

LOCATION: MICHAEL CHELL MENSWEAR, 11-13 HIGH STREET,
CAMBERLEY, GU15 3RB

PROPOSAL: Erection of a part four storey, part three storey, part single storey rear extension and conversion of first floor accommodation to provide extended ground floor retail (Class A1) accommodation with residential accommodation over in the form of 6 No. one bedroom and 4 No. two bedroom flats with ground floor roof level amenity space parking, bin and cycle stores.

TYPE: Full Planning Application

APPLICANT: Mr March
Leying Ltd

OFFICER: Duncan Carty

RECOMMENDATION: REFUSE**1.0 SUMMARY**

- 1.1 The application site is within the Camberley Town Centre, on the east side of High Street at the junction with St George's Road. This planning application relates to the erection of a part four storey, part three storey, part single storey rear extension and conversion of first floor accommodation to provide extended ground floor retail (Class A1) accommodation with residential accommodation over in the form of 6 no. one bedroom and 4 no. two bedroom flats with ground floor roof level amenity space, parking, bin and cycle stores.
- 1.2 There are no objections raised on residential amenity, affordable housing provision, local infrastructure and highway safety grounds. However, the current proposal would represent poor design and would have an adverse visual impact on the streetscene and local character. With no legal agreement in place to secure an adequate SAMM contribution, the proposal is also unacceptable on these grounds. The application is recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 This planning application relates to a currently vacant two storey retail (Class A1) unit on the east side of High Street at the junction with St George's Road within the Camberley Town Centre. The land to the rear of the application site includes a car park area, with offices (fronting Knoll Road) beyond. There are retail units opposite and adjacent. St George's Court lies on the opposite side of St. George's Road.
- 2.2 The site falls within the historic High Street character area as defined within the Camberley Town Centre Action Area Plan 2014 and the primary retail frontage within the town centre. The site provides any six parking spaces in a rear yard area, accessed from St. Georges Road. The majority of the site is hardstanding, or building footprint. There are some minor trees on the rear boundary, which are not worthy of retention.

3.0 RELEVANT HISTORY

- 3.1 SU/95/0783 Change of use of first floor from offices (Class B1a) to retail (Class A1) and erection of a single storey rear extension. *Approved in January 1996 and implemented.*
- 3.2 SU/11/0119 Erection of a two storey building with accommodation in the roofspace to form seven residential flats (3 one bedroom, 3 two bedroom and 1 studio flats) at first floor and second floor and a retail unit at ground floor following the demolition of the existing building. *Approved in August 2011 and remains extant due to decision SU/16/0325 below.*
- 3.3 SU/16/0325 Certificate of Lawful Existing Development for the completion of the development (consisting of a two storey building with accommodation in the roofspace to form seven residential flats at first floor and second floor and a retail unit at ground floor following the demolition of the existing building) pursuant to planning permission SU/11/0119. *Considered to be lawful in August 2016.*

4.0 THE PROPOSAL

- 4.1 The current proposal is to relates to the erection of a part four storey, part three storey, part single storey rear extension and conversion of first floor accommodation to provide extended ground floor retail (Class A1) accommodation with residential accommodation over in the form of 6 no. one bedroom and 4 no. two bedroom flats with ground floor roof level amenity space, covered parking, bin and cycle stores.
- 4.2 The proposed extension would provide building coverage across the whole of the site with a four/three storey element fronting onto St. George's Road with a lower single storey element behind (and in a gap between this element and the existing building fronting High Street), providing private amenity space on the roof over, with covered two car parking spaces and 18 cycle spaces provided. The proposed extension would have a maximum height of 12.1 metres, compared with the ridge height of the existing building at 8.7 metres.
- 4.3 The proposed extension would be finished in white render, red and tan brick and wood cladding. The applicant in their design and access statement has indicated:
- "The primary material proposed for the scheme is a red brick. The material choice is informed by the surrounding context which is made up of a variety of buildings in different scales with varied treatments. Sections of the building will be clad in timber to help develop an architectural language which helps to visually break up the facade. The ground storey will be of white render to visually tie together the original and existing building on the High Street frontage with the new building around St. Georges Road."*
- 4.4 This proposal is an alternative to the approved development SU/11/0119, which remains extant, which provided a redevelopment of the site to include a predominantly pitched roof two storey building, with accommodation in the roof to the front. The approved building would provide a total of seven flats over a retail unit, and three parking spaces.

5.0 CONSULTATION RESPONSES

5.1	County Highway Authority	No objections.
5.2	Surrey Police	No objections.
5.3	Conservation and Design Officer	An objection is raised on design and character grounds.
5.4	Environmental Health	Comments awaited.
5.5	Local Lead Flood Authority	Comments awaited.

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report no representations of support and six representations raising an objection, making the following objections:
- Noise impact “canyon effect” [See *Paragraph 7.3*]
 - Unsympathetic design [See *Paragraph 7.3*]
 - Noise [See *Paragraphs 7.4 and 7.5*]
 - Access visibility obscured by narrow pavement and on-street parking [See *Paragraph 7.6*]
 - Security issue - lack of police presence [*Officer comment: See Surrey Police comments above*]
 - Commercial delivery access ill-considered due to lack of setback from highway (St. George’s Road) [See *Paragraph 7.3*]
 - Few open or green spaces in area with children playing in dangerous service yards [see *Paragraph 7.5*]
 - Loss of privacy due to proximity/height of proposal [See *Paragraph 7.4*]
 - Does not blend or in harmony to the neighbouring vicinity of the town [See *Paragraph 7.3*]
 - Traffic congestion [See *Paragraph 7.6*]
 - Lack of parking [See *Paragraph 7.6*]
 - Loss of light [See *Paragraph 7.4*]
 - St George’s Court car park is wrongly indicated to be a public car park [*Office comment: This is noted, although there are large public car parks close by*]
 - Future problems with flat roof design [*Officer comment: Flat roofed buildings can be successfully designed to ensure no such problems. The Building Control process will ensure that all current building standards are met*].

7.0 PLANNING CONSIDERATIONS

7.1 The application proposal is located within the Camberley Town Centre. As such, policies CP1, CP2, CP5, CP6, CP11, DM9, DM10 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); and Policies TC1, TC2, TC4, TC11, TC12 and TC13 of the Camberley Town Centre Action Area Plan 2014 (AAP) are relevant to the consideration of this application. In addition, advice within the Camberley Town Centre Masterplan and Public Realm Strategy SPD 2015; Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2011 (TBHSPD); the Developer Contributions Supplementary Planning Document 2011 DCSPD; Interim Procedure Guidance Note for Affordable Housing 2012 (IPGNAH); the Surrey Heath Residential Design Guide SPD 2017 (RDG) is relevant. The National Planning Policy Framework (NPPF) and the associated National Planning Policy Guidance (PPG) are also relevant.

7.2 It is considered that the main issues are:

- The impact on the character of the area;
- The impact on residential amenity of surrounding properties;
- The impact on residential amenity of future occupiers;
- The impact on highway safety;
- The impact on affordable housing provision;
- The impact on flood risk and drainage;
- The impact on the Thames Basin Heaths Special Protection Area;
- The impact on local infrastructure; and
- The impact on drainage and flood risk.

7.3 Impact on the character of the area

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

7.3.2 Policy TC1 of the AAP indicates that development proposals should be appropriate in terms of use, scale, quality and quantity to the function and character of the town centre; make the best use of redevelopment opportunities; and support the strategy for the regeneration of the town centre and enhance its vitality and viability. Policy TC2 of the AAP indicates that new development will be required to protect and enhance retail activity within the primary shopping area. Policy TC4 of the AAP indicates that at least 200 new homes are expected to be provided in the town centre up to 2028. This will include housing as part of mixed use development where this does not prejudice other objectives in the AAP. The density to be achieved will be dependent on the character of the area

and other uses within the development or surrounding area. Policy TC11 of the AAP indicates that new development should respect its local context; include a level of architectural detail that gives the building visual interest for views near and far; makes a positive contribution to the public realm by facing the street and animating it; and be of a density that is appropriate to a sustainable, town centre location.

- 7.3.3 Policy TC12 of the AAP indicates that the Victorian and Edwardian integrity of the High Street Character Area will be protected. New development should pay close regard to incorporating Heritage Assets in their design and reinforce the identity of the High Street Character Area. Exceptionally more contemporary styles of development may be acceptable within the High Street Character Area provided that the overall historic character of the High Street is not harmed. Development which affects the setting of, or key views down, the High Street should not harm its character. Paragraph 8.3 of the AAP, supporting this policy, indicates that:

"The High Street still reflects the Victorian/Edwardian origins of the town centre and this is valued by local residents. The High Street retains enough of the original buildings, particularly on the eastern side, to be regarded as locally distinctive and the character of this area should be protected."

- 7.3.4 In September 2017, the Council adopted the Surrey Heath Residential Design Guide SPD 2017 (RDG). Principle 6.7 indicates that development should maintain activity in the streetscene. Principle 6.8 confirms that parking should normally be provided to the side or rear. Principle 7.1 indicates that new development should provide setbacks which complement the streetscene. Principle 7.3 indicates that buildings heights should help enclose space without overwhelming it. Principle 7.4 indicates that new development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 that proposals should not generally introduce new roof forms that diverge from the prevailing character and flat roof should not be used to span overly deep buildings.
- 7.3.5 The application site falls within the Camberley Town Centre. In this location, there are large four storey development (or higher) at St George's Court (on the opposite side of St. Georges Road) and the former Alders building (on the opposite, northwest corner of the High Street/St. Georges Road junction). The current proposal seeks to provide a part three storey, part four storey flat roof extension to the rear of a pitched roof two storey building. Concern is raised about the abrupt change in character and scale between the frontage building and the proposed rear extension, for which there is a gap of only 7.4 metres between. Policy TC12 of the AAP indicates that only in exceptional circumstances, would contemporary design be accepted. It is considered that the current proposal does not meet this high test.
- 7.3.6 The approved development SU/11/0119 has been taken by the applicant as its cue to provide the current proposal, noting that the approved development, similarly to the approved scheme, provides a building across the whole plot and having a predominant ridge height of 10.7 metres, reducing to 9.4 metres for the rear portion, and 6.4 metres at the eaves. However, that extant development is fundamentally different to the current proposal. The approved development would provide a traditional pitched roof replacement building with traditional detailing which would successfully respond to the High Street Character area, and adjoining and nearby buildings to the south, and has a similar ridge height as the adjoining High Street property, 15 High Street.
- 7.3.7 The current proposal, in contrast, would provide a form of development which deviates from, and does not integrate with, the principal host building on the site, the buildings to the south, and the wider High Street Character Area, and the poor design, with limited detailing, exacerbates this adverse impact. The proposed jarring flat roofed rear portion, in particular, would sit much higher than the existing traditional pitched roof of the host

building and this would be clearly visible from longer views from St. Georges Road and Obelisk Way, as well as from the High Street/St. Georges Road junction. The provision of this design solution is considered to have an adverse visual impact on the character of the host building and the wider High Street Character Area, townscape and the streetscene. The site is very visible in the streetscene and this design solution compounds the aforementioned adverse impact.

- 7.3.8 The current proposal would provide new housing, smaller than the adjacent blocks of development, and would form a reasonable relationship with the scale and size of adjoining properties, noting the size of the gaps between building blocks would be retained. However, noting the comments above concerning the impact on the host building, buildings to the south and the defined High Street character area, it is not considered that the proposal would respect and enhance the appearance of the site and the wider area.
- 7.3.9 It is therefore considered that the current proposal would have an adverse visual impact on the host building and the wider local character, townscape and streetscene failing to comply in this respect with Policy DM9 of the CSDMP, Policies TC1, TC4, TC11 and TC12 of the AAP, the NPPF and RDG.

7.4 Impact on residential amenity of surrounding properties

- 7.4.1 Policy DM9 of the CSDMP indicates that proposals should provide sufficient private amenity space and respect the amenity of occupiers of neighbouring properties and uses. Policy TC1 of the AAP indicates that new development should be acceptable in terms of its impact on the amenity of residential areas. Policy TC4 of the AAP encourages the provision of amenity space for new residential developments.
- 7.4.2 Principle 8.1 of the RDG indicates that developments should not result in a significant adverse effect on the privacy of neighbouring properties. Principle 8.3 of the RDG indicates that developments should not result in occupants of neighbouring dwellings suffering a material loss of daylight and sun access. Principle 8.5 of the RDG indicates that communal open space will be expected for flatted developments. Principle 7.6 of the RDG indicates that new housing development should comply with the national internal space standards.
- 7.4.3 The flank wall of the proposal would face the residential flats (at first floor level and above) of St. George's Court. The extant development under SU/11/0119 would provide a similar bulk and massing particularly in its relationship with these flats. However, in the elevation facing this development, the approved development principally provided two storeys of development (in place of the three/four storey of development currently proposed).
- 7.4.4 The proposal would be set about 14 metres for the flank wall of this building. Noting this level of separation, and that a 25 degree vertical angle of sight from the mid-height of first floor windows in this block would be preserved by the proposed built form, no adverse impact on the amenities of the occupiers of these flats is envisaged. In a similar manner to the extant scheme SU/11/0119, it is considered that the level of separation would limit any loss of privacy to these flats.
- 7.4.4 The proposal would enclose the highway, St. George's Road. However, with the background ambient noise levels in the street, in the town centre location and the lower noise levels expected from the development, no adverse impact from noise in adjoining properties is envisaged.

- 7.4.5 All other nearby residential properties are set some distance from the application site, sufficient to limit the impact of the current proposal on these properties. It is therefore considered that the proposed development would not have a significant impact on residential amenity for surrounding properties complying in this respect with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.5 Impact on residential amenity of future occupiers

- 7.5.1 The current proposal would provide (ground floor) roof level amenity space to the side/rear providing in total of 250 square metres of accommodation, and side/rear balconies. The proposal would also provide flats which exceed the minimum size for national internal space standards. This accommodation is therefore considered to be acceptable in this location, meeting the requirements of the RDG.
- 7.5.2 The proposal has not been supported by a noise survey and measures to protect future occupiers from noise, is not currently known. Whilst it is noted that this issue was not raised for the approved scheme, the comments of the Senior Environmental Health Officer is awaited on this matter.
- 7.5.3 It is therefore considered that, subject to the comments of the Senior Environmental Health Officer, the proposed development would provide an acceptable level of accommodation for future occupiers complying in this respect with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and RDG.

7.6 Impact on highway safety

- 7.6.1 The proposal would provide two parking spaces to serve this development, one space less than the extant development under SU/11/0119 and four spaces less than could be provided on the site. Noting the very sustainable location and availability of public car parking nearby, no objections are raised to this level of provision on these grounds. Whilst, it is also noted that would be an increase in traffic movements, the County Highway Authority has raised no objections to the proposal on highway safety grounds and the Authority consider that the access arrangements would not be detrimental to highway safety.
- 7.6.3 It is considered that the proposed development is acceptable on highway safety and parking grounds complying with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.7 Impact on affordable housing provision

- 7.7.1 Policy CP6 of the Surrey Heath Core Strategy and Development Management Policies 2012 requires the provision of two affordable housing units where there is a net increase of ten dwellings (as proposed).
- 7.7.2 However, a recent appeal decision (Vernon House under SU/15/0701) indicates that national policy, as expressed in the Written Ministerial Statement (WMS) in conjunction with the PPG, makes it clear that in relation to schemes of 10 dwellings, or less, contributions would not be sought for affordable housing. In the absence of substantive evidence to indicate local affordability issues in Surrey Heath, the Inspector concluded that national policy is a consideration of sufficient weight to outweigh local policy and that there is no requirement to provide such a contribution in this case. As such, the proposal complies with Policy CP5 of the CSDMP, the NPPF and the WMS.

7.8 Impact on the Thames Basin Heaths Special Protection Area

- 7.8.1 The application site is located 975 metres from the SPA. SANG is collected through CIL. However, SAMM is collected outside of the CIL regulations and in this instance a contribution of £4,156 towards SAMM would be required. Without the completion of a legal agreement to secure this contribution, or upfront payment, an adverse impact on the SPA is therefore envisaged and an objection is raised on these grounds, with the proposal failing to comply with Policy CP14 of the CSDMP, Policy NRM6 of the SEP and the TBHSPD.

7.9 Impact on local infrastructure

- 7.9.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more. This development would be CIL liable and the final figure would need to be agreed following the submission of the necessary forms. On the basis of the information submitted to date, the amount of CIL payable would be in the region of £104,400. Informatives would be added to the decision advising the applicant of the CIL requirements.

7.10 Impact on drainage and flood risk

- 7.10.1 The current proposal has not been supported by a surface water drainage statement or other supporting documentation. However, the current proposal provides a similar footprint of development (i.e. 100% site coverage) as previously approved (under SU/11/0119) and still extant (see SU/16/0325) and would be provided in a town centre location on a site which is almost wholly hardstanding/built footprint and the upper floor amenity area (in a similar manner to the approved scheme under SU/11/0119) offers some soft landscaping which would improve surface water drainage on the site.
- 7.10.2 The comments of the LLFA are awaited in this regard. However, the site lies in a Zone 1 (low risk) flood zone and it is not envisaged that the proposal would not be at risk from fluvial flooding. As such and subject to the comments of the LLFA, no objections are raised with the proposal complying with Policy DM10 of the CSDMP and the NPPF.

8.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Paragraphs 186-187 of the NPPF. This included the following:-

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

9.0 CONCLUSION

- 9.1 The current proposal is considered to be acceptable in terms of its impact on residential amenity, highway safety, affordable housing provision and local infrastructure. However, the current proposal is considered to be unacceptable in terms of its impact on local character. In addition, a legal agreement in relation to the provision of a contribution towards SAMM, or upfront payment, and an objection is also raised on these grounds. The application is recommended for refusal.

10.0 RECOMMENDATION

REFUSE for the following reason(s):-

1. The proposal by reason of the combination of its height, flat roof and modern design, mix of materials and lack of detailing would result in an incongruous and prominent form of development which would form a poor relationship with the scale and form of the host building, be harmful to the visual amenities of the townscape and conflict with the integrity of the defined High Street Character Area. As such the proposal would fail to respect and enhance the character and quality of the area contrary to Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and supporting advice in the Residential Design Guide Supplementary Planning Document 2017, Policies TC1, TC4, TC11 and TC12 of the Camberley Town Centre Action Area Plan 2014 and the National Planning Policy Framework 2012.
2. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, or payment of the SAMM payment in advance of the determination of the application, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2012.

Informative(s)

1. Advise CIL Liable on Appeal CIL3