

2016/0447

Reg Date 11/05/2016

Town

LOCATION: 15-17 OBELISK WAY, CAMBERLEY, GU15 3SD
PROPOSAL: Outline application for planning permission for the erection of a four storey building comprising Use Class A1-A5 on the ground floor and 16 residential units (Use Class C) on the three upper floors (with access, layout and scale to be considered and appearance and landscaping being reserved matters) following the demolition of existing buildings. (Amended plans & Additional Information rec'd 14/07/2016). (Additional information rec'd 23/09/2016).
TYPE: Outline
APPLICANT: Mr Simon Taylor
Hunot (Camberley) LLP
OFFICER: Michelle Fielder

RECOMMENDATION: **GRANT subject to legal agreement and conditions**

1.0 SUMMARY

- 1.1 This application seeks outline planning permission for the erection of a four storey building following demolition of the existing two storey building in use for community purposes. While in outline access, layout and scale are known at this stage and only appearance and landscaping are reserved.
- 1.2 The report notes that the application site is part of the wider London Road block as defined by the Town Centre Area Action Plan (AAP) but raises no objection to the site coming forward for development at this time. The proposed mix, that is the loss of the existing community use and its replacement with a flexible 'A' class use at ground floor and the provision of 16 residential units over three upper floors is acceptable, and would meet with the objectives for the town centre. The proposal would result in a replacement building which is taller than the existing and taller than those immediately surrounding it, however, the proposal features a number of set back on the upper floors and this will reduce the mass and visual presence of the building from street level. This is considered acceptable.
- 1.3 The proposal would be CIL liable and an informative would be added to address this. A SAMM contribution will also either need to be paid in advance of the application being determined or a UU provided to secure this. These matters aside it is considered the proposed development is acceptable and subject to planning conditions and a legal agreement it is recommended that permission be granted.

2.0 SITE DESCRIPTION

- 2.1 The existing building is one of the remaining Edwardian buildings in Camberley Town Centre. The building sits on the south side of a small public square and is on a main pedestrian movement corridor.

The existing building is of similar height to others in the street, however, its high status and design makes it one of the grandest. The building is not, however, statutorily or locally listed.

- 2.2 The building is two storey in height with a pitched roof of approximately 11m (8m to the eaves) and is of red brick construction and is commonly referred to as Camberley Working Men's Club. The high quality front façade is not replicated on the side and rear elevations which are more functional in appearance and feature a varied overall height, albeit are mainly two storey. The rear of the site is accessed via a service yard the access to which lies adjacent to no.5 Obelisk Way (to the east).

3.0 RELEVANT HISTORY

- 3.1 None directly relevant to this proposal.

4.0 THE PROPOSAL

- 4.1 This is an outline planning application with means of access, layout and scale being considered now. Appearance and landscaping are reserved matters and are not being considered at this time.
- 4.2 The proposal would require the demolition of the existing building in community use (class D2) and the erection of a four storey building with retail on the ground floor and residential above. The existing and proposed uses are set out in the table below:

	Existing		Proposed			No of residential units		
	GIAm ²	Use	GIAm ²	Use class		1 bed	2 bed	3 bed
Ground	678	D2	624	A1-A5				
First	472	D2	474	C3		2	2	1
Second	0		431	C3		4	2	0
Third	0		371	C3		2	3	0
Total	1,150		1,900			8	7	1

- 4.5 The application is supported by a number of plans, a planning statement, a statement of community involvement, a design and access statement and a drainage strategy.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|---|------------------------------------|
| 5.1 | Surrey County Council Highway Authority | No objection subject to condition. |
| 5.2 | Surrey County Council LLFA | No objection. |
| 5.3 | Environmental Health | Comments awaited. |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report there have been no letters of representation received.

7.0 PLANNING CONSIDERATION

- 7.1 The National Planning Policy Framework; policies CP1, CP2, CP8, CP10, CP11, CP12, CP14, DM7, DM9, DM10, DM11 and DM13 of the Surrey Heath Core Strategy and Development Management Policies 2012; NRM6 of the South East Plan 2009; Developer Contributions Supplementary Planning Document 2011; Thames Basin Heath Special Protection Area Avoidance Strategy Supplementary Planning Document 2012; the Camberley Town Centre Area Action Plan 2014 (AAP) and the Camberley Town Centre Masterplan and Public Realm Strategy 2014 form material considerations in this case.
- 7.2 The main considerations in this application are therefore:
- Principle of the development;
 - Design and impact on the character of the surrounding area;
 - Impact on residential amenity;
 - Impact on highway safety and parking capacity;
 - Impact on the Thames Basin Heaths Special Protection Area;
 - Impact on local infrastructure (including drainage); and,
 - Affordable housing and housing mix.

7.3 Principle of the development

- 7.3.1 The application site is within the defined town centre as indicated by the inset map to the Core Strategy and Development Management Policies 2012 (CSDMP). The provisions of Policy CP10 of the CSDMP therefore apply. This overarching policy sets the 'in principle' acceptability for sites redevelopment. The application site is also identified within the wider London Road block opportunity area as designated by the Camberley Town Centre Area Action Plan (AAP). The AAP advises that this area provides the best opportunity for the town to improve its retail offer. The AAP recognises that sites or elements of the development

may come forward in phased manner and that, subject to this not undermining wider objectives of the AAP, is acceptable. Taken as a whole policy TC14 seeks to deliver a significant contribution to the additional 41,000m² retail offer to be delivered; and also notes that in addition to A1 uses, residential, financial and other 'A use class' are acceptable.

- 7.3.2 As detailed in paragraph 4.2 of this report this application seeks to deliver a flexible A1 – A5 use and as such the ground floor of the redeveloped site could be used for anything from financial services, to a shop, or a café, restaurant, public house or take away. In addition to the general advice of policy TC14, policies TC2 and TC3 of the AAP support such a mix of uses on the proviso that it does not undermine the wider town centre objective. Of these the desire to deliver a vibrant and viable town centre is paramount. The policies note that this vibrancy is as much about offering a mix of uses; albeit with the emphasis on retail, but also ensuring that piecemeal redevelopment does not undermine the accessibility and servicing improvements enshrined in policies TC7, 9 and 10 of the AAP. It is, however, noted that any A3, A4 and A5 use of the ground floor could impact on both the visual and residential amenity of the area. However, due to the early stages of the town centre redevelopment, the LPA cannot reasonably restrict the current application to only A1 and A2 uses on the grounds of viability or vitality and as such the question is therefore whether conditions can be imposed to ensure that any A3 – A5 uses do not impact on residential or visual amenity. It is considered that this can be addressed in this manner and condition 6 is proposed to address this.
- 7.3.3 Policy TC4 of the AAP is also of note which makes provision for up to 200 additional residential units to be delivered in the town centre during the plan period.
- 7.3.4 The proposal would result in the loss of the existing community use; however it has been historically accepted (Policy TC22 of the Local Plan 2000 refers) that the sites redevelopment may result in the loss of this D2 use. This earlier policy was deleted upon adoption of the CTC AAP and as such Policy TC6 of the AAP applies to the development proposal. Part iii) of this policy advises that the loss of community facilities will be acceptable where it supports development that assists in the regeneration of the town centre.
- 7.3.5 On the basis of the information above it is considered the principle of the redevelopment of the site for the range of uses proposed and as detailed at section 4.2 of this report is acceptable subject to other policy considerations set out in the remainder of this report.

7.4 Design and impact on the character of the surrounding area

- 7.4.1 The NPPF requires good design as one of the ways of delivering sustainable development. Policy CP2 (iv) of the CSDMP requires new development to respect and enhance the quality of the urban environments; Policy CP10 (Camberley Town Centre) requires new development in the town centre to create a well-designed environment; and, DM9 (Design Principles) of the CSDMP continues to

promote high quality design that respects and enhances the local environment. Policy TC11 (General Design) of the AAP requires all new development to make a positive contribution toward improving the quality of the built environment. Where appropriate it should respect its local context in terms of continuity of building lines; heights and roof lines of buildings and materials. In addition this policy lists six criteria that new development should adhere to. This includes: (i) give consideration to the introduction of contemporary materials that respect or enhance existing built form; (ii) include a level of architectural detail that gives the building visual interest for views both near and far; and, (iii) make a positive contribution to the public realm - facing the street, animating it and ensuring that all adjacent open space is positively used. Policy TC14 (London Road Block) of the AAP seeks to reinforce local distinctiveness, contribute to the delivery of public realm improvements and create pedestrian friendly areas on Obelisk Way. The advice in the Public Realm Strategy re-iterates much of the requirements on the AAP.

- 7.4.2 The proposal would result in the loss of the existing building and this is considered regrettable given the quality and relative rareness of this development form in the town centre. However, the existing building is not statutorily or locally listed and as such an objection to its demolition cannot be sustained.
- 7.4.3 The proposal is in outline form and the Council can only consider whether the access, layout and scale proposed are acceptable. In this regard the proposed 4 storey and 13.75m overall height proposed would be taller than the existing built form (at around 11m high maximum). However, the proposal seeks to retain the existing set back at ground floor, framing Obelisk Way. The policy framework identifies the importance of this public square and seeks to enhance its function and appeal. By retaining the existing set back the development proposal retains the status quo and does not undermine the appeal or functionality of this area.
- 7.4.4 The proposed site sections and floor plans also indicate how the bulk of the 1st and 2nd floor of the proposed development would be set back from the site frontage with terraces providing amenity space and lessening the impact of the proposal. Similarly the 3rd floor of development would be set even further back from the site frontage and again a terrace would be provided to serve the residential units on this level. This plan form indicates that while the additional mass proposed could be visible from the street and public vantage points, it is not considered it would be oppressive or significantly undermine the quality or attractiveness of the existing public square or the character of the area.
- 7.4.5 It is, however, considered the overall height and massing shown on the submitted drawings is at the upper limit of what could be satisfactorily accommodated on site. The submitted section and floor plans are not marked as being for illustrative purposes only, and accordingly a condition requiring any future reserved matters application not exceeding these parameters is reasonable. Subject to this condition, and consideration of the text at 7.3.2 and condition 6, it is not considered the proposal would undermine the objectives of the relevant policies or guidance.

7.5 Impact on residential amenity

- 7.5.1 The application site is set in a mixed use area where commercial uses tend to be located on the ground floor and residential use located above.
- 7.5.2 Insofar as it is possible to assess given the outline nature of the proposal, it is not considered the principle of the development would be harmful to commercial occupiers in the vicinity. Moreover, subject to the usual amenity considerations during works of implementation, it is not considered the proposed scale and layout would in itself give rise to harmful amenity relationships to neighbouring residential properties.
- 7.5.3 The proposed floor plans submitted show that the units to be delivered would be of an appropriate size and would be afforded with amenity space. The units to the front of the building, overlooking Obelisk Way would benefit from a significantly better outlook than those to the rear which would overlook the service area; however, in itself it is not considered this justifies the refusal of the development proposal. Floor plans showing the internal layout of the proposed residential units have not been provided and as such it is not possible to assess whether or not habitable rooms would each be provided with an external light source, however, it is accepted that this is matter for the developer to assess at reserved matters stage.
- 7.5.4 In summary and recognising the outline status of the application (and in light of the considerations at 7.3.2 and condition 6) it is not considered the proposal would result in harmful amenity relationships or give rise to unsatisfactory living conditions. The proposal is therefore considered to comply with the requirements of Policy DM9 of the CSDMP.

7.6 Impact on highway safety and parking capacity

- 7.6.1 Paragraph 32 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 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 such impacts to acceptable levels can be implemented. Policy CP2 states that development should be sustainable and have easy access to a range of high quality services and Policy CP11 states that new development that will generate a high number of trips will be directed towards previously developed land in sustainable locations and that all new development should be appropriately located in relation to public transport and the highway network and comply with the Council's car parking standards.
- 7.6.2 The existing building does not have any dedicated parking provision, however, it is serviced by a rear service yard and this is accessed via the entrance adjacent to No.5 Obelisk Way. The proposal does not seek to alter the serving arrangements which would be retained.
- 7.6.3 The proposal does not seek to provide any dedicated parking for any of the uses proposed. While it is noted the residential element to be provided provides a mix of dwelling sizes, it is not considered a nil parking provision is unreasonable in this

highly sustainable town centre location, and as noted by the applicant, has been accepted on other town centre sites. It is also noted that any increase in vehicles accessing the site (as would arise if parking were provided on site) could undermine the Council's ability to realise the objectives of making the town centre more pedestrian friendly (Policy TC9 of the AAP) and the delivery of public realm improvements (Policy TC13 of the AAP) more difficult.

- 7.6.4 The submitted plans indicated that residential development would be served by its own pedestrian access off Obelisk Way. It is considered this would allow a continuation of activity along the frontage at all times and provide a safe and accessible means of access for future occupiers. The plans also show a cycle and refuse store for the residential units at ground floor. A planning condition requiring any detailed reserved matters application to demonstrate compliance the relevant cycle parking standard could be imposed to ensure compliance at reserved matters application.

7.7 Impact on the Thames Basin Heaths Special Protection Area

- 7.7.1 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA.
- 7.7.2 The SPD requires all new development to either provide SANG on site (for larger proposals) or for smaller proposals such as this one to make a financial contribution towards SANG provision. This is now collected as part of CIL. The proposed development would result in a CIL liability and as such this mitigation can be secured under the CIL regime.
- 7.7.3 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. While in outline form, the mix, in terms of proposed bed spaces is known and as such subject to the payment of SAMM or a satisfactory legal obligation to secure a SAMM contribution, the proposal complies with Policy CP14B and Policy NRM6, and the Thames Basin Heaths SPD. Informatives relating to CIL would also be imposed.

7.8 Impact on local infrastructure

- 7.8.1 In October 2011 the Council formally adopted the Developer Contributions Supplementary Planning Document which sets out guidance on how and when financial contributions are sought from development to support infrastructure within the Borough. Contributions are required for any development comprising new build residential development (minus the floor area of any development to be demolished). In this instance the development requires a contribution of £38,700 and an informative to this effect can be added to any approval. As detailed

above this contribution includes the SANG payment but is in addition to the SAMM payment and any required contribution towards the interim SANG monitoring and maintenance charge.

- 7.8.2 The proposal incorporates a retail element but this proposal is not CIL liable given the town centre location. The AAP and public realm strategy indicate that improvements to, for instance the public realm, will be funded from S106 contributions and other income sources. However, in light of the scale of the development the proposal it is not considered appropriate at this time to seek contributions outside of the CIL and SAMM requirements.
- 7.8.3 The application site is not located in an area with a high flood risk. However, as a major proposal it is a requirement to show that a sustainable drainage system can be put in place. Following an initial objection from the LLFA revised details have been supplied and found to be acceptable subject to conditions being imposed.

7.9 Affordable Housing and Housing Mix

- 7.9.1 The Core Strategy 2012 contains policies, namely CP5 (Affordable Housing) and CP6 (Dwelling Size and Type) that require a particular housing mix and type on larger development sites. Policy CP5 seeks a target of 40% of units on sites of more than 10 dwellings to be affordable, split evenly between social rented and intermediate.
- 7.9.2 Policy CP6 indicates that the market housing should be of the following mix:
- 10% of 1 bed units;
 - 40% of 2 bed units;
 - 40% of 3 bed units; and
 - 10% of 4 bed units.

The proposed development would provide 50% 1 bed units, 44% 2 bed and 6% 3 bed units. In light of the town centre location and the nature of the proposal this mix is considered acceptable.

- 7.9.3 The proposal should provide for 6 of the 16 residential units to be provided to be affordable if the scheme is to comply with Policy CP5. The application is supported by a viability assessment which seeks to demonstrate the proposal cannot meet this policy requirement. This has been assessed by the Council's external consultant and following receipt of initial comments expanded upon and subject to further review. This review has confirmed the validity of the applicant's submission that the development proposal is not viable if it provides any level of affordable housing contribution. On this basis it is considered the requirement for AH cannot reasonably be met on this site and under the proposal for which planning permission is sought. No objection on the grounds of Policy CP5 is therefore raised.

7.10 Other Matters

- 7.10.1 Any development proposal for new residential development attracting New Homes Bonus payments as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) is a local financial consideration which must be taken into account, as far as they are material to an application, in reaching a decision. It has however been concluded this proposal accords with the Development Plan and whilst the implementation and completion of the development will result in a local financial benefit this is not a matter that needs to be given significant weight in the determination of this application.

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 provided regular updates and advised of any problems affecting the applications determination

9.0 CONCLUSION

- 9.1 This application seeks outline planning permission for the demolition of an existing high quality building and its replacement with a four storey building. This report notes that an objection to the loss of the original building cannot be sustained as the building is not afforded any statutory protection. The report notes that the application site is part of the London Road frontage block as defined in the AAP, however no objection is raised to the application coming forward at this time and it is not considered the proposal would undermine any AAP, or Public Realm Strategy objective.
- 9.2 The report concludes that subject to planning conditions and any necessary legal agreements being in place to secure SAMM monies the proposal is acceptable and should be approved.

GRANT subject to the following conditions:-

1. Approval of the details of the appearance and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.

(b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To prevent an accumulation of unimplemented planning permissions and to comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 (2) of the Planning and the Compulsory Purchase Act 2004.

2. The reserved matter application(s) to be submitted shall be in compliance with the submitted site plan (PW.1001.D.006(E), ground floor plan (PW.1001.D.050(D), first floor plan (PW.1001.D.051(C), second floor plan (PW.1001.D.052 (C), third floor plan (PW.1001.D.053(C) and the height of the development hereby permitted shall not exceed that shown for the proposed development on the cross section plan ref PW.11001.D.055 (C).

Reason: to ensure a satisfactory form of development and to accord with Policy DM9 of the Core Strategy and Development Management Policies 2012, the Town Centre AAP, the Public Realm Strategy and the NPPF 2012.

3. 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.

4. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
 1. A design that satisfied the SuDs Hierarchy
 2. A design that is compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDs
 3. Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+30% allowance for climate change storm events, during all stages of the development (pre, post and during)), associated discharge rates and storage volumes shall be provided using a greenfield discharge rate of 0.4l/s (as per the SuDs preforms or otherwise agreed by the LPA)
 4. Details of how the orifice plate / discharge mechanism offsite will be protected from blockage
 5. Calculations demonstrating that the attenuating structure will not compact under loading from the buildings on top
 6. Details of management and maintenance regimes and responsibilities

Reason: To ensure the design meets the technical standards for SuDS and the final drainage design does not increase flood risk on or off site and to comply with the NPPF and Policy DM10 of the Core Strategy and Development Management Policies 2012.

5. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage Systems has been constructed as per the agreed scheme.

Reason: to ensure the SuDs systems is designed to technical and to comply with the NPPF and Policy DM10 of the Core Strategy and Development Management Policies 2012.

6. Prior to the ground floor of the development hereby approved being used for any purposes within use class A3, A4 and A5 as defined by the Town

and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking and re-enacting that Order) details of the all plant (including but not restricted to flues and any and all mitigation measures to protect against nuisance from noise, odour and fumes) shall be submitted to and approved in writing by the Local Planning Authority. Once approved the details shall be implemented prior to the use A3, A4 or A5 use commencing.

Reason: To ensure a satisfactory form of development in the interests of visual and residential amenity and to accord with the Surrey Heath Core Strategy and Development Management Policies 2012 and the AAP and the National Planning Policy Framework.

Informative(s)

1. CIL Liable CIL1