

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 9th 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