

2018/0004

Reg Date 16/01/2018

Town

LOCATION: CAMBRIDGE HOTEL, 121 LONDON ROAD, CAMBERLEY, GU15 3LF

PROPOSAL: Erection of a part three storey part four storey building containing 21 flats (3 studios, 8 one beds and 10 two beds), including conversion of Cambridge Hotel building with its ground floor as a flexible Class A1 (Retail), A3 (Restaurant/Cafe) or Class A4 (Public House) Use and demolition of two storey/single storey part of hotel building and attached nightclub with parking, bin and cycle storage. (Amended Plans/Additional Information - Rec'd 19/04/2018.)

TYPE: Full Planning Application

APPLICANT: Mr I Shavit

OFFICER: Ross Cahalane

RECOMMENDATION: GRANT subject to conditions and completion of a legal agreement.

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a part three storey, part four storey building containing 21 flats (3 studios, 8 one beds and 10 two beds), including conversion of Cambridge Hotel building with its ground floor as a flexible Class A1 (Retail), A3 (Restaurant/Cafe) or Class A4 (Public House) Use and demolition of two storey/single storey part of hotel building and attached nightclub with parking, bin and cycle storage.
- 1.2 The principle of residential development in a highly sustainable location is supported. This application has been subject to extensive pre-application discussions and consultation with the Council's Conservation Officer. The design response is of an appropriate scale and density for this location, recognising the importance of the site to act as a town centre gateway building whilst respecting the special character and setting of the retained Cambridge Hotel building, the Royal Military Academy Conservation Area opposite and the High Street Character Area. The amenity of surrounding neighbours and future occupiers are considered acceptable and the parking and highway arrangements are supported by the County Highway Authority.
- 1.3 There is a need for smaller households and the housing mix is policy compliant. Following submission of a viability report, which has been subject to independent review, a financial contribution of £75,000 in lieu of on-site affordable housing has been agreed. Subject to a legal agreement to secure the affordable housing and SAMM payments and the planning conditions as outlined, the application is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the edge of the town centre of Camberley, bordered by London Road to the north, the office block of Norwich House to the east, and mixture of buildings accessed via either High Street to the west or the access road off St George's Rd to the south. The site is not within a conservation area but the Royal Military Academy/Staff

College/A30 London Road Conservation Area is located to the north on the opposite side of the London Road. The property is not Listed but the original building on the corner of High Street and London is considered to form a non-designated heritage asset.

- 2.2 The existing site comprises a 16 bedroom hotel of Victorian origin (believed to have been built in 1862) which closed in Summer 2016. The ground floor comprises a public house and the single storey attached building comprises a disused night club, both of which also ceased trading at the same time. The site varies between 1 and 3 storeys. The surrounding buildings of Norwich House, 1-3 High Street and St Georges Court range from 2- 5 storeys, with the rest of the surrounding area being predominantly up to 3 storeys.

3.0 RELEVANT PLANNING HISTORY

- 3.1 Various applications have been submitted from 1949-2007 for extensions and advertisements in relation the night club use. Upon review of this history the existing built form appears to be lawful.

4.0 THE PROPOSAL

- 4.1 Permission is sought for the erection of a part three storey, part four storey building containing 21 flats (3 studios, 8 one beds and 10 two beds), including conversion of Cambridge Hotel building with its ground floor as a flexible Class A1 (Retail), A3 (Restaurant/Cafe) or Class A4 (Public House) Use and demolition of two storey/single storey part of hotel building and attached nightclub with parking, bin and cycle storage.
- 4.2 The proposed building would be contemporary in design consisting of flat roof forms including mansard features, roof terrace facing London Road, external balconies, undercroft vehicular access from London Road and rear parking area, and a mixture of external materials including London stock bricks and zinc/metal cladding. The proposed building would have a maximum width of approx. 31m fronting London Road and maximum depth of approx. 21m. The height of the three storey element would be approx. 11m and the height of the four storey element would be approx. 14.5m.
- 4.3 The hotel building will be fully retained, apart from infilling of the first floor side (eastern) windows. A revised vehicular access is proposed off London Road, with the provision of 18 undercroft car parking spaces and 21 enclosed cycle spaces.
- 4.4 In support of the application, the applicant has provided the following information, and relevant extracts from these documents will be relied upon in Section 7 of this report:
- Planning Statement
 - Design and Access Statement
 - Hotel Market Study
 - Transport Statement
 - Drainage Strategy Statement
 - Noise Assessment
 - Daylight and Sunlight Study

- Affordable Housing Viability Appraisal

- 4.5 Amended plans were received following objection raised by the Council's Conservation Officer, to detach the proposed building from the retained hotel building and to create an additional recessed third floor to retain the same number of units. The amendments also relocate the proposed vehicular access away from the existing bus stop.

5.0 CONSULTATION RESPONSES

- 5.1 Council Conservation Officer: Comments *[See Section 7.3]*
- 5.2 Council Environmental Health Officer: No objection, subject to condition *[See Section 7.5]*
- 5.3 County Highway Authority: No objection *[See Section 7.5]*
- 5.4 Council Viability Consultant: Comments *[See Section 7.8]*
- 5.5 County Lead Local Flood Authority: No objection, subject to condition *[See Section 7.9]*
- 5.6 Council Scientific Officer: No objection, subject to condition *[See Section 7.9]*

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, one objection has been received, raising the following concerns:
- The new multi storey building is imposing and does not appear in keeping with the history of the building
[See Section 7.3]
 - Loss of light
[See Section 7.4]
 - The A30 is already far too congested. The additional vehicles will add even more congestion. The design has proposed parking for residents which must be considered along with proposed access points. There is no proposed parking for the commercial unit.
[See Section 7.5]

7.0 PLANNING CONSIDERATIONS

- 7.1 The application site falls within the settlement area of Camberley and within Camberley Town Centre, as outlined in the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). The proposal would be considered against the principles of Policies CP1, CP2, CP3, CP5, CP6, CP10, DM9, DM11 and DM17 of the CSDMP. The Camberley Town Centre Area Action Plan 2014 (AAP), the supporting Camberley Town Centre Masterplan and Public Realm Strategy Supplementary Planning Document

(MPRS), the Residential Design Guide Supplementary Planning Document (RDG SPD) 2017 and the revised National Planning Policy Framework 2018 (NPPF) are also material considerations. The main planning issues in the determination of this application are:

- The principle of the development;
- The impact on the character of the host building and surrounding area;
- The impact on residential amenities;
- The impact on highway safety;
- The impact on local infrastructure;
- The impact on Thames Basin Heaths SPA;
- Affordable housing, and:
- Other matters

7.2 Principle of the development

- 7.2.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes and to boost significantly the supply of housing. The NPPF is clear that housing applications should be considered in the context of the presumption of sustainable development and also requires Local Planning Authorities to have a 5-year supply of housing land. At present Surrey Heath does not have a five year housing land supply, with the latest figure being 3.95 years' supply against the annual figure of 382 dwellings. By providing 27 dwellings, this application would result in a contribution to the borough's housing numbers. Given the lack of 5 year housing land supply, Policy CP3 which sets out the scale and distribution of housing is considered to be out of date, as confirmed by various recent appeal decisions in the borough. The NPPF advises in paragraph 11 that where policies are out of date, permission should be granted unless it is in a protected area or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.
- 7.2.2 Policy CP10 (Camberley Town Centre) of the CSDMP supports regeneration of the town centre to sustain vitality and viability and states that development that addresses the poor environmental quality along the London Road frontage will be promoted by the Borough Council. 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 supports the principle of housing development within the town centre where this does not prejudice the achievement of other objectives of the Area Action Plan. The density to be achieved will be dependent on the character of the area and the other uses within the development or surrounding area.
- 7.2.3 The lawful ground floor use of the historic Cambridge Hotel building is Class A4 public house and forms a secondary frontage within the primary shopping area of Camberley Town Centre, as identified in the AAP. The proposal would also involve the loss of a hotel facility. The Hotel Market Study commissioned by the applicant outlines the current condition of the hotel building and level of facilities provided, which include some rooms that have no wash facilities and rely on shared bathrooms. It is stated that the increase in

the choice of hotel accommodation overall and in particular, the supply of modern budget hotels in Camberley, undermine the market for Cambridge Hotel in its current use. In this context, and given that the proposed development would retain a ground floor unit for flexible use as retail, restaurant/cafe or public house, it is considered that it would not conflict with the vitality and viability objectives of the AAP. The former nightclub building falls outside of the defined town centre and primary shopping area.

- 7.2.4 It is therefore considered that the principle of redevelopment for residential use is acceptable. The scale and quality of the proposal in relation to the character of the hotel building and town centre is assessed under Section 7.3 below.

7.3 Impact on character of the host building and the surrounding area

- 7.3.1 Policy DM9 (Design Principles) continues to promote high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density. The revised NPPF 2018 requires planning policies and decisions to ensure that new development makes efficient use of land, is visually attractive as a result of good architecture, layout and appropriate and effective landscaping, whilst being sympathetic to local character and history, including the surrounding built environment and landscape setting. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents (paragraphs 122, 127 and 130 of the NPPF). Policies CP2 (iv) and DM9 (ii) of the CSDMP reflect these requirements.
- 7.3.2 The existing public house and hotel building falls within the High Street Character Area as identified by Policy TC12 of the AAP, consisting primarily of late-Victorian/Edwardian buildings ranging in height from 2-3.5 storeys. Policy TC12 states that the Victorian and Edwardian integrity of the High Street Character Area will be protected. New development shall 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. The wider Town Centre location contains a mix of building designs and heights. Development goes up to five storey at Norwich House to the east and at St George's Court at the junction of St. Georges Road to the south. The redeveloped site of No. 3 High Street contains a four storey flat roof design.
- 7.3.3 The approach to the junction of London Road with Knoll Road (to the east of the proposal site) has been identified as a Town Centre Gateway, in which the current proposal would impact upon its setting. The site contains a remnant Victorian pub on the site. Although not statutorily or locally listed, the building has important historical connections to the A30 and the Royal Military Academy (RMA). It is also the last remaining pub building on the London Road, one of the oldest buildings in Camberley and provides an important focal point, lying on the corner of the High Street and London Road frontages. Accordingly, Cambridge Hotel is identified within the MPRS as a notable building and in light of all the above, is considered to form non-designated heritage asset as outlined under the NPPF. The site also lies opposite the RMA (Former) Staff College Conservation Area.
- 7.3.4 Policy DM17 states that development which affects any Heritage Asset should first establish and take into account its individual significance, and seek to promote the conservation and enhancement of the Asset and its setting. In determining proposals for development affecting Heritage Assets or their setting, regard will be had as to whether the Asset is a Designated Heritage Asset or a Local Heritage Asset in determining whether the impact of any proposed development is acceptable. Paragraph 197 of the NPPF 2018

states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 7.3.5 Principle 7.4 of the RDG SPD advises that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 advises that proposals to introduce roof forms on residential development that diverge from the prevailing character of residential development will be resisted, unless it can be demonstrated that the proposals would make a positive contribution to the streetscape.
- 7.3.6 The Council's Conservation Officer initially raised objection, commenting that although the principle of redevelopment and replacement of the nightclub is acceptable, the proposal does not include an acceptable junction between the north east elevation of the historic building and the new development. A much more comfortable transition between the two roof forms was needed, to include a clear separation between the existing and new structures to allow the form of the historic building to be properly appreciated.
- 7.3.7 Amended plans have been received to seek to overcome these concerns raised, involving full detachment of the proposed building from the retained hotel building and an additional recessed third floor to retain the same number of units. The Council's Conservation Officer has commented that this is an improvement over the previous scheme and has welcomed a three storey end closest to the historic building. Although an additional recessed storey is now proposed, it is considered that the current proposal presents a clear and more subtle transition between the scale of each building. It is also considered that the current proposal now clearly reads as a separate building rather than as an incongruous extension to the Cambridge Hotel building. Therefore, whilst the recessed third floor would sit higher than the retained Cambridge Hotel building, it is considered that the separation distance would be sufficient to avoid harm to the special character and setting of the Cambridge Hotel building, the RMA Conservation Area opposite and the High Street Character Area.
- 7.3.8 Although the proposed building is contemporary in design with a flat roof form, the NPPF is clear that variation in architecture is not a reason to refuse when a development integrates into its context. Paragraph 127 of the NPPF states that although planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, this should not prevent or discourage appropriate innovation or change (such as increased densities). It is considered that the mansard-style roof forms would assist in softening its appearance. Additionally, the use of a mixture of London stock brickwork, metal cladding panels and zinc cladding at upper level is considered to add interest and helps to break up the massing of the proposal. This is considered sufficient to avoid an overdominant or incongruous relationship with the surrounding area. The creation of an active frontage with the A30 through four ground floor entrances to the duplex units is also supported. A planning condition can be imposed to ensure that the proposed external materials are appropriate for the surrounding area.
- 7.3.9 It is therefore considered that the proposed development complies with the design requirements of Policies DM9 and DM17 of the CSDMP, Policies TC1 and TC12 of the AAP and Principles 7.4 and 7.5 of the RDG SPD.

7.4 Impact on amenities of neighbouring properties and future occupiers

- 7.4.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development. The thrust of one of the core planning principles within the NPPF is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.4.2 Principle 8.1 of the RDG SPD advises that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Principle 8.3 of the RDG SPD advises that the occupants of new dwellings should be provided with good quality daylight and sun access levels to habitable internal rooms and external spaces. Developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access.
- 7.4.3 A Daylight and Sunlight Study has been provided based on the initial application design, which concludes that the development will have a relatively low impact on the light receivable by its neighbouring properties. The amended design now fully detaches the proposed flat building from the retained hotel building for conversion, to leave an open area to the north of the identified affected windows within the two flats of No. 1 High Street, which would improve the amenity relationship from the initial scheme. Given this and the proximity of the existing 2-3 storey structures to the affected windows, in this instance it is considered that no adverse additional impact would arise upon the amenity of these flats in terms of loss of light, outlook or overbearing impact.
- 7.4.4 The separation distance between the proposed rear elevation habitable room windows and the flat windows of No. 1 High Street is approx. 11m-13m. It is considered that a certain degree of mutual overlooking can be tolerated and is indeed common in town-centre settings and in this instance, it is considered that the resultant relationships would not lead to adverse harm in terms of loss of privacy.
- 7.4.5 It is considered that the proposed development as a whole would be sited at sufficient distance from other neighbouring boundaries and habitable windows to avoid adverse harm to residential amenity.
- 7.4.6 Principle 7.6 of the Residential Design Guide Supplementary Planning Document (RDG SPD) advises that as a minimum, the Council will expect new housing development to comply with the national internal space standards. The overall floorspace provision for each of the proposed flats would meet these minimum space standards.
- 7.4.7 Principle 8.2 of the RDG SPD advises that all habitable rooms in new residential development should maintain at least one main window with an adequate outlook to external spaces where nearby man-made and natural features do not appear overbearing or visually intrusive. It is considered that sufficient outlook would be provided for future occupiers of all the proposed units.
- 7.4.8 Principle 8.5 of the RDG advises that developments should provide outdoor amenity space for each unit. In flatted developments, communal open space will be expected. This should be connected to the building; easily accessible to all residents; screened from public view; free of vehicles; located to receive sunlight for a substantial part of the day, and; actively overlooked to provide surveillance and security. Principle 8.6 of the RDG advises that unless conservation, privacy or heritage issues negate against the use of balconies, all flats above ground floor should be provided with balconies. Predominantly north facing balconies with no access to sunlight during the year, or balconies in close proximity to

adjoining main roads which will be materially affected by noise and air pollution will not be considered to have fulfilled the obligation to provide outdoor amenity space for flat occupants.

- 7.4.9 The only amenity space provided is in the form of a roof terrace for the two two-bed flats on the third floor. However, in light of the above RDG advice it is not considered appropriate for balconies to be provided on the northern elevation facing the A30 London Road. Given the site's town centre location within walking distance of London Road Recreation Ground and Camberley Town Park (behind the library), in this instance it is considered that sufficient amenity space would be provided.
- 7.4.10 Paragraph 9.9 of the RDG SPD advises that the size of shared bins should be based on the standard of 45 litres per person living in the premises, on the basis that a standard refuse bin has a capacity of 180 litres. It is understood that a communal bin can have a capacity of up to 1,100 litres. One enclosed communal bin storage area housing four communal bins is proposed for the 17 apartments and so based upon the RDG this would provide an equivalent storage capacity for 98 persons i.e. $4,400/45$ or up to 5.76 occupants per flat. In addition, it is considered that there would be sufficient space within the front of the four duplex units (with pedestrian access from A30 London Road) for smaller individual bin storage areas. The applicant has stated that the refuse store for the commercial space would be internal within the unit, probably to the rear, and would accept a pre-occupation condition to agree its precise location and size to be dependent on the A1, A3 or A4 use and the requirements of the future tenant.
- 7.4.11 A noise survey has been provided. The Council's Environmental Health Officer (EHO) has commented that as the building is in a High Street location close to evening entertainment venues and late night takeaways, a planning condition is required to ensure that minimum specific acoustic performance is provided for all windows and vents on each elevation. Given that the proposal also involves a commercial use directly below residential accommodation, the EHO has suggested an additional condition requiring an acoustic report undertaken by an appropriately qualified person to be submitted and approved in writing by the Local Planning Authority that outlines a sufficient separating construction solution between the ground floor commercial use and first floor residential use.

7.5 Impact on highway safety

- 7.5.1 Paragraph 108 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all users. Policy DM11 of the CSDMP states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented. Policy CP11 of the CSDMP states that new development that generates a high number of trips should be in sustainable locations or be required to demonstrate that it can be made sustainable, and that it should be appropriately located in relation to public transport and the highway network.
- 7.5.2 A widened vehicular access off London Road (A30) is proposed. A total of 18 car parking spaces and 21 enclosed cycle parking spaces are proposed for the 21 flats. The Transport Statement advises that no re-provision of customer parking for the retained commercial unit is proposed and this will encourage visits to the site to be made by sustainable means. Any parking demand generated by the public house will be expected to park at on-street locations or in the town centre car parks. Deliveries to the proposed development are expected to take place either from the existing double yellow lines on the A30 slip road to the west where loading activity is currently permitted, or from the High Street where delivery vehicles can make use of the short-term / permit parking areas to facilitate loading.

7.5.3 The County Highway Authority has raised no objections to the proposal on highway safety, capacity or policy grounds, commenting that although the parking provision is slightly below the recommended guidance, this is considered acceptable given the highly accessible location within close proximity to public transport facilities. Given the number and size of the units proposed and the very sustainable edge-of-town centre location with availability of bus stops and Camberley rail station nearby, in this instance no objections are raised in respect of the amount of car parking provision. A pre-commencement condition requiring a Construction Management Plan has been recommended by the CHA, along with pre-occupation conditions as outlined in the consultation response. On this basis, the Local Planning Authority is satisfied that the proposal would not conflict with the aims of Policy DM11.

7.6 Impact on local infrastructure

7.6.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on 16 July 2014. As the CIL Charging Schedule came into effect on 01 December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential developments involving one or more new dwellings through new build. As the proposed 21 new dwellings involves re-use and demolition of existing buildings, the development is CIL liable with the liability calculated as £82,440.00. CIL is a land charge that is payable at commencement of works, An informative advising of this will be added.

7.7 Impact on Thames Basin Heaths SPA

7.7.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 states that no new residential development is permitted within 400m of the SPA. The application site is not within 400m of the SPA but all new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL. There is currently sufficient SANG available.

7.7.2 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SANG (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SANG is required. In this instance a payment of £8,561 is needed. In order to comply with Policy CP14B and Policy NRM6 and the Thames Basin Heaths SPD, this would have to be paid by the applicant before full planning permission can be granted, if the scheme is considered acceptable regarding all other relevant planning merits. It is intended that this be secured in a Section 106 agreement between the applicant and the Council.

7.8 Affordable housing

7.8.1 Policy CP5 requires 40% on site provision of affordable housing, for sites in excess of 15 units. Policy CP6 sets out the need for housing sizes in the borough and indicates a strong need for 2 and 3-bed properties. The Issues and Options Consultation Draft of the new Local Plan indicates that for market housing, there is still a strong need for 2-bed and 3-bed properties. While this should be given little weight at this stage, it is an indicator as to how housing built more recently has affected the need for certain housing sizes.

7.8.2 A viability appraisal report has been provided by the applicant, which concludes that the proposed scheme would be unviable if it provided Affordable Housing. The Council's Viability Consultant has formally reviewed this report and has identified a number of potential construction cost savings. Following negotiation, the applicant has offered to provide a financial contribution of £75,000 towards Affordable Housing. As the range of figures provided by both the applicant and the Council's Viability Consultants are finely balanced and given that the historic hotel building is proposed for retention, in this instance this offer is considered acceptable and can be secured through a S106 legal agreement.

7.9 Other matters

7.9.1 The site is not located within Flood Zones 2 or 3 or areas of known risk from surface water flooding, according to Environment Agency data. A Drainage Assessment has been provided by the applicant, which proposes SuDS measures comprising permeable paving with sub-base storage and underground tanks that temporarily store water in the drainage system. Any surface water discharge generated by the proposal which cannot drain via infiltration shall be discharged to the culvert watercourse to the south of the site. The Local Lead Flood Authority has not objected, subject to conditions requiring additional details and testing. On this basis, the proposal is considered to be acceptable in terms of its impact on flood risk and drainage.

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

8.0 WORKING IN A POSITIVE/PROACTIVE MANNER

8.1 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included:

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

9.0 CONCLUSION

9.1 The principle of residential development in a highly sustainable location is supported. The design response is of an appropriate scale and density for this location, recognising the importance of the site to act as a town centre gateway building whilst respecting the special character and setting of the retained Cambridge Hotel building, the Royal Military Academy Conservation Area opposite and the High Street Character Area. The amenity of surrounding neighbours and future occupiers are considered acceptable and the parking and highway arrangements are supported by the County Highway Authority. Subject to a legal agreement to secure the affordable housing and SAMM payments and the planning

conditions as outlined, the application is recommended for approval.

9.0 RECOMMENDATION

GRANT subject to completion of a legal agreement to secure Affordable Housing and SAMM financial contributions, and the following conditions:

GRANT subject to the following conditions:-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans:

Proposed site plan/ground floor plan (Drawing No. (20)_100); Proposed first floor plan (Drawing No. (20)_101); Proposed second floor plan (Drawing No. (20)_102); Proposed third floor plan (Drawing No. (20)_103); Proposed roof plan (Drawing No. (20)_104); Proposed north and south elevations (Drawing No. (20)_200); Proposed east and west elevations (Drawing No. (20)_201); Proposed west elevation (Drawing No. (20)_202); Proposed sections (Drawing No. (20)_300) - all received on 19 April 2018, unless the prior written approval has been obtained from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

3. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile and fenestration. 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.

4. The development hereby approved shall not be occupied unless and until the proposed modified vehicular access to London Road has been constructed in accordance with drawing no. (20)_100 Revision P09.

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 2018.

5. The development hereby approved shall not be occupied unless and until the existing eastern vehicular access from the site to London Road has been

permanently closed and any kerbs, verge, footway, fully reinstated.

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 2018.

6. The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking/turning area shall be retained and maintained for their 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 the National Planning Policy Framework 2018.

7. 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) provision of boundary hoarding behind any visibility splays
- (e) measures to prevent the deposit of materials on the highway

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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 2018.

8. The development hereby approved shall not be occupied unless and until the secure parking of a minimum of 21 bicycles within the development site have been provided in accordance with the approved plans and thereafter, retained and maintained 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 to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

9. The development hereby approved shall not be occupied unless and until at least 5 of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230V AC 32 amp

single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by 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 2018.

10. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.

b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40%) allowance for climate change storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a Greenfield discharge rate to be agreed with SCC as LLFA (as per the SuDS pro-forma or otherwise as agreed by the LPA) which includes an assessment of the existing surface water drainage arrangement.

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

d) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

e) Details of drainage management responsibilities and maintenance regimes for the drainage system.

f) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, and to accord with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

11. Prior to the first occupation of the development hereby approved, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the

drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS and to accord with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

12. (i) The development hereby approved shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

(ii) The above scheme shall include :-

- (a) a contaminated land desk study and suggested site assessment methodology;
- (b) a site investigation report based upon (a);
- (c) a remediation action plan based upon (a) and (b);
- (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
- (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d); and
- (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

(iii) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework 2018.

13. Prior to first occupation of the development hereby approved, the windows installed shall provide attenuation of at least 33 dB Rw on the northern elevations (facing London Road), 31 dB Rw on the western and eastern elevations (facing High Street and Knoll Road), and 20 dB Rw on the southern elevation (facing St Georges Road). These windows shall also be fitted with acoustically-treated window ventilators to provide attenuation of at least 31 dB D,n,e,w on the northern elevations, 30 dB D,n,e,w on the western and eastern elevations, and 15 dB D,n,e,w on the southern elevations. Prior to the installation of these windows, manufacturer details of all new or replacement windows shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the residential amenities of the occupiers and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

14. The design of the development hereby approved shall include an adequate form of soundproofing in accordance with a detailed scheme which shall be submitted to and approved in writing by the Local Planning Authority before the development

commences. This scheme shall be supported by an acoustic report advising of the required separating constructions between the ground floor commercial premises and the first floor residential use above it hereby approved, along with the party walls and floors between the residential units hereby approved within the existing hotel building. The approved scheme shall be carried out in full prior to the first use and occupation of the site and the building hereby permitted.

Reason: In the interests of the residential amenities of the occupiers and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

Informative(s)

1. Decision Notice to be kept DS1
2. CIL Liable CIL1
3. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.
www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
5. 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 Highways Service.
6. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform to the existing adjoining surfaces at the developers expense.
7. The developer 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.
8. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written

Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

If there are any further queries please contact the Sustainable Drainage and Consenting team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence.

9. For the avoidance of doubt, the following definitions apply to the Condition 12 relating to contaminated land:

Desk study- This will include: -

(i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.

(ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This will include: -

(i) a relevant site investigation including the results of all sub-surface soil, gas and groundwater sampling taken at such points and to such depth as the Local Planning Authority may stipulate;

(ii) a risk assessment based upon any contamination discovered and any receptors.

Remediation action plan: This plan shall include details of: -

(i) all contamination on the site which might impact upon construction workers, future occupiers and the surrounding environment;

(ii) appropriate works to neutralise and make harmless any risk from contamination identified in (i).

Discovery strategy: Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include details of: -

(i) supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details;

(ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction;

(iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination.

10. For the avoidance of doubt, the applicant is advised that the attenuation levels relied upon in condition 13 are based upon the current BS8233:14 (Guidance on

sound insulation and noise reduction for buildings) standards and noise climate at the time of the planning application. Any replacement windows should meet the current standards in force at that time.

In the event that a satisfactory legal agreement has not been completed by 14 December 2018, the Executive Head of Regulatory be authorised to REFUSE for the following reason:

- The proposal fails to provide a satisfactory legal agreement under section 106 of the Town and Country Planning Act 1990 to secure the proposed financial contribution towards affordable housing. The proposal therefore does not satisfactorily address the requirements of Policy DM5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.
- In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, 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 (Adopted January 2012).