

LOCATION: VERNON HOUSE, 16 SOUTHWELL PARK ROAD,
CAMBERLEY, GU15 3PY

PROPOSAL: Erection of a two storey building with accommodation in the roof to provide 1no three bedroom, 3no two bedroom and 1no one bedroom flats with parking and access onto Southern Road. (Additional plans rec'd 29/10/15), (Additional plan recv'd 30/10/15), (Amended plans rec'd 02/11/15). (Additional plan recv'd 11/12/15).

TYPE: Full Planning Application

APPLICANT: Mr W Dunphy

OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to a legal agreement and conditions

1.0 SUMMARY

- 1.1 This planning application relates to the redevelopment to provide a two storey building to with accommodation in the roof to provide 1 no three bedroom, 3 no. two bedroom and 1 no one bedroom flats. The site currently contains a two storey building with accommodation in the roof, providing an existing house in multiple occupation (with 8 bedrooms). The application site lies within the settlement of Camberley. It is located in a corner location, with a principal frontage onto Southwell Park Road and a return frontage onto Southern Road.
- 1.2 The current proposal would not have an adverse impact on local character, residential amenity, SPA, affordable housing provision and highway safety. The application is recommended for approval, subject to the completion of a legal agreement.

2.0 SITE DESCRIPTION

- 2.1 This planning application relates to a property currently being used as an 8 no. bedroomed house in multiple occupation (HMO). The application site is in a corner location, with a principal frontage onto Southwell Park Road and a return frontage onto Southern Road, within the settlement of Camberley. Detached residential properties 18 Southwell Park Road and 52 Southern Road lie to the west flank and rear, respectively. The Atrium development lies to the east side of the application site and Firwood Court to the south east with 5, 7 and 9 Southwell Park Road on the south side of the application site, lying on the opposite side of the road to the application site.
- 2.2 The existing two storey building with accommodation in the roof is centrally located on the plot, with parking provided to the rear. An access and detached garage are provided to the west flank with landscaping to the site frontage (onto Southwell Park Road). The principal building on the site is a 1930's brick building which is in a relatively poor condition.
- 2.3 The application site falls within an area as having an "Edwardian Mosaic" character as defined within the Western Urban Area Character Supplementary Planning Document 2012. The Western Urban Area Character Supplementary Planning Document 2012 indicates that this area *"was an affluent urban area and contained a mixture of medium and large plots, a range of community facilities and imposing houses in formal settings."*

Many houses were built in the Edwardian period but building out of the estate also continued through the interwar period. Post WWII a number of the large plots were re-developed with small housing estates but many of the late Victorian/Edwardian properties still remain, retaining the Edwardian flavour of the area. The area retains an attractive, genteel urban character, with a mix of building ages and a good number of community uses. Low brick front walls, iron railings, high levels of vegetation and the high concentrations of late Victorian/Edwardian/interwar housing distinguish the character from others."

3.0 RELEVANT HISTORY

There is extensive planning history associated with the application site, the most relevant of which is as follows:

- 3.1 SU/88/1102 Erection of three storey side extension. Approved in June 1989.
- 3.2 SU/12/0449 Change of use of building into an 8 bedroom house in multiple occupation (HMO) (retrospective). Approved in March 2013.
- 3.3 SU/13/0601 Erection of part four storey, part three storey building to provide 8 no. two bed flats with car parking (partly undercroft) and access following the demolition of existing building. Refused in October 2013.

The reasons for refusal related to the impact on local character, residential amenity, SPA, local infrastructure and a lack of affordable housing provision.

The subsequent appeal was dismissed.

- 3.4 SU/14/0360 Erection of a three storey building to provide 5 no. two bedroom flats following the demolition of existing 8 bedroom house in multiple occupation (HMO). Refused in October 2014.

The reason for refusal related to the impact on local character.

4.0 THE PROPOSAL

- 4.1 The current proposal is to erect a two storey building with accommodation in the roof to provide 1 no. three bedroom, 3 no two bedroom and 1 no. one bedroom flats. The units would be accessed through a hall accessed to the Southern Road frontage and rear. Five parking spaces would be provided to the rear with an access onto Southern Road. A private rear amenity area would also be provided.
- 4.2 The proposed building would have a hipped roof to a maximum height of about 7.7 metres in height reducing to 4.8 metres at the eaves. The proposed building would measure a maximum 13.7 metres in width by 18.9 metres in depth. The proposed building would be predominantly finished in brick, with some render.
- 4.3 The current proposal is a reduction over the previous schemes SU/13/0601 and SU/14/0360. The applicant has sought to overcome the reasons by reducing the amount/scale of development resulting in a reduction in the maximum height of the scheme, removing balconies and principal windows from the elevations facing the rear gardens of adjoining properties (north and west elevations). The variations to the previous schemes are as follows:

	SU/13/0601	SU/14/0360	Current scheme
Maximum/Predominant ridge height	12.4/9.4m.	9.7/8.8 m.	7.7 m.
Maximum/Predominant eaves height	11.2/8.0 m.	8.6/7.7 m.	4.8 m.
Maximum depth	25.4 m.	25.4 m.	18.9 m.
Maximum width	14.8 m.	14.8 m.	13.7 m.

5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority No objections.
- 5.2 Tree Officer No objections (verbal).

6.0 REPRESENTATION

At the time of preparation of this report no representations of support and 21 raising an objection, including an objection from the Southwell Park Residents' Association and one petition (of 85 signatures), have been received, making the following objections:

- 6.1 Over development of the site [See Paragraph 7.3]
- 6.2 Insufficient planting/screening [See Paragraph 7.3]
- 6.3 Too large and bulky [See Paragraph 7.3]
- 6.4 Overbearing impact [See Paragraph 7.4]
- 6.5 Lack of amenity (green) space; particularly for three of the proposed flats [Officer comment: *The amenity space is proposed to be shared by all of the flats. See also Paragraph 7.5*]
- 6.6 Does not comply with Western Urban Area Character SPD 2012 [See Paragraph 7.3]
- 6.7 Out of character [see Paragraph 7.3]
- 6.8 Too high a density [Officer comment: *There is no Council standard for maximum residential density*]
- 6.9 There should be no access from this site onto Southern road [See Paragraph 7.3]
- 6.10 Impact of access from traffic onto Southern Road on highway safety, in particular any reversing movements out onto this road, which is used by pedestrians [Officer comment: *Southern Road reduces to a footpath link to the south of the proposed access point, and is a shared surface (vehicles/pedestrians). Also, see Paragraph 7.3*]
- 6.11 Loss of privacy [see Paragraph 7.4]
- 6.12 Loss of privacy from balconies [Officer comment: *The balconies have now been deleted from the proposal*]

- 6.13 Removal of landscaping (for access) provided on SCC land for the Atrium development [Officer comment: *The level of landscaping to be lost is limited (part of a laurel hedge) and its retention is not so significant to warrant the refusal of this application. It also does not appear that this landscaping formed a part of the landscaping details approved for the Atrium development (under SU/04/0540)*]
- 6.14 Collection of refuse from Southern Road and visual impact, and obstruction caused to pedestrian traffic, if bins are left out before/after collection [Officer comment: *This would not be a reason to refuse this application*]
- 6.15 Lack of parking and impact of overspill parking on local congested/busy roads [See Paragraph 7.4]

7.0 PLANNING CONSIDERATIONS

- 7.1 The application proposal is located within the settlement of Camberley. As such, Policies CP1, CP2, CP5, CP6, CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); the Developer Contributions Supplementary Planning Document 2011; the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2011; the Western Urban Area Character Supplementary Planning Document 2012; Camberley Heath Action Area Plan 2014; Interim Procedure Guidance Note for Affordable Housing 2012 (to support Policies CP5 and CP6 of the Surrey Heath Core Strategy and Development Management Policies 2012); and the National Planning Policy Framework (NPPF) are relevant to the consideration of this application.
- 7.2 It is considered that the main issues are:
- The impact on the character of the area;
 - The impact on residential amenity of surrounding properties;
 - The impact on residential amenity of future occupiers;
 - The impact on highway safety;
 - The impact on affordable housing provision;
 - The impact on the Thames Basin Heaths Special Protection Area; and
 - The impact on local infrastructure.

7.3 Impact on the character of the area

- 7.3.1 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 indicates that development will be acceptable where high quality design is to be provided which respects and enhances the local character paying regard to scale, materials, massing, bulk and density. Whilst the NPPF (and Policy CP1 of the Core Strategy) supports the best use of urban land, Paragraph 56 of the NPPF indicates that *“good design is a key aspect of sustainable development, is indivisible from good planning, and should positively to making places better for people”*.

- 7.3.2 The proposed building would provide a two storey form, with accommodation in the roof, adjoining two storey properties. Principle WUA1 of the Western Urban Character SPD 2012 indicates that:

"new development should pay regard to the locally distinctive and valued patterns of development of the Character Area that the site sits within. The local patterns involve the built, historic and natural environments and include...plot shapes and sizes, open spaces and spaces between buildings, age, type and height of buildings, scale and massing, building lines, roof design, architectural detailing, garden provision, vegetation, boundary treatments,...parking and streetscenes."

The Western Urban Character SPD 2012 indicates that the general building heights in the "Edwardian Mosaic" character area is up to two and a half storey (i.e. two storeys with roof level accommodation), such as the existing property, and the current proposal reflects this with a proposed maximum height of 7.7 metres, a much lower height than the previously refused schemes, which reflects the heights of adjoining properties and the defined character area.

- 7.3.3 The current proposal would extend, at a two storey height, closer than the existing building to both west flank and rear boundaries of the site. This spread of development across the site would be significant, but would be less, particularly in depth, than the previously refused schemes. However, noting the retained gaps to the adjoining properties, the proposal would not be detrimental to the principles set out in the Western Urban Character SPD 2012 and the wider spacious, verdant character of this defined character area and would form a reasonable relationship with the scale and size of adjoining properties.
- 7.3.4 The vast majority of the site is currently developed upon (principally hardstanding for parking and access purposes) with little soft landscaping. The current proposal would provide an opportunity for the provision of soft landscaping even with the proposed hardstanding for parking and access purposes. The reduction in scale and footprint over previous schemes, with opportunities for some soft landscaping, has provided some significant improvements, including soft landscaping to the Southwell Park Road frontage. It is considered that the proposal would be acceptable in terms of its impact on local character.
- 7.3.5 It is therefore considered that the current proposal would not have an adverse impact on local character, complying in this respect with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, the NPPF and advice in the Western Urban Character SPD 2012.

7.4 Impact on residential amenity of surrounding properties

- 7.4.1 The siting of the proposed building is closer to residential properties than the existing HMO building to the north (rear) and west (flank) of the application site, boundaries with 52 Southern Road and 18 Southwell Park Road, respectively. The nearest part of the proposed building, would be set-in 8 metres from the rear boundary of the application site which forms the flank boundary (and wall) of 52 Southern Road. However, this flank wall has no principal habitable room windows in the flank wall facing the development. This level of separation would not result in an overbearing presence on, or substantive loss of light to, this property.
- 7.4.2 With respect to 18 Southwell Park Road, the proposal would be built closer to the flank boundary of this property. A series of windows in the flank elevation of this neighbouring property face the application site but these relate to non-habitable rooms or secondary windows and, with all upper floor windows in the proposed development facing this property being high level only, an objection on the grounds of loss of privacy to this

dwelling could not be substantiated. The proposed building would be located 2.3 metres from the flank boundary with this property and extends about 5.3 metres beyond the main rear wall of this property. However, the main flank wall of this dwelling would be set 7.6 metres from the flank wall of the proposed building, with a driveway and garage within that property located at this flank boundary. As such, this level of separation would not result in an overbearing presence on, or substantive loss of light to, this property.

- 7.4.3 The proposed development would be set a minimum of about 30 metres from the Courtyard flats, which forms a part of the Atrium development, a level of separation which would result in little impact on the amenity of the occupiers of these properties. All other nearby residential properties are set some distance from the application site, sufficient to limit the impact of the current proposal on these properties. It is therefore considered that the proposed development would not have a significant impact on residential amenity for surrounding properties complying in this respect with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.5 Impact on residential amenity of future occupiers

- 7.5.1 The current proposal would provide amenity space predominantly to the rear of the Southwell Park Road. This accommodation would serve small residential units, which could be occupied by smaller families. The provision of a private rear garden area would provide an acceptable passive amenity space for future occupiers of the proposed flats. The Council has no minimum standard for private amenity space provision for residential development and each case is treated on its own merits taking into consideration the nature of the proposed development and its surrounding area. It is noted that the existing HMO does not provide any private amenity space. It is therefore considered that the proposed development would provide an acceptable level of accommodation for future occupiers complying in this respect with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.6 Impact on highway safety

- 7.6.1 The proposal would introduce a new access from Southern Road, closing the current vehicular access onto Southwell Park Road. Whilst it is noted that the closing of the existing access would provide minor highway safety benefits to Southwell Park Road, the proposed access would be formed onto the shared surface of Southern Road, which is reduced to a footpath, immediately south of the siting of the proposed access point. It is also noted that the parking layout would not allow all of the parking spaces to be accessed by vehicles which could enter and leave the site in forward gear, with some needing to reverse out of the site and onto the southern end of the vehicular highway part of Southern Road. Whilst, there would be an increase in traffic movements, including reversing manoeuvres, onto this road, the County Highway Authority has raised no objections to the proposal on highway safety grounds and consider that the limited number of traffic movements which would require reversing onto Southern Road, and with provided visibility at this access point, these access arrangements would not be detrimental to highway safety.
- 7.6.2 The current proposal would provide five parking spaces to serve this development. Noting its highly sustainable location, very close to the Camberley Town Centre, the level of proposed parking meets parking standards. No objections are therefore raised on these grounds.
- 7.6.3 It is considered that the proposed development is acceptable on highway safety and parking grounds complying with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.7 Impact on affordable housing provision

- 7.7.1 Policy CP6 of the Surrey Heath Core Strategy and Development Management Policies 2012 requires a financial contribution towards the provision of affordable housing elsewhere (in lieu of on-site provision) where there is a net increase of four dwellings (or less). The methodology for defining the required amount of affordable housing is set out in the Interim Procedure Note for Affordable Housing 2012. Whilst the proposal would result in the provision of five residential units, there would be the loss of a sizeable house in multiple occupation and it is considered that, for the purposes of this guidance, the proposal results in a net gain of four units.
- 7.7.2 In this case, a financial contribution of £61,000 would provide an acceptable contribution towards providing affordable housing elsewhere in the Borough to meet the requirements of Policy CP6 of the Surrey Heath Core Strategy and Development Management Policies 2012. Subject to the completion of a planning obligation to secure this mitigation, the development would provide an acceptable contribution and no objection would be raised on these grounds. However, at the time of writing of this report and whilst the applicant has indicated that they are willing to complete an agreement to provide this obligation, an agreement had not been completed.

7.8 Impact on the Thames Basin Heaths Special Protection Area

- 7.8.1 The application site is located 1.2 kilometres from the SPA and would replace an 8 bedroom HMO with 5 no. two bed flats. The proposed change of use would result in an increase in people residing at the site from 8 to 9 (as estimated by the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012). In this instance a contribution of £3,579 would therefore be required. Subject to the completion of a planning obligation to secure this mitigation, the development would not impact on the SPA and no objection would be raised on these grounds. However, at the time of writing of this report and whilst the applicant has indicated that they are willing to complete an agreement to provide this obligation, an agreement had not been completed. From 1 December 2014, the Council's Community Infrastructure Levy (CIL) Charging Schedule has taken effect and contributions towards the SANG mitigation requirements for development impacting on the SPA are collected through CIL. Informative 1 has therefore been added.

7.9 Impact on local infrastructure

- 7.9.1 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. This development would be CIL liable and the final figure would need to be agreed following the submission of the necessary forms. For example, the applicant is claiming part exemption due to the provision of affordable housing and at the time of writing the final amount of social housing relief is unknown. However, on the basis of the information submitted to date the amount of CIL payable would be in the region of £36,500. Informatives would be added to the decision advising the applicant of the CIL requirements.

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 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 The current proposal is considered to be acceptable in terms of its impact on local character, residential amenity and highway safety. In addition, a legal agreement in relation to the provision of a contribution towards affordable housing and SAMM is proposed and subject to its completion, the proposed development is considered to be acceptable.

10.0 RECOMMENDATION

GRANT subject to a receipt of a satisfactory legal agreement to secure contributions towards affordable housing provision and SAMM by 4 August 2016 and 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: 874/404 and 874/405 received on 2 November 2015; and 874/411 received on 11 December 2015, 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. 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. 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 and advice within the Western Urban Area Character SPD 2012.

4. The parking spaces and access thereto shown on the approved plan shall be made available for use prior to the first occupation of the development and the parking spaces shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. The proposed access to Southern Road shall be provided with 2 metre by 2 metre pedestrian visibility splays and the resulting visibility zones shall be kept permanently clear of any obstruction.

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.

6. The development hereby approved shall not be occupied until the existing access to Southwell Park Road has been permanently closed and any kerbs, verge, footway are full reinstated unless the prior written approval has been obtained from the Local Planning Authority.

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

7.
 1. 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].
 2. All hard and soft landscaping works shall be carried out in accordance with the approved details. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to **BS3936:1992 Parts 1 – 5: Specification for Nursery Stock**. Handling, planting and establishment of trees shall be in accordance with **BS 8545:2014 Trees: from nursery to independence in the landscape**.

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.

8. Prior to the first occupation of the development hereby approved on site details of refuse and cycle storage area(s) and access thereto are to be submitted to and approved by the Local Planning Authority. Once approved the details shall be implemented in accordance with the approved plans and thereafter retained.

Reason: To ensure visual and residential amenities are not prejudiced and to accord with Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

9. 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
- (g) confirmation that there will be no on-site burning of material during the demolition, site clearance and construction phases

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 residential amenity or 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.

Informative(s)

1. Car parking provision DP1
2. Building Regs consent req'd DF5
3. Party Walls (etc) Act 1996 DE3
4. HI(Inf)13 (Highway) HI13
5. CIL Liable CIL1

In the event that a satisfactory legal agreement has not been received by the 4 August 2016 to secure contributions towards affordable housing and SAMM the Executive Head of Regulatory be authorised to REFUSE the application for the following reasons:-

- 1 In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, or payment of the SAMM payment in advance of the determination of the application, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2012.

- 2 In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, to secure a contribution towards affordable housing provision elsewhere in the Borough, the applicant has failed to comply with Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.