detracts from the character or the appearance of this neighbourhood shopping parade and the introduction of this use has the potential to enhance the environment.

- 7.4.3 As such, it is considered that the proposal has no adverse impact on the character of the site and surrounding area, therefore complying with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

## **7.5 The impact of the proposal on residential amenities**

- 7.5.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development.

- 7.5.2 The application site is located in a predominantly commercial location, with its front elevation facing onto a pedestrianised square/courtyard area known as Dean Parade. There is a first floor flat directly above the proposal site, and there are other flats and dwellinghouses in the vicinity of the premises.

- 7.5.3 The application form does not state what the proposed hours of operation would be. However, it is understood that the proposed A3 café use would provide light snacks and hot drinks, rather than a more intensive hot food café/restaurant use, and no external alterations are proposed. However, by permitting this change of use the applicant could still amend the cafe use in the future, or the premises could be used for any other Class A3 use by another occupier without requiring planning permission. Whilst it would be unreasonable to impose a personal permission it is still necessary for the Local Planning Authority to retain control over the precise use of the premises, in the interests of the amenity of the neighbouring flats and dwellinghouses.

- 7.5.4 Officers therefore consider it necessary and reasonable to impose a planning condition restricting the hours of opening to 07:00 – 19:00hrs Monday to Saturday, and 09:00 – 17:00 on Sundays. It is also considered necessary and reasonable to impose a planning condition restricting the installation of any flue or other extraction, refrigeration or air conditioning units on the exterior of any part of the premises.

- 7.5.5 Subject to this conditioning, it is considered that the proposal would not unduly harm the amenities of occupants of neighbouring properties, in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

## **7.6 The impact of the proposal on highway safety and the free movement of pedestrians**

- 7.6.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.

- 7.6.2 The County Highway Authority has undertaken an assessment in terms of the likely highway impact and has no objections to make on safety, capacity or policy grounds. The County Highway Authority therefore has no highway requirements.

- 7.6.3 The proposal does not conflict with Policy DM11 (Traffic Management and Highway Safety) of the Surrey Heath Core Strategy and Development Management Policies 2012, and no objections are therefore raised on these grounds.

## **8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER**

- 8.1 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included:
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
  - c) Have proactively communicated with the applicant through the process to advise of progress, timescale or recommendation.

## **9.0 CONCLUSION**

- 9.1 This report concludes that the development proposed does not detract from the character or the appearance of the area and its retention would contribute to the viability and the vitality of the Neighbourhood Parade. The development does not adversely impact on residential amenities, subject to conditions, and does not give rise to conditions prejudicial to highway safety or the free movement of pedestrians
- 9.2 Therefore the application is recommended for approval.

## **10.0 RECOMMENDATION**

GRANT subject to the following conditions:-

1. The Class A3 (café) premises hereby approved shall only be open to the public between the hours of 07:00 - 19:00 Monday to Saturday and 09:00 - 18:00 on Sundays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities enjoyed by neighbouring residents and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

2. Prior to the installation of any extraction, odour, cooling or noise mitigation system required for the use hereby approved or the future occupation of the premises by any other Class A3 use (as defined by the Town and Country Planning Use Classes Order or any other order revoking or re-enacting that Order), full details shall be submitted and approved in writing by the Planning Authority. Details submitted shall include scaled plans/elevations of the position and size of the extraction systems and manufacturers specifications. Once approved the systems agreed must be implemented prior to commencement of the intended Class A3 use and thereafter serviced and maintained to the satisfaction of the Planning Authority.

Reason: To retain control in the interests of the visual and residential amenities of the vicinity and to comply with Policy DM9 of the Surrey Heath Development Management Policies Document 2012 and the National Planning Policy Framework.

Informative(s)

1. Decision Notice to be kept DS1

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2015/0088

Reg Date 09/02/2015

Frimley Green

**LOCATION:** 9 GARRICK WAY, FRIMLEY GREEN, CAMBERLEY, GU16  
6LY  
**PROPOSAL:** Erection of single storey rear extension and conversion of detached garage into domestic store.  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr A Whittart  
**OFFICER:** Duncan Carty

**This application has been reported to the Planning Applications Committee because the applicant is a Ward Councillor.**

## **RECOMMENDATION: GRANT subject to conditions**

### **1.0 SUMMARY**

- 1.1 The application proposal is to erect a single storey rear extension. The submitted drawings include proposed alterations to an existing garage to provide a domestic store, works which are permitted development. The proposal is considered to be acceptable in terms of its impact on residential amenity, local character and highway safety. The application proposal is therefore recommended for approval.

### **2.0 SITE DESCRIPTION**

- 2.1 The application property is a semi-detached house in the settlement of Frimley Green. The site falls within a residential area, having a "Post War Open Estate" character as defined in the Western Urban Area Character SPD 2012. Nos. 7 and 11 Garrick Way lie to either flank with 21 Hadleigh Gardens to the rear.

### **3.0 RELEVANT HISTORY**

- 3.1 There is no relevant history to this site.

### **4.0 THE PROPOSAL**

- 4.1 The current proposal is to erect a single storey rear extension. The proposed extension would measure 3.6 metres in depth, 5.8 metres in width with a monopitch roof over to a maximum height of 3.5 metres, reducing to 2.4 metres at the rear, and would provide a kitchen/dining room extension. Two rooflights would be inserted in the rear roofslope. The proposed extension would replace an existing conservatory positioned in a similar footprint to the proposed extension.

- 4.2 The proposed drawings indicate alterations to the garage, a detached building located close to but behind the host dwelling. Alterations include the replacement of the garage door with a door/window and a new door in the flank wall facing into the garden, works which are permitted development.

## **5.0 CONSULTATION RESPONSES**

- 5.1 County Highway Authority No objections.

## **6.0 REPRESENTATION**

At the time of preparation of this report no representations have been received.

## **7.0 PLANNING CONSIDERATIONS**

- 7.1 The application property is located in the settlement of Frimley Green. The proposal is not CIL liable. The current proposal is to be assessed against Policies CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012, the Western Urban Area Character SPD 2012 and the National Planning Policy Framework (NPPF).
- 7.2 The issues in the consideration of this application are:
- Impact on local character;
  - Impact on residential amenity; and
  - Impact on parking and highway safety.

### **7.3 Impact on local character**

- 7.3.1 The proposed extension would be located to the rear of the application property. There would be extremely limited views of the proposal for the public domain. The design of the proposal would be compatible with the appearance of the host dwelling. Noting its limited scale, design and siting, the proposal would have a very limited impact on local character. The current proposal is considered to be acceptable, complying in this respect with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, the Western Urban Area Character SPD 2012 and the NPPF.

### **7.4 Impact on residential amenity**

- 7.4.1 The proposed extension would be built along side a similar extension built onto the rear of the adjoining semi-detached dwelling, 11 Garrick Close. No adverse impact is envisaged to this property. The proposal would be set-in about 3 metres from the flank boundary with 7 Garrick Close, and would be obscured from this property by the presence of the existing garage and the boundary treatment, which includes, in part, a three metre high hedge. The proposed extension would have very little impact on any other nearby or adjoining residential property due to its limited scale, proposed siting and existing built relationships. The current proposal is considered to be acceptable, complying in this respect with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.



## **7.5 Impact on parking and highway safety**

7.5.1 Given that the conversion of the garage is permitted development the Planning Authority has no control over parking provision, in any event. However, for information only, the four parking spaces on the front drive would be retained to serve this property and this level of provision exceeds parking standards. The County Highway Authority raises no objections to the proposal. The proposal would not have an adverse impact on highway safety complying with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

## **10.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER**

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Paragraphs 186-187 of the NPPF. This included the following:-

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

## **11.0 CONCLUSION**

11.1 The current proposal is considered to be acceptable in terms of its impact on residential amenity, local character and highway safety. The application is recommended for approval.

## **9.0 RECOMMENDATION**

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The building works, hereby approved, shall be constructed in external fascia materials; brick, tile, bonding and pointing, to match those of the existing building.

Reason: In the interests of the visual amenities of the area and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

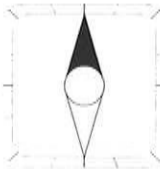

3. The proposed development shall be built in accordance with the following approved plans: 2015-Whittart-02 unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

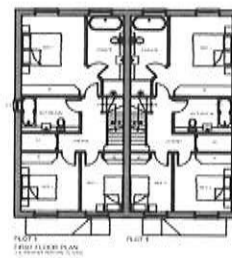
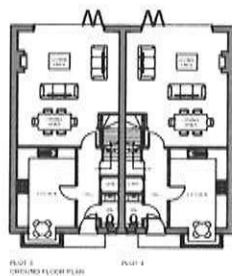
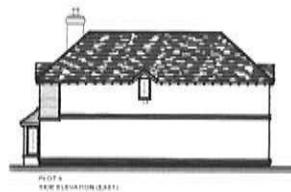
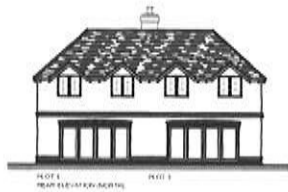
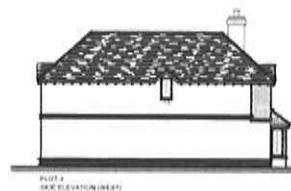
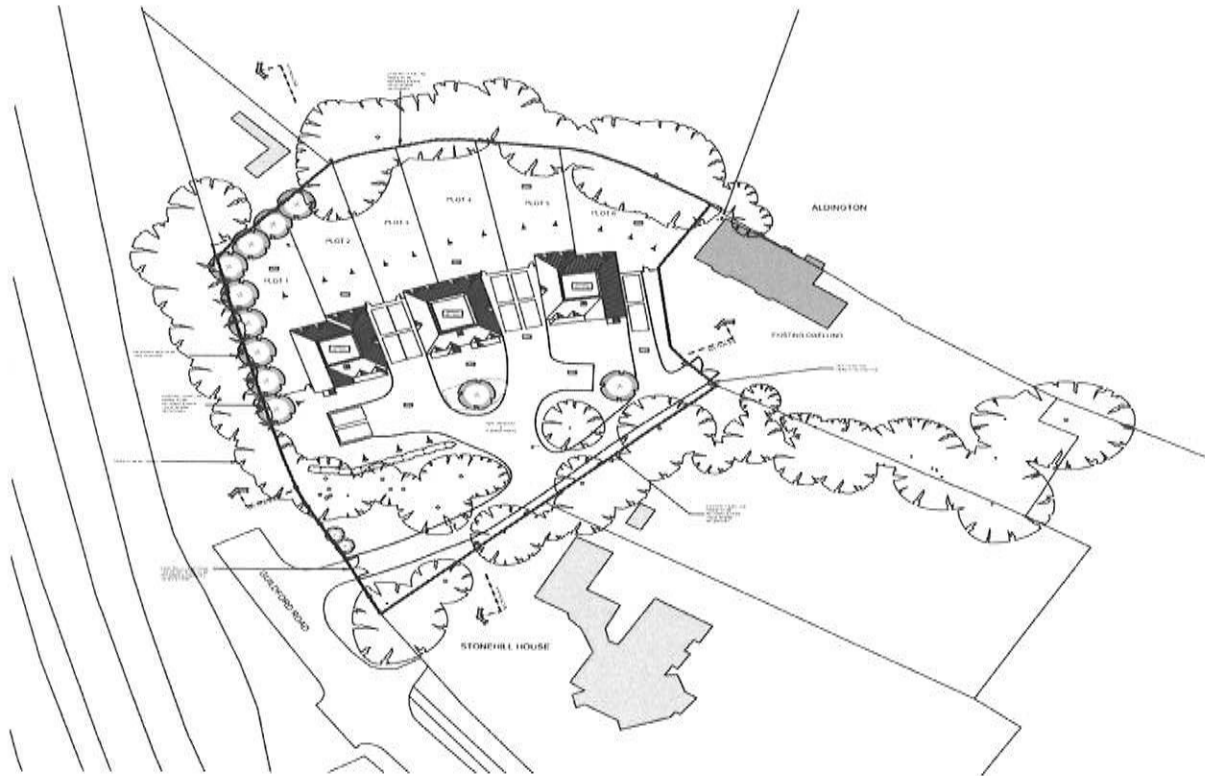
Informative(s)

1. Decision Notice to be kept DS1
2. Building Regs consent req'd DF5
3. Party Walls (etc) Act 1996 DE3



<b>Title</b>	Planning Applications		<b>Page</b>	6 of 8
<b>Application number</b>	14/1127		<b>Scale @ A4</b>	1:1,250
<b>Address</b>	KENNELS, 79 GUILDFORD ROAD, BAGSHOT, GU19 5NS		<b>Date</b>	23 Feb 2015
<b>Proposal</b>	Demolition of boarding kennels and erection of six 3 bed dwelling houses.		 	
<p>© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2015</p>				


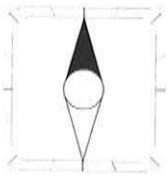
SU/14/1127 – Kennels, 79 Guildford Road, Bagshot GU19 5NS



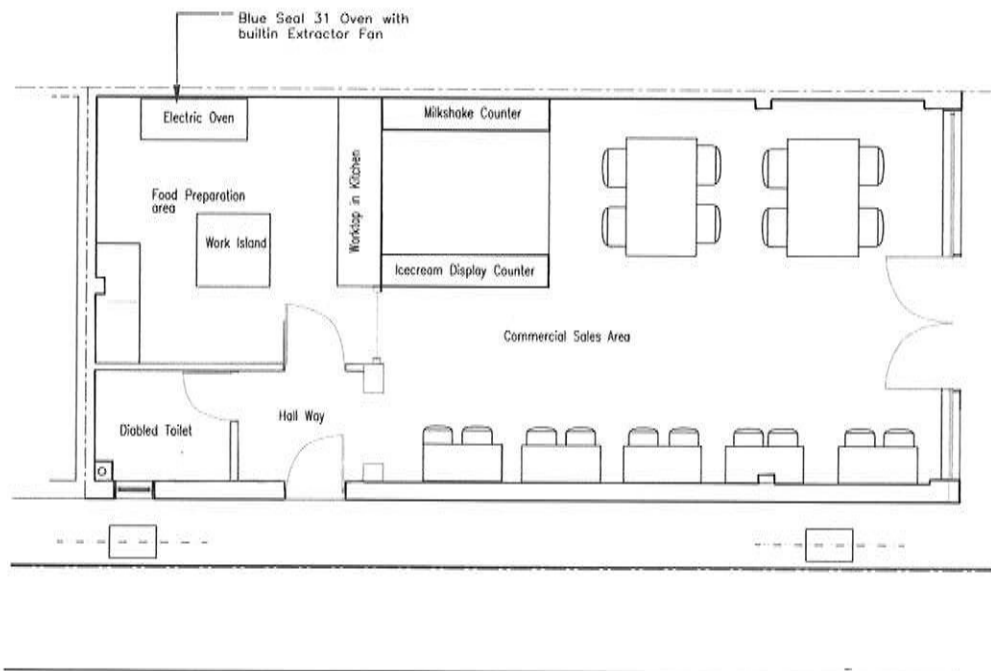
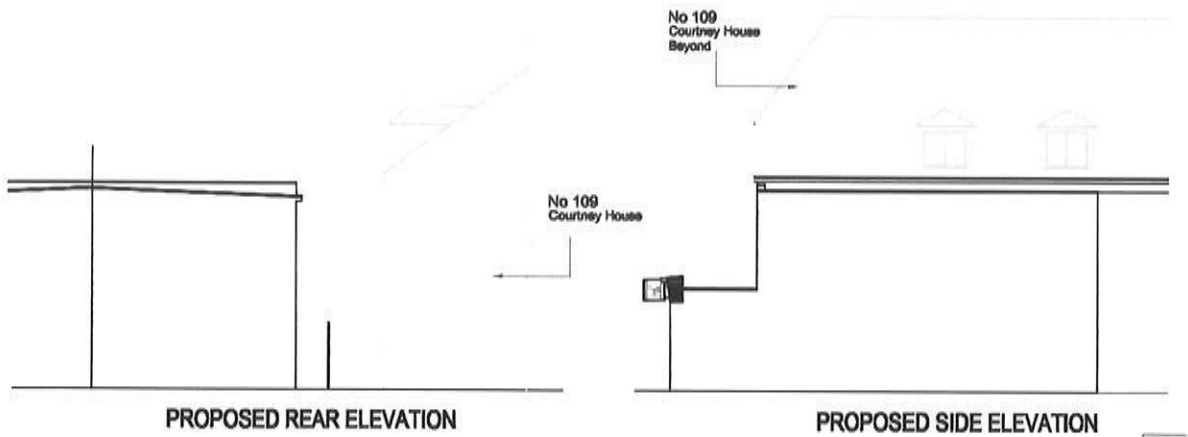
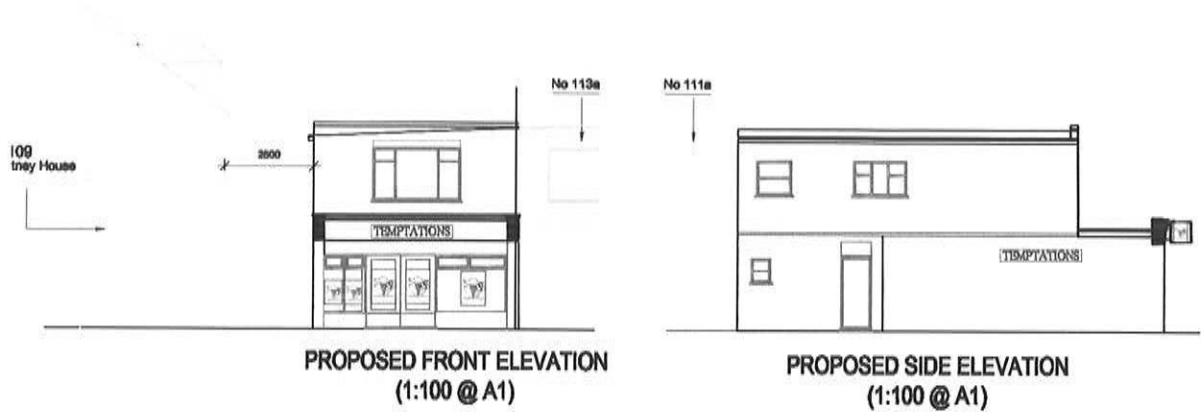
SU/14/1127 – Kennels, 79 Guildford Road, Bagshot GU19 5NS





<b>Title</b>	Planning Applications		<b>Page</b>	5 of 8
<b>Application number</b>	15/0055		<b>Scale @ A4</b>	1:750
<b>Address</b>	113 FRIMLEY ROAD, CAMBERLEY, GU15 2PP		<b>Date</b>	23 Feb 2015
<b>Proposal</b>	Change of Use from A1 (Coffee Shop) to A3 (Dessert Parlour).			
				

SU/15/0055 – 113 Frimley Road, Camberley, GU15 2PP





**PROPOSED GROUND FLOOR  
(1:50 @ A1)**



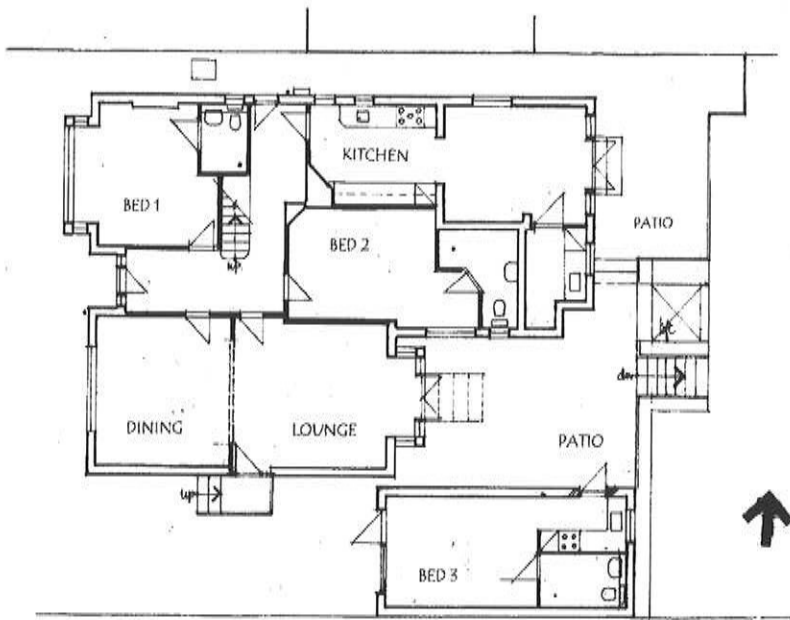




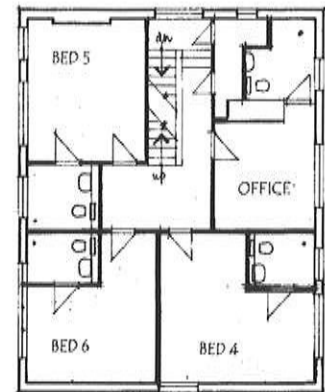
<b>Title</b>	Planning Applications		<b>Page</b>	8 of 8
<b>Application number</b>	15/0015		<b>Scale @ A4</b>	1:1,250
<b>Address</b>	55 THE AVENUE, CAMBERLEY, GU15 3NF		<b>Date</b>	23 Feb 2015
<b>Proposal</b>	Change of use from C1 Bed and breakfast/Guest house to C2 Residential Institution including detached garage for 8 service users with learning disabilities.		 	
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SU/15/0015 – 55 The Avenue, Camberley, GU15 3NF



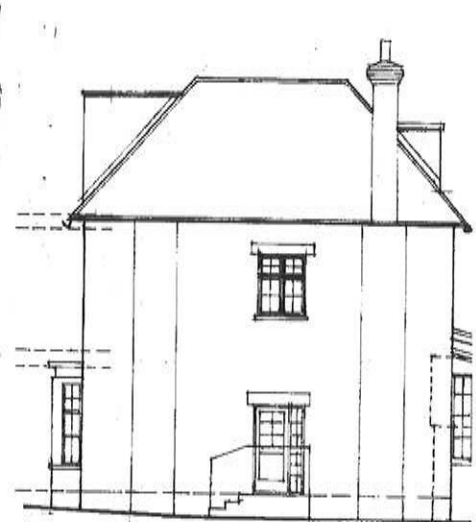
GROUND FLOOR PLAN



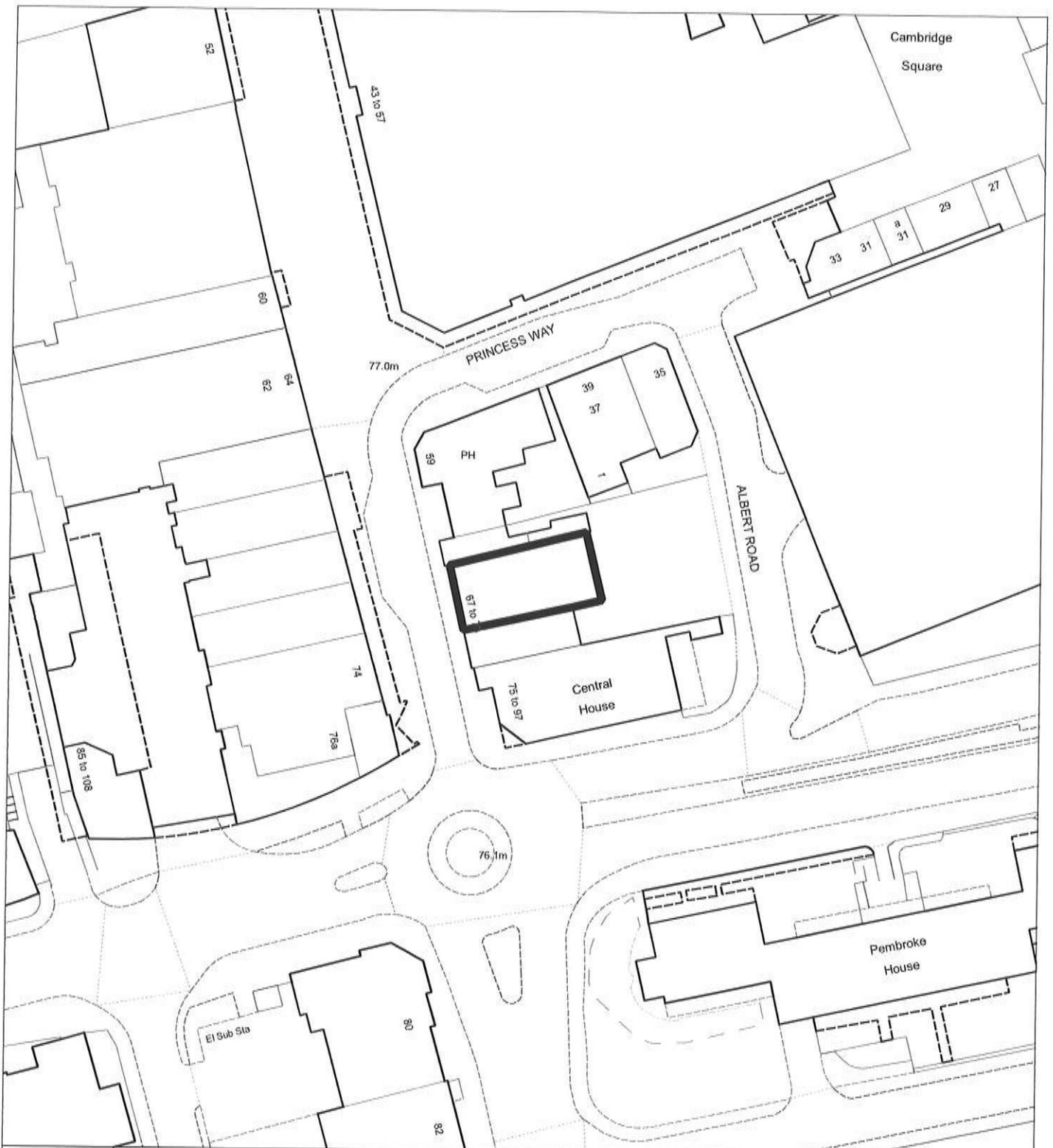
FIRST FLOOR PLAN

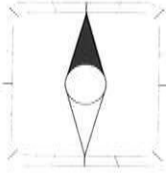



REAR ELEVATION

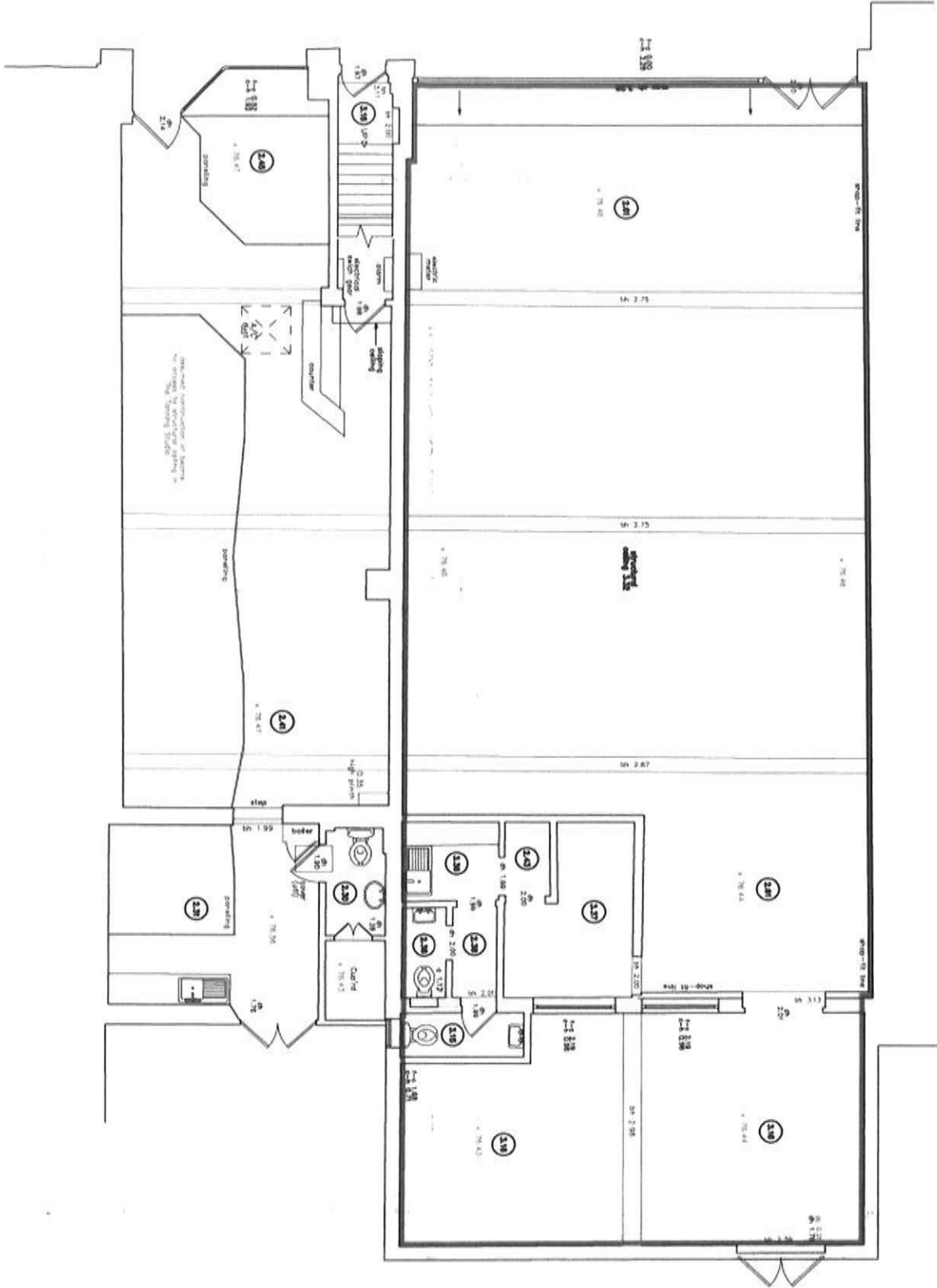


SIDE ELEVATION



<b>Title</b>	Planning Applications		<b>Page</b>	7 of 8
<b>Application number</b>	14/0987		<b>Scale @ A4</b>	1:750
<b>Address</b>	67-69 PARK STREET, CAMBERLEY, GU15 3PE		<b>Date</b>	23 Feb 2015
<b>Proposal</b>	Change of Use from retail use (class A1) to a flexible use (class A1, A2 and A3) use.		 	
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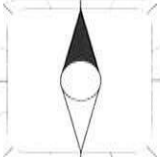
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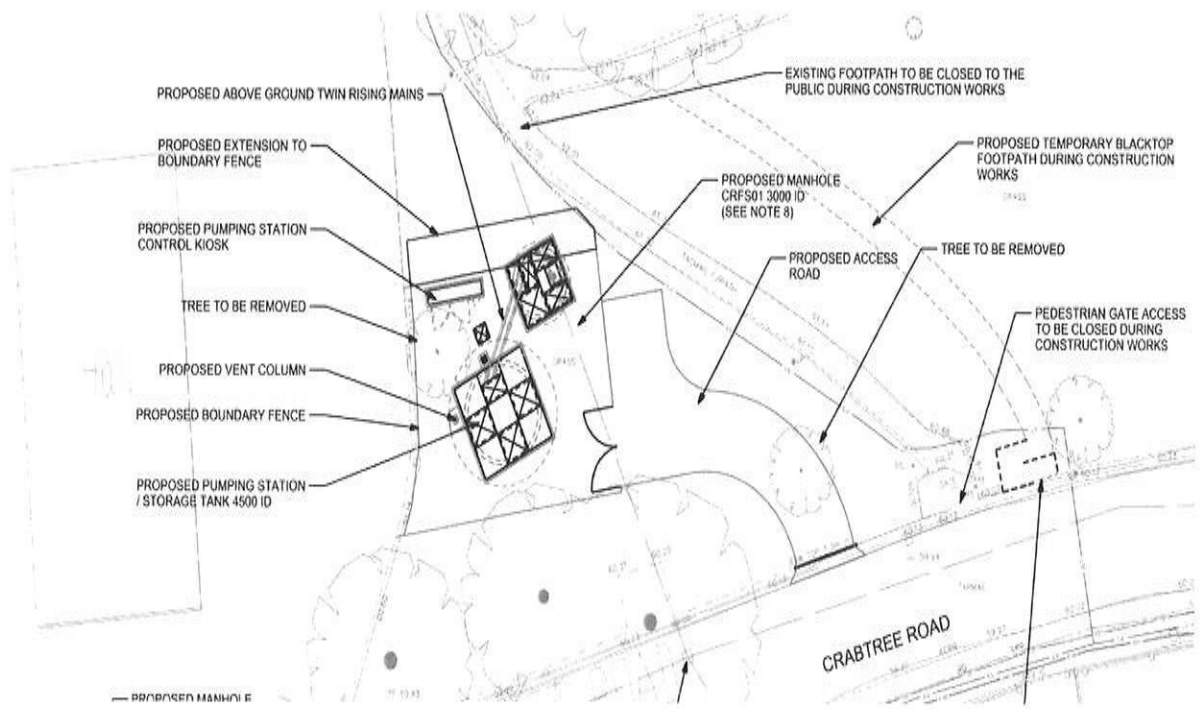
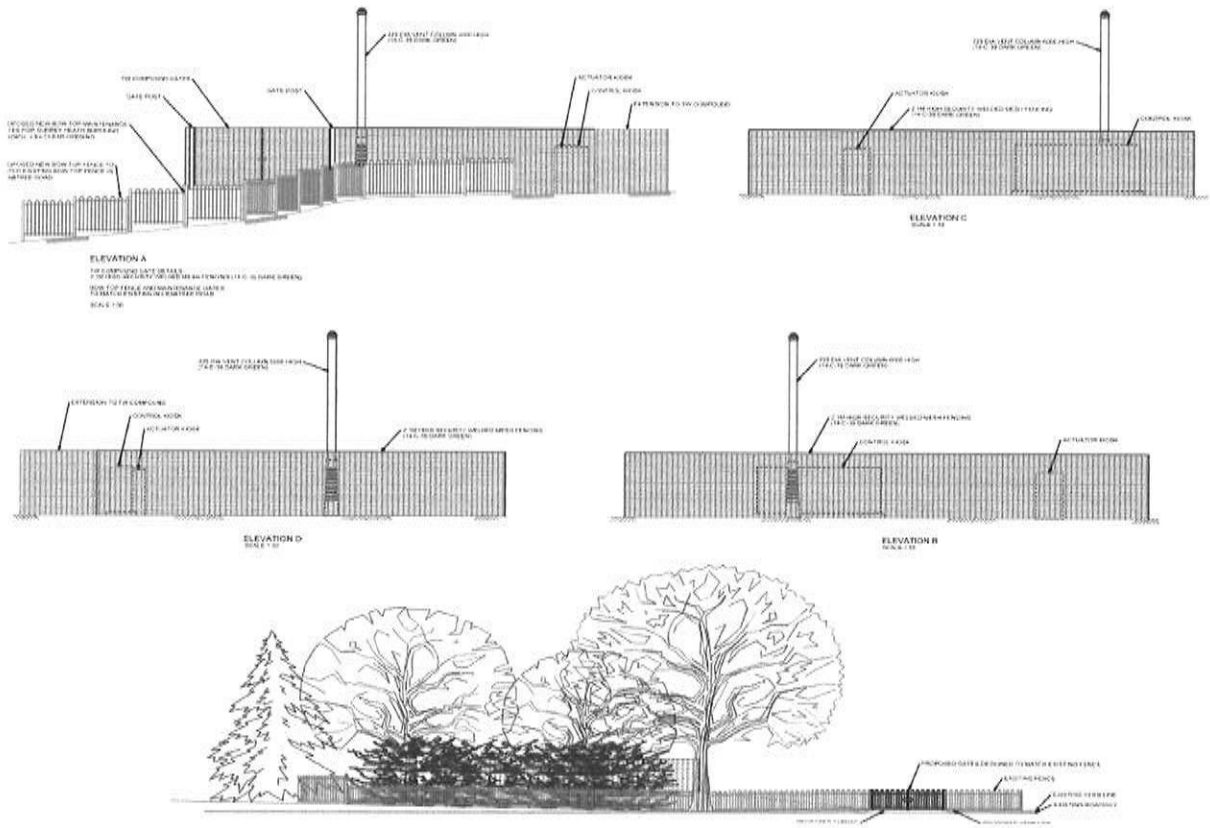
SU/14/0987 – 67-69 Park Street, Camberley, GU15 3PE





<b>Title</b>	Planning Applications		<b>Page</b>	9 of 9
<b>Application number</b>	14/1146		<b>Scale @ A4</b>	1:750
<b>Address</b>	CRABTREE PARK, CRABTREE ROAD, CAMBERLEY		<b>Date</b>	25 Feb 2015
<b>Proposal</b>	Change of Use of land to provide an extension to the northern boundary of existing pumping station and erection of associated boundary fence (amendment to SU/12/0870)			
				
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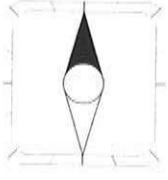
# SU/14/1146 – Crabtree Park, Crabtree Road, Camberley





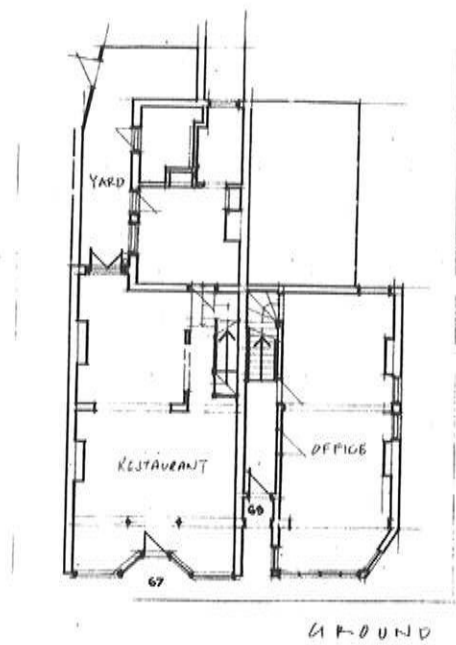




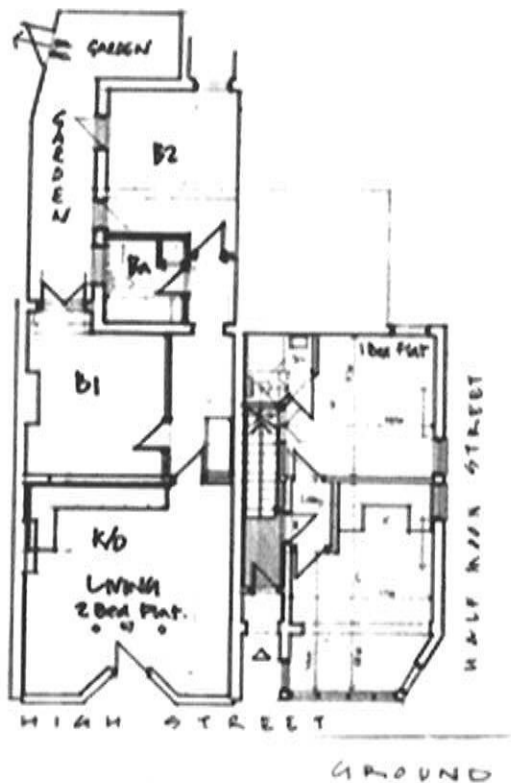
<b>Title</b>	Planning Applications	<b>Page</b>	2 of 8
<b>Application number</b>	14/1016	<b>Scale @ A4</b>	1:750
<b>Address</b>	67 HIGH STREET, BAGSHOT, GU19 5AH	<b>Date</b>	23 Feb 2015
<b>Proposal</b>	Change of Use of the ground floor from a Class A3 restaurant to a Class C3 two bedroom residential unit.		
			
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SU/14/1016 - 67 HIGH STREET, BAGSHOT



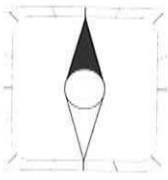

Existing Floor Plan



Proposed floor plan



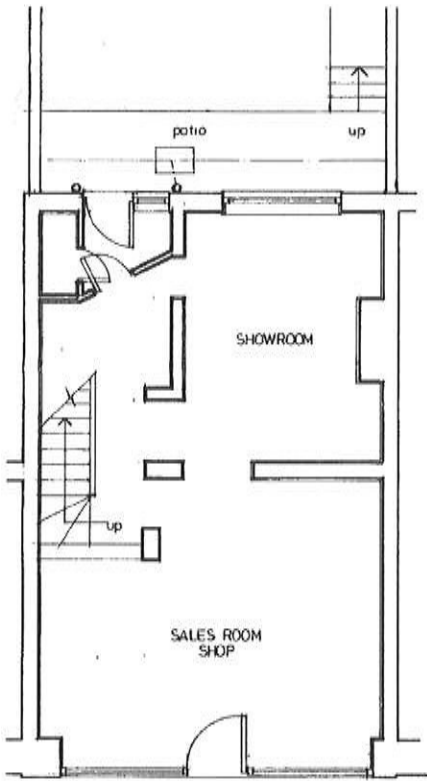


<b>Title</b>	Planning Applications		<b>Page</b>	1 of 8
<b>Application number</b>	14/1120		<b>Scale @ A4</b>	1:750
<b>Address</b>	UNIT 1 FRIMLEY ROAD, CAMBERLEY, GU15 3EN		<b>Date</b>	23 Feb 2015
<b>Proposal</b>	Erection of a ground floor entrance to service first floor flat.		 	
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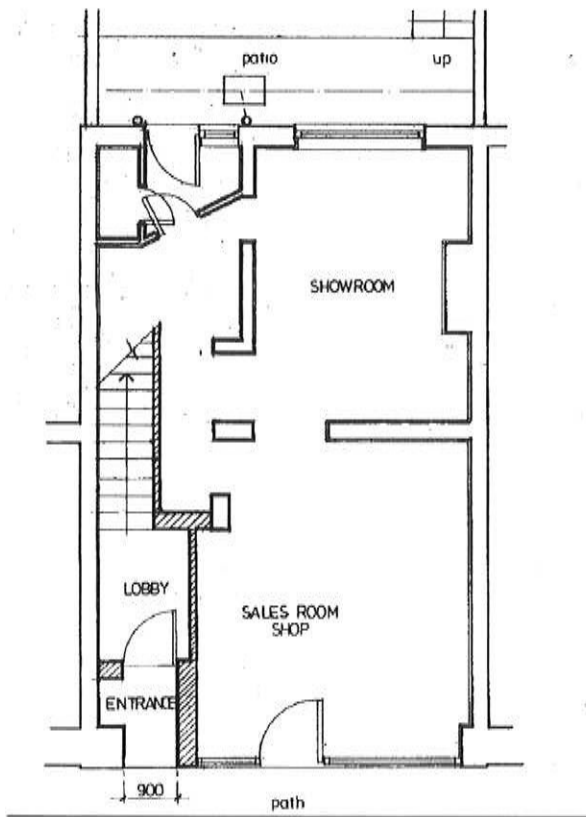
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SU/14/1120 – UNIT 1, FRIMLEY ROAD, CAMBERLEY

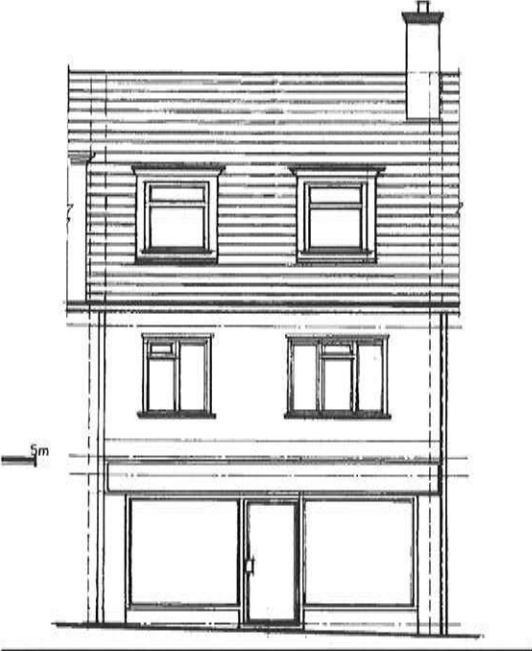
Existing ground floor



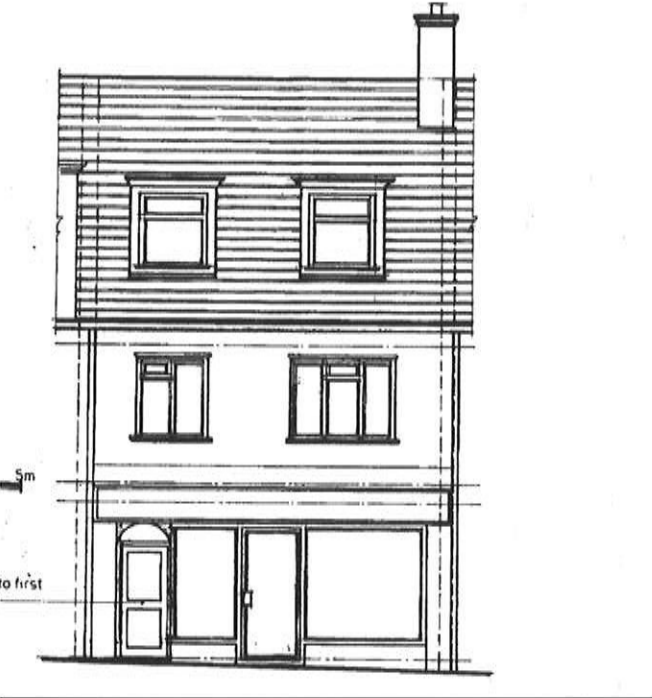
Proposed ground floor



Existing front elevation



Proposed front elevation




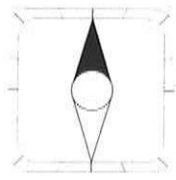
SU/14/1120 – Unit 1 Frimley Road, Camberley

(unit now vacant)

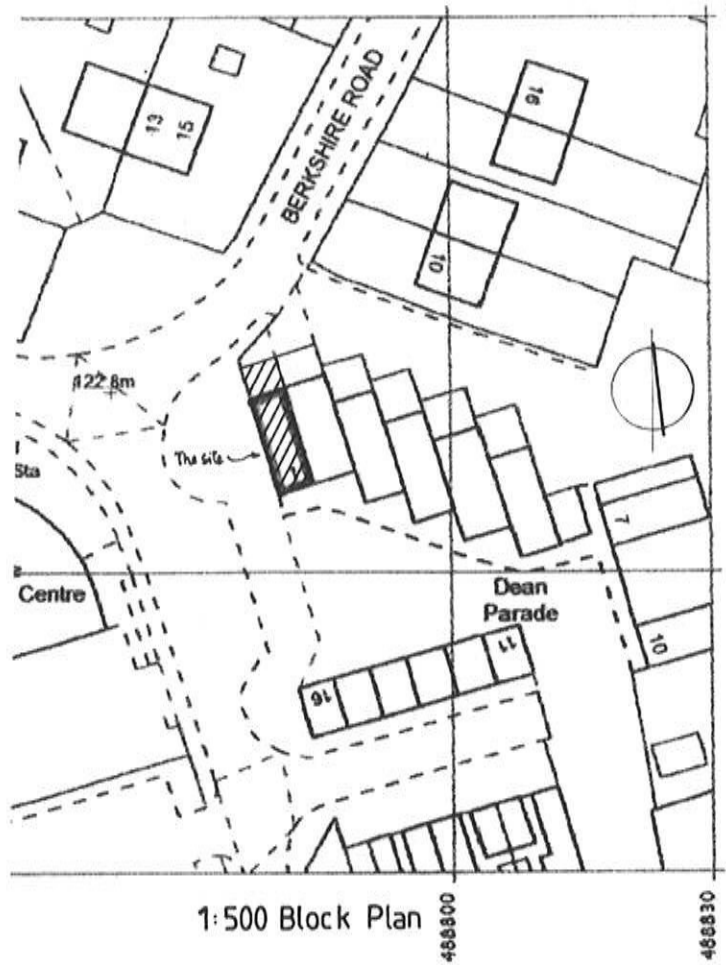




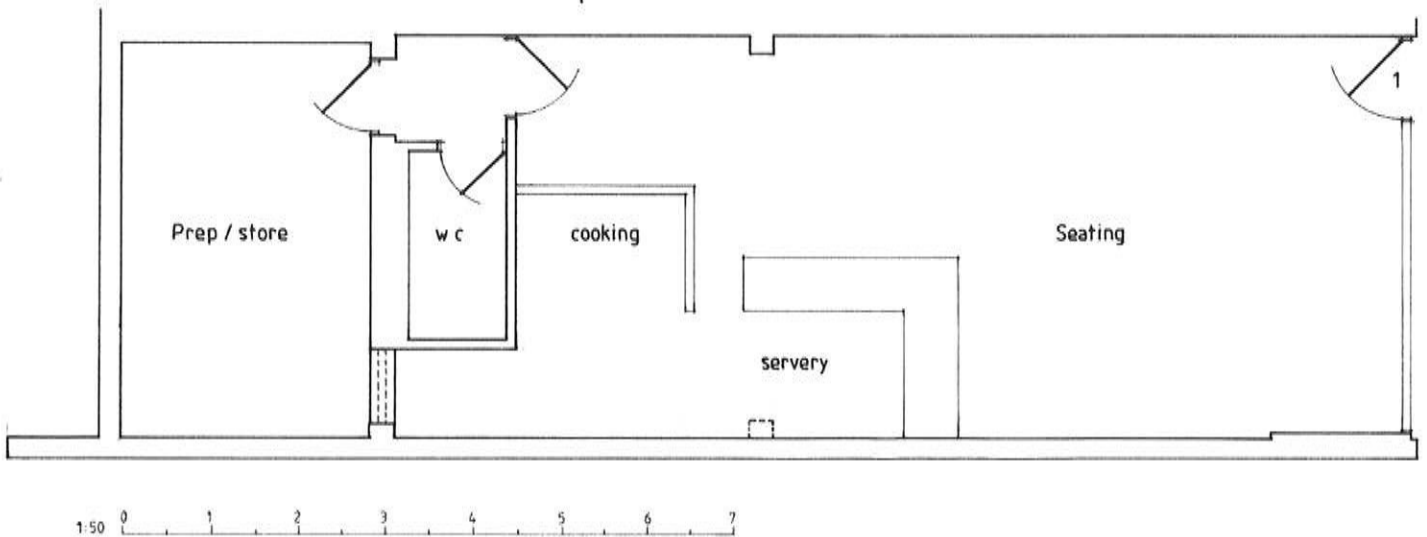


<b>Title</b>	Planning Applications		<b>Page</b>	4 of 8
<b>Application number</b>	14/1138		<b>Scale @ A4</b>	1:750
<b>Address</b>	1 DEAN PARADE, CAMBERLEY, GU15 4DQ		<b>Date</b>	23 Feb 2015
<b>Proposal</b>	Change of Use from Class A1 (Retail) to Class A3 Cafe. (Retrospective)			
				
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SU/14/1138 – 1 DEAN PARADE, CAMBERLEY



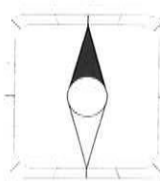

Ground floor plan



SU/14/1138 – 1 DEAN PARADE, CAMBERLEY

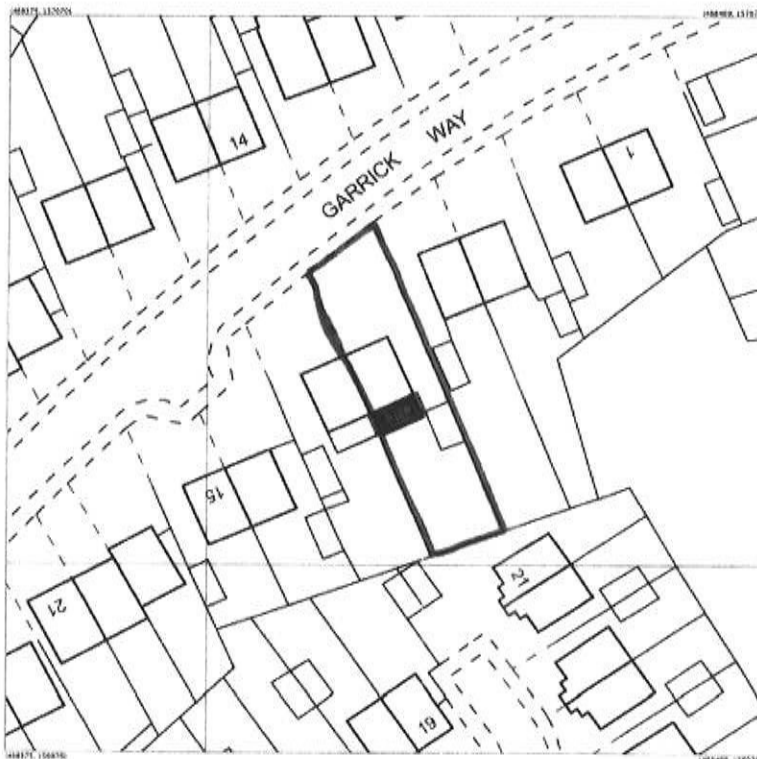
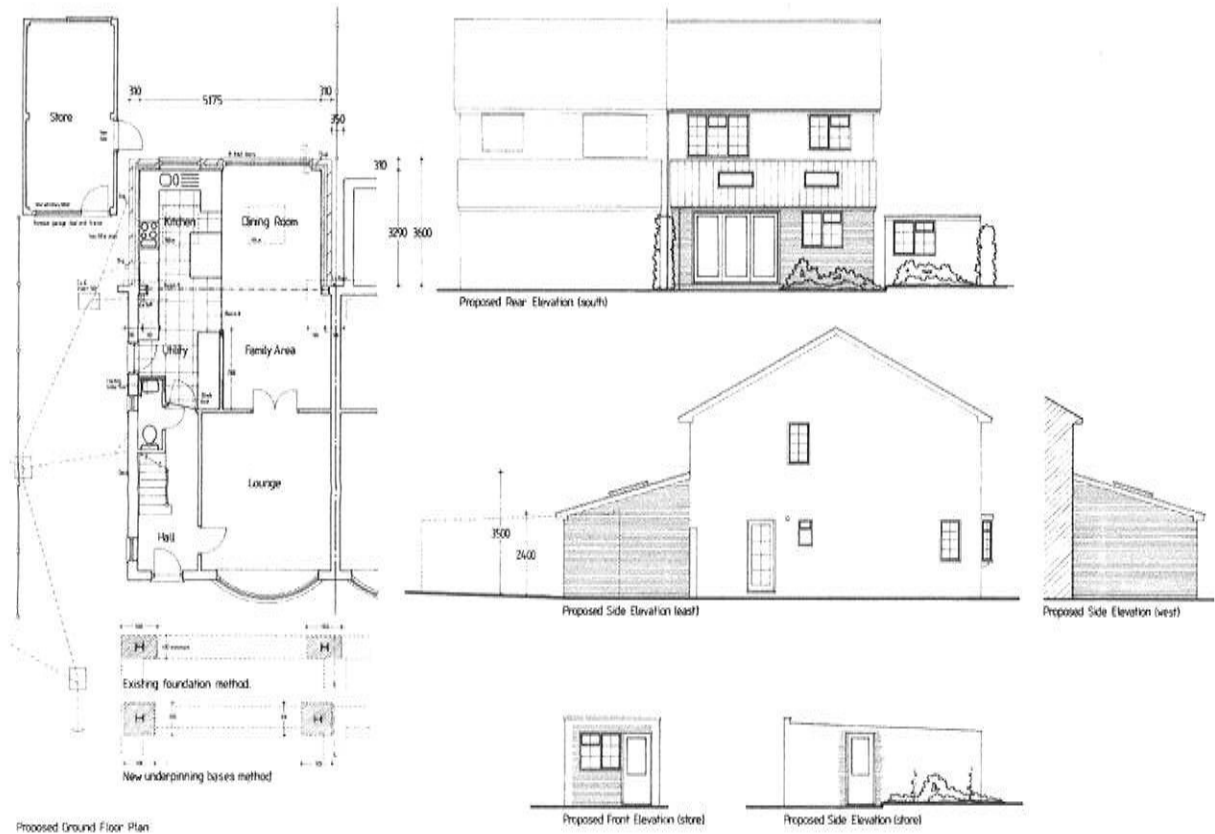




<b>Title</b>	Planning Applications		<b>Page</b>	3 of 8
<b>Application number</b>	15/0088		<b>Scale @ A4</b>	1:1,250
<b>Address</b>	9 GARRICK WAY, FRIMLEY GREEN, CAMBERLEY, GU16 6LY		<b>Date</b>	23 Feb 2015
<b>Proposal</b>	Erection of single storey rear extension and conversion of detached garage into domestic store.		 	
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# SU/15/0088 – 9 GARRICK WAY FRIMLEY GREEN



Development 03, Issue 2016, from the Architecture Services Department

SU/15/0088 – 9 GARRICK WAY FRIMLEY GREEN



**APPLICATIONS FOR PLANNING PERMISSION & RELATED APPLICATIONS FOR  
CONSIDERATION BY THE PLANNING APPLICATIONS COMMITTEE**

**NOTES**

**Officers Report**

Officers have prepared a report for each planning or related application on the Planning Committee Index which details:-

- Site Description
- Relevant Planning History
- The Proposal
- Consultation Responses/Representations
- Planning Considerations
- Conclusion

Each report also includes a recommendation to either approve or refuse the application. Recommended reason(s) for refusal or condition(s) of approval and reason(s) including informatives are set out in full in the report.

**How the Committee makes a decision:**

The Planning Applications Committee's decision on an application can be based only on planning issues. These include:

- Legislation, including national planning policy guidance and statements.
- Policies in the adopted Surrey Heath Local Plan and emerging Local Development Framework, including Supplementary Planning Documents.
- Sustainability issues.
- Layout and design issues, including the effect on the street or area (but not loss of private views).
- Impacts on countryside openness.
- Effect on residential amenities, through loss of light, overlooking or noise disturbance.
- Road safety and traffic issues.
- Impacts on historic buildings.
- Public opinion, where it raises relevant planning issues.

**The Committee cannot base decisions on:**

- Matters controlled through other legislation, such as Building Regulations e.g. structural stability, fire precautions.
- Loss of property value.
- Loss of views across adjoining land.
- Disturbance from construction work.
- Competition e.g. from a similar retailer or business.
- Moral issues.
- Need for development or perceived lack of a need (unless specified in the report).
- Private issues between neighbours i.e. boundary disputes, private rights of way. The issue of covenants has no role in the decision to be made on planning applications.

**Reports will often refer to specific use classes. The Town & Country Planning (Use Classes) Order 1995** (as amended) is summarised for information below:

<b>A1. Shops</b>	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops and funeral directors.
<b>A2. Financial &amp; professional Services</b>	Banks, building societies, estate and employment agencies, professional and financial services and betting offices.
<b>A3. Restaurants and Cafes</b>	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes.
<b>A4. Drinking Establishments</b>	Public houses, wine bars or other drinking establishments (but not nightclubs).
<b>A5. Hot Food Takeaways</b>	For the sale of hot food consumption off the premises.
<b>B1. Business</b>	Offices, research and development, light industry appropriate to a residential area.
<b>B2. General Industrial</b>	Use for the carrying on of an industrial process other than one falling within class B1 above.
<b>B8. Storage or Distribution</b>	Use for the storage or as a distribution centre including open air storage.
<b>C1. Hotels</b>	Hotels, board and guest houses where, in each case no significant element of care is provided.
<b>C2. Residential Institutions</b>	Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
<b>C2A. Secure Residential Institutions</b>	Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
<b>C3. Dwelling houses</b>	Family houses or houses occupied by up to six residents living together as a single household, including a household where care is provided for residents.
<b>C4. Houses in Multiple Occupation</b>	Small shared dwelling houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.
<b>D1. Non-residential Institutions</b>	Clinics, health centres, crèches, day nurseries, day centres, school, art galleries, museums, libraries, halls, places of worship, church halls, law courts. Non-residential education and training areas.
<b>D2. Assembly &amp; Leisure</b>	Cinemas, music and concert halls, bingo and dance halls (but not nightclubs), swimming baths, skating rinks, gymnasiums or sports arenas (except for motor sports, or where firearms are used).
<b>Sui Generis</b>	Theatres, houses in multiple paying occupation, hostels providing no significant element of care, scrap yards, garden centres, petrol filling stations and shops selling and/or displaying motor vehicles, retail warehouse clubs, nightclubs, laundrettes, dry cleaners, taxi businesses, amusement centres and casinos.