

SURREY HEATH BOROUGH COUNCIL

**Report of the Executive Head of Regulatory Services
to be considered at the Council meeting held on**

28 November 2013

APPLICATIONS FOR PLANNING PERMISSION & RELATED APPLICATIONS FOR CONSIDERATION BY THE COUNCIL

NOTES

Officers Report

Officers have prepared a report for each planning or related application on the Council meeting Index which details:-

- Site Description
- Relevant Planning History
- The Proposal
- Consultation Responses/Representations
- Planning Considerations
- Conclusion

Each report also includes a recommendation to either approve or refuse the application. Recommended reason(s) for refusal or condition(s) of approval and reason(s) including informatives are set out in full in the report.

How the Council makes a decision:

The Council's decision on an application can be based only on planning issues. These include:

- Legislation, including national planning policy guidance and statements.
- Policies in the adopted Surrey Heath Local Plan and emerging Local Development Framework, including Supplementary Planning Documents.
- Sustainability issues.
- Layout and design issues, including the effect on the street or area (but not loss of private views).
- Impacts on countryside openness.
- Effect on residential amenities, through loss of light, overlooking or noise disturbance.
- Road safety and traffic issues.
- Impacts on historic buildings.
- Public opinion, where it raises relevant planning issues.

The Council cannot base decisions on:

- Matters controlled through other legislation, such as Building Regulations e.g. structural stability, fire precautions.
- Loss of property value.
- Loss of views across adjoining land.
- Disturbance from construction work.
- Competition e.g. from a similar retailer or business.
- Moral issues.
- Need for development or perceived lack of a need (unless specified in the report).
- Private issues between neighbours i.e. boundary disputes, private rights of way. The issue of covenants has no role in the decision to be made on planning applications.

Reports will often refer to specific use classes. The Town & Country Planning (Use Classes) Order 1995 (as amended) is summarised for information below:

A1. Shops	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops and funeral directors.
A2. Financial & professional Services	Banks, building societies, estate and employment agencies, professional and financial services and betting offices.
A3. Restaurants and Cafes	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes.
A4. Drinking Establishments	Public houses, wine bars or other drinking establishments (but not nightclubs).
A5. Hot Food Takeaways	For the sale of hot food consumption off the premises.
B1. Business	Offices, research and development, light industry appropriate to a residential area.
B2. General Industrial	Use for the carrying on of an industrial process other than one falling within class B1 above.
B8. Storage or Distribution	Use for the storage or as a distribution centre including open air storage.
C1. Hotels	Hotels, board and guest houses where, in each case no significant element of care is provided.
C2. Residential Institutions	Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
C2A. Secure Residential Institutions	Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
C3. Dwelling houses	Family houses or houses occupied by up to six residents living together as a single household, including a household where care is provided for residents.
C4. Houses in Multiple Occupation	Small shared dwelling houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.
D1. Non-residential Institutions	Clinics, health centres, crèches, day nurseries, day centres, school, art galleries, museums, libraries, halls, places of worship, church halls, law courts. Non-residential education and training areas.
D2. Assembly & Leisure	Cinemas, music and concert halls, bingo and dance halls (but not nightclubs), swimming baths, skating rinks, gymnasiums or sports arenas (except for motor sports, or where firearms are used).
Sui Generis	Theatres, houses in multiple paying occupation, hostels providing no significant element of care, scrap yards, garden centres, petrol filling stations and shops selling and/or displaying motor vehicles, retail warehouse clubs, nightclubs, laundrettes, dry cleaners, taxi businesses, amusement centres and casinos.

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APPENDIX 1 - Location/Site Plan (after the Main Report)

APPENDIX 2 - Study Area/Plan (after the Main Report)

LOCATION: J SAINSBURY PLC, BLACKWATER VALLEY ROAD,
CAMBERLEY, GU15 3YN

PROPOSAL: Demolition of existing foodstore and the erection of a (Use Class A1) retail supermarket with associated servicing, car parking and landscaping. (Additional info rec'd 08/11/12 and 12/03/13)

TYPE: Full Planning Application

APPLICANT: Sainsbury's Supermarkets Ltd

OFFICER: Mr N Praine

RECOMMENDATION: APPROVE subject to conditions and S106 agreement

1.0 SUMMARY

- 1.1 The existing Sainsbury's store, which is an out-of-centre Class A1 retail use, has been in existence for over 20 years. The proposal is for full planning permission to demolish this existing store and erect a 17,500 square metre replacement store with an increase of 6,626 sq m over existing levels (61% increase) together with 793 associated parking spaces (an increase of 220 spaces over existing levels), plus 50 bicycle spaces and 8 motorcycle spaces. The new store would offer a net sales area of 9,341 square metres, an increase of 3,125 sq m over existing levels. For a full description of the proposal see section 5 of this report.
- 1.2 Sections 8 and 10 of this report explain that there is no policy reason to refuse the application on retail grounds as it complies with the sequential approach; there would be no significant adverse impact on existing, committed and planned investment in Camberley Town Centre; and, no significant adverse impact on the vitality and viability of Camberley Town Centre and other designated centres nearby. The proposal would not have an unacceptable effect on highway safety, or capacity. The proposal would also respect the character and quality of the area, and have no adverse impact on residential amenity, protected species, sustainable development/ design, flooding / drainage and contaminated land.
- 1.3 The application is therefore recommended for approval, subject to conditions as detailed at the end of this report, and a bespoke S106 agreement which provides a total contribution of £426,150.01 of which £276,830.01 for transportation measures; £6,150.00 towards the auditing of a travel plan; £20,000 for environmental improvements adjoining the application site; £103,170.00 for Camberley Town Centre Public Realm Improvements; and, the occupation and operation of the town centre Sainsbury store by Sainsbury's Supermarkets Ltd for 10 years.

2.0 BACKGROUND PAPERS

- 2.1 Planning history [see section 4 below].
- 2.2 Consultation and neighbour notification responses [see sections 6 and 7 below].
- 2.3 Site location plan.
- 2.4 Map of Retail Zones 1-10, extract from the Surrey Heath Retail Survey 2007 (amended 2010).

3.0 SITE DESCRIPTION

- 3.1 This application site relates to a standalone retail unit occupied by J Sainsbury's Supermarkets Ltd. The application site, lies within the settlement area of Camberley and also falls within Flood Zone 2 as defined by the Environment Agency. The application site extends to 3.91 hectares and the vehicular access point to the site can be found to the east side of the A331 approximately 1 kilometre north of the M3, junction 4, 1.5 km south of the Meadows Roundabout and 2.4 kilometres (1.5 miles) south west of Camberley Town Centre. Existing parking can cater for 573 vehicles and 10 bicycles. The application site is adjoined by Watchmoor Nature Reserve to the south, the Ascot to Guildford railway line to the east, with Crabtree Park and the residential properties of Crabtree Road and Orchard Way beyond the railway, accessed via a pedestrian footbridge over the railway. To the north of the application site lies the Watchmoor Park Business Park and to the west of the application site the A331 and the borough boundary with Hart District Council can be found.
- 3.2 The Western Urban Area Character Supplementary Planning Document 2012 defines the application site as a "Parkland and Commercial" character area. This character area is described within the SPD as follows *"The 1980's onwards saw the development of large parkland estates in which offices, light industry and large retail units were developed... interspersed with generous amounts of vegetated open space."*
- 3.3 This site is an established out-of-centre retail destination with Sainsburys operating from the site for over 20 years. The current superstore on site measures 9.9 metres in height at its lowest roof point rising to 16.5 metres at its highest roof point. The existing store encompasses a broadly rectangular footprint measuring a maximum of 110 metres wide by 98 metres deep and comprises 10,874 square metres of gross internal floorspace with a net retail floorspace of 6,216 square metres which is further split into 4,040 square metres of convenience retail goods (e.g. food, drink, tobacco, newspapers, periodicals and non-durable household goods) and 2,176 square metres of comparison retail goods (e.g. clothing, shoes, home furnishings, electricals, games, toys and books). The existing store also has 6 concessions including a café (Starbucks), Home Energy Centre, Explore Learning Centre, dry cleaners, photo processing and pharmacy.

4.0 RELEVANT HISTORY

- 4.1 FRI 4890 Use of land as refuse tip – approved 30/11/1962
- 4.2 SU/90/0388 Outline application with all matters reserved for: a food superstore (A1), bank telling machines (Automatic), coffee shop (A3), petrol filling station, car park access, service areas, serving area and landscaped areas, approved 21/06/91.

No condition was imposed restricting its Class A1 use as a food superstore only or for convenience products only.

- 4.3 SU/91/0553 Part reserved matters pursuant to outline planning permission SU/90/388 dated 21st June 1991 for a food superstore development with ancillary facilities, approved 23/08/91
- 4.4 SU/97/1176 Erection of a single storey side and single storey front extension to provide an additional 1105sq.m of floorspace with associated internal alterations, approved 09/03/99.

Condition 6 of this permission stated that only 'convenience' products shall be sold from within the retail sales areas created by this development i.e. the extensions only. Hence, the remainder of the store or 4,040 sq m could potentially be used for selling comparison goods products without requiring planning permission.

- 4.5 SU/02/1126 Erection of a single storey front extension, re-arrangement of existing parking area and associated works, approved 14/12/04

5.0 THE PROPOSAL

- 5.1 The proposal for full planning permission seeks to demolish the existing store and erect a 17,500 square metre replacement store, an increase of 6,626 sqm over existing levels (61% increase) with 793 associated parking spaces (an increase of 220 spaces over existing levels) 50 bicycle spaces and 8 motorcycle spaces. The new store would offer a net sales area of 9,341 square metres, an increase of 3,125 sqm over existing levels (a 50% increase). This would be further split into 4,671 square metres of convenience retail goods, an increase of 630 sqm over existing levels (16% increase) and 4,671 square metres of comparison retail goods, an increase of 2,495 sqm over existing levels, (115% increase). The following table summarises the proposed development, in comparison with the existing:

	Total GIA (sq metres)	Net Sales Area (sq metres)			Car Parking
		Total	Convenience	Comparison	
Existing Store	10,874	6,216	4,040	2176	573
Proposed Store	17,500	9,341	4,671	4671	793
Increase	+6,626	+3,125	+630	+2,495	+220

- 5.2 The new store would benefit from a 453 sq m customer restaurant, better storage accommodation plus an increase in size of the goods on line (GOL) home delivery service. Furthermore the concession floorspace is proposed to be increased from the existing 436 sq m (which represents 7% of the existing net sales area) to 888 sq m (which would represent 9.5 % of the total net sales area) with these concession units located on the primary shop floor and mezzanine level. So in addition to the existing 6 concessions (i.e. Starbucks, Home Energy Centre, Explore Learning Centre, dry cleaners, photo processing and pharmacy) the store's concessions would include: a Timpson's; a Clark's shoe outlet; a dentist; a salon; an optician; a phone shop; and, a Virgin Travel Shop. The applicant's intention is for these total 13 concessions to act as supporting ancillary services to the main use. The applicant does not envisage customers undertaking specific trips to the supermarket solely for these ancillary services.
- 5.3 The new store would be elevated above undercroft car parking, at ground level, with a further mezzanine level above the primary shop floor level. There are no proposed changes to the vehicular access road from the A331 and minor changes are proposed to the service yard access to improve vehicle access. It is also proposed to increase the number of petrol filling pumps at the petrol filling station from 11 to 12 and erect a bus shelter at the existing bus stop. The store would be accessed by pedestrians via an enclosed atrium located to the west side of the proposed store which will bring customers from the ground level up to the primary shop floor level via travellators, lifts or stairs.
- 5.4 The proposed building would have a height of 9.9 metres at its lowest roof point rising to 15 metres at its highest roof point. The proposal will also incorporate a broadly rectangular footprint measuring a maximum of 190 metres wide by 95 metres deep. The building has been positioned on the site so that the height of the mezzanine section is towards the south side. The front elevation comprises glazing and the 'atrium' section which is further relieved by the introduction of contrasting materials (vertical timber cladding and grey cladding). The remaining elevations are more understated yet follow the established theme of the front elevation.
- 5.5 The following key documents have been submitted by the applicant and relevant extracts will be relied upon in section 9 of this report:
- Planning and Retail Statement, September 2012 plus Addendum, March 2013;
 - Design and Access Statement;
 - Economic Statement; and,
 - Transport Assessment.

A Flood Risk Assessment, Noise Assessment, Community Consultation Statement, Habitat Survey, Landscape Statement, Renewable Energy Efficiency Report, Air Quality Assessment and Lighting Assessment have also been submitted.

6.0 CONSULTATION RESPONSES

- 6.1 Surrey County Council Highway Authority No objection subject to conditions and mitigation being secured. [see paragraph 8.6 below]
- 6.2 Hampshire County Council Highway Authority Initial objection received due to the absence of traffic impact on Hampshire's road network to the south of the M3 in particular the A325 and A331.
- Subsequently the applicant has submitted further information regarding the impact of the development proposal upon the Hampshire road network and Hampshire County Council Highway Authority has considered the revised information.
- In conclusion they are satisfied that the extent of additional traffic would not lead to a detrimental impact on Hampshire's road network. As such Hampshire County Council Highway Authority raises no objection to the proposal.
- 6.3 Department of Transport Highways Agency No objection.
- 6.4 Bracknell Forest Council Initial objection raised for the following reasons
- The study area for the Transport Assessment does not include the Meadows Roundabout:
Applicant response: It was agreed with Surrey County Council Highways (SCC) that the traffic impact of the development proposals should only be considered at the site access traffic signal controlled junction and the junction serving Riverside Way. The Meadows Roundabout is the responsibility of SCC. As you will see from their consultation response they are of the view that the additional traffic generated by the proposed development will not have a material impact on the operation of this junction. [Officer comment: see paragraph 8.6 below]
 - No assessment of committed development in Bracknell Forest has taken place:
Applicant response: Traffic growth has also been applied to the base data and the junctions that have been assessed operate well within their operational capacity up to the year 2018.
 - Limited details and circumstances of the other extended Sainsbury's stores used to demonstrate the anticipated traffic uplift:

Applicant response: The methodology for calculating the increase in traffic arising as a result of the proposed development was agreed at scoping with SCC. This method has been agreed and accepted by many other Highway Authorities across the country. Notwithstanding this, I have broken the data down by location which results in the following:

Town centre locations – 8% increase

Edge of town centre locations – 12% increase

Suburban locations – 16% increase

Edge of town locations – 10% increase

All locations (i.e. that used in our TA) – 13%

I consider that this demonstrates that the increase in traffic we have assessed is robust since edge of town locations typically show a lower increase (10%) than we have assumed (13%).

- Over provision of proposed parking:

Applicant response: The proposed development includes significant increases in disabled and parent and child spaces. It also proposes to introduce comfort spaces, electric vehicles charging point spaces and dedicated motorcycle parking, none of which are provided at present. Furthermore, the SCC consultation response confirms that they have no objection to the level of car parking proposed.

- Absence of sensitivity testing of traffic generation for secondary (concession) occupiers on site:

Applicant response: Whilst the development proposals include additional concessions, these are all likely to involve linked trips with visits to the Sainsbury's store rather than customers making a specific journey.

- Alterations to the petrol filling station (PFS) have not been subject to the sensitivity tests:

Applicant response: The development proposals involve increasing the existing 11 pump PFS to 12. The rationale for this is primarily to reduce customer wait time at periods of high demand. I consider it to be highly unlikely that an additional pump will lead to a material increase in traffic, particularly as the PFS is not visible from the A331.

- Lack of details of staffing levels and impact on the highway network:

Applicant response: The store currently employs around 450 colleagues. This is anticipated to rise to between 550 and 600 colleagues as a result of the proposed development. It should be noted that around one quarter of colleagues are present in the store during peak trading periods i.e. around 110 at present rising to 140 – 150 in the post development scenario.

- Existing travel plan is ineffective in its current form:

Applicant response: Whilst the store currently operates a Travel Plan, the SCC consultation response recommends that a planning condition is included requiring a new Travel Plan to be prepared, submitted and approved by SHBC. I can confirm that my client is willing to accept such a condition.

- No audit of lighting and surface treatments to assess the suitability of pedestrian and cycle accesses has been undertaken:

Applicant response: The accessibility of the site by non-car modes of travel was comprehensively covered in Section 4 of our Transport Assessment. My client has agreed to provide additional lighting to the rear of the store and install CCTV to improve the safety of pedestrians in this area. Furthermore, and at the request of SCC, my client has agreed to install finger posts to aid pedestrian movements across the site.

The applicant has issued responses to these questions as indicated in italics above and Bracknell Forest Council has reconsidered this response. In light of the further information submitted Bracknell Forest Council has confirmed that, given SCC accepts that the Transport Assessment is acceptable Bracknell Forest Council withdraws its objection on the basis of the additional information and clarification of issues raised.

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| 6.5 | Hart District Council | No objection. |
| 6.6 | Rushmoor Borough Council | No objection; however in their response letter they do state that it is appropriate to express concern at the scale and out of centre location of the proposed development. |
| 6.7 | Environment Agency | Initial objection raised as the Flood Risk Assessment failed to quantify the current discharge rates and did not take the impacts of climate change into account. |

Subsequently the applicant submitted further information regarding discharge rates and the impacts of climate change. The Environment Agency have considered the revised information and withdraw their objection to the proposal [see paragraph 8.9 below].

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| 6.8 | Planning Policy Manager | No objections. |
| 6.9 | Surrey Heath Arboricultural Officer | No objection subject to condition and environmental improvements being secured [see Paragraph 8.4.3 below]. |
| 6.10 | Surrey Police Crime Prevention Design Advisor | No objection subject to informatives. |
| 6.11 | Surrey Police Counter Terrorism Security Advisor | No objection subject to informatives. |
| 6.12 | Thames Water | No objection subject to conditions [see paragraph 8.9 below]. |
| 6.13 | Surrey Wildlife Trust | No objection subject to conditions [see paragraph 8.7 below]. |
| 6.14 | Network Rail | At the time of writing no response (consultation period expired). |
| 6.15 | Surrey Heath Urban Design Officer | No objection. |
| 6.16 | Yorktown Business Association | At the time of writing no response (consultation period expired). |
| 6.17 | Surrey Heath Drainage Officer | No objection. |

7.0 REPRESENTATION

- 7.1 At the time of preparation of this report six letters of support and 20 representations of objection have been received.
- 7.2 The letters of support state the following:
- The proposal will bring more jobs to the local area
 - The proposal will be sustainable and will use less energy
 - The proposal will offer an improved selection of goods
 - The proposal will offer increased convenience.

7.3 The letters of objection raise the following concerns:

- Negative impact on highway safety (*see paragraph 8.6*)
- Negative impact on viability and vitality of the town centre (*see paragraph 8.3*)
- Negative impact on future investment of the town centre (*see paragraph 8.3*)
- Concern that the existing Sainsbury's store in the Town Centre may close harming the vitality and viability of the Town Centre. (*Officer comment, the applicants have agreed to enter into a legal agreement securing the retention of the town centre store for a minimum of 10 years*)
- Increased noise and disturbance – (*see paragraph 8.5*)
- Concern about previous use as landfill site – (*see paragraph 8.10*).

7.4 In addition, representations of objection have been received from The Mall Corporation Ltd, Standard Life and Capital and Regional plc. In brief these objections are listed and summarised below and full consideration is given in relevant paragraphs as also indicated below in italics.

- The proposal seeks to attract a significant amount of comparison goods trade away from the town centre by significantly increasing its comparison goods offer as a 'one stop shop' with free parking making the town centre less attractive to shoppers and retailers. (*see paragraph 8.3*)
- Camberley already has a number of vacant units within the town centre. There is less chance of this vacant floorspace coming forward if the proposal is allowed therefore continuing the decline of the vitality and viability of Camberley Town Centre. (*see paragraph 8.3*)
- The proposal is contrary to planning policy which focuses economic growth and development of main town centre uses in existing centres. (*see paragraph 8.3*)
- The proposal does not deliver sustainable patterns of development as the proposal is located in an out of centre location most visited by private car. (*see paragraph 8.6*)
- Retail investment should be focused on town centres, where redevelopment proposals exist. By enabling investment to be focussed outside town centres this will reduce the likelihood of achieving the best conditions for attracting investment and demand thereby weakening the likely achievement of future planned investment, a fundamental Surrey Heath Borough Council Core Strategy objective. (*see paragraph 8.3*)

- Sequentially, comparison goods should be focussed on town centres first. The Surrey Heath Borough Council Core Strategy proposes that Camberley town centre be the subject of a redevelopment scheme to provide a significant increase in comparison retail floorspace (and other uses). The redevelopment of Camberley town centre [i.e. the London Road redevelopment] offers a more sequentially preferable available, viable and deliverable development site. (see paragraph 8.3)
- The methodology in the Transport Assessment to calculate the increase in customer traffic trips relies on extensions to other smaller Sainsbury's stores and is not considered to be robust. (*Officer Comment: The applicant advises that generally the figures show a smaller proportional increase in customer numbers as a result of stores being extended, smaller stores tend to have a higher number of trips per 100sqm. Therefore, using data from smaller stores provides a robust assessment. SCC have considered the data and raise no objection to the methodology*)
- For the purposes of assessing highway impacts the store should be assessed as a new store with analysis of the net difference between the existing store and the new store rather than a store extension. (*Surrey County Council comment that, this methodology assumes that none of the existing customers will shop in the extended part of the store instead the extended section will bring all new customers relative to the store size, this does not make sense and evidence shows this is unlikely to be the case. Although the existing store requires demolition to enable development, the proposed store can properly be regarded as an extension to the existing which would remain and continue to trade if the proposed development was not permitted. The supermarket brand will be the same and the existing customer base is likely to be retained. The extended store is likely to attract additional customers rather than an entire new customer base. Using the existing traffic generation as a baseline to predict the future trip generation is more accurate than predicting a 'new stores' trip generation, as we already know a proportion of the traffic generation. For this reason traffic impact should be assessed against the existing stores baseline traffic generation as carried out in the developer's Transport Assessment rather than treating this as new store).*)
- A 38% increase in parking spaces is disproportionate to the assumed 13% increase in trips over the existing situation. (see Paragraph 8.6 below)
- There is no analysis in the Transport Assessment for the A30 London Road, A331 Meadows Roundabout and the A331/M3 junction 4 interchange roundabouts. (see Paragraph 8.6 below)

- The proposal offers poor public transport accessibility. (see Paragraph 8.6 below)
- No evidence or commentary regarding loss of footfall or linked trips or the impact of Goods on Line. (see paragraph 8.3 below)

8.0 PLANNING CONSIDERATIONS

- 8.1 The application site is an out-of-centre retail location and is situated within a "Parkland and Commercial" character area as defined by the Western Urban Area Character Supplementary Planning Document 2012. The application site also lies within the settlement of Camberley and in an area defined as Flood Zone 2 area by the Environment Agency. As such, Policies CP1, CP2, CP8, CP9, CP10, CP11, CP12, DM7, DM9, DM10, DM11 and DM12 of the Surrey Heath Core Strategy (CS) and Development Management Policies 2012 are relevant in the determination of this planning application. The CS designates a Primary Shopping Area (PSA) for Camberley Town Centre. The advice in the National Planning Policy Framework, Planning for Town Centres: Practice Guidance on Need, Impact and the Sequential Approach (extant guidance to PPS4), Developer Contributions Supplementary Planning Document 2011, Yorktown Supplementary Planning Guidance 2003 and the Yorktown Landscape Strategy Supplementary Planning Document 2008 are also considered relevant.
- 8.2 The National Planning Policy Framework (NPPF) has a presumption in favour of sustainable development (of which there are three dimensions: economic, social and environmental). To deliver sustainable development the Government places significant weight on the need to support economic growth by building a strong and competitive economy. The NPPF also seeks to deliver sustainable development by ensuring the vitality of town centres, promoting sustainable transport and, amongst other things, requiring good design. In assessing the merits of the application it is important to consider the impacts of the redevelopment against these principles of sustainable development and the existing context. The existing context is that this superstore has been a retail destination, supporting the local economy for over 20 years, with an established customer base generating trade, trips and jobs. So whilst this is a redevelopment proposal, in effect, it represents an expansion of the existing store. With this existing context in mind it is therefore considered that the main issues in determining this application are:
- The retail impact which includes whether the proposal complies with the sequential approach; the impact on existing, committed and planned investment; and, the impact on the vitality and viability of Camberley Town Centre and other designated centres nearby;
 - The impact on the character of the area including design, landscaping and trees;
 - The impact on residential amenity including noise and air quality;
 - The impact on parking and highway safety;

- The impact of the development upon protected species;
- The provision of sustainable development and design;
- The impact on flooding and drainage;
- The impact of the proposal on contaminated land; and
- The impact on local infrastructure.

8.3 The Retail Impact

8.3.1 Policy context

The NPPF in ensuring the vitality of town centres provides advice on how to deal with planning applications involving proposed retail development outside of town centres. Paragraph 24 of the NPPF states that:

“Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale”

Paragraph 26 of the NPPF continues to state that:

“When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). This should include assessment of:

- *the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*
- *the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.*

Paragraph 27 advises that:

“Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused”.

- 8.3.2 The Surrey Heath Retail Study 2007 (updated in 2010) forms an evidence base to the adopted Core Strategy (CS). This study included a catchment area over 10 zones to ensure that the extent of Camberley's catchment could be accurately identified. Zone 1 extended as far as Woking with Zone 10 as far as Wokingham. Camberley Town Centre and the application site lie within Zone 4 (i.e. the central zone) and a map of this study area is attached as an annex to this report. Paragraphs 3.17 and 4.9 of this survey state:

“In the light of the limitations on convenience goods expenditure, and in an effort to serve growing customer demand, there is an increasing emphasis on the sale of comparison goods at large foodstores. Whilst sales densities for comparison goods may be lower than for convenience goods, future growth rates for comparison goods are much higher than for convenience goods and margins are greater. As a result all the leading foodstore operators are seeking to extend their comparison goods offer; some are turning the largest, or extended, stores into variety or mini department stores. This trend poses a potential threat to smaller centres, as larger foodstores will increasingly sell a wider product range of day-to-day convenience and comparison goods and services.

In the Camberley area (Zone 4) the principal food shopping destination is the Tesco store at the Meadows Shopping Centre. This store accounts for 43% of main food shopping trips arising from Zone 4, far ahead of any rival. This dominance by Tesco is, in our view, partially due to the lack of a full range supermarket or superstore in Camberley.”

- 8.3.3 In response to this evidence base the CS identifies Camberley Town Centre as a major town centre with capacity for growth. Paragraph 5.64 of the CS explains that Bagshot and Frimley successfully fulfil their roles as district shopping centres and there was no indication that these centres could support any major expansion. Policy CP1 states that Camberley Town Centre will be the focus for major new retail development particularly on the London Road frontage; and, Policy CP10 specifically deals with the expansion of Camberley Town Centre by an Area Action Plan (AAP). Paragraph 5.70 supports CP10 stating that there is a particular identified need for further comparison goods in the town centre and 5.73 states the following:

“5.73 ...The demand for growth for comparison goods floorspace without any increase in market share within the current catchment area is estimated at some 39,500 square metres (gross). In addition there is some demand for a limited amount of convenience floorspace.”

- 8.3.4 Following public consultation the Council issued its Camberley Town Centre AAP Submission, August 2013. An Examination in Public (EiP) is scheduled for the 19th and 20th December 2013 and the aim is to adopt the AAP in the Spring 2014. This Submission identifies seven opportunity areas and sites for development including the London Road Block. Policy TC14 of the AAP considers the London Road Block and states the following:

'...Development within this site will be expected to deliver the following:

- (i) High quality comparison retail facilities which make a significant contribution towards an enhanced retail town centre offer of up to 41,000 sq m (gross) up to 2028;*
- (ii) A mix of size of retail units to suit a range of retail requirements to be anchored by a major comparison goods store; and*
- (iii) Additional car parking to meet the needs of the retail scheme...'*

8.3.5 Compliance with the Sequential approach

Paragraphs 5.6 and 5.7 of the Practice Guide to PPS4 state the following:

"The sequential approach forms a key policy consideration, and can in itself be a clear reason for refusal. As such it is critical that applicants carry out a thorough assessment to explore alternative options, and that if more central opportunities are rejected, it is for sound reasons which are clearly explained and justified. As the onus rests on the applicant to demonstrate compliance with sequential approach failure to undertake such an assessment would constitute a reason for refusal, although as a matter of good practice applicants and the LPA should seek to agree the scope of such assessments and clearly identify any areas of difference.

If the LPA proposes to refuse an application involving town centre uses on the basis of the sequential approach, it should be on the basis that it considers there is, or maybe, a reasonable prospect of a sequentially preferable opportunity coming forward which is likely to be capable of meeting the same requirements as the application is intended to meet."

8.3.6 In line with the above the applicant has undertaken an assessment of alternative options within the immediate catchment area but concentrating on Camberley Town Centre by stating that this is the centre most suited in terms of its scale to a major food supermarket. Based upon a sequential approach checklist, under part 6 of PPS4 Practice Guide, the applicant has discounted alternative sites for the following key reasons:

1. The scale and form of the development needed is a) to retain expenditure within Surrey Heath preventing leakage and increasing competition with Tesco; and, b) to improve choice and product ranges at the current store in line with Tesco including larger aisles and the GOL (Goods On Line) facility.
2. The need for the store is 'location specific' in order to compete successfully with other nearby out of centre supermarkets and is an optimum location for a GOL distribution facility with good connections onto the road network.
3. More central town centre opportunities were considered/identified but discounted following pre-application discussions due to alternative sequential sites being in early stages of consultation
4. Alternative sequential sites were thoroughly tested according to suitability, viability and availability having regard to the identified need/demand and

timescales. The applicant identified no available, suitable and/or viable sites as shown in the following table

Site	Available	Suitable	Viable
London Road Block	(√) x	(x) √	(x) ?
Camberley Station	(√) x	(x) √	(x) ?
Pembroke Broadway (North)	x	√	x
Land East of Knoll Road	x	x	x
Magistrates Court	√	x	x
The Granary	√	x	x
Land at Half Moon Street, Bagshot	x	x	x
Princess Royal Barracks, Deepcut	x	x	?
191 London Road	x	x	x
117 London Road	x	x	x

* () indicates partial redevelopment

5. A flexible approach has been taken to assessing the merits of other sites by considering flexibility in terms of scale, format, car parking provision, and the scope for disaggregation (i.e. the separation of the proposed comparison and convenience elements of the store). Disaggregation has been discounted because a) Sainsbury's is a food first retailer and it would be contrary to its business model to operate a comparison goods only store; b) supermarkets have run into difficulty when trying to put their comparison goods on the high street; c) there is a particular need for the additional floorspace to be at or close to the existing store and this need cannot be met if the additional floorspace was separated to a more central site; and, d) Sainsburys operate all their online deliveries from existing stores so meaning that separate distribution centres are not required and given this requirement for a GOL facility disaggregation would not be reasonable.
- 8.3.7 The objectors argue that the proposal seeks consent for an open A1 consent which could be accommodated in the town centre. The objector MLP suggests there are a number of other options with: (i) the former Alders unit in Camberley Town Centre representing an available, viable and deliverable site; (ii) the emerging London Road Block scheme for the town centre will be capable of accommodating the proposal as it could include a single structure of some 7,680 sq m of floorspace and 500-750 parking spaces; and, (iii) the London Road Block is a viable, available and deliverable site for Sainsbury's as an anchor tenant for the Camberley Town Centre redevelopment.
- 8.3.8 The Council's Retail Consultant concludes that the sequential approach undertaken by the applicant is appropriate and in compliance with planning policy. Indeed by having regard to the table above only 3 of the identified sites might possibly be considered 'suitable' to accommodate the proposed development, these being, the London Road Block, the land around Camberley Station and the site at Pembroke Broadway (North). Contrary to the objector's arguments the Council's Retail Consultant is not convinced that the London Road Block can at this present time be

considered to be either available or suitable, and considers objectors options (i) and (ii)/(iii) above to be fundamentally flawed. This is because both options would require Sainsbury's to consider alternative sites that clearly are unable to physically provide a facility comparable to that being proposed in the application. The consultant goes on to state that Sainsbury's proposal is for the redevelopment of a successful store and from the submissions there would appear to be no indication that the applicant's intention is to develop a new store anywhere else other than on the site at Watchmoor Park. Even if the London Road block was available, the land has never been envisaged for occupation by a major foodstore. This viewpoint is consistent with Policy TC14 of the Submission AAP which stresses the need for high quality comparison retail facilities on the London Road block with a mix of size of retail units to be anchored by a major comparison goods store (see paragraph 8.3.4 above).

- 8.3.9 This conclusion is supported by recent and relevant case law. A ruling of the Supreme Court, *Tesco Stores Ltd v Dundee City Council [2012]* indicated that what needs to be established in law is whether an alternative site is suitable for the development proposed, not whether the proposed development can be altered or reduced so that it can be made to fit into an alternative site.

Paragraph 38 of this ruling states:

"The context indicates that the issue of suitability is directed to the developer's proposals, not some alternative scheme which might be suggested by the planning authority. I do not think that this is the least surprising, as developments of this kind are generated by the developer's assessment of the market that he seeks to serve. If they do not meet the sequential approach criteria, bearing in mind the need for flexibility and realism... they will be rejected. But these criteria are designed for use in the real world in which developers wish to operate, not some artificial world in which they have no interest doing so."

A Judgement of the Administrative Court, *The Queen (on the application of Zurich Limited trading as Threadneedle Property Investments and North Lincolnshire and Simons Developments Ltd [2012] EWHC 3708 (Admin)* further considered matters of flexibility and viability. Inspectors in recent appeal decisions including a Sainsbury's proposal at Crawley (APP/Q3820/A/11/2158410), a mezzanine floorspace proposal at Century Retail Park, Stoke on Trent (APP/M3455/A/13/2195541), the redevelopment of a retail park at Barnsley (APP/P4415/A/13/2197947) and a Next retail development at Meadowhall, Sheffield (APP/J4423/A/13/2189893) have all applied these legal principles.

- 8.3.10 Based upon this case law and in the officers' opinion the applicant has been clear on the need which the development is intended to meet. It has been adequately demonstrated that there are no other suitable options for the development proposed, which would be available within a reasonable timeframe, and that an altered or reduced size store including disaggregation would not fit its commercial

business model. There are no available, suitable or viable alternatives and for the above reasoning the application passes the sequential test in compliance with paragraph 24 of the NPPF.

8.3.11 The impact on existing, committed and planned investment

Paragraph 7.19 of the PPS4 Practice Guidance explains that the key factors which will determine whether a proposal is likely to undermine committed or planned investment will include the effects on current and forecast turnovers, operator demand and investor confidence. PPS4 Practice Guide goes on state that the level of risk to planned investment and its significance, in planning terms will depend on, amongst other things:

- What stage they have reached e.g. are they contractually committed?
- The policy 'weight' attached to them e.g. are they a key provision of the development plan?
- Whether there is sufficient 'need' for both?
- Whether they are competing for the same market opportunity, or key retailers/occupiers?
- Whether there is evidence that retailers/investors/developers are concerned; and
- Whether the cumulative impact of both schemes would be a cause for concern.

8.3.12 The above factors are of most relevance to the impact upon Camberley Town Centre and in particular the redevelopment of the London Road Block. The redevelopment of the London Road site must be given significant weight as it is referred to in the adopted Core Strategy and is seen as a key site in delivering the required 41,000 sq metres of retail floorspace (of which the majority is comparison retail) in the plan period up to 2028. However, whilst this is the Council's preferred approach for delivering floorspace in the town centre it is still subject to examination as part of the forthcoming EiP. If adopted it will be unlikely until the spring of 2014. In terms of commitment, Capital and Regional who are part owners of the London Road frontage have at this stage only entered into dialogue and undertaken public consultation on the London Road site with the aim of submitting a planning application in 2014. Capital and Regional object to this Sainsbury's submission being of the opinion that it would increase financial risk and so jeopardise their willingness to progress the development in partnership with the Council and its confidence in the proposals. An objection has also been received from the Mall Limited which owns the covered shopping centre within Camberley and Standard Life expressing concern over investor confidence in the town centre.

8.3.13 The applicant contends that although the application proposes an increase in comparison floorspace, they do not consider that this will directly compete with the planned redevelopment of the London Road block. The Sainsbury's lines offer basic clothing, homeware and electrical goods for their customers who are primarily at the store for food shopping. The applicant argues that this is in contrast to the London Road proposals, which it is anticipated will incorporate an anchor comparison tenant e.g. a department store bolstering high end fashion and other branded good retailers within the town centre. The applicant considers that this addresses different needs to that of the proposed extension to Sainsbury's Watchmoor Park store. By way of evidence the applicant commissioned a market report (by Grant Mills Wood) to review the prospects for investment in the town centre, in particular the additional retail floor spaces ability to undermine the potential for the London Road Block to come forward for development. The report concludes that the proposed additional floorspace would not be a factor in preventing the realisation of the Council's ambitions for the site.

8.3.14 The Council's Retail Consultant advises that:

"Based on advice Chase & Partners have provided over the last few years I am acutely aware of the Council's long-standing aspirations to see the redevelopment of the London Road Block to provide a much-enhanced retail 'offer' in Camberley. To this end Policy CP10 of the Adopted Surrey Heath Core Strategy and Development Management Policies 2011-2028 clearly seeks to enhance the centre's attractiveness as a destination for comparison shopping (rather than convenience shopping) that will allow Camberley to compete more effectively with other centres nearby. Additionally, the redevelopment of the London Road Block is also a key component of the forthcoming Camberley Town Centre Action Area Plan

The [applicants] make reference to the appeal decision at Crawley (APP/Q3820/A/11/2158410) having a number of parallels with the situation in Camberley. Amongst other matters, the Crawley decision involved the potential impact that out-of-centre store redevelopment, very similar to the one now proposed at Watchmoor Park, might have on a proposed town centre regeneration scheme in Crawley town centre (known as the Town Centre North scheme). The Town Centre North scheme in Crawley was, in my estimation, considerably further advanced than that for the London Road Block in Camberley and yet, the Inspector still concluded that the Sainsbury's proposals would not have any adverse effects on the existing, committed and planned investment sufficient to justify refusal. He accordingly allowed the appeal.

Additionally, the Addendum was supplemented by a Market Report prepared by John Stephenson of Grant Mills Wood. This conducts what I believe to be a thorough and robust assessment of prevailing market factors and the effect they are likely to have on the viability, timescale and ultimate delivery of any proposals for the comprehensive redevelopment of the London Road Block. Having reviewed this report carefully I would have to concur with its findings and conclusions. As our

own work has demonstrated there is certainly capacity for further retail floorspace in Camberley and the Council's ambitions for future development of the town centre are entirely reasonable and laudable, but prevailing market conditions mean that there is little likelihood of major development of the type proposed actually coming forward in the immediately foreseeable future.

Although various objectors assert the application will affect proposed investment planned in Camberley town centre, the evidence presented by the applicant regarding the factors now affecting the timing and delivery of the London Road scheme is, in my view, compelling and effectively remains unchallenged. Accordingly I believe the applicant has demonstrated that the proposals would not lead to a significant adverse impact on existing, committed and planned investment in Camberley town centre.

- 8.3.15 Since this advice was given by the Council's Retail Consultant, Capital and Regional plc, on behalf of the Mall Limited Partnership submitted a further objection dated 8TH October 2013. This raises a number of issues which have already been covered at paragraph 7.4 above. In particular they raise a technical objection regarding the lack of evidence or commentary regarding loss of footfall or linked trips or the impact of Goods on Line and this is covered at paragraph 8.3.19 below. In addition their letter of objection also draws the Council's attention to the progress made regarding the London Road Block redevelopment which includes a press release and a public consultation event. The Council's Retail Consultant has again looked at the latest letter of objection and the progress on the London Road Block redevelopment proposal and makes the following comments.

"Following the recent public consultation exercise on the town centre scheme, it appears that, after something of a hiatus, some progress is now being made in bringing forward proposals for the town centre in Camberley; this obviously has to be welcomed. However, in the context of this particular application, it has to be stressed that the proposals remain embryonic. As I have already advised, any decision on this application should have regard to appeal decision at Crawley and the Inspector's decision in that case to approve very similar proposals for an out-of-centre Sainsbury's store despite the fact that there was a town centre redevelopment at a further advanced stage than those currently in Camberley"

- 8.3.16 Paragraph 9.10 of the Submission AAP recognises that the current economic situation may affect the extent of any redevelopment of the London Road Block and this may delay development or result in pressure to allow a phased scheme rather than a single comprehensive scheme. It goes on to state that a comprehensive masterplan for the area will be prepared setting out in more detail how development will be delivered and the likely programme for delivery. Paragraph 3.5 envisages the first phase of the development of this area between the years of 2016 - 2020.

- 8.3.17 Insofar as current and forecast turnovers and operator demand paragraph 3.8 of the AAP Issues and Options Paper states the following:

A study of household expenditure in the Borough was used to identify shopping patterns and together with expenditure forecasts, the future retail growth needs. The study found that only 5.7% of available convenience goods expenditure within Camberley itself is spent in the town. Much of the remainder flows to other centres particularly The Meadows. The figures suggest there is very little demand for increased convenience floorspace but it is not possible to undertake a full weekly food shop in Camberley Town Centre. For comparison goods some 36% of expenditure is retained within the town centre, with The Meadows and Farnborough out of and in town centres attracting significant expenditure. Other competing centres further away include Guildford, Kingston and Woking. Internet and mail order attracts roughly 7% of expenditure. Camberley itself is also an attractor of expenditure from surrounding areas.

- 8.3.18 The applicant instructed NEMS Market Research to conduct the household survey during December 2012 to provide an up-to-date reflection of the nature of food and non-food shopping patterns for within the catchment of the Sainsburys store. NEMS undertook 1,000 surveys across the same study area adopted by the Surrey Heath Retail Study 2007 (updated in 2010). In assessing the ability of existing stores or centres to continue to trade at an acceptable level of turnover, the applicants refer to paragraph D.30 of the PPS4 Practice Guidance which states:

“There is a general assumption that ‘like affects like’, so, for example, in an area already served by large modern foodstores, the effects of a new large food superstore are likely to fall disproportionately on the existing competing stores. Their proportionate impact on local independent retailers, or discount foodstores for example may be less.”

- 8.3.19 According to the applicant both the Tesco store and M&S store in Sandhurst are estimated to be performing well compared to their company average. The highest level of trade diversion (£3.2m) is expected to be drawn from the Tesco store given it provides the main competition for bulk food shopping in the local catchment. The conclusions of the applicant’s assessment state Camberley town centre is expected to receive £3.37m trade diversion at 2018, rising to £3.70m at 2023, but given its turnover is estimated at over £220m, the impact in percentage terms is 1.6% at 2018 and 1.5% at 2023. The conclusions maintain that the majority of impact is expected to be received by out of centre facilities in Camberley (such as the Tesco in Sandhurst) with around £5.5m diversion estimated at 2018. This will result in an impact of 18.7% reducing to 17.0% at 2023.

The applicant states that the impact figures quoted above take account of the full uplift in turnover arising from the proposal and this trade diversion therefore takes account of all of the potential impact on the Town Centre including that which is lost as a result of linked shopping trips. The applicant has assumed that broadly 15% of the store’s non-food turnover will be diverted from the Town Centre which is considered to be robust having regard to the nature of non-food shopping trips that

are carried out within foodstores. As indicated above most non-food shopping trips that take place within foodstores are not dedicated trips but carried out as part of a wider food shopping trip. The main competition from such stores comes from similar sized stores e.g. The Meadows which already has a sizeable non-food offer. The non-food offer in the Sainsbury's is considered to service the non-food shopping requirements of existing food shoppers (for example shoppers requiring new cookware to accompany a meal they intend to cook). Accordingly, having regard to advice in the PPS4 Practice Guide (see paragraph 8.3.17 above) the impacts are considered to be largely upon similar types of facilities such as other large format supermarkets and retail warehouses.

8.3.20 The Council's Retail Consultant advises that:

"I would concur with [the applicants] that given the nature of the proposal the main impact of the proposed redevelopment is likely to fall predominantly on other comparable facilities already trading in the vicinity – most notably large freestanding superstores and retail warehouses. That being said it remains important to critically assess the marginal impact that the proposed redevelopment of the Watchmoor Park store, as well as the additional facilities it will offer, might have on Camberley and other nearby town centres. After all, the proposal does entail the development of over 3,000 sq metres of additional retail floorspace in an out-of-centre location... a new household survey was commissioned in December and has now been used to prepare an updated Retail Impact Assessment. This provides a more up-to-date and reliable basis upon which an assessment of the proposal's impact can be undertaken.

"The estimate of the additional turnover generated by the proposed floorspace in the new store - for both convenience and comparison goods is, in my view, robust. (In my experience it is more common practice in the case of assessments involving extension/redevelopment of existing stores to assume that the additional floorspace operates at a lower sales density than the existing store. The estimate of additional turnover generated by the proposal...can therefore be taken as a potentially 'worst case' scenario.

Overall, in terms of impact, I believe that the majority of the proposed store's additional trade is likely to be predominantly derived from existing large stores in the vicinity (particularly the Tesco store at The Meadows). As the majority of these stores are located in out-of-centre locations that do not enjoy any form of policy protection. Similarly, whilst the additional turnover on comparison goods generated as a result of the redevelopment would be considerable (particularly when compared with that of the proposed store) its impact on the comparison turnover of Camberley town centre as a whole and other centres nearby is likely to be marginal and unlikely to be of an order to lead to 'significant adverse impact' sufficient to justify refusal on this aspect of prevailing retail policy. Accordingly, this presents compelling evidence that the application proposals would not, in themselves, represent a threat to existing, committed and planned public and

private investment in Camberley town centre; as a result there is, in my view, insufficient evidence for the Council to justify refusal on these grounds”

- 8.3.21 Despite the most recent objection from Capital and Regional plc, on behalf of the Mall Limited Partnership submitted a further objection dated 8th October 2013, (the content of the objection is considered at paragraph 8.3.15 above) the Council’s Retail Consultant concludes that

‘it is surprising, and rather disappointing, that the objection makes no serious attempt to challenge the findings of the Market Report prepared by Sainsbury’s in support of the Watchmoor Park application.... In conclusion, and having carefully considered all the applicant’s evidence on retail policy matters as well as that submitted by objections to the application, I remain firmly of the view that the applicant has satisfied all the relevant retail policy tests set out in the NPPF and in local policy. On this basis, I believe that there is no sound basis for the Council to refuse the application on retail policy grounds”.

- 8.3.22 For the above reasons it is therefore concluded that the proposal would not adversely impact on existing, committed and planned investment in Camberley Town Centre, or other centres in the catchment area, in accordance with paragraph 26 of the NPPF.

- 8.3.23 The impact on the vitality and viability of Camberley Town Centre and other designated centres

Paragraph 26 of the NPPF explains an assessment of the effects on local consumer choice and trade in the town centre and wider area up to 5-10 years from the application ought to be made (see paragraph 9.3.1 above) and paragraph 7.22 of PPS4 Practice Guide states that:

Taken as a whole, consideration of the effects on the development plan, committed and planned investment and impacts on the town centre turnover provide a good indication of the overall effects of a proposal on the vitality and viability of town centres. It will also be appropriate to consider the implications of a proposal on retail diversity, particularly the range, type and quality of goods available. This will be especially relevant in historic market towns, or centres which have developed a distinct and unique character which contributes to their vitality and viability. This needs to be factored in when reaching an overall judgement on town centre impacts.

- 8.3.24 Paragraphs 1.35 - 1.39 of the Submission AAP recognises that Camberley Town Centre already provides a diverse mix of land uses with leisure facilities and the night time economy representing growth areas which are contributing to the existing vibrancy of the town.

The centre has been resilient during tough economic times with low levels of vacant shops but it is acknowledged that Camberley lies close to competing centres including out of town locations. In terms of Class A1 retail diversity according to paragraph 1.22 of the Issues and Options AAP the following range, type and quality of goods are currently available:

“In 2011, the town centre offers 247 outlets. Comparison shops such as those selling clothing and electrical goods represent 50% of all the shops currently trading, whilst convenience shops such as supermarkets represented only 2% of units. The largest concentration of shops in the town centre remains the Main Square indoor shopping mall. It has 100 retailers and an average weekly footfall of 171,835 people. It comprises the majority of the main Primary Shopping Area where most of the high-street multiples can be found.

The Atrium on Park Street is also part of the Primary Shopping Area. Secondary shopping areas can be found along the High Street and the London Road frontage which are home to a number of independent, smaller retailers.

8.3.25 The existing Sainsbury's store in the town centre is proposed to be retained (for a minimum of 10 years) and the applicants are prepared to commit to this via a legal agreement. There will therefore be no direct impact on the existing Sainsbury's presence in the town centre and no obvious reduction in consumer choice. Moreover this existing town centre Sainsburys performs a different function to the Watchmoor Park store as it acts as a top-up shopping store. However, objectors raise concerns over trade diversion from the town centre and argue that without breaking down the comparison goods categories to be sold it will be difficult to accurately calculate impact. Concern is also raised that there is inadequate evidence or commentary on the potential impact of the proposal on either linked trips and/or loss of footfall in the town centre; and, a failure to assess the effects of the proposed goods online (GOL) facility i.e. internet or Special Forms of Trading (SFT).

8.3.26 The applicant has responded to these points as follows:

- The applicant's amended approach to SFT is based on the results of the 2012 household survey (which is more up to date than the Council's Retail Study) and relying on expenditure growth rates from Experian Retail Planner Briefing Note 10.1 (Tables 1a and 1b). This evidence indicates that within the study area the internet market share for convenience goods is 4.25% and 20.7% for comparison goods. This internet spending market is considerably higher compared to the national average;
- Click-and-collect operations are increasing and many major supermarkets source these sales from in store rather than distribution warehouses;
- Experian note that the internet drives demand for traditional bricks and mortar stores as many retailers undertake in-store research before the internet purchase is made;

- The majority of the convenience and comparison goods trade draw to Sainsbury and Tesco at the Meadows is currently from the central zone (Zone 4). As a result of the proposal trade would principally be diverted from the existing Tesco;
- The level of impact on Camberley's total retail turnover would be marginal at 1.6%;
- The layout of non-food items within the store varies considerably throughout the year but there is always likely to be a mix of clothing, electrical goods, homeware, toys, gifts and home/garden products. The nature of non-food purchases at foodstores tend to be impulsive or based on a wider food shopping trip and so the majority of the impact would be on the existing competing food stores.

8.3.27 The Council's Retail Consultant considers the applicant's evidence and conclusions to be robust. This includes taking into account impacts in 2018 and 2023 i.e. 5 years and in 10 years consistent with the NPPF. Following the Consultant's initial assessment further clarification was sought from the applicant on the trade and turnover figures and this additional information with minor adjustments further supports the Consultant's opinion. The projections of SFT, based upon the 2012 household survey and Experian, are supported given that internet spending is already relatively high in the area and so the potential for significant future growth may be quite limited in this instance. The Council's Consultant also concurs with the view that the main impact of the proposal will be trade diversion from other freestanding superstores and warehouses rather than the town centre and that the estimated turnover projections are sound.

8.3.28 In addition to concentrating on the vitality and viability on Camberley Town Centre, the applicant has also concentrated on assessing the potential impacts on Bagshot and Frimley District Centres. The applicant has not sought to review the vitality and viability of lower order centres in the Borough on the basis that these provide services and facilities that are unlikely to be affected by the proposal. The applicant concludes that Frimley and Bagshot are vital and viable centres and the proposal would perform a complementary rather than competing function with these centres. The Council's Consultant supports this conclusion.

8.3.29 For the above reasons, the proposal would not significantly adversely affect the vitality and viability of Camberley Town Centre or other designated centres and so is in accordance with paragraph 26 of the NPPF and Policies CP9 and CP10 of the CS.

8.4 The impact on the character of the area including design, landscaping, and trees

8.4.1 The application site is located within an area defined as a "Parkland and Commercial" character area within the Western Urban Area Character Supplementary Planning Document 2012. This SPD advises that from the 1980's onwards the Blackwater Valley Area saw the development of large parkland estates in which offices; light industry and large retail units were developed. The SPD

identifies these structures as large commercial buildings set in extensive, formally landscaped open space. The guiding principles of the SPD advise that:

New development should pay particular regard to the following criteria:

- (a) Incorporation of strong formal landscaping, especially through car parking areas and along road corridors and boundaries*
- (b) Buildings to be set in broad landscaped settings*
- (c) Contemporary architectural design will be welcomed*
- (d) Buildings principally 2 – 3 storeys.*

8.4.2 The Council's Urban Design Officer has considered the application and makes the following design comments:

“In general terms, a departure in approach is evident from that of the existing scheme which currently consists of a number of mansard roof elements and varying ridge heights. The contemporary approach that is proposed is welcome, the reorientation of the principal access from south (as existing) to west (proposed) is understandable in respect of engaging better with the principal access route (the Blackwater Valley Route) and allowing for a better connection between the public transport drop off point and the store entrance. The appearance of potentially overbearing façades are appropriately broken up through the use of a range of materials which serves to add visual interest and contrast, particularly in respect of the introduction of the warmer palette of the wood against the cooler palette of the pale grey cladding.

The existing relationship between the car park and the principal elevation is lost as a result of the reorientation of the proposed store. Therefore it needs to be considered whether pedestrian movement from the car park to the main entrance is both legible and safely designed. The Design and Access statement highlights that designated pedestrian routes and crossings are proposed. Given the fact that the majority of users will enter the site past the main entrance, legibility is not an issue. The existing route for servicing is maintained and subsequently does not give rise to any concerns”

8.4.3 The application site currently benefits from extensive mixed tree planting which forms a parkland setting. The existing site layout incorporates trees and vegetative planting within the car park and boundaries which integrates the existing site with its landscape setting. In addition the application site is well screened by the existing mature trees and planting surrounding the site on all boundaries, with the only open views into the site through the vehicular access on the western boundary where the vehicle access road enters the site. It is therefore pertinent that any proposal respects this established character. As indicated above the wider application site is defined as a "Parkland and Commercial" character area. This character area is described within the SPD as a large parkland estate in which large retail units were developed interspersed with generous amounts of vegetated open space. The guiding principles of the SPD advise that new development should pay particular regard to the incorporation of strong formal landscaping, especially through car parking areas and along road corridors and boundaries and buildings should set in broad landscaped settings.

- 8.4.4 The Council's Arboricultural Officer advises that none of the vegetation/trees to be removed (in the region on approximately 112 individual trees) are of outstanding quality, merit or of high amenity value and losses could be offset through comprehensive planting, with particular attention given to the need for planting of small features trees on the bund at the entrance to the site. Turning to the mature trees and vegetative belt to the boundaries of the application site, the tree protection measures proposed to retain this belt are deemed to be acceptable. The Council's Arboricultural Officer advises that the recommended management and mitigation works, together with a small planting provision, is likely to be in the realm of £15 – £20,000 and this would need to be carried out by a specialist Arboricultural Contractor. This financial contribution for environmental improvements to the existing tree and vegetation belts to the boundaries of the site is to be secured under a bespoke S106 agreement, would be required to enable the cost of management and mitigation works to be met. A condition could be applied to agree the final details of landscaping, to include species, size and locations of all proposed replanting to ensure the proposal respects and enhances the established landscape character of this area. Accordingly on this basis no objection is raised to the impact of the proposal upon landscaping and trees.
- 8.4.5 The Surrey Police Crime Prevention Design Advisor has considered the application and raises no objection to the proposal. In addition the proposal has been assessed against the Home Office and National Counter Terrorism Security Office "Crowded Places Risk Assessment Matrix" and has been assessed as having a very low risk from terrorist attack by the Surrey Police Counter Terrorism Security Advisor. The Counter Terrorism Security Advisor has made some recommendations to the applicant which would lead to improvements and reduce the vulnerability of the building's design and these recommendations have been passed to the applicant for incorporation within the building's structural design. However, given the Counter Terrorism Security Advisor considers that the proposal is of a very low risk from terrorist attack it is not considered reasonable to condition these recommendations and as such they are to be included as informatives.
- 8.4.6 Noting the above considerations in the context of the Western Urban Area Character Supplementary Planning Document 2012, the proposal is considered to be compliant with the guiding principles of the SPD, Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and paragraphs 56, 57 and 58 of the National Planning Policy Framework. It is concluded that the proposal is acceptable on character and design terms and no objections are therefore raised on these grounds.

8.5 The impact on residential amenity including air quality

- 8.5.1 The introduction of a mezzanine approach to the scheme gives rise to potential concerns in respect of the scale of the proposed building and its impact on neighbouring development. This is of particular relevance in respect of the proposed eastern elevation and any potential impact the development will have on the outlook/amenity of existing residential dwellings located on the opposite side of the railway line. The application building is set some distance from any residential property, with the flank wall of the nearest residential property, 73 Crabtree Road, set over 35 metres from the nearest elevation of the application building. In addition the application site is separated by a footpath; a belt of mature trees which are to be retained and a railway line. On this facing elevation the contrasting

timber cladding and ribbon windows have been continued to soften any glimpses of the store through the trees. For these reasons the proposal is not considered to lead to a loss of privacy, overbearing impact or loss of light to any of the surrounding or nearby residential properties

- 8.5.2 In considering whether any nuisance would result from illumination proposed to serve the development, the Senior Environmental Health Officer (EHO) has considered the submitted assessment of the effects of artificial lighting and advises that the exterior lighting of the proposed development will not exceed light limitations at nearest residential or commercial properties. In addition light trespass beyond the boundary due to the external luminaires will be minimal. The potential for statutory nuisance due to artificial light to residential properties is assessed to be either low or not expected. The EHO therefore raises no objection subject to a condition that the specified lighting design be implemented and retained.
- 8.5.3 An assessment of the effects of increased road traffic, dust and odour during both the construction and operational phases at nearest residential property has been carried out and submitted with the application. The EHO has considered the assessment and advises that this is in accordance with suitable UK and European legislation concluding that any effects on air or noise quality would be negligible. The EHO recommends a condition be applied to prevent dust and odour nuisance to local residents during the construction and operational phases and accordingly on this basis no objection is raised.
- 8.5.4 The applicants have provided a noise assessment report in which account has been taken of the effect of noise due to building services plant, a ground source heat pump, goods deliveries, car parking recycling and the petrol filling station. The EHO concludes that the report is valid, relevant and appropriate. It addresses all the issues of operational noise due to the redevelopment and no further noise conditions are recommended. Accordingly on this basis no objection is raised in regard to impact of noise nuisance from the proposal.
- 8.5.5 In conclusion it is envisaged that the proposal would not conflict with Policy DM9 (Design Principles) of the Surrey Heath Core Strategy and Development Management Policies 2012 and it is considered that the proposal is acceptable in residential amenity terms and no objections are therefore raised on these grounds

8.6 The impact on parking and highway safety/capacity

- 8.6.1 The existing vehicular access to and egress from the site is to the west of the site joining with the A331. The A331 and the A30 to the north act as major distributor roads in the regional area and the M3 to the south forms part of the Strategic Road Network. The vehicular access to the application site is provided via a 3 armed signalised junction from the A331, a dedicated right turn lane and signals are provided for northbound traffic and a filter lane, bypassing the junction provided for southbound traffic accessing the application site. 573 parking spaces are currently provided onsite which includes 32 spaces allocated for disabled parking and 17 parent and child parking spaces. 10 cycle parking spaces are also currently provided on site. The service yard is located to the north west of the existing superstore, accessed via a junction immediately on entry to the site from the A331, both deliveries and Goods Online services currently operate from the service yard.

An onsite bus stop is also sited along the store frontage running alongside the service yard access road with an associated lay-by and seating facilities.

- 8.6.2 The vehicular access to and egress from the site with the A331 would be retained as part of the proposal. The internal access toward the onsite bus stop, recycling facilities and service yard are also not proposed to be altered. The main internal carriageway on entry to the site would be slightly altered to accommodate the proposed site layout and car park. The level of parking proposed would increase to 793 spaces with 90 of these spaces allocated as disabled or parent & child spaces. 20 'comfort' spaces are also proposed to be provided for oversized vehicles, which generally cannot be accommodated in a standard parking space, 10 spaces will be fitted with electric vehicle charging points, cycle parking provision will increase to 50 cycle spaces and a designated motorcycle parking area will be provided with provision for 8 motorcycles. The proposed parking arrangements meet with adopted standards and the Surrey County Council Highway Authority have considered the proposal and advise that:

“An additional 220 parking spaces are proposed resulting in a total parking provision of 793 spaces for the site. Car parking occupancy levels have been predicted for the proposed store extension based on existing car park accumulation levels and predicted increase in customers and increases in parking dwell time. The proposed parking level is beyond predicted parking demand levels and so there is no risk of vehicles queuing back on to the highway network”.

- 8.6.3 The applicant advises that existing maximum deliveries to the store range between 9 and 13 deliveries per day although this is demand responsive and dependant on current stock levels and a lower number of deliveries may be required dependant on customer demand. The submitted Transport Assessment states that, following an assessment of Sainsbury's stores of similar sized sales areas to that proposed, the store will result in delivery numbers ranging from 14 and 17 deliveries per day. Comparing the existing and predicted delivery numbers indicates that following the proposed redevelopment there will be an average of 5 additional deliveries per day. The Transport Assessment continues to advise that:

- A majority of predicted additional deliveries are maximum and due to their demand responsive nature certain deliveries may not be required;
- Before introducing additional deliveries to the store the possibility of increasing the consignment of existing deliveries is assessed;
- Sainsbury's deliveries normally occur outside peak traffic periods with direct deliveries normally occurring prior to the morning peak period to ensure the store opens with sufficient fresh supplies.

The proposal also includes a larger Goods Online delivery service. The existing Goods Online service operate from 10 online delivery vans, with each vehicle usually making 2 to 3 trips per day carrying between 7 to 10 customer loads per

trip. The current proposal would provide 8 loading bays to be serviced by a maximum of 20 goods on line delivery vehicles. Therefore in a worst case scenario this would result in an extra 30 Goods Online vehicular movements per day. However, it is noted that these deliveries are demand responsive and as they are home delivery are likely to reduce the need for those customers to visit the store.

8.6.4 Paragraph 32 The National Planning Policy Framework (NPPF) states that ‘Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe’. The submitted Transport Assessment states that ‘when considering a primarily retail development, it is generally accepted that the critical periods in terms of traffic impact on the adjacent highway network are: The weekday evening peak hour, when traffic flows associated with the site combined with the traffic flows on the adjacent highway network are at their greatest; and Saturday lunchtimes, when the traffic attraction to the site is greatest’. The Transport Assessment continues to state that ‘It follows that should the effect of development traffic on the Local Road Network be considered acceptable during these periods then it would also be acceptable during other, less busy, periods of the week’. On this basis the applicants undertook traffic surveys on Friday 16th and Saturday 17th September 2011 at the A331 Sainsbury’s Access and A331 Riverside Way signal junctions. Consideration of the survey results identifies that the Friday AM peak hour traffic demand occurred at 07:45 – 08:45, the Friday PM peak hour traffic demand occurred at 16:30 – 17:30; and the Saturday peak hour traffic demand occurred at 11:45 – 12:45. In order to predict the effect of the proposed store extension upon traffic flows the applicants have obtained details from 66 other Sainsbury’s store extensions. This includes details of customer trips before and after store extensions. Using this data the applicants are able to demonstrate that a 50% increase in retail floor area results in a 13% increase in peak time traffic movements.

The table below provides details of the survey results i.e. the actual trip numbers, and calculates the 13% uplift.

Vehicular Trips	Weekday AM Peak			Weekday PM Peak			Saturday Peak		
	In	Out	Total	In	Out	Total	In	Out	Total
Existing	319	252	571	401	448	849	513	539	1052
13% Uplift	+ 41	+ 33	+ 74	+52	+ 58	+ 110	+ 67	+ 70	+ 137
Post Development	360	285	645	453	506	959	580	609	1189

This demonstrates that the proposal is likely to result in an additional 41 arrivals and 33 departures during the Weekday AM peak hour; 52 arrivals and 58 departures during the Weekday PM peak hour; and, 67 arrivals and 70 departures during the Saturday peak hour.

Surrey County Highways have considered the methodology to be robust and appropriate and do not object to the predicted trip rates.

In addition a raised service yard will be provided with 2 delivery loading bays and goods on line service area accessed via a ramp along the north-western perimeter of the proposed store. The applicant has provided vehicle swept paths analysis to demonstrate that the proposed service yard and access do not adversely affect small vehicle and heavy goods vehicle movements.

8.6.5 The submitted Traffic Assessment has considered the impact the 13% increase in trips would be likely to have on the surrounding highway network. The table below provides this assessment.

	A331 / Sainsbury's Access			A331 / Riverside Way		
	Weekday AM	Weekday PM	Saturday	Weekday AM	Weekday PM	Saturday
Increase in Movements	+74	+110	+137	+33	+46	+61
2013 flows % increase	2.0%	3.1%	4.4%	0.9%	1.5%	2.4%
2018 flows % increase	1.9%	3.0%	4.3%	0.9%	1.4%	2.3%

On this basis the proposals will be likely to result in less than a 5% increase in traffic at the Sainsbury's Access and less than 3% increase in traffic at the Riverside Way Signal junction during peak periods in a worst case scenario.

In addition the uplift in traffic has been run through Junction Analysis Software to assess junction capacity in relation to future traffic flow scenarios with and without proposed development. The software demonstrates that with additional background growth and committed traffic, the Sainsbury's and Riverside Way junctions will still work well within capacity with considerable spare capacity during tested time periods in all scenarios. The Surrey County Council Highway Authority have advised that;

“The development impact on these junctions is considered insignificant. Modelling shows that following the implementation of the development proposal these junctions will operate well within capacity in peak periods and in future years.....The development trips have been distributed on the highway network based on the existing stores traffic distribution. The majority of trips heading A331 northbound from the site access will travel through the Meadows gyratory. On the Saturday peak 61 additional development trips are predicted to route northbound along the A331 from the site access. On the weekday peak 46 development trips are predicted to route northbound along the A331 from the site access. Additional traffic will result in approximately 4% increase in northbound trips on a Saturday peak and approximately 2.5% increase of northbound trips on the weekday peak. The capacity and size of the Meadows junction means that the predicted development trips will have an immaterial effect on the operation of the junction. Surrey County Council traffic surveys identify the number of vehicles using the

Meadows gyratory junction; these are as follows: am peak 4735 vehicles; pm peak 5427 vehicles and Saturday peak-4890 vehicles, clearly from these development trips are a small fraction of the total vehicles that use the Meadows. Surrey County Council Transport Studies have confirmed these trips generated by the Sainsbury's development will have an immaterial impact on the operation of the junction”.

On this basis and subject to conditions, Surrey County Council Highway Authority raise no objection to the proposal.

- 8.6.6 Paragraph 35 of the NPPF states that ‘plans (and by definition proposals) should protect and exploit opportunities for the use of sustainable transport modes’. The site is accessible by car. However in order to improve the accessibility of the site by other transport modes the applicant has stated that the existing travel plan which aims to reduce the dependence of staff on single occupancy private car travel and encourage colleagues and customers, to make more sustainable travel choices when travelling to and from the store) will be updated within 3 months of the new store opening. The applicant states that this will include an updated staff travel survey to provide updated travel data for both existing and new staff working at the store, allowing associated targets and measures to be assessed and adjusted accordingly.

In any event, the scale of the proposal necessitates the submission of a travel plan (in accordance with the Travel Plan Good Practice Guide 2012) and its auditing / monitoring would need to be undertaken by Surrey County Council. A fee of £6,150, to be secured under a bespoke S106 agreement, would be required to enable the cost of this auditing / monitoring to be met.

- 8.6.7 A contribution of £276,830.01 would also be required. This would be put towards extending the Blackwater Valley Road cycle route from Riverside Way to the Sainsbury's Junction and the upgrading to MOVA (Microprocessor Optimised Vehicle Actuation) signal controllers at the Sainsbury's and Watchmoor Park junctions. Therefore having regard to the consultation response from Surrey County Council Highway Authority and the reasoning as laid out above it is considered that no objections are raised to the proposal on highway safety/capacity or car parking grounds.

- 8.6.8 In conclusion it is envisaged that the proposal would not conflict with Policy DM11 (Traffic Management and Highway Safety) of the CS and Development Management Policies 2012 and it is considered that the proposal is acceptable and no objections are therefore raised on these grounds.

8.7 The impact of the development upon protected species

- 8.7.1 The NPPF and Policy CP14A of the CS require planning authorities to refuse planning permission where there are overall negative impacts on fully protected ecological features. Having regards to the nature of the proposed development and the wider application site the applicant has submitted an Extended Phase 1 Habitat Study Report and Bat Emergence/Return Survey Report. The report

include details of the survey work undertaken for the site, along with the results and proposed mitigation measures to account for the presence and impact of protected species. The Surrey Wildlife Trust have considered the application and raise no objection to the submitted reports subject to compliance with the recommended actions in section 5.0 of the Extended Phase 1 Habitat Survey Report and Section 4.0 of the Bat Emergence/Return Survey Report in order to mitigate any effect to legally protected species resulting from the proposed development works.

This requirement can be controlled by planning condition. The Surrey Wildlife Trust also request that the applicants obtain approval for Great Crested Newt mitigation from Natural England, with particular reference to the proposed installation of fencing, as this could be an activity requiring a European Protected Species (EPS) licence.

8.7.2 Paragraph 109 of the NPPF requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 also states that opportunities to incorporate biodiversity in and around developments should be encouraged. The Surrey Wildlife Trust continues to advise that, the development may offer some opportunities to restore or enhance biodiversity and also help offset any localised harm to biodiversity caused by the development process. Surrey Wildlife Trust have therefore made some recommendations which include the provision of bird boxes either as part of the new building or on suitable trees on site, use of native species when planting new trees and shrubs, preferably of local provenance and where cultivated species are preferred consideration of those that provide nectar-rich flowers and/or berries as these can also be of considerable value to wildlife. Such requirements would form part of any final landscaping scheme which could be controlled through planning condition.

8.7.3 In respect of the above information it is concluded that the applicant has adequately identified the impact of the development on protected species and subject to planning conditions suitable mitigation measures to account for that impact exist. It is therefore considered that the proposal has sufficient regard to the aims and objectives of the NPPF and Policy CP14A of the CS and no objection is raised.

8.8 The provision of sustainable development and design

8.8.1 Policies CP2 (Sustainable Development and Design) and DM7 (Facilitating Zero Carbon Development) of the CS require development to contribute to a reduction carbon dioxide emissions and secure water efficiency in new development. Overall 29.8% of energy used by the proposed store would be obtained from renewable sources equivalent to an annual CO₂ reduction of 27.7 %. These figures would be achieved by the inclusion of a ground source heat pump (GSHP) to provide the heating and hot water requirements to the store and Air Source Heat Pumps. The applicant further advises that 'Sainsbury's are committed to reducing its carbon footprint through reducing emissions, embodied energy and energy consumption. Intelligent design and sustainable initiatives are incorporated into all stores to reduce energy usage and emissions'. The applicant has provided a series of sustainable initiatives including, for example, a rainwater harvesting system to flush public and staff toilets. The proposal is therefore considered to comply with policies CP2 and DM7 of the CS.

8.9 The impact on flooding and drainage

8.9.1 The application site falls within Flood Zone 2 as defined by the Environment Agency. The applicants have submitted a Flood Risk Assessment and later amendment (see paragraph 7.7 above) which concludes that the proposed development will benefit from a new surface water drainage system which will ensure attenuation storage will be provided such that existing site discharge rates are not exceeded. The Environment Agency have considered the Flood Risk Assessment and the later amendment and advise that the proposed drainage strategy will restrict off-site discharge to existing rates and provide appropriate attenuation volume including an allowance for climate change. This will ensure that the development does not increase flood risk off-site. Accordingly they raise no objection to the proposal. The Environment Agency continue to advise that proposed development will only meet the requirements of the National Planning Policy Framework if the measures, as detailed in the Flood Risk Assessment and Flood Risk Assessment Addendum submitted with this application, are implemented and secured by way of a condition on any planning permission granted. Therefore if the committee is resolved to grant planning permission a condition to ensure that the development is carried out in accordance with the approved Flood Risk Assessment Addendum and Flood Risk Assessment is recommended to be imposed.

8.9.2 Thames Water has also considered the application and recommend the installation of a properly maintained fat trap on all catering installations and for used fats, oils and grease to be collected by an appropriate contractor for recycling. In addition Thames Water recommends that petrol / oil interceptors be fitted in all car parking facilities to prevent oil-polluted discharges entering local watercourses. Thames Water also advises that the proposed development would be in close proximity to underground sewerage infrastructure and therefore recommend that no impact piling must take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Again if the committee resolves to grant planning permission a condition to ensure that the development is carried out in accordance these requirements is recommended to be imposed.

8.9.3 It is therefore considered that the proposal complies with the NPPF and its Technical Guidance on flooding.

8.10 The impact of the proposal on contaminated land

8.10.1 Historically the application site has previously been used as a landfill site (see paragraph 5.1 above) and the petrol filling station houses underground petrol storage tanks. On this basis the applicants have submitted a Phase 1 Preliminary Risk Assessment for land contamination in accordance with B.S. 10175:2011 (Investigation of potentially contaminated sites. Code of practice) and CLR 11 (Model procedures for the management of land contamination).

The Council's EHO has considered the report advising that a Phase 2 investigation is required and remediation strategy, the details of which can be secured by planning condition.

8.11 The Impact of the development on infrastructure provision

8.11.1 CP12 (Infrastructure Delivery and Implementation) of the CS states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development proposals by way of either a financial or in-kind contributions.

In other words Policy CP12 seeks to ensure development makes a proportional contribution to the Borough's infrastructure needs and mitigates any pressure it places on infrastructure.

8.11.2 The applicants have agreed to enter into the following bespoke S106 package of contributions amounting to £400,000.01 of contributions as set out below:

Transport	£276,830.01
Environmental improvements	£20,000
Town centre public realm improvements	£103,170.00
Sub total	£400,000.01
Monitoring charge at 5%	£20,000.00
Monitoring of Travel Plan	£6,150.00
Total Payable	£426,150.01

8.11.3 The transport contribution has been calculated and agreed with the County Highway Authority with the details set out at paragraph 8.6.7 above.

8.11.4 The Environmental Improvements has been calculated and agreed with the Council's Arboricultural Officer with the details set out at paragraph 8.4.4 above.

8.11.5 Finally the Town Centre public realm improvements have been agreed with the applicant as it is accepted by all parties that there will be some impact on Camberley Town Centre (see paragraph 8.3.18 above). By way of justification for these environmental improvement / public realm projects Officers have considered the guidance in the NPPF. Paragraph 23 of the NPPF states that planning policies should be positive, promote competitive town centre environments and that town centres are at the heart of communities. Paragraph 69 sets out that planning policies and decisions should promote safe and accessible environments where crime and disorder and fear of crime do not undermine quality of life or community

cohesion and paragraph 70 states that planning policies and decisions should plan positively for provision and use of shared space.

8.11.6 Objective 13 of the CS promotes the role of Camberley Town Centre as a secondary regional centre and as a safe and attractive retail, cultural and entertainment centre with a high quality environment. Policy CP10 goes on to state that the role of Camberley as a secondary regional town centre will be consolidated and enhanced. In particular this policy wishes to address the poor environmental quality along the London Road frontage. Turning to the Camberley Town Centre Area Action Plan (AAP): Proposed Submission, Objective 6 seeks to improve environmental quality and enhance the character of the town centre and Objective 7 seeks to provide a well-managed, safe and attractive town centre. Paragraph 1.17 of the AAP states that there is no overall defining character to the town centre and there is a need to establish a coherent identity. Para 1.39 highlights a lack of visibility or presence on London Road (A30) combined with the poor quality of the environment in this area which is probably the biggest single problem within the town centre. Para 1.45 states that the town centre has no overall defining or consistent character that makes it a destination of choice for shoppers and that, in part, this will need to be addressed through improvements to the public realm most of which is hard, not reflecting the green treed character of the surrounding area. The overall strategy for the town centre as set out in the AAP includes that working with partners and developers the Council will deliver public realm improvements around the town centre and that improvements will reflect and deliver the green element that characterises the rest of the Borough. Paragraph 8.2 and Policy TC13 and TC14 of the AAP looks to secure improvements to the quality of the Public Realm and environmental improvements to the Town centre and the London Road block. These include:

- A comprehensive signage strategy will aid movement around the town centre
- A more considered, holistic approach to street furnishing and detailing along park street
- The provision of new civic spaces, high quality hard landscaping, street furniture, lighting, signage and art to help create a clear identity for the town centre
- Mature tree planting and other landscaping to assist the 'greening' of the town centre
- Upgrading of existing areas to improve linkages through the town and the quality of the public realm along those links
- Environmental improvements to create a Pedestrian friendly area.

8.11.7 The Draft Public Realm Strategy (PRS) sets out areas of the town centre which would benefit from environmental/public realm improvements and highlights issues such as:

- 1) Poor permeability;
- 2) Poor legibility;
- 3) Lack of civic/open space;
- 4) Need for a pedestrian friendly High Street;
- 5) Use of materials/need for greening;
- 6) Incoherent approach to street furniture and signage.

And the Developer Contributions SPD includes provision for development to make contributions toward environmental improvements and highlights support for upgrading the town centre environment.

8.11.8 Therefore the environmental improvements to the town centre as proposed by the applicant and listed below have been informed by the PRS which accompanied the public consultation exercise carried out for the Camberley Town Centre Options AAP. As such, the PRS is a document which has been through a public consultation exercise and forms part of the evidence base for the AAP. The contributions secured by the proposed development would be put towards:

- 1) Public realm improvements to Knoll Walk comprising: -**
 - (i) Removal of planters in centre of walkway and replace with paving to 'open up' Knoll Walk, improve desire lines and visibility from Knoll Road through to High Street and vice versa.
 - (ii) Scale back vegetation to remove blind spots and introduce porous planting/green walls/public art to screen service yards;
 - (iii) Replace seating with contemporary styles to accommodate needs of all pedestrians;
 - (iv) Introduce suitable lighting to improve surveillance and reduce perception of fear of crime;
 - (v) Introduce new signs to eastern and western ends to improve legibility between High Street and cultural hub around Camberley Theatre on Knoll Road.

2) High Street – Creation of Pedestrian Friendly Area

- (i) Priority for pedestrian movement along High Street through widening of footways or creating shared surfaces for pedestrians/vehicles;
- (ii) Resurfacing of pedestrian priority area with suitable materials and associated works;
- (iii) Feasibility study for street planting and public art;
- (iv) Replace street furniture such as litter bins, seating and lighting columns with heritage led furnishings to reflect Victorian/Edwardian character of the High Street.

3) Public Realm Improvements to Bissengen Way

- (i) Soft landscape to northern edge to provide screening to service yard/car park;
- (ii) Introduce suitable lighting to improve surveillance and reduce perception of fear of crime;
- (iii) Re-pave surface with materials which form a warmer palette;
- (iv) Introduce new signs at each entrance point to improve legibility.

4) Signage Strategy

- (i) Improve signage within the town centre in terms of both improving legibility and consistency of design;
- (ii) Provision of Information Monolith signs at key town centre access points and/or public transport arrival points such as Pembroke Broadway, Knoll Road and New Southern Road;
- (iii) Provision of new finger point signs around the town centre to aid pedestrian routes and achieve consistent design across the town centre area.

5) Street Furniture Strategy

- (i) Improve and replace street furniture across Camberley Town Centre to improve visual amenity and de-clutter areas i.e. Park Street
- (ii) Provide consistent approach to street furniture including seats, benches, bins and lighting columns in Park Street;
- (iii) Provide new ornate heritage style street furniture at High Street.

8.11.9 It is considered that the applicant's contribution of £103,170.00 for Town Centre public realm improvements to be collected through a bespoke s106 agreement fairly and reasonably relates to the likely scale of the impact of the proposal upon the vitality and viability of the town centre. On this basis no objections are raised on these grounds.

9.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT No.2) 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 has 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.
- d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

10.0 CONCLUSION

- 10.1 In conclusion the proposal represents sustainable development. Consistent with the NPPF the proposal would support and strengthen the local economy (providing 100 to 150 additional jobs at the site with over a third of these jobs been in full time positions plus training programmes), increasing competition and by bringing trade into the Borough. The retail assessment has been shown to be robust and there is no evidence to suggest that the proposal would have a significant adverse impact on existing, committed and planned investment in Camberley Town Centre or elsewhere in the Borough; and, the proposal would ensure the vitality and viability of the town centre and wider area. The proposal promotes sustainable transport and the design is of high quality which would integrate and enhance the established character of the area. There would be no adverse impact on residential amenity, protected species, flooding or contamination. The proposal accords with the adopted development plan and there are no policy grounds, or other material considerations, to justify refusal. Accordingly the application is recommended for approval subject to conditions and a legal agreement.

11.0 RECOMMENDATION

Recommendation 1:

Defer and Delegate, and subject to the completion of a S106 agreement to ensure that an index linked payment of £426,150.01 and the occupation and operation of the town centre Sainsbury's store by Sainsbury's Supermarkets Ltd for 10 years; by 31 January 2014, the Executive Head - Regulatory be authorised to grant planning permission subject to the following conditions:

DEFER and delegate for Executive Head of Regulatory Services

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. 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.

3. The net sales area floor space allocation will not exceed 9,341 square metres. In addition this net sales floor area will also not exceed 4,671 square metres of convenience floor space, 4,671 square metres of comparison floor space, the customer restaurant shall not exceed 453 square metres and the concession floor space shall not exceed 888 sqm unless otherwise agreed in writing with the Local Planning Authority.

Reason: To preserve the vitality and viability of local centres and accord with advice in the National Planning Policy Framework.

4. No further increase in floor space within the building shall be provided without the prior written approval of the Local Planning Authority.

Reason: To preserve the vitality and viability of local centres and accord with advice in the National Planning Policy Framework.

5. Apart from the concession floor space, the retail premises as approved shall not be subdivided and used by separate retail operators without the prior written approval of the Local Planning Authority.

Reason: To preserve the vitality and viability of local centres and accord with advice in the National Planning Policy Framework.

6. 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 scheme shall include indication of all hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out. Any trees or plants, which within a period of five years of commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased shall be replaced as soon as practicable with others of similar size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority gives written consent to any variation.

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.

7. The proposed development shall be built in accordance with the following approved plans CHQ.10.9366 - PL01, CHQ.10.9366 - PL05, CHQ.10.9366 - PL06, CHQ.10.9366 - PL07, CHQ.10.9366 - PL08, CHQ.10.9366 - PL09 and CHQ.10.9366 - PL10 unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning and as advised in CLG Guidance on "Greater Flexibility for Planning Permissions" (2009).

8. No development shall take place until a Phase 2 Contaminated Land Investigation has been submitted to and approved by the Local Planning Authority for approval. The Phase 2 survey should incorporate a Generic Quantitative Risk Assessment (GQRA) and seek to clearly identify and characterise plausible source-pathway-receptor linkages at the site and provide information for the refinement of the initial conceptual model. The assessment should also include results of testing for heavy metals, speciated Total Petrol Hydrocarbons (TPH aromatic/aliphatic split), Poly Aromatic Hydrocarbons (PAH), pH, PCB's, SOM, cyanide, phenols, SVOCs and VOCs. In addition selected soil screening should be carried out to determine the presence, or otherwise, of asbestos and gas testing must also be undertaken to accurately characterise the potential risks to identified receptors. All soil and groundwater samples should be removed in accordance with current guidance and protocol and submitted to a UKAS and MCERT accredited laboratory for contaminant analyses. The Phase 2 report and GQRA will determine whether remediation and protection work is necessary. In the event that the Phase 2 investigation identifies levels of contamination that will require remediation prior to the site being suitable for its intended use, a remediation strategy should also be submitted. This statement should include full details of how the contamination will be addressed and demonstrate that the standard of remediation work complies with current best practice and guidance. This must be approved by the LPA before any remedial actions at the site commence. Once approved the

Phase 2 Contaminated Land Investigation shall be implemented in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To accord with advice in the National Planning Policy Framework.

9. No on-site burning of any material shall take place during the implementation of the development hereby approved.

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

10. Before occupation of the development hereby approved details of the filtration and ventilation systems serving the bakery and restaurants at the proposed store are submitted to and agreed with the Local Planning Authority prior to installation. Once approved only the approved details shall be implemented unless otherwise agreed in writing with the Local Planning Authority.

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

11. No development shall take place until details of how the existing building is to be wrapped prior to demolition, in order to prevent dust and odour nuisance to local residents during demolition. Once approved only the approved details shall be implemented during the demolition period unless otherwise agreed in writing with the Local Planning Authority.

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

12. 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 behind any visibility zones
- (f) a permanent wheel washing and cleaning facility for vehicles leaving the site during demolition and construction.

shall be submitted to and approved in writing by the Local Planning Authority. Once approved, only the approved the details shall be implemented throughout the construction period unless otherwise agreed in writing with 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 and the National Planning Policy Framework.

13. Prior to occupation of the development hereby approved the specified lighting design detailed within the WYG lighting assessment dated 12 September 2012 shall be implemented and no other design be permitted without the details being first submitted to and agreed in writing with the Local Planning Authority.

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

14. The development shall not be occupied until space has been laid out within the site in accordance with the approved plans for 793 cars, inclusive of 46 disabled bays, 10 vehicle charging points and at least 50 cycles to be parked and space for loading and unloading and space for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

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 thereby reduce the reliance on the private car and meet the prime objective of the National Planning Policy Framework.

15. The development shall not be occupied until a bus shelter and lengthening of the existing bus layby is provided in general accordance with the approved plans. The bus stop and layby area shall be used exclusively for its designated use.

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 thereby reduce the reliance on the private car and meet the prime objective of the National Planning Policy Framework.

16. Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be agreed with the Local Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.

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.

17. No new development shall be occupied until the applicant has obtained the written approval of the Local Planning Authority for a Revised Travel Plan in accordance with the Travel Plan Good Practice Guide 2012. This shall be implemented in accordance with the details as approved and thereafter retained and developed to the satisfaction of 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 accord with Policy CP11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2012.

18. All tree and landscaping protection works shall be carried out in accordance with the submitted Landscape Statement, Tree Survey and associated plans by Arthur Amos Associates dated September 2012 unless otherwise agreed in writing with the Local Planning Authority. At least 5 days prior to the erection of tree protection measures the applicant shall notify the LPA's Tree Officer and agree site supervision and inspection frequency.

For the avoidance of doubt this condition also requires tree protective fencing / barriers to be erected, in the locations approved, prior to any works, including demolition and site clearance, commencing on site. In addition such fencing / barriers shall be retained in their approved locations for the duration of the works to implement the development hereby approved.

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.

19. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment Addendum dated 23 October 2012(FRA) and the following mitigation measures detailed within the FRA:

- The proposed drainage strategy will restrict off-site discharge to existing rates and provide appropriate attenuation volume including an allowance for climate change. This will ensure that the development does not increase flood risk off-site.
- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with the National Planning Policy Framework and Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012.

20. All sustainability measures as outlined in the submitted Design and Access Statement and Renewable Energy & Energy Efficiency Assessment shall be carried out in accordance with these documents unless otherwise agreed in writing with the Local Planning Authority.

Reason: To preserve and enhance the sustainability of the locality in accordance with Policy DM7 of the Surrey Heath Core Strategy and Development Management Policies 2012.

21. No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement unless otherwise agreed in writing with the Local Planning Authority.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

22. The development, hereby approved, shall be implemented in accordance with the requirements of section 5.0 of the Extended Phase 1 Habitat Survey Report and Section 4.0 of the Bat Emergence/Return Survey Report Any deviation from the requirements of these reports must be agreed in writing by the Local Planning Authority prior to the changes being undertaken.

Reason: To ensure the protection of protected species in accordance with the National Planning Policy Framework and CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. Decision Notice to be kept DS1
2. Building Regs consent req'd DF5

3. The applicant is advised to obtain approval for the proposed Great Crested Newt mitigation measures from Natural England, the statutory authority for European protected species as some activities may require a European Protected Species (EPS) licence
4. The applicant is reminded of the advice as received by Surrey Police dated 22nd October 2012, in regard to the vulnerability of a “stores on stilts” design to the effects of a vehicle borne improvised explosive device applying upward pressure on the floors above and therefore possibility leading to a partial or progressive collapse of the building which includes the following:
 - Enhancement of the sales floor structure whilst maintaining sacrificial columns as currently defined to withstand a 100kg explosive device from a vehicle borne improvised explosive device parked in the undercroft parking area.
 - Use of laminated glass, where glass is planned, to areas below the undercroft, but limited to areas adjacent to the car park area. Other glazing e.g. Atria should be treated with anti-fragmentation film to BSEN 12600 Class B: 2002.
 - The use of bollards and height restrictors at the entrance to the underground parking area to prevent larger vehicle being able to gain access. Preferably these bollards should meet PAS 68: 2010 AND PAS 69: 2006.
 - The service yard should be protected by a gate or barrier and again this preferably should meet PAS 68: 2010 AND PAS 69: 2006.
5. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transport Development Planning Team of Surrey County Council.
6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highway Service Group.
7. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the Highway Authority Local Highway Service Group before any works are carried out on any footway, footpath, carriage way, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see

www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice

8. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
9. The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
10. Demolition of existing bldg DF7
11. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
12. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
13. Thames Water recommends the installation of a properly maintained fat trap on all catering establishments and in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments which can be requested by telephoning 0203 577 9963

14. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
15. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
16. In considering the landscaping scheme opportunities to restore or enhance biodiversity should be considered, these could include the provision of bird boxes on suitable trees on site, use of native species when planting new trees and shrubs, preferably of local provenance and where cultivated species are preferred consideration of those that provide nectar-rich flowers and/or berries as these can also be of considerable value to wildlife. Furthermore it is considered appropriate to address the lack of small trees on the bund at the entrance to the site and the need for the planting of small feature trees within this area.

Recommendation 2:

In the event that a satisfactory legal agreement is not completed by 31st January 2014 then the application shall be refused for the following reason:

1. In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) the proposed development would have an adverse impact on highway safety and the vitality and viability of local retail centres failing to comply with Policies CP9, CP10, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and advice in the National Planning Policy Framework.