

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