

LOCATION: 1, 1A & 3 GUILDFORD ROAD, FRIMLEY GREEN,
CAMBERLEY, GU16 6NL

PROPOSAL: Change of Use of first floor from C3 (residential) to B1
(offices) and use of land to rear for parking in connection
with the first floor offices and ground floor estate agency.

TYPE: Full Planning Application

APPLICANT: Mr David Wilkin & Mrs Mary Luff
Luff & Wilkin Property Specialists

OFFICER: Emma Pearman

This application would normally be determined under the Council's Scheme of Delegation, however, it is being reported to the Planning Applications Committee at the request of Cllr Paul Deach.

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 This application is for the change of use of a residential flat above an estate agents, to office use in association with the estate agents, and the use of the land to the rear for parking (2 spaces only). A previous application was refused in August 2016 under delegated powers due to the loss of the residential unit and it was considered that there was not a strong enough justification to lose this unit when Surrey Heath has a shortage of residential accommodation and a surplus of office accommodation. The applicant has provided further justification for the proposal with this application. However, it is still considered that the benefits of allowing the change of use do not outweigh the loss of the residential unit.

2.0 SITE DESCRIPTION

- 2.1 The application property is a two storey detached building on the corner of Guildford Road and Wharf Road in Frimley Green. The ground floor is occupied mainly by an estate agents (at number 1) and also barber shop (at number 3) which has utilises a side entrance door. The upper floor is a residential flat (number 1a). To the side there is an access road leading to an area at the rear. There was previously a garage preventing access to the rear which has now been removed along with sheds in the rear area. The rear area is enclosed by a close-boarded fence along the boundary with Wharf Road and along the eastern boundary, but is open to the boundary with the neighbouring shop and access road. The application site is identified as being part of a District and Local Centre within the Surrey Heath Core Strategy Proposals Map 2012.

3.0 RELEVANT PLANNING HISTORY

- 3.1 16/0552 - Change of Use of a first floor from C3 (Residential) to B1 (Offices), use of land to the rear for parking in conjunction with the Class A2 use on ground floor and proposed office use on first floor, following demolition/removal of existing garage and storage sheds (demolition is retrospective).

Refused 26/08/2016 for the following reason:

- 1. The proposal would result in the loss of a residential unit and it has not been demonstrated to the satisfaction of the Local Planning Authority that the harm caused by this loss would be outweighed by other benefits. The proposal is therefore considered contrary to Policy CP3, DM12 and paragraph 47 of the National Planning Policy Framework.*

4.0 THE PROPOSAL

- 4.1 The proposal is for the change of use of a first floor from C3 (Residential) to B1 (Offices), use of land to the rear for parking in conjunction with the Class A2 use on ground floor and proposed office use on first floor, following demolition/removal of existing garage and storage sheds. No changes are proposed to the exterior of the building itself and the existing ground floor uses are not affected. Since the submission of the application it was noted at the site visit that the garage and sheds have already been demolished and as such the application is part retrospective.

5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Highway Authority No objection, subject to condition.

6.0 REPRESENTATION

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

7.0 PLANNING CONSIDERATION

- 7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012, and in this case the relevant policies are Policy CP3 (Scale and Distribution of New Housing), Policy CP8 (Employment), Policy DM9 (Design Principles) and Policy DM11 (Traffic Management and Highway Safety) and Policy DM12 (District and Local Centres and Neighbourhood Parades). It will also be considered against the National Planning Policy Framework (NPPF).

7.2 The main issues to be considered are:

- Principle of the change of use;
- Impact on character;
- Residential amenity; and,
Highways, parking and access.

7.3 Principle of the development

7.3.1 Paragraph 19 of the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and that significant weight should be placed on the need to support economic growth through the planning system. Paragraph 47 of the NPPF requires local planning authorities to identify a five-year housing supply and puts great emphasis on the need for boosting significantly the supply of housing. Surrey Heath currently does not have a five year supply of housing.

7.3.2 Policy CP3 states that any development that involves a net loss of housing will be resisted unless it can be demonstrated that the benefits outweigh the harm. Policy CP8 states that the Council will seek to make provision for up to 7500 new jobs in the period up to 2027 and that on other employment sites, outside Core Employment Areas, redevelopment to provide small, flexible B1 units will be promoted. Policy DM12 states that the Borough Council will encourage development that offers environmental improvements and which supports and enhances the viability, vitality and retail function of District and Local Centres and Neighbourhood Parades. It states that development at first floor level or above within these areas should in the first instance consider residential accommodation and where it has been demonstrated that environmental or amenity impacts prevent residential use, then community or B1a office uses may be acceptable at first floor level or above.

7.3.3 The applicant has stated that the change of use is required to consolidate the estate agency business which is currently operating from two separate sites, to secure its long term future and address an urgent need for additional appropriate accommodation. The first floor would be used to accommodate some of the letting administration staff with other administrative staff to meet client demands. Approximately five members of staff would operate from the first floor working alongside sales staff on the ground floor, however the first floor would not be open to the public, and as such the use is considered to be B1 (offices) rather than A2 (financial or professional services) as the ground floor is.

7.3.4 The previous application was refused due to the loss of the residential unit and as such the applicant has put forward further evidence on this basis. The applicant states that the site was recently purchased with the view to using the first floor for office purposes and will support the viability of the estate agency and a lettings business currently operating in Camberley. As such it would allow a local service to expand and may employ local people. Currently the lettings business is operated from a residential property and the applicants do not want to expand in that location. The applicant states that if the unit above cannot be used for office

purposes this may result in them relocating elsewhere (maybe outside Surrey Heath) or seeking a third site from which to operate which would present practical and logistical issues, and increase cost. They also state that noise from the above premises was previously a problem for the ground floor occupiers when the residential unit was occupied.

- 7.3.5 Surrey Heath has a pressing need for residential units at present given that it has a shortage of housing, and the loss of any residential units would have to be strongly justified. The Council's most recent Employment Land Review indicates that the Council's requirement for B1 office space could be met from the existing supply of land allocations and extant permissions and as such there is not a need for additional B1 units in the borough.
- 7.3.6 While the vitality and viability of district and local centres and local businesses is strongly supported, it is considered that if the applicant chose to relocate it is unlikely that the unit would remain vacant as there are limited vacancies in Frimley Green. In addition, given that the applicant is operating in local markets the move is not likely to be far, which limits the adverse effects on Surrey Heath. If the applicant chose to relocate or rent office space elsewhere, this may provide benefits in utilising existing vacant office space elsewhere in the borough. It should also be stressed that the use goes with the land rather than the individual occupier, whose circumstances might change in the future, and so it would be unreasonable to condition the use to be personal to this occupier.
- 7.3.7 Policy DM12 also stresses that first floor units should be residential unless it can be demonstrated that other impacts prevent this use, which is not the case here. Whilst the applicant claims that residential use would not be desirable due to the effects of noise such a scenario is not uncommon and there is no explanation as to why the residential use could not be noise attenuated to mitigate any impacts. Moreover, it has not been satisfactorily demonstrated why the first floor could not accommodate a smaller residential unit and still accommodate some office space.
- 7.3.8 It is therefore considered that the harm caused by the loss of the residential unit has again not been demonstrated and is not been outweighed by the benefits of office use, given that Surrey Heath has a shortage of residential units and a surplus of office space. As such the principle of the development in this case is contrary to Policies CP3, DM12 and paragraph 47 of the NPPF.

7.4 Impact on character

- 7.4.1 Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment. Paragraph 58 goes on to say that planning decisions should aim to ensure that developments respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture.
- 7.4.2 Policy DM9 states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density.
- 7.4.3 There will be no change to the exterior of the building so the only external changes would be the demolition of the garage and sheds. Given that these have already

been demolished it was not possible to assess any contribution they made to the street scene on site but older photos of the site indicate that the sheds would not have been visible, and the garage did not make a particularly positive contribution to the street scene. It is not considered that using the rear area for parking would cause any harm to character in this location.

- 7.4.4 It is therefore considered that the proposal is acceptable in character terms and in line with Policy DM9 and the NPPF in this regard.

7.5 Impact on residential amenity

- 7.5.1 Paragraph 17 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form.

- 7.5.2 The nearest residential unit to the proposed development appears to be to the rear at 4 Wharf Road. The change of use could give rise to additional cars in the vicinity of the application site, however the area to the rear is proposed to be used for parking two cars, and additionally there is a free car park a short distance away in Wharf Road which allows parking up to 18 hours. As such given that only five additional members of staff would be working at the site, it is not considered that the change of use and associated traffic is likely to have a noticeable impact on the occupiers of this property. The proposed parking spaces would be approximately 8m away from this property, with a close-boarded fence in between, however given the small number of spaces and the existing noise climate and traffic in the area it is not considered that this change would have any significant impacts on amenity for the occupiers of this property.

- 7.5.3 Other surrounding units are commercial and it is not considered that any other residential properties are close enough to be affected. The proposal is therefore considered to be acceptable in terms of its impact on residential amenity and in line with Policy DM9 and the NPPF in this regard.

7.6 Highways, parking and access

- 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.

- 7.6.2 The garage which has been demolished allows access to a small area to the rear, which is proposed to serve two spaces, so allowing for the demolished garage, this is an increase of one off-road space. The County Highway Authority asked for the applicant to demonstrate that the cars to be parked had sufficient space to turn and exit the site in forward gear. Subsequently the three spaces originally proposed on the site location plan were reduced to two, to allow for space for

manoeuvring. The County Highways Authority has not objected, subject to a condition requiring the parking spaces to be laid out prior to occupation and retained for that purpose.

- 7.6.3 The County Highways Authority has noted that it would take several turns to be able to exit in forward gear, and that the parking spaces are smaller than standard. Notwithstanding this, County has not objected and it is not considered that the turns would cause any other harm in terms of impact neighbouring residential properties.
- 7.6.4 It is therefore considered that the proposal is acceptable in terms of its impact on highways, parking and access and in line with Policy DM11 and the NPPF in this regard.

8.0 CONCLUSION

- 8.1 The proposal is considered acceptable in terms of its impact on character, residential amenity and highways, parking and access. However, the loss of a residential unit is contrary to Policy CP3, CP12 and paragraph 47 of the NPPF and it is considered that in this case, again the harm caused by this loss is not sufficiently outweighed by other benefits. It is therefore considered that the application should be refused.

9.0 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.
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The proposal would result in the loss of a residential unit and it has not been demonstrated to the satisfaction of the Local Planning Authority that the harm caused by this loss would be outweighed by other benefits. The proposal is therefore considered contrary to Policy CP3, CP12 and paragraph 47 of the National Planning Policy Framework.