

**LOCATION:** 150 London Road, Bagshot, Surrey, GU19 5DF,  
**PROPOSAL:** Full planning permission to allow the occupation of unit 2a for Class E retail outside of those specified within condition 1 of planning permission 16/1041  
**TYPE:** Full Planning Application  
**APPLICANT:** Nottinghamshire County Council (c/o abrdn)  
**OFFICER:** Melissa Turney

**This application is being reported to the Planning Applications Committee because the proposal is a major development i.e. over 1,000 sq.m.**

**RECOMMENDATION: GRANT subject to conditions**

**1.0 SUMMARY**

- 1.1 The application site relates to unit 2a previously occupied by Cotswold Outdoor. The unit is currently vacant. The application site has a lawful use of Class E (Commercial, Business and Service) under the Town and Country Planning (Use Classes) Order 1987 (as amended). However, the range of the goods which can be lawfully sold from the unit are restricted under condition 1 of planning permission 16/1041 (set out in section 4). The proposal by Hobbycraft seeks to delete the outdoor pursuits goods sold and add “arts, crafts and hobbies related goods, food only for the edible decorations for cakes for example, books and magazines devoted to arts, crafts and hobbies” to the list of the goods allowed to be sold from the unit.
- 1.2 This unit is part of the Bagshot Retail Park that is an established out-of-centre retail destination. By varying the range of goods that can be sold, the principal issue is whether these goods and this overall proposal would harm the vitality of Camberley Town Centre and Bagshot centre. The applicant has provided evidence to inform a sequential test. Under the sequential test main town centre uses should be located in town centres, in edge of centre locations; and only if suitable sites are not available (or expected to then become available within a reasonable period) should out of centre sites be considered. It has been demonstrated that there are no sequentially preferable sites and that this out-of-centre site is the only suitable, available and viable site for the proposed development. Furthermore, the proposal would not have an unacceptable impact on residential amenity, parking capacity or highway safety.
- 1.3 It is therefore recommended that planning permission be granted subject to conditions.

## 2.0 SITE DESCRIPTION

- 2.1 This application site relates to Unit 2a, part of the Bagshot Retail Park (150-152 London Road). The existing Retail Park includes Subway (which has a sui generis use), Cotswold Outdoor (Unit is vacant and forms part of this application), Pets at Home and Waitrose (which all have a Class E use). The total floor area of all the units has a floorspace of 5,612 square metres. The proposal relates to the Cotswold Outdoor unit, which has a gross internal floor area of 1,413 square metres.
- 2.2 The Bagshot Retail Park is on the south east side of A30 London Road with its vehicular access onto Waterers Way, the main access road of the Earlswood development, accessing onto a traffic light junction with A30 London Road. The SANG of the Earlswood development is located to the rear and north west flank of the Retail Park. A number of residential properties, the Foresters Public House, M & D Supermarket (Wine Shop) and Costa Coffee lie on the opposite side of London Road. The site is in an out-of-town centre location. The site lies in the defined Countryside Beyond the Green Belt.

## 3.0 RELEVANT HISTORY

- 3.1 The application site has an extensive planning history for which the most relevant history is as follows:

SU/13/0435

Erection of a part single storey, part two storey building to provide two retail units (Class A1) with ancillary café and storage facilities as well as parking, landscaping, and access following the demolition of existing garden centre.

Approved in February 2014.

This development provided the Waitrose store and was envisaged to provide a replacement for the Notcutts garden centre, previously located on the site, which was amended by the planning history below. The proposal was restricted by restrictions on sales to both retail units (Conditions 2 and 3);

SU/15/0859

Variation of Conditions 3 and 10 of planning permission SU/13/0435 to allow the provision of 4 retail units (including a café).

Refused in September 2015 and subsequent appeal dismissed in March 2016.

SU/16/1041

Subdivision of existing retail unit to provide 3 retail units to be used for the following: one unit for the sale of bulky goods and goods relating to outdoor pursuits and with ancillary travel clinic (Class A1); one unit for the sale of bulky goods with ancillary pet care, treatment and grooming facilities and installation of mezzanine floor (Class A1); and one used as a café/restaurant (Class A3).

Approved in February 2017.

To enable the creation of 3no. units (2a-c), new mezzanine floorspace and a wider range of goods to be sold. This permission enabled Cotswold Outdoor to occupy Units 2a. Condition 1 restricted the use of Unit 2a and is a material consideration.

Condition 1 reads:

*Unit 2a, as defined on the approved plan 13001/96, with a total net sales area of 1,201 square metres shall only be used under Class A1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking or re-enacting that Order) for the sale of goods, as listed below:*

- (a) outdoor and leisure clothing, accessories, equipment, footwear and services for walking running, camping, trekking, climbing, canoeing, water sports, cycling and winter sports with ancillary travel clinic;*
- (b) home improvement products and materials including hardware and DIY;*
- (c) garden centre goods including garden furniture, plants, BBQ and associated equipment;*
- (d) furniture, lighting, carpets and floor coverings;*
- (e) household textiles, housewares and haberdashery including furnishing, fabrics, cushions and curtains; bedding and linen; blinds and poles; clocks, pictures and mirrors and related accessories;*
- (f) pets, pet foods and related products and services, including ancillary pet care, treatment and grooming facilities;*
- (g) bulky electrical and gas kitchen items;*
- (h) motor goods, cycles, cycle products and accessories; and*
- (i) bulky leisure goods e.g. kayaks, tents, boats.*

*Under part 'a' of this condition no more than 70% of the net retail sales floorspace within the unit shall be used for the sale of outdoor clothing and footwear and should not include any fashion clothing or footwear. The goods listed under part 'a' of this condition shall only ensure for the benefit of the first occupier.*

*Reason: In the interest of the vitality and viability of Bagshot centre and Camberley Town Centre and to comply with Policies CP1, CP10 and DM12 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.*

Please note that Class A1 (shops) has been superseded by Class E (Commercial, Business and Service) under The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020

SU/17/0589	Change of use of restaurant/café to retail (Class A1) and/or café/restaurant (Class A3) use, installation of mezzanine floor and associated works.
	Approved in September 2017.
	A subsequent non-material amendment permission SU/17/0589/1, granted in November 2017, deleted the mezzanine floor part of this proposal.
20/0405/FFU	Amalgamation of existing (Class E) retail units (Units 2A & 2B) for use as a foodstore (Class E) along with internal works (including a reduction in mezzanine floorspace), changes to the building elevations (including a revised shop front), site layout (including revised servicing and car parking arrangements), revised opening and servicing hours, external plant area, trolley bay and associated works
23/1217/ADV	Approved December 2021 Advertisement Consent for 2 internally illuminated fascia signs to front elevation. – Pending consideration

#### **4.0 THE PROPOSAL**

- 4.1 Planning permission is sought for the continued use of unit 2 under Class E of the Use Classes Order plus an alteration to the range of the goods which can be lawfully sold from the unit. This will allow the occupation of the currently vacant unit by Hobbycraft. (Please note that this has been submitted as a full planning application rather than as a s73 application, as a variation to condition 1 of SU/16/1041, because the use would necessitate a change of application description that cannot be altered under a s73 application).
- 4.2 According to the applicant, Hobbycraft aims to cater for all ages and provides a wide range of materials and equipment for arts and crafts with goods sold, used for weddings, needlework, card making, fine art materials and framing as well as selling complete kits for models, knitting, etc. Typically Hobbycraft stores provide up to 35,000 different arts and craft products, but Hobbycraft do not offer a depth of product range for the ‘specialist’ who will continue to support niche independent arts and crafts shops. Currently, Hobbycraft trade from over 100 stores throughout the UK. The nearest stores are in Farnborough and Woking, approximately 10 and 14 kilometres respectively from the site. Accordingly, the applicant’s intention is to expand Hobbycraft’s store representation in the sub-region and reduce the distance travelled and improve consumer choice.
- 4.3 The proposal relates to the entirety of the existing floorspace, 1,413 square metres, although the ground floor area will comprise no more than 947 square metres of floorspace, as existing. Which is restricted by condition 1 of planning permission SU/16/1041 set out in the planning history above.
- 4.4 The proposal seeks to add (i) “arts, crafts and hobbies related goods, food only for the edible decorations for cakes for example, books and magazines devoted to arts, crafts and hobbies” to the list of the goods allowed to be sold from the unit and has proposed an amended condition. This amended condition also proposes the deletion of (a) outdoor and leisure clothing, accessories, equipment, footwear and services for walking running, camping, trekking, climbing, canoeing, water sports, cycling and winter sports with ancillary travel clinic; and, the associated reference to no more than 70% of the floorspace being occupied (that only applied to the previous occupier Cotswold Outdoor). Additionally, it is proposed that no part of the existing mezzanine is used for retail sales and that this would be controlled under this new condition.

- 4.5 No external changes are proposed to the unit nor any amendments to the opening and deliveries sought as part of this application. The existing opening times and restriction on deliveries are:

Opening hours;

Open to the public between the hours of 07:00 and 23:00 hours from Mondays to Saturdays and the hours of 10:00 and 18:00 hours on Sundays and the hours of 08.00 and 20.00 on Public Holidays

HGV deliveries;

The latest HGV delivery shall have been completed by 21.30 and thereafter no delivery shall take place before 07.00 on the following day

- 4.6 In support of the application, a planning and retail statement have been submitted. Relevant extracts from this document will be referred to in section 7 of this report.

## 5.0 CONSULTATION RESPONSES

- 5.1 The following external consultees were consulted and their comments are summarised in the table below:

External Consultation	Comments Received
County Highways Authority	No objections are raised regarding highway safety and capacity or on parking grounds.  (See Annex A for a copy of their response).
Windlesham Parish	No objection

- 5.2 The following internal consultees were consulted and their comments are summarised in the table below:

Internal Consultation	Comments Received
Environmental Services	No objection due to the nature of the proposal.

## 6.0 REPRESENTATION

- 6.1 A total of 51 individual letters of notification were sent out on 13<sup>th</sup> October and 23<sup>rd</sup> November. A press notice published on 13<sup>th</sup> December (Camberley News) and 15<sup>th</sup> December (Surrey Advertiser). To date no letters of representation have been received.

## 7.0 PLANNING CONSIDERATION

- 7.1 This application is considered against advice contained with the National Planning Policy Framework (NPPF), and the associated Planning Practice Guidance (PPG), where there is a presumption in favour of sustainable development. Regard will be given to Policies CP1, CP9, CP10, CP11, DM9, DM11 and DM12 of the adopted Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP).

7.2 The main issues to be considered with this application are:

- Principle of the development and retail impact
- Impact on the character and appearance of the area
- Residential amenity
- Highway impacts
- Other matters

### **7.3 Principle of the development and retail impact**

7.3.1 Policies CP1, CP10, DM12 and CP9 of the CSDMP are relevant as these policies seek to protect the vitality of Camberley Town Centre and Bagshot as a district centre.

7.3.2 This site is an out-of-centre site and therefore under paragraph 91 of the NPPF the sequential test is required whereby sequentially preferable and available sites in the town centre and edge of centre need to be discounted first. The PPG explains that it is for the applicant to demonstrate compliance with the sequential test but that the application of the sequential test needs to be proportionate and appropriate for the given proposal and that a local authority needs to be realistic and flexible in applying the test. No impact test (i.e. a full retail impact assessment) is required for this proposal and none has been submitted because it is significantly below the floorspace threshold of 2,500 sq.m. (paragraph 94 of the NPPF refers).

7.3.3 The principle of Class E retail use on the site has already been established by the previous permissions. Condition 1 of planning permission 16/1041 (set out in section 4) was imposed to protect the vitality of Camberley Town Centre and the centre of Bagshot and provides a comprehensive list of what can be sold within this unit. Some of the goods which Hobbycraft sell would be similar comparison goods to the existing goods listed by this condition. Moreover, the previous occupier of the premises was for outdoor pursuits and this proposal is for indoor hobby/pursuits. In line with the PPG, the sequential test therefore needs to be proportionate to this existing context whereby this location is already an well-established retail destination. For this reason and as explained by the applicant there is the potential to link trips to take place with neighbouring retailers and encourage sustainable shopping patterns.

7.3.4 The applicant has provided an analysis of alternative sites for the proposed development, including Camberley Town Centre and Bagshot. In undertaking this analysis the Planning Statement sets out the criteria required by Hobbycraft, that provides a flexibility in scale and format. The criteria discounts sites that are not currently vacant and redevelopment opportunities because these would not be available in a reasonable period (but for completeness redevelopment sites under the Camberley Town Centre Action Plan have still been assessed). This criteria is listed below:

- A unit measuring between 760sqm – 1140 sq.m. at ground floor;
- The ability to sell the full range of goods and of sufficient size to accommodate all aspects of the business model;
- Located in a commercially viable location including locations next to adjacent retailers;
- At grade (parking which is not enclosed or created by a structure and is allocated an area) customer car park of an appropriate size directly adjacent to the retail unit to allow the safe and direct transfers of goods from store to vehicle;
- Simple, safe and efficient at grade servicing arrangements allowing HGVs to arrive, unload and leave the site without any disruption, conflict with the wider highway network or any negative impact on residential amenity.

7.3.5 The applicant assessed 13 sites as part of their assessment, summarised below:

Site considered	Size of the unit	Reason discounting
Unit 3, 17-19 Princess Way, Camberley	521sq.m	The unit is too small and lacks at grade car parking provision and a larger enough service area. The site is therefore not suitable for the proposed development.
A7 The Atrium, Former Next, Camberley;	1,425 sq.m	The unit exceeds the maximum ground floor space requirements the surplus floorspace implications the viability of this unit as a potential unit. Further there is a lack of at-grade parking, where there is an requirement for the car park should be close to the store to allow customers to carry or trolley bulky goods to their vehicles. The pay and display is not considered suitable for the types of the sold. Lastly lack of servicing yard immediately to the rear of the store. The site is therefore not suitable for the proposed development.
Wilko, 6-10 Princess Way, Camberley;	3,357 sq.m	<p>The unit significantly exceeds the size requirements the surplus floorspace implications the viability of this unit as a potential unit.</p> <p>The space is provides over three floors, which is not suitable for the business model and the occupiers requirements. Lack of customer parking. Further there is a lack of at-grade parking, where there is an requirement for the car park should be close to the store to allow customers to carry or trolley bulky goods to their vehicles. the pay and display is not considered suitable for the types of the sold. Lastly lack of servicing yard immediately to the rear of the store. <i>Further officers note that this unit is now occupied. The site is therefore not suitable for the proposed development.</i></p>
Lidl, C01 The Atrium, Charles Street, Camberley;	650 sq.m	The unit is too small and lacks commercial frontage as it externally faces Charles Street which is away from the town centre. The site is therefore not suitable for the proposed development.
London Road Block Opportunity Area / Site, Camberley;	2.8 hectare site	The costs of redeveloping London Road and the timescale in it coming forward is unreasonable and not proportionate with the development proposal. Further the Council own this site and is not immediately available for development.
Camberley Station Opportunity Area / Site, Camberley;	0.4 hectare	The site allocation only requires 'small scale' retail which is not suitable for the proposal. Further the timescale in the site coming forward is unreasonable and not proportionate with the development proposal

Pembroke Broadway Opportunity Area / Site, Camberley	2.5 hectare	Long-term redevelopment opportunity, and the costs, scale and timescale of its delivery means that it is unreasonable and not proportionate to seek to accommodate the proposal on this site.
Land East of Knoll Road Opportunity Area / Site, Camberley;	4.5 hectare	It is evident that SHBC's aspiration for this site does not envisage large format retailing.
Land at 117 London Road, Camberley;	0.3 hectare	The site is irregular in shape and size means that it not suitable/deliverable. The site is in active use and not available. As such the site is not considered available.
Land at Half Moon Street, Bagshot;	0.83 hectare	Development is currently under construction and is not available.
The Square Car Park, Bagshot;	0.4 hectare	In active use and not available, would also result in the loss of the existing car park.
Other vacant units in Camberley and Bagshot		There are currently a number of vacant units being marketed. Of those currently being marketed these comprise small format units, none of which are suitable and viable for the nature of development proposed.

7.3.6 Overall, these sites do not meet the applicant's criteria with these sites being discounted due to their lack of suitability, viability and availability. It is considered that this assessment is robust and that the sequential test has been passed. Furthermore, the removal of the sale of outdoor pursuits goods to indoor hobby goods being sold here is considered to represent a comparative like-for-like comparison goods change, and would have a neutral impact upon the overall retail health of other centres.

7.3.7 For the above reasoning the proposal would not result in adverse harm to the vitality of Camberley Town Centre or Bagshot. As such, there are no objections on these grounds, with the proposal complying with Policies CP1, CP9 and DM12 of the CSDMP and the NPPF.

#### **7.4 Impact on the character and appearance of the area**

7.4.1 The external appearance of the building would remain unaltered apart from signage changes (these would form a separate application under advertisement consent, which during the course of the current application has been submitted with reference 23/1217/ADV). The proposal would not result in adverse harm to the character of the area and would be in accordance with Policy DM9 of the CSDMP.

#### **7.5 Impact on residential amenity**

7.5.1 The proposal would not result in any additional built form and the proposed use is considered similar to the existing. The variation of the type of goods that could be sold would not result in an intensification of the use of the site. The floorspace would remain unaltered and it is considered that there would be no adverse impacts on the nearest residential properties.



7.5.2 It would be considered reasonable to attached conditions to controls the use of the opening hours and deliveries in line with the previous permission on the site set out in paragraph 4.6 of this case officer report. The proposal is therefore considered to comply with Policy DM9 of the CSDMP.

## **7.6 Impact Highways and Parking**

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 Highways Authority (CHA) have reviewed the application, undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. No objection is raised.

7.6.3 The unit will operate as the existing use in terms of its right to use the car parking and serving yard and no objection is raised.

7.6.4 The proposal is therefore in line with Policy DM11 of the CSDMP.

## **8.0 PUBLIC SECTOR EQUALITY DUTY**

8.1 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

## **9.0 CONCLUSION**

9.1 The proposal would be considered acceptable in principle. The proposal would not result in harm to the retail health and vitality of Camberley Town Centre or Bagshot. It is considered that it would not result in an adverse impact on the character and appearance of the surrounding area nor on the residential amenities or highways. Therefore, the proposal would comply with Policies CP1, CP9, CP10, CP11, DM9 and DM11 of the CSDMP.

## **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. Unit 2a, as defined on drawing reference Site Location Plan, with a total net sales area of 1,201 square metres shall only be used under Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any order revoking or re-enacting that Order) for the sale of goods, as listed below:

(a) home improvement products and materials including hardware and DIY;

- (b) garden centre goods including garden furniture, plants, BBQ and associated equipment;
- (c) furniture, lighting, carpets and floor coverings;
- (d) household textiles, housewares and haberdashery including furnishing, fabrics, cushions and curtains; bedding and linen; blinds and poles; clocks, pictures and mirrors and related accessories;
- (e) pets, pet foods and related products and services, including ancillary pet care, treatment and grooming facilities;
- (f) bulky electrical and gas kitchen items;
- (g) motor goods, cycles, cycle products and accessories;
- (h) bulky leisure goods e.g. kayaks, tents, boats; and
- (i) arts' crafts and hobbies related goods, food only for the making or decorating or cakes, books and magazines devoted to arts, crafts and hobbies.

Under part 'i' of this condition, the existing mezzanine floorspace shall not be used for retail sales.

Reason: In the interest of the vitality and viability of Bagshot centre and Camberley Town Centre and to comply with Policies CP1, CP10 and DM12 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

3. i) The unit hereby permitted shall only be open to the public between the hours of 07:00 and 23:00 hours from Mondays to Saturdays and the hours of 10:00 and 18:00 hours on Sundays and the hours of 08.00 and 20.00 on Public Holidays unless the prior written approval has been obtained from the Local Planning Authority. For the avoidance of doubt, Public Holidays include all Bank Holidays, New Year's Day, Good Friday, Easter Sunday, Easter Monday, Christmas Day and Boxing Day.
- ii) The latest HGV delivery shall have been completed by 21.30 and thereafter no delivery shall take place before 07.00 on the following day or otherwise as agreed in writing with the Local Planning Authority.

Reason: In the interests of residential amenity and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and advice in the National Planning Policy Framework.

4. Notwithstanding the provisions set out in the Town and Country Planning General Permitted Development Order 1995 (as amended), no extension or increase in floorspace (including the provision of any further mezzanine accommodation) shall be added to the development hereby permitted. There shall also be no external storage or sales within the application site.

Reason: To retain control in order to prevent unrestricted retail use having regard to the impacts on existing, committed and planned investment in the catchment area; and, in the interests of the vitality and viability of Camberley Town Centre, Bagshot and other designated centres, to comply with Policies CP9 and CP10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

5. The retail premises as approved shall not be further subdivided and used by separate retail operators or amalgamated into one retail unit without the prior written approval of the Local Planning Authority.

Reason: To retain control in order to prevent unrestricted retail use having regard to the impacts on existing, committed and planned investment in the catchment area; and, in the interests of the vitality and viability of Camberley Town Centre, Bagshot and other designated centres, to comply with Policies CP9 and CP10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

**Informative(s)**

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
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