



GUILDFORD
BOROUGH

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Tom Horwood
Joint Chief Executive
of Guildford and Waverley
Borough Councils

Contact Officer:

Sophie Butcher,
Democratic Services Officer

3 October 2023

Dear Councillor

Your attendance is requested at a meeting of the **PLANNING COMMITTEE** to be held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **WEDNESDAY 11 OCTOBER 2023 at 7.00 pm.**

Whilst Committee members and key officers will be in attendance in person for the meeting, registered speakers as well as ward councillors registered to speak, may also join the meeting via MSTeams. Ward Councillors, please use the link in the Outlook Calendar invitation. Registered speakers will be sent the link upon registration. If you lose your wi-fi connectivity, please re-join using the telephone number +44 020 3855 4748. You will be prompted to input a conference ID: 362 613 623 371#.

Members of the public may watch the live webcast here:

<https://guildford.publici.tv/core/portal/home>

Yours faithfully

Tom Horwood
Joint Chief Executive



MEMBERS OF THE COMMITTEE

Chairman: Councillor Fiona White
Vice-Chairman: Councillor Vanessa King

Councillor Bilal Akhtar	Councillor Patrick Oven
Councillor David Bilbe	Councillor Maddy Redpath
Councillor Yves de Contades	Councillor Joanne Shaw
Councillor Lizzie Griffiths	Councillor Howard Smith
Councillor Stephen Hives	Councillor Cait Taylor
Councillor James Jones	Councillor Sue Wyeth-Price
Councillor Richard Mills	

Authorised Substitute Members:

Councillor Sallie Barker MBE	Councillor Matt Furniss
Councillor Phil Bellamy	Councillor Bob Hughes
Councillor Joss Bigmore	Councillor Jane Tyson
Councillor James Brooker	Councillor James Walsh
Councillor Philip Brooker	Councillor Dominique Williams
Councillor Ruth Brothwell	Councillor Keith Witham
Councillor Amanda Creese	Councillor Catherine Young
Councillor Jason Fenwick	

QUORUM 5

THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)

Our Vision:

A green, thriving town and villages where people have the homes they need, access to quality employment, with strong and safe communities that come together to support those needing help.

Our Mission:

A trusted, efficient, innovative, and transparent Council that listens and responds quickly to the needs of our community.

Our Values:

- We will put the interests of our community first.
- We will listen to the views of residents and be open and accountable in our decision-making.
- We will deliver excellent customer service.
- We will spend money carefully and deliver good value for money services.
- We will put the environment at the heart of our actions and decisions to deliver on our commitment to the climate change emergency.
- We will support the most vulnerable members of our community as we believe that every person matters.
- We will support our local economy.
- We will work constructively with other councils, partners, businesses, and communities to achieve the best outcomes for all.
- We will ensure that our councillors and staff uphold the highest standards of conduct.

Our strategic priorities:

Homes and Jobs

- Revive Guildford town centre to unlock its full potential
- Provide and facilitate housing that people can afford
- Create employment opportunities through regeneration
- Support high quality development of strategic sites
- Support our business community and attract new inward investment
- Maximise opportunities for digital infrastructure improvements and smart places technology

Environment

- Provide leadership in our own operations by reducing carbon emissions, energy consumption and waste
- Engage with residents and businesses to encourage them to act in more environmentally sustainable ways through their waste, travel, and energy choices
- Work with partners to make travel more sustainable and reduce congestion
- Make every effort to protect and enhance our biodiversity and natural environment.

Community

- Tackling inequality in our communities
- Work with communities to support those in need
- Support the unemployed back into the workplace and facilitate opportunities for residents to enhance their skills
- Prevent homelessness and rough-sleeping in the borough

A G E N D A

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, you must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

Councillors are further invited to disclose any non-pecuniary interest which may be relevant to any matter on this agenda, in the interests of transparency, and to confirm that it will not affect their objectivity in relation to that matter.

3 ANNOUNCEMENTS

To receive any announcements from the Chairman of the Committee.

4 PLANNING AND RELATED APPLICATIONS (Pages 19 - 20)

All current applications between numbers 23/P/01211 and 23/P/01428 which are not included on the above-mentioned List, will be considered at a future meeting of the Committee or determined under delegated powers. Members are requested to consider and determine the Applications set out in the Index of Applications.

- 4.1 **23/P/01211 - Land bounded by The Friary Centre Bus Station, North Street, Leapdale Road, Guildford, GU1**
(Pages 21 - 174)

- 4.2 **23/P/01212 - 17 North Street, Guildford, GU1 4HF**
(Pages 175 - 184)

- 4.3 **23/P/01428 - 19 Hillbrow Close, Wood Street Village, GU3 3DF** (Pages 185 - 196)

WEBCASTING NOTICE

This meeting will be recorded for live and/or subsequent broadcast on the Council's website in accordance with the Council's capacity in performing a task in the public interest and in line with the Openness of Local Government Bodies Regulations 2014. The whole of the meeting will be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

If you have any queries regarding webcasting of meetings, please contact Committee Services.

NOTES:

Procedure for determining planning and related applications:

1. A Planning Officer will present the Officer's Report by sharing the presentation on Microsoft Teams as part of the live meeting. Copies of all the presentations will be loaded onto the website to view and will be published on the working day before the meeting. Planning officers will make it clear during the course of their presentation which slides they are referring to at all times.
2. Members of the public who have registered to speak may then attend in person to address the meeting in accordance with the agreed procedure for public speaking (a maximum of two objectors followed by a maximum of two supporters). Alternatively, public speakers may join the meeting remotely. In these circumstances, public speakers will be sent an invite by the Democratic Services Officer (DSO) via Microsoft Teams to attend online or via a telephone number and conference ID code as appropriate to the public speaker's needs. Prior to the consideration of each application which qualifies for public speaking, the DSO will ensure that those public speakers who have opted to join the meeting online are in remote attendance. If public speakers cannot access the appropriate equipment to participate, or owing to unexpected IT issues experienced they cannot participate in the meeting, they are advised to submit their three-minute speech to the DSO by no later than midday the day before the meeting. In such circumstances, the DSO will read out their speech.
3. The Chairman gives planning officer's the right to reply in response to comments that have been made during the public speaking session.
4. Any councillor(s) who are not member(s) of the Planning Committee, but who wish to comment on an application, either in or outside of their ward, will be then allowed to speak for no longer than three minutes each. It will be at the Chairman's discretion to permit councillor(s) to speak for longer than three minutes. Non-Committee members should notify the DSO, in writing, by no later than midday the day before the meeting of their wish to speak and send the DSO a

copy of their speech so it can be read out on their behalf should they lose their wi-fi connection. If the application is deferred, any councillors who are not members of the Planning Committee will not be permitted to speak when the application is next considered by the Committee.

5. The Chairman will then open up the application for debate. The Chairman will ask which councillors wish to speak on the application and determine the order of speaking accordingly. At the end of the debate, the Chairman will check that all members have had an opportunity to speak should they wish to do so.
 - (a) No speech shall be longer than three minutes for all Committee members. As soon as a councillor starts speaking, the DSO will activate the timer. The DSO will advise when there are 30 seconds remaining and when the three minutes have concluded;
 - (b) No councillor to speak more than once during the debate on the application;
 - (c) Members shall avoid repetition of points made earlier in the debate.
 - (d) The Chairman gives planning officer's the right to reply in response to comments that have been made during the debate, and prior to the vote being taken.
 - (e) If, during the debate on an application, it is apparent that Committee members do not support the officer's recommendation, the Chairman shall ask if any Committee member wishes to propose a motion contrary to the officer's recommendation, subject to the proviso that the rationale behind any such motion is based on material planning considerations. Any such motion must be seconded by another Committee member.
 - (f) Where such a motion proposes a refusal, the proposer of the motion shall be expected to state the harm the proposed development would cause in planning terms, together with the relevant planning policy(ies), where possible, as the basis for the reasons for refusal. In advance of the vote, the Chairman shall discuss with the relevant

officers, the proposed reason(s) put forward to ensure that they are sufficiently precise, state the harm that would be caused, and refer to the relevant policy(ies) to justify the motion. The Committee shall take a separate vote on each proposed reason for refusal, following which the Committee shall take a vote on the motion to refuse the application based on all of the agreed reasons.

(g) Where such a motion proposes approval, the proposer of the motion shall be expected to state why the proposed development would be acceptable in planning terms, together with the relevant planning policy(ies), where possible. In advance of the vote, the Chairman shall discuss with the relevant officers the proposed reason(s) put forward to ensure that the planning reason for approval is sufficiently precise to justify the motion. In addition, the Committee shall discuss and agree the substance of the planning conditions necessary to grant a permission before taking a vote on the motion to approve.

(h) Where such a motion proposes deferral, (for example for further information/advice) the Committee shall discuss and agree the reason(s) for deferring the application, before taking a vote on the motion to defer.

(i) If the motion is not seconded, or if it is not carried, the Chairman will determine whether there is an alternative motion and, if there is not, the Chairman will move the officer's recommendation and ask another Committee member to second the motion. That motion will then be put to the vote.

(j) A simple majority vote is required for a motion to be carried. In the event of a tied vote, the Chairman will have a second, or casting vote. The vote may be taken by roll call, a show of hands or, if there is no dissent, by affirmation.

6. Unless otherwise decided by a majority of councillors present and voting at the meeting, all Planning Committee meetings shall finish by no later than 10:30pm. Any outstanding items not completed by the end of the meeting shall be adjourned to the reconvened or next ordinary meeting of the Committee.

7. In order for a planning application to be referred to the full Council for determination in its capacity as the Local Planning Authority, a councillor must first with a seconder, write/email the Democratic Services and Elections Manager detailing the rationale for the request (the proposer and seconder does not have to be a planning committee member). The Democratic Services and Elections Manager shall inform all councillors by email of the request to determine an application by full Council, including the rationale provided for that request. The matter would then be placed as an agenda item for consideration at the next Planning Committee meeting. The proposer and seconder would each be given three minutes to state their case. The decision to refer a planning application to the full Council will be decided by a majority vote of the Planning Committee.

GUIDANCE NOTE For Planning Committee Members

Probity in Planning – Role of Councillors

The Court of Appeal has held that Planning Committees are not acting in a judicial or quasi-judicial role when deciding planning applications but “in a situation of democratic accountability”. Planning Committee Members **must** therefore:

1. act fairly, openly and apolitically;
2. approach each planning application with an open mind, avoiding pre-conceived opinions;
3. carefully weigh up all relevant issues;
4. determine each application on its individual planning merits;
5. avoid undue contact with interested parties;
6. ensure that the reasons for their decisions are clearly stated and
7. consider the interests and well-being of the whole borough and not only their own ward.

The above role applies also to councillors who are nominated as substitutes to the Planning Committee.

Reason for Refusal

How a reason for refusal is constructed.

A reason for refusal should carefully describe the harm of the development as well as detailing any conflicts with policies or proposals in the development plan which are relevant to the decision.

When formulating reasons for refusal Members will need to:

- (1) Describe those elements of the proposal that are harmful, e.g. bulk, massing, lack of something, loss of something.
- (2) State what the harm is e.g. character, openness of the green belt, retail function and;
- (3) The reason will need to make reference to policy to justify the refusal.

Example

The proposed change of use would result in the loss of A1 retail frontage at Guildford Town Centre, which would be detrimental to the retail function of the town and contrary to policy SS9 in the Guildford Local Plan.

Reason for Approval

How a reason for approval is constructed.

A reason for approval should carefully detail a summary of the reasons for the grant of planning permission and a summary of the policies and proposals in the development plan, which are relevant to the decision.

Example:

The proposal has been found to comply with Green Belt policy as it relates to a replacement dwelling and would not result in any unacceptable harm to the openness or visual amenities of the Green Belt. As such the proposal is found to comply with saved policies RE2 and H6 of the Council's saved Local Plan and national Green Belt policy in the NPPF.

Reason for Deferral

Applications should only be deferred if the Committee feels that it requires further information or to enable further discussions with the applicant or in exceptional circumstances to enable a collective site visit to be undertaken.

Clear reasons for a deferral must be provided with a summary of the policies in the development plan which are relevant to the deferral.

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

NOTES:

Officer's Report

Officers have prepared a report for each planning or related application on the Planning Committee Index which details:

- Site location plan;
- Site Description;
- Proposal;
- Planning History;
- Consultations; and
- Planning Policies and Considerations.

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 each report.

Written Representations

Copies of representations received in respect of the applications listed are available for inspection by Councillors online via the planning portal: <https://publicaccess.guildford.gov.uk/online-applications/>.

Late representations will be summarised in a report which will be circulated at the meeting.

Planning applications and any representations received in relation to applications are available for inspection at the Planning Services reception by prior arrangement with the Executive Head of Planning Development. This information is also available online via the planning portal: <https://publicaccess.guildford.gov.uk/online-applications/>

Background Papers

In preparing the reports relating to applications referred to on the Planning Committee Index, the Officers refer to the following background documents:

- The Town and Country Planning Act 1990, Planning and Compulsory Purchase Act 2004, the Localism Act 2011 and other current Acts, Statutory Instruments and Circulars as published by the Department for Communities and Local Government (CLG).

- Guildford Borough Local Plan: Strategy and Sites 2015-2034.
- Emerging Local Plan Development Management Policies
- The South East Plan, Regional Spatial Strategy for the South East (May 2009).
- The National Planning Policy Framework (NPPF) (March 2012)
- The Town and Country Planning (General Permitted Development) Order 1995, as amended (2010).
- Consultation responses and other correspondence as contained in the application file, together with such other files and documents which may constitute the history of the application site or other sites in the locality.

Human Rights Act 1998

The Human Rights Act 1998 (the 1998 Act) came into effect in October 2000 when the provisions of the European Convention on Human Rights (the ECHR) were incorporated into UK Law.

The determination of the applications which are the subject of reports are considered to involve the following human rights issues:

- 1 Article 6(1): right to a fair and public hearing

In the determination of a person's civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the hearing in certain circumstances (e.g. in the interest of morals, strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.)

- 2 Article 8: right to respect for private and family life
(including where the article 8 rights are those of children s.11 of the Children Act 2004)

Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public

authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

s.11 of the Children Act 2004 requires the Council to make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children. Furthermore, any services provided by another person pursuant to arrangements made by the Council in the discharge of their functions must likewise be provided having regard to the need to safeguard and promote the welfare of children.

3 Article 14: prohibition from discrimination

The enjoyment of the rights and freedoms set out in the ECHR shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

4 Article 1 Protocol 1: protection of property;

Every person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. However, the state retains the right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

5 Article 2 Protocol 1: right to education.

No person shall be denied the right to education.

Councillors should take account of the provisions of the 1998 Act as they relate to the applications on this agenda when balancing the competing interests of the applicants, any third party opposing the application and the community as a whole in reaching their decision. Any interference with an individual's human rights under the 1998 Act/ECHR must be just and proportionate to the objective in question and must not be arbitrary, unfair or oppressive. Having had regard to those matters in the light of the convention rights referred to above your officers consider that the

recommendations are in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

Costs

In planning appeals the parties involved normally meet their own costs. Most appeals do not result in a costs application. A costs award where justified is an order which states that one party shall pay to another party the costs, in full or in part, which have been incurred during the process by which the Secretary of State or Inspector's decision is reached. Any award made will not necessarily follow the outcome of the appeal. An unsuccessful appellant is not expected to reimburse the planning authority for the costs incurred in defending the appeal. Equally the costs of a successful appellant are not borne by the planning authority as a matter of course.

However, where:

- A party has made a timely application for costs
- The party against whom the award is sought has behaved unreasonably; and
- The unreasonable behaviour has directly caused the party applying for the costs to incur unnecessary or wasted expense in the appeal process a full or partial award is likely.

The word "unreasonable" is used in its ordinary meaning as established in the courts in *Manchester City Council v SSE & Mercury Communications Limited 1988 JPL 774*. Behaviour which is regarded as unreasonable may be procedural or substantive in nature. Procedural relates to the process. Substantive relates to the issues arising on the appeal. The authority is at risk of an award of costs against it if it prevents or delays development, which should clearly be permitted having regard to the development plan. The authority must produce evidence to show clearly why the development cannot be permitted. The authority's decision notice must be carefully framed and should set out the full reasons for refusal. Reasons should be complete, precise, specific and relevant to the application. The Planning authority must produce evidence at appeal stage to substantiate each reason for refusal with reference to the development plan and all other material considerations. If the authority cannot do so it is at risk of a costs award being made against it for unreasonable behaviour. The key test is whether evidence is produced on appeal which provides a respectable basis for the authority's stance in the light of *R v SSE ex parte North Norfolk DC 1994 2 PLR 78*. If one reason is not properly supported but substantial

evidence has been produced in support of the others a partial award may be made against the authority. Further advice can be found in the *Department of Communities and Local Government Circular 03/2009* and now *Planning Practice Guidance: Appeals paragraphs 027-064 inclusive*.

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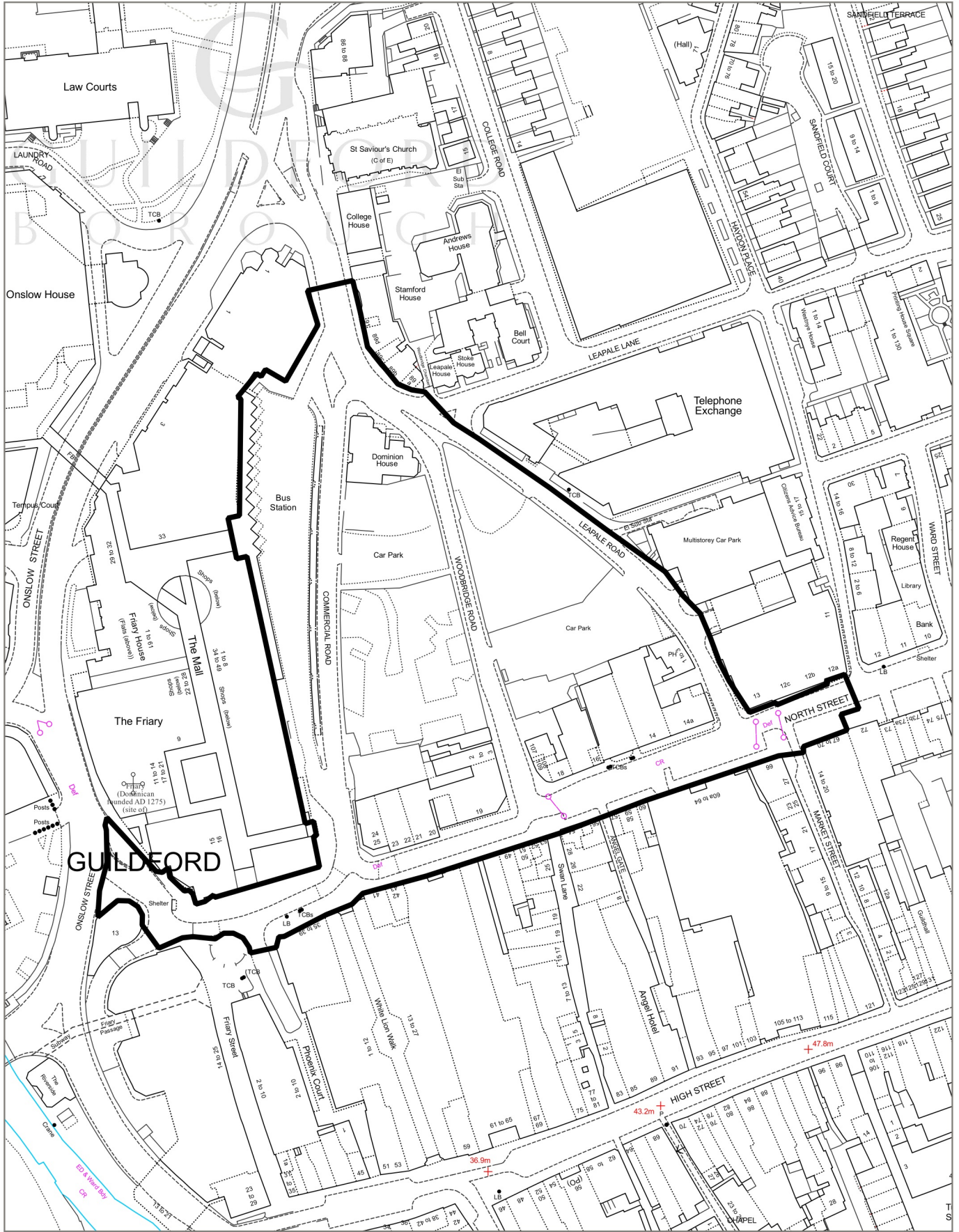
GUILDFORD BOROUGH COUNCIL**PLANNING COMMITTEE INDEX****11/10/2023**

Item No.	Ward	Applicant	Location	App.No.	Rec.	Page
4.1	Castle	St Edward's Homes Ltd	Land bounded by The Friary Centre Bus Station, North Street, Leapdale Road, Guildford, GU1	23/P/01211	S106	21.
4.2	Castle	St Edward's Homes Ltd	17 North Street, Guildford, GU1 4HF	22/P/01409	APPC	175.
4.3	Worplesdon	Mr & Mrs Ryder	19 Hillbrow Close, Wood Street Village, GU3 3DF	23/P/00794	APPC	185.

Total Applications for Committee 3

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23/P/01211 - Land Bounded By The Friary Centre Bus Station, North Street, Leapale Road, Guildford



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This map is for identification purposes only and should not be relied upon for accuracy.

Print Date: 29/09/2023



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23/P/01211 - Land bounded by the Friary Centre Bus Station, North Street and Leapale Road, Guildford, GU1



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App No: 23/P/01211
Appn Type: Full Application
Case Officer: John Busher
Parish: Holy Trinity
Agent : Mr Robert Steele
Savills Guildford
244 - 246 High Street
Guildford
Surrey
GU1 3JF

8 Wk Deadline: 06/11/2023

Ward: Castle
Applicant: Mr Robert Packham
St Edward Homes Ltd

Location: Land bounded by the Friary Centre Bus Station, North Street, Leapale Road, Guildford, GU1

Proposal: A mixed use redevelopment on a site bounded by North Street, Leapale Road and including Commercial Road and part of Woodbridge Road, Guildford comprising:

- Demolition of existing buildings;
- A new bus interchange with new access junction arrangement, new canopy, waiting facilities, a hard and soft landscaped pedestrian public area and hardstanding;
- Erection of buildings ranging from 4 to 11 storeys comprising the following uses: residential dwellings with associated car parking, hard and soft landscaped communal areas, ancillary cycle storage, residents gym, concierge and management office (Use Class C3); flexible non-residential floor space (Class E) together with;
- Hard and soft landscaped areas to form pedestrianised streets and public spaces; Associated vehicular access, servicing arrangements, plant, highway works (including alterations to North Street, Leapale Road and Commercial Road; and junctions at Leapale Road / North Street; Leapale Road / Commercial Road / Woodbridge Road) and associated infrastructure;
- The stopping up of adopted highway (including Commercial Road and Woodbridge Road); Alterations to a Listed Building (17 North Street) including the exposure to part of the flank elevation and party wall works.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because its scale and complexity and the level of public interest in the proposal.

Key information

The application site is an assembly of a large number of plots and buildings which are located to the north of North Street in Guildford town centre. The site has an area of 2.69 hectares - its western boundary is formed of The Friary shopping centre, its eastern boundary by Leapale Road, the southern boundary by North Street and the northern boundary is situated at the junction of Commercial Road, Woodbridge Road and Leapale Road. The site currently includes a number of land uses which include Guildford bus station, Council operated surface level car parks and the land between Commercial Road and Woodbridge Road which is currently vacant.

In terms of buildings, the largest on the site is known as Dominion House which is a four storey office block which currently partly occupied. The site also includes the two storey retail property on the western side of Woodbridge Road which is known as 'Rugmart' and a part two, part single storey building which occupies the corner of North Street and Woodbridge Road which is also in various retail uses. On North Street, the site also includes the bar/restaurant known as All Bar One, Guildford Cobblers and 15 North Street which is currently vacant.

The site falls in height from south to north and from east to west. The lowest point is in the vicinity of Dominion House. The site is devoid of any notable vegetation or trees.

In terms of constraints, the site is located within the urban area of Guildford and within the town centre boundary. It is opposite (north of and not within) Guildford Town Centre Conservation Area and within an Area of High Archaeological Importance. The site includes a Grade II listed building (All Bar One) and is opposite Stoke House on Leapale Lane which is Grade II listed. Numbers 41-43 North Street, which is to the south of the site is locally listed. Most of the street frontages around the site are defined as being part of the town centre's Secondary Shopping Frontage.

In terms of the surrounding land uses it is noted that the southern boundary of the site fronts onto North Street which is characterised mainly by retail, commercial and office uses. The upper end of North Street hosts the on-street market and the lower end includes The Friary shopping centre and Friary Street which is one of the main restaurant areas in the town centre. The eastern boundary of the site runs along Leapale Road. Opposite the site on Leapale Road is a Council owned and operated multi-storey car park which is set over 12 levels of parking and the Telephone Exchange building which has a maximum height which is broadly equivalent to seven storeys. The northern end of the site is around the junction of Commercial Road, Woodbridge Road, Leapale Road and Leapale Lane. This contains Dominion House which would be demolished as part of the development. As noted above, to the west of the site is The Friary shopping centre and closer to Onslow Street are a number of large scale office buildings.

The application site forms part of a larger allocation in the Local Plan under policy A5. The specific requirements of policy A5 will be set out in detail below, but in summary, the allocation is for: a comprehensive mixed use redevelopment with:

1. approximately 41,000 sq m (gross) comparison retail floorspace or a figure that is consistent with subsequent updates to the Guildford Retail and Leisure studies
2. approximately 6,000 sq m food and drink (A3) and drinking establishments (A4)
3. approximately 400 homes (C3)
4. provision of 1 gym (D2)

Proposal

A mixed use redevelopment on a site bounded by North Street, Leapale Road and including Commercial Road and part of Woodbridge Road, Guildford comprising:

- demolition of existing buildings;
- a new bus interchange with new access junction arrangement, new canopy, waiting facilities, a hard and soft landscaped pedestrian public area and hardstanding;
- erection of buildings ranging from 4 to 11 storeys comprising the following uses: residential dwellings with associated car parking, hard and soft landscaped communal areas, ancillary cycle storage, residents gym, concierge and management office (Use Class C3), flexible non-residential floor space (Class E) together with;
- hard and soft landscaped areas to form pedestrianised streets and public spaces; associated vehicular access, servicing arrangements, plant, highway works (including alterations to North Street, Leapale Road and Commercial Road, and junctions at Leapale Road / North Street,

- Leapale Road / Commercial Road / Woodbridge Road) and associated infrastructure;
- the stopping up of adopted highway (including Commercial Road and Woodbridge Road); and
- alterations to a Listed Building (17 North Street) including the exposure to part of the flank elevation and party wall works.

In total 471 dwellings are proposed, along with 2,019sqm of Class E floorspace. Of the proposed dwellings 47 would be for affordable homes (31 affordable rent and 16 shared ownership).

Summary of considerations and constraints

It is noted that the Local Planning Authority has previously considered a scheme for the regeneration of the site in 2022, culminating in that application being considered by the Council's Planning Committee in January 2023. The Planning Committee refused that application for eight reasons. The previous application is now at appeal, with a public inquiry due to commence in December 2023.

The current proposal seeks to overcome the previous reasons for refusal.

The application site forms a large portion of an important town centre allocation for a mixed used development including residential accommodation and commercial floorspace. The delivery of the scheme, and therefore a large portion of the allocation, is an important aspect of the proposal.

It will be concluded in the report that the development would be compliant with the requirements of the allocation. While a reduced quantum of commercial floorspace is provided, this is allowed through the policy and has been tested by independently appointed experts. Given the current environment the commercial floorspace envisaged by the allocation is no longer realistic. The now residential led development would bring a significant number of new homes to the town centre. These would be located in a highly sustainable location, close to transport routes, jobs and shops and services. The residential units would also make a material and meaningful contribution to the Council's housing supply. While the scheme has been confirmed to be unviable with zero affordable housing, through negotiation with Officers, the applicant has now offered 47 on-site units with a mix of affordable rent and shared ownership.

It is noted that the site is in a sensitive town centre location and is close to listed buildings and conservation areas. While it is acknowledged that the proposal has a modern appearance and would have its own character, it still reflects and has references to the surrounding built environment. The Council's Urban Design Officer is of the opinion that the proposal complies with the relevant design policies of the Local Plan. In addition, while harm to heritage assets has been identified by both the Council's Conservation Officer and Historic England, the public benefit balance that has been carried out by Officers concludes that the public benefits of the proposal clearly and demonstrably outweigh this.

The proposal would result in long-lasting and diverse benefits to the town. The site has been derelict for a considerable period of time and this proposal would act as a catalyst for its regeneration. The associated public realm works and the pedestrianisation of North Street would transform this part of the town centre and would materially improve its appearance and character. The proposal would also see significant improvements to the bus station with the provision of new passenger facilities. The two access points would also offer a resilience to operations. Other benefits have been set out in the report and include beyond policy requirement carbon reduction measures and biodiversity net gain. The proposal would also result in significant economic benefits from both the construction of the scheme as well as the proposed commercial units and introducing a significant residential population into the area.

As well as the heritage harm which has been noted above, harm has also been found to be caused to the amenity of some residential dwellings. The applicant is also failing to fully mitigate the impact of the scheme on open space.

A detailed planning balance has been undertaken and in summary, the benefits of the proposal are so significant and are of such importance that they do clearly and demonstrably outweigh the harm which has been identified (even when giving substantial weight and great importance to the heritage harm). As such, the application is recommended for approval, subject to the conditions outlined in this report and the completion of a legal agreement which will secure the Head of Terms.

RECOMMENDATION:

(i) That a s.106 agreement be entered into to secure:

- **provision of a unit within the scheme which may be used by the NHS (with terms to be agreed) as a health or medical care facility or in lieu of this a primary healthcare contribution;**
- **education contribution;**
- **police contribution;**
- **management and future maintenance of all open space (private and public) and the public realm within the site (with the exception of the North Street pedestrianisation, Leapale Road and the bus station);**
- **that all areas of public realm (excluding Friary Gardens) remain publicly accessible twenty four hours per day except for identified reasons, in perpetuity where they replace the width and alignment of Woodbridge Road and Commercial Road, and for the lifetime of the development in all other locations;**
- **that, for the lifetime of the development, Friary Gardens shall be publicly accessible during each day though shall be closed at an identified time each evening until a specified time the following morning and accessible for residents only;**
- **the provision of a minimum of three car club vehicles for a minimum of five years; £50 worth of free travel for car club vehicles for each residential unit and three year's free membership of the car club for all initial occupants of the residential units;**
- **provide each dwelling with a combined cycle/bus voucher of £250;**
- **SANG (Suitable Alternative Natural Green Space) contribution (or securing private SANG which would be suitable to mitigate the development);**
- **SAMM (Strategic Access Management and Monitoring) contributions;**
- **that the bus station improvements (as approved through this application and include the new passenger waiting, toilet and staff areas) to be completed by the occupation of 50% of the dwellings within phase 3 (i.e. the 125th dwelling overall);**
- **that North Street Square, North Street pedestrianisation works and Friary Circus to be completed by the occupation of the final dwelling within phase 3 (i.e. the 164th dwelling overall);**
- **that the North Street and Leapale Road junction, Leapale Road works and overall scheme highway works are delivered by the occupation of the final dwelling in phase 4 (i.e. the 290th dwelling overall);**
- **that the Dial and Friary Gardens be completed before the first occupation of the market units within phase 6 (i.e. the 331st dwelling);**
- **that all other public realm works are delivered in delivered prior to the**

- occupation of the following phase;
- that the applicant must undertake an early stage viability review if the scheme does not commence within a defined period of the full grant of planning permission. The applicant will cover the Council's costs of independently assessing the review; and
- the provision of 47 affordable dwellings (31 affordable rent and 16 shared ownership units) which must be delivered before the first occupation of the market units within phase 6.

If the terms of the s.106 or wording of the planning conditions are materially amended as part of ongoing s.106 or planning condition(s) negotiations, any changes shall be agreed in consultation with the Chairman of the Planning Committee and Ward Members.

(ii) That upon completion of the above, the application be determined by the Joint Executive Head of Planning Development. The recommendation is to approve planning permission, subject to conditions.

(iii) If, after 12 months has elapsed since the resolution of the Planning Committee to grant planning permission, the s.106 agreement is not completed then the application may be refused on the basis that the necessary mitigations to offset the impact of the development cannot be secured.

Approve - subject to the following condition(s) and reason(s) :-

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

Reason: To comply 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan	1653-JTP-ES-RF-DR-A-0001	P1
Demolition Site Sections (5 sheets)	1 of 5: 01653-JTP-ES-XX-DR-A-0008	P1
	2 of 5: 01653-JTP-ES-XX-DR-A-0009	P1
	3 of 5: 01653-JTP-ES-XX-DR-A-0010	P1
	4 of 5: 01653-JTP-ES-XX-DR-A-0011	P1
	5 of 5: 01653-JTP-ES-UG-DR-A-001	P1

	2	
Proposed Elevation Plans (15 sheets)	1 of 15: 01653C-JTP-BA-ZZ-DR-A-0500	P1
	2 of 15: 01653C-JTP-BB-ZZ-DR-A-0500	P1
	3 of 15: 01653C-JTP-BB-ZZ-DR-A-0501	P1
	4 of 15: 01653C-JTP-BB-ZZ-DR-A-0502	P1
	5 of 15: 01653C-JTP-BC-ZZ-DR-A-0500	P1
	6 of 15: 01653C-JTP-BC-ZZ-DR-A-0501	P1
	7 of 15: 01653C-JTP-BC-ZZ-DR-A-0502	P1
	8 of 15: 01653C-JTP-BC-ZZ-DR-A-0503	P1
	9 of 15: 01653C-JTP-BD-ZZ-DR-A-0500	P1
	10 of 15: 01653C-JTP-BD-ZZ-DR-A-0501	P1
	11 of 15: 01653C-JTP-BD-ZZ-DR-A-0502	P1
	12 of 15: 01653c-JTP-BD-ZZ-DR-A-0503	P1
	13 of 15: 01653C-JTP-BD-ZZ-DR-A-0503	P1
	14 of 15: 01653C-JTP-BE-ZZ-DR-A-0500	P1
	15 of 15: 01653C-JTP-BE-ZZ-DR-A-0501	P1
Proposed Site Plans (various levels) (14 Sheets)	1 of 14: 01653C-JTP-MP-LG-DR-A-0200	P2
	2 of 14: 01653C-JTP-MP-UG-DR-A-0201	P2
	3 of 14: 01653C-JTP-MP-01-DR-A-02	P2

	02 4 of 14: 01653C-JTP-MP-02-DR-A-02 03 5 of 14: 01653C-JTP-MP-03-DR-A-02 04 6 of 14: 01653C-JTP-MP-04-DR-A-02 05 7 of 14: 01653C-JTP-MP-05-DR-A-02 06 8 of 14: 01653C-JTP-MP-06-DR-A-02 07 9 of 14: 01653C-JTP-MP-07-DR-A-02 08 10 of 14: 01653C-JTP-MP-08-DR-A-02 09 11 of 14: 01653C-JTP-MP-09-DR-A-02 10 12 of 14: 01653C-JTP-MP-10-DR-A-02 11 13 of 14: 01653C-JTP-MP-11-DR-A-02 12 14 of 14: 01653C-JTP-MP-RF-DR-A-0 213	P2 P2 P2 P2 P2 P2 P2 P2 P1 P1 P1 P1
Proposed Roof Plan	01653C-JTP-MP-RF-DR-A-0 101	P1
Ground Floor Demolition Plan (bus station)	19602-SBR-ZZ-00-DR-A-021 00	A
Existing and Proposed Elevation Plans (bus station)	19602-SBR-ZZ-ZZ-DR-A-111 00	B
Proposed Ground Floor Plan - Single Canopy Option (bus station)	19602-SBR-ZZ-00-DR-A-201 00	C
Proposed Roof Plan - Single Canopy Option (bus station)	19602-SBR-ZZ-RF-DR-A-201 10	B
Proposed Block Plan (various levels) (40 sheets)	1 of 40: 01653C-JTP-BA-GF-DR-A-03 00 2 of 40: 01653C-JTP-BA-ZZ-DR-A-03	P1 P1

01	
3 of 40: 01653C-JTP-BB-UG-DR-A-0300	P2
4 of 40: 01653C-JTP-BB-01-DR-A-0301	P2
5 of 40: 01653C-JTP-BB-02-DR-A-0302	P2
6 of 40: 01653C-JTP-BB-03-DR-A-0303	P2
7 of 40: 01653C-JTP-BB-04-DR-A-0304	P2
8 of 40: 01653C-JTP-BB-05-DR-A-0305	P2
9 of 40: 01653C-JTP-BB-06-DR-A-0306	P2
10 of 40: 01653C-JTP-BB-07-DR-A-0307	P1
11 of 40: 01653C-JTP-BC-UG-DR-A-0300	P1
12 of 40: 01653C-JTP-BC-01-DR-A-0301	P1
13 of 40: 01653C-JTP-BC-02-DR-A-0302	P1
14 of 40: 01653C-JTP-BC-03-DR-A-0303	P1
15 of 40: 01653C-JTP-BC-04-DR-A-0304	P1
16 of 40: 01653C-JTP-BC-05-DR-A-0305	P1
17 of 40: 01653C-JTP-BC-06-DR-A-0306	P1
18 of 40: 01653C-JTP-BC-07-DR-A-0307	P1
19 of 40: 01653C-JTP-BC-08-DR-A-0308	P1
20 of 40: 01653C-JTP-BC-RF-DR-A-03	P1

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21 of 40:	P1
01653C-JTP-BC-LG-DR-A-03	
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22 of 40:	P2
01653C-JTP-BD-LG-DR-A-03	
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23 of 40:	P2
01653C-JTP-BD-UG-DR-A-0	
301	
24 of 40:	P2
01653C-JTP-BD-01-DR-A-03	
02	
25 of 40:	P2
01653C-JTP-BD-02-DR-A-03	
03	
26 of 40:	P2
01653C-JTP-BD-03-DR-A-03	
04	
27 of 40:	P2
01653C-JTP-BD-04-DR-A-03	
05	
28 of 40:	P2
01653C-JTP-BD-05-DR-A-03	
06	
29 of 40:	P2
01653C-JTP-BD-06-DR-A-03	
07	
30 of 40:	P2
01653C-JTP-BD-07-DR-A-03	
08	
31 of 40:	P2
01653C-JTP-BD-08-DR-A-03	
09	
32 of 40:	P2
01653C-JTP-BD-09-DR-A-03	
10	
33 of 40:	P1
01653C-JTP-BD-10-DR-A-03	
11	
34 of 40:	P1
01653C-JTP-BE-00-DR-A-03	
00	
35 of 40:	P1
01653C-JTP-BE-ZZ-DR-A-03	
01	
36 of 40:	P1
01653C-JTP-BE-ZZ-DR-A-03	
02	
37 of 40:	P1
01653C-JTP-BE-ZZ-DR-A-03	
03	
38 of 40:	P1
01653C-JTP-BE-ZZ-DR-A-03	

	04 39 of 40: 01653C-JTP-BE-ZZ-DR-A-03 05 40 of 40: 01653C-JTP-BE-RP-DR-A-03 06	P1 P1
Masterplan – Proposed Site Sections (with Adjoining elevations of neighbouring buildings - see street scenes North Street and Leapale Road) (5 sheets)	1 of 5: 01653C-JTP-MP-ZZ-DR-A-04 00 2 of 5: 01653C-JTP-MP-ZZ-DR-A-04 01 3 of 5: 01653C-JTP-MP-ZZ-DR-A-04 02 4 of 5: 01653C-JTP-MP-ZZ-DR-A-04 03 5 of 5: 01653C-JTP-MP-ZZ-DR-A-04 04	P1 P1 P1 P1 P1
Combined coloured masterplan layout	01653C-SK101-Combined Coloured Masterplan	A
Existing Elevations Plans	1 of 4: 01653C-JTP-ES-XX-DR-A-00 04 2 of 4: 01653C-JTP-ES-XX-DR-A-00 05 3 of 4: 01653C-JTP-ES-XX-DR-A-00 06 4 of 4: 01653C-JTP-ES-XX-DR-A-00 07	P1 P1 P1 P1
Existing Topographical Survey (Levels)	01653C-JTP-ES-RF-DR-A-00 02	P1
Existing Site Sections	01653C-JTP-ES-XX-DR-A-00 03	P1
Landscape Masterplan (All Levels)	1599-020	J
Site Levels Strategy Plan (2 sheets)	01653C-JTP-MP-RF-DR-A-0 102 01653C-JTP-MP-RF-DR-A-0 103	P2 P2
Proposed First Floor Plan - Single Canopy	19602-SBR-ZZ-01-DR-A-201 05	C

Option (Bus Station) | | |

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. No above ground works (with the exception of site clearance, demolition and ground works) shall take place on a particular block until details and samples of the proposed external facing and roofing materials for the given block, including colour and finish, have been submitted to and approved in writing by the Local Planning Authority. The proposed materials shall be in accordance with those set out in the Design and Access Statement, in particular the information provided in Section 10.4 (Materials Strategy). The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the buildings are satisfactory.

4. No above ground works (with the exception of site clearance, demolition and ground works) shall take place on a particular block until a sample panel for the given block which includes all proposed external wall finishes (size of not less than one metre square, showing proposed brick, brick bond, pointing and / or paint finish), have been constructed on site and approved in writing by the Local Planning Authority. Once approved the panel(s) shall remain on site for inspection until the completion of that block for comparison. The development shall only be carried out in accordance with the approved sample panel(s).

Reason: To ensure that the external appearance of the buildings are satisfactory.

5. No above ground works (with the exception of site clearance, demolition and ground works) shall take place on a particular block until details of the design, construction and material of the balconies, Juliet balconies, windows and doors for the given block have been submitted to and approved in writing by the Local Planning Authority. The proposed materials shall be in accordance with those set out in the Design and Access Statement, in particular the information provided in Section 10.5 (Windows / Doors / Cladding Strategy). The submitted details shall include the depth of reveal, method of opening, details of head, side casing and cills. The development shall only be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the buildings are satisfactory.

6. No above ground works (with the exception of site clearance, demolition and ground works) shall take place on a particular block until details and drawings of all proposed vents, flues, downpipes, satellite dishes, all roof plant and machinery and lift over-runs for the given block have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the agreed details.

Reason: To ensure that the external appearance of the buildings are satisfactory.

7. No above ground works (excluding operations including site preparation, demolition, excavation and enabling works) shall take place on the approved bus station until details and samples of the proposed external facing and roofing materials including colour and finish, which shall be in general accordance with the information provided in the submitted Design and Access Statement, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the bus station is satisfactory.

8. Before any of the approved commercial units are first occupied, a Shopfront and Advertisement Strategy, which includes all commercial units within the scheme, shall be submitted to and agreed in writing by the Local Planning Authority. The Strategy shall set out a consistent framework for how shopfronts and advertisements will be detailed as part of the scheme. Subsequent to the approval of the Strategy, the development, fit-out and completion of the commercial units shall comply with the approved details.

Reason: To ensure that the external appearance of the commercial premises are satisfactory.

9. No above ground works (excluding operations including site preparation, demolition, excavation and enabling works) shall take place in a relevant phase until a Public Realm Strategy for that phase has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the Strategy will apply to each of the public realm areas (including all pedestrian routes) and North Street pedestrianisation. The Strategy shall include details, drawings and samples (where required) of the hard landscaping, site signage, all street furniture, lighting and any boundary treatments (including any gates, walls and fences). The proposals shall also include details of containers, planting pits and planting trenches, roof planting build up, solar grow lights (where required), water harvesting, irrigation and drainage. The proposals shall also include exact details and drawings of all street tree planting pits showing how trees will be planted in within the public realm to ensure that they have adequate room to grow and thrive within the development. The Strategy shall include a phasing plan for the delivery of the agreed works. The development shall only be carried out in full accordance with the agreed details, including the agreed phasing plan.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

10. Before the commercial units are first occupied an Outdoor Seating Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan

shall clearly indicate where outdoor seating associated with the commercial units can be located. The development shall only be carried out in full accordance with the agreed details.

Reason: To protect the character and appearance of the development and to ensure that adequate space is provided for pedestrians.

11. The residential blocks hereby approved shall not be occupied until full details, of both hard and soft landscape proposals for the private residential amenity spaces and roof gardens for each block, including a schedule of landscape maintenance for a minimum period of ten years, have been submitted to and approved in writing by the Local Planning Authority. The proposals shall include details of containers, planting pits and planting trenches, roof planting build up, solar grow lights (where required), water harvesting, irrigation and drainage. The proposals shall also include exact details and drawings of all tree planting pits showing how trees will be planted to ensure that they have adequate room to grow and thrive within the development. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented and made available for use prior to the occupation of the relevant block and retained thereafter.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

12. All planting, seeding or turfing approved (for the whole scheme) shall be carried out in the first planting and seeding season following the occupation of each block or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of ten years after planting, are removed, die or become seriously damaged or diseased in the opinion of the Local Planning Authority, shall be replaced in the next available planting sooner with others of similar size, species and number, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

13. Before the first residential occupation of the development, a Public Art Strategy for the site shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall include a timetable for the delivery of the agreed public art. The development shall only be carried out in full accordance with the agreed details.

Reason: To ensure that the development is delivered with public art for the benefit of the character and appearance of the site and wider area.

14. Before the occupation of the 450th dwelling of the development a certificate demonstrating that Secured by Design (physical security) in accordance with the Secured by Design Homes 2023 or as amended, has been successfully

achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is acceptable in terms of crime and safety.

15. Before the first occupation of a particular residential block which includes children's playspace, a Children's Playspace Design shall be submitted to and approved in writing by the Local Planning Authority for the given block. This shall include details of the play equipment used within the private residential amenity areas and details of how the equipment will be maintained for the lifetime of the development. The agreed details shall be implemented before the first occupation of the residential units within the relevant block and shall be retained in perpetuity.

Reason: To ensure that the development includes areas for children's play.

16. Before the commencement (excluding operations including site preparation, demolition, excavation and enabling works) of the 'Friary Circus' public realm works, details and plans of the children's play features to be incorporated within the 'Friary Circus' landscaping as well as a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented in full before 'Friary Circus' is made available for public use and shall be retained for the lifetime of the development.

Reason: To ensure that children's playspace is provided as part of the development.

17. Before the commencement (excluding operations including site preparation, demolition, excavation and enabling works) of the 'North Street Square' public realm works, full detailed drawings and specifications and a maintenance strategy for the water feature within the 'North Street Square' shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the agreed details and the water feature shall be installed and made operational before the first occupation of the commercial unit which fronts onto North Street Square. The water feature shall be retained in full working order for the lifetime of the development.

Reason: To ensure that the public realm is of a high quality.

18. 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 final solution will effectively manage the 1 in 30

(+35% allowance for climate change) and 1 in 100 (+45% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 6.4 l/s.

- 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) 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 from increased flood risk.
- e) details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) 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.

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.

19. Prior to the first occupation of each block or area of public realm of the development, a verification report for that block / area of public realm, carried out by a qualified drainage engineer, shall be submitted to and approved in writing by the Local Planning Authority. This must demonstrate that the surface water drainage system for that block / area of public realm 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), and confirm any defects have been rectified.

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

20. Works on the pedestrianisation of North Street 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 seek opportunities for amenity, and biodiversity enhancements through the use of SuDS, to reduce existing surface water flows and downstream impacts, as indicatively set out in drawing number 3500 (showing areas to be considered for works within the public highway to deal with the existing surface water flow route) and Section 1.9 of the 'Highways Drainage Strategy' (which is contained in the 'Rainwater Drainage (SuDS) Strategy (Drainage Strategy)' (reference WSL-ZZ-XX-RP-P-00001 D, November 2022)) which sets out the principles to be followed through to detailed design. The scheme shall also set out a phasing plan for the implementation of the agreed details. The development shall only be constructed in accordance with the agreed details.

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 whilst seeking opportunities to reduce overall surface water flood risk.

21. Works within the public highway (other than North Street which is controlled by a separate condition) shall not commence until details of the design of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must seek opportunities for amenity, and biodiversity enhancements using SuDS, to reduce existing surface water flows and downstream impacts.

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 whilst seeking opportunities to reduce overall surface water flood risk.

22. The development hereby approved shall only be carried out in full accordance with the submitted Energy Statement (dated August 2023, prepared by Hodkinson) and Sustainability Statement (dated August 2023, prepared by Hodkinson).

Reason: To reduce carbon emissions and incorporate sustainable energy as part of the development.

23. The residential development hereby permitted must comply with regulation 36 paragraph 2(b) of the Building Regulations 2010 (as amended) to achieve a water efficiency of 110 litres per occupant per day (described in part G2 of the Approved Documents 2015). Before the first occupation of each residential block, a copy of the wholesome water consumption calculation notice (described at regulation 37 (1) of the Building Regulations 2010 (as amended)) which demonstrate that this condition has been met shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To improve water efficiency throughout the development.

24. Before the development hereby approved is commenced a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall demonstrate how waste generated from construction and excavation activities will be dealt with in accordance with the waste hierarchy. The Site Waste Management Plan will subsequently be kept up-to-date throughout the development process in accordance with the established methodology.

Reason: To ensure that the development takes waste hierarchy into account to manage waste. It is considered necessary for this to be a pre-commencement condition because waste will begin to be generated as soon as any development commences on the site.

25. The development shall only take place in accordance with a written programme

of archaeological work including a Written Scheme of Investigation that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following elements:

1. the programme and methodology of site investigation and recording
2. the programme for post investigation assessment
3. provision to be made for analysis of the site investigation and recording
4. provision to be made for publication and dissemination of the analysis and records of the site investigation
5. provision to be made for archive deposition of the analysis and records of the site investigation
6. nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
7. provision of an appropriate programme of public benefit and information.

Reason: To ensure that any archaeological remains that are present on the site are identified and recorded to appropriate professional standards and the results assessed, analysed and disseminated in accordance with the requirements of the National Planning Policy Framework.

26. Prior to the commencement of the development hereby approved, a Landscape and Ecological Management Plan (covering a 30 year period in accordance with Biodiversity Net Gain) which shall include (but not limited to) details of the schedule of works, habitat creation, number and location of bat and bird boxes, number and location of bee bricks, location and details of habitat piles, shall be submitted to and approved in writing by the Local Planning Authority. All approved details shall then be implemented in full and in accordance with the agreed timings and details.

Reason: To safeguard protected species and ecology.

27. Prior to i) demolition and / or ii) construction works, a Construction Environmental Management Plan (CEMP) for such works shall be submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP for the demolition and construction works (as applicable) shall be adhered to throughout the relevant period of works. The CEMP shall provide for:

- (a) an indicative programme for carrying out of the works
- (b) the arrangements for public consultation and liaison during the construction works
- (c) measures to minimise the noise and vibration generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
- (d) details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- (e) loading and unloading of plant and materials
- (f) storage of plant and materials used in constructing the development
- (g) measures to control the emission of dust, dirt and run-off during construction
- (h) measures to control the impact on hydrology of the locality

Reason: To ensure that satisfactory measures are put in place to protect the environment during the construction period. It is considered necessary for this to

be a pre-commencement condition because the management of the construction needs to be considered before construction commences.

28. The mitigation and enhancement measures identified within section 6 of the Ecological Appraisal report (Aspect Ecology, July 2022) shall be implemented in full and in accordance with a timetable which shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby approved.

Reason: To safeguard protected species, to increase the biodiversity of the site and mitigate any impact from the development.

29. Before the commenced of any block which contains residential units, a Wind Mitigation Strategy (including any necessary mitigation measures) shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall demonstrate that the proposal achieves a safe and comfortable wind environment throughout the development. The development shall only be carried out in full accordance with the agreed details which shall be retained in perpetuity.

Reason: To ensure that a safe and comfortable wind environment is achieved as part of the development.

30. Except for site clearance, demolition and enabling works, no other operations shall be commenced until a Highway Works Construction Delivery Plan has been submitted to and approved in writing by the Local Planning Authority. The Highway Works Construction Delivery Plan shall detail the programming, sequencing timing and delivery of the required highway works listed at paragraphs (a) to (e) below including the de-commissioning and Stopping Up of the existing highways at Woodbridge Road and Commercial Road:

a) the construction of the proposed vehicular access to Leapale Road including visibility zones in general accordance with the approved plans. Once constructed the vehicular and pedestrian visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

b) the proposed alterations to the highways of North Street, Woodbridge Road, Leapale Road, and Commercial Road in general accordance with the approved plans and the associated Traffic Regulation Orders as broadly illustrated on the Hierarchy Plan.

c) the installation of the proposed physical barriers on North Street and ancillary works to prevent vehicular access during restricted hours. Such details to include the exact design of the barriers and a proposed North Street Operational Management Strategy which once approved shall be implemented and operated in accordance with the approved details.

d) the widening and alteration of the existing bus lane on Woodbridge Road at both the bus station exit and at its junction with Onslow Street, in general accordance with the approved plans.

e) the proposed public realm works in North Street and Commercial Road in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such works to include:

i. the retention of the existing southern vehicular access for buses only from

North Street through an improved semi-pedestrianised Commercial Road to the remodelled bus station.

ii. high quality materials, street furniture, wayfinding signage and sustainable drainage features as may be required by the County Highway Authority, to an adoptable highway standard, where relevant.

iii. details to provide for the safe and efficient movement of cyclists through the pedestrianised area.

Once the Highway Works Construction Delivery Plan is approved, the required highway works shall be constructed at the applicant's expense and in general accordance with the approved plans under the terms of a S278 Highways Agreement to be entered into between the applicant and the County Highway Authority. Implementation shall be in strict accordance with the timescales and details specified in the agreed Plan (unless otherwise agreed in writing), and in further compliance with the County Highway Authority's Technical Approval and Road Safety Audit requirements.

f) the provision of improved bus stops at the eastern end of North Street in the vicinity of Guildford Library, to provide two improved westbound stops and two improved eastbound stops, all to include accessible height kerbing improved shelters and real time passenger timetabling information; all in accordance with the approved plans a revised details to be first agreed with the County Highway Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to ensure that the agreed highways and public realm works are completed to a high standard.

31. The development hereby approved shall not be first occupied unless and until a Vehicle and Parking Occupation Strategy Plan has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include a timetable for the setting out of parking and turning spaces within the site, in accordance with the approved plans, so that vehicles can be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The development shall only be constructed in full accordance with the agreed Strategy. Thereafter the parking and turning areas shall be permanently retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

32. The residential units hereby approved shall not be first occupied unless and until a scheme for the provision of electric vehicle charging points for all of the proposed parking spaces has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that all of the charging points are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply). The approved scheme shall be implemented and installed in accordance with the Vehicle and Parking Occupation Strategy agreed through condition 29. Thereafter the approved scheme shall be retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To encourage the use of electric cars in order to reduce carbon emissions.

33. Block C shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:
- a) the secure parking of a minimum of 810 bicycles within the residential development site,
 - b) the secure parking of a minimum of 473 e-bike charging points within the residential development site,
 - c) the secure parking of a minimum of 109 bicycles for non-residential land uses within the development site in locations to be agreed with the County Highway Authority,
 - d) 20% of the e-bike charging points shall be provided within secure lockers which have internal electrical sockets for the charging of removable e-bike batteries,
 - e) 5% of available cycle parking provided in communal cycle storage shall be provided as disabled spaces,
 - f) space to be provided for the parking of adaptive cycles in communal cycle storage,
 - g) facilities within the development site, other than for the residential uses, for cyclists to change into and out of cyclist equipment / shower, and
 - h) facilities within the development site, other than for the residential uses, for cyclists to store cycles and equipment.

Thereafter the approved facilities shall be provided, permanently retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to travel by means other than private motor vehicles.

34. No development on each phase of the development shall commence until a Construction Transport Management Plan for that phase, 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) HGV deliveries and hours of operation
 - g) construction vehicle routing
 - h) measures to prevent the deposit of materials on the highway
 - i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - j) on-site turning for construction vehicles
 - k) demonstrate how the existing public car parks on the site can safely operate during construction works (if appropriate)

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: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

35. Before any dwelling hereby approved is first occupied, a Travel Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall include details of an information / welcome pack to be provided to residents / staff / visitors regarding the availability of and whereabouts of local public transport / walking / cycling / car sharing clubs / car clubs. The Travel Statement shall be implemented in full upon the first occupation of the development. Thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To encourage travel by means other than private motor vehicles.

36. The residential dwellings in Blocks B and C shall not be first occupied unless and until the proposed three oversailing balconies on Leapale Road are provided with a s.177 licence under the terms of the Highways Act 1980 and in accordance with the requirements of the County Highway Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

37. The proposed works to the reconfigured Bus Station shall not be commenced unless and until an Access and Management Strategy for the Bus Station has been submitted to and approved in writing by the Local Planning Authority. The agreed Strategy shall be implemented at all times upon first use of the reconfigured bus station.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

38. No part of the reconfigured Bus Station shall be brought into use unless and until the developer has funded and installed the following in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority:

i. the provision of raised kerbing (to a height of 140mm) to ensure level access onto / off buses for those with mobility issues,

ii. the Provision of:

- a. new high quality bus shelters serving stops 14,15 and 16,
 - b. real Time Passenger Information for every bus stop,
 - c. high quality arrival/departure boards that have a Content Management System installed,
- All to be provided in accordance with SCC's approved suppliers.

iii. details of an Bus Station Operational, Maintenance and Management Plan,

iv. the provision of further improved staff and customer facilities, at the existing kiosk locations at the northern end of the bus station to provide

- a. additional customer waiting areas

- b. customer WCs
- c. bus operator offices, breakout areas and WCs on the first floor,

v. the provision of an improved bus station and concourse area incorporating seating, lighting, toilets, wayfinding information and ancillary infrastructure.

Reason: To encourage travel by means other than private motor vehicles.

39. No development shall be occupied until confirmation has been provided that either:- 1. foul water capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed in writing with the Local Planning Authority. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development.

40. No development shall be occupied until confirmation has been provided that either:- 1. Surface water capacity exists off site to serve the development or 2. A development and infrastructure phasing plan has been agreed in writing by the Local Planning Authority. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or 3. All Surface water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development.

41. There shall be no occupation beyond the 50th dwelling until confirmation has been submitted to and agreed in writing by the Local Planning Authority that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues.

42. Development here by approved shall not commence until a Source Protection Strategy detailing, how the developer intends to ensure the water abstraction

source is not detrimentally affected by the proposed development both during and after its construction has been submitted to and approved by, the local planning authority in consultation with the water undertaker. The development shall be constructed in line with the recommendations of the strategy.

Reason: To ensure that the water resource is not detrimentally affected by the development.

43. The development shall only be operated in full accordance with the Operational Waste Management Plan (dated August 2023, reference 60683623, prepared by AECOM).

Reason: To ensure that waste generated by the development is effectively managed, stored and collected.

44. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This should be carried out by a competent person in line with paragraph 183 of the National Planning Policy Framework. This strategy will include the following components:

1. a preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a fully justified conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. a site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. the results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution.

45. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall

include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

46. The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out in accordance with the agreed details.

Reason: No groundwater quality monitoring data has been provided. Groundwater monitoring data is needed to show the current seasonal variation in groundwater quality and to enable the assessment of the likely impact on groundwater quality of the development. This is required to ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures.

47. Piling using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: Piling using penetrative methods can result in risks to potable supplies, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers/sub-aquifers and creating preferential pathways. This condition seeks to ensure that the proposed piling option does not harm groundwater resources.

48. In the event that piling works are necessary, no piling works shall begin until a scheme for limiting the noise, that is in accordance with BS 5228 (Parts 1 and 4) for noise control, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the proposed piling method and the reason for its selection. This shall take into account the ground conditions of the proposed development site and the proximity of residential properties. The development shall only be carried out in full accordance with the agreed details.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area.

49. No piling shall take place until a Piling Method Statement (detailing the depth and 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. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

50. Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0730 and 1800 Mondays to Fridays and between 0800 and 1330 Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the neighbours from noise and disturbance outside the permitted hours during the construction period.

51. No individual Class E commercial unit which requires ventilation or extraction associated with food preparation shall be first or subsequently occupied until a scheme for the fitting of suitable ventilation and filtration equipment for that unit has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of:

- the equipment to suppress and control all fumes / smoke / grease / steam / odour from the use so as to prevent an impact in existing and proposed sensitive receptors;
- charcoal filters shall be included and a flue discharge one metre above eaves level is recommended;
- no street level discharges will be permitted;
- a scaled plan showing the internal arrangement of the premises and the dimensions/location of the ventilation system;
- the location of all filters, fans and ducting must be clearly marked; and
- where the location of a filter is shown, the type must be clearly identified and cross-referenced to the detail product specification.

The approved equipment shall be installed before the use of the individual units commence and thereafter they shall be operated and maintained in full working order in accordance with manufacturer's instructions throughout the proposed use.

Reason: To protect adjoining premises/residential amenities.

52. The applicant should ensure that any air handling plant, fixed, mechanical, electrical or hydraulic equipment etc, installed and operated at any time in connection with the carrying out of this permission should not produce broadband noise that is clearly audible at the boundary of any noise sensitive premises. Noise from operating plant shall therefore not exceed the existing background noise level (LA90) at any time. At no time should there be any tonal or acoustic features of the operating machinery that will increase the existing residual noise level so as to be clearly audible at the boundary of any nearby noise sensitive premises. A regular and routine maintenance programme should

be employed to ensure operational plant does not increase noise output due to mechanical wear or defect that will result in any unit failing to meet the above noise criteria.

Reason: In order to protect residential amenity.

53. No above ground works (excluding operations including site preparation, demolition, excavation and enabling works) shall take place on a particular block which contains residential accommodation until a scheme for the given block protecting the proposed dwellings from noise from traffic on the adjacent road(s), the bus station and areas of public realm has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before any permitted dwelling within the relevant block is occupied unless an alternative period is agreed in writing by the Local Planning Authority.

Reason: As occupiers of the development, without such a scheme, are likely to suffer from noise.

54. The commercial premises hereby approved shall be used for no other purposes than set out in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority wishes to retain control over the change of use of the commercial units in order to protect the vitality and viability of the scheme and wider area and to protect the amenity of residential properties.

55. Before the occupation of the first residential unit in each block, a plan showing the location of the Building Regulations 'accessible and adaptable dwellings M4(2) (443 in total across the site) and the Building Regulations M4(3) (26 in total across the site) wheelchair user dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: In order to provide a flexible housing stock to meet a wide range of accommodation needs.

Informatives:

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk.
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford

Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre application advice service
- Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

In this case pre-application advice was sought and provided which addressed initial issues. This followed a lengthy pre-application process for the previous application. In all, the development is now considered to be acceptable.

3. Environmental Health Informatives:

The applicant is reminded of the need for the development to comply with the requirements of the Food Safety Act 1990, The Food Safety and Hygiene (England) Regulations 2013, EC Regulations: 852/20004. No 178/2002 and is advised to consult with the Regulatory Services Manager.

The applicant should provide suitable and sufficient refuse bins for customers' litter and regular litter pick-ups should be carried out during and at the end of trading.

The plans do not contain sufficient detail for me to comment on the internal arrangements of the kitchen. The applicant is therefore advised to contact Regulatory Services so that the requirements of the Acts and Regulations can be discussed at an early stage.

The applicant is reminded of the need for food business to register with the Local Authority 28 days prior to opening and is advised to contact the Regulatory Services Manager.

The applicant is reminded of the need for the development to comply with the requirements of the Health and Safety at Work etc. Act 1974.

The applicant is advised to consult with Regulatory Services with regards to compliance with Licensing requirements.

The applicant and any associated contractor is recommended to seek Prior Consent (section 61 Control of Pollution Act 1974) approvals to control noise/vibration levels and hours noisy construction for the various phases of the development. This matter will be dealt with outside of the planning process and currently exists with the Head of Environment and Regulatory Services

Silent piling is the preferred option and only in extreme cases will noisy methods, such as driven piles, be permitted.

4. County Highway Authority Informatives:

1. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the County Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-scheme. 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.

2. The developer is advised that as part of the detailed design of the highway works required by the above conditions, 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.

3. 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 County Highway Authority Local Highways Service.

4. All bridges, buildings or apparatus (with the exception of projecting signs) which project over or span the highway may be erected only with the formal approval of the Transportation Development Planning Team of Surrey County Council under Section 177 or 178 of the Highways Act 1980.

5. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.

6. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

7. 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).

8. No operations involving the bulk movement of [earthworks] materials to or from the development site shall commence unless and until facilities have be provided in accordance with [the approved plans / a scheme to be submitted to and approved in writing by the Local Planning Authority] to so far as is reasonably practicable prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be retained and used whenever the said operations are undertaken.

9. The scheme to implement waiting restrictions or other relevant works to regulate or restrict the operation of the highway shall first require a Traffic Regulation Order or Notice prior to use. The alteration of the Traffic Regulation Order or creation of a new Order or Notice is a separate statutory procedure which must be processed at the applicant's expense prior to any alterations being made. In the event that the implementation of waiting restrictions or other works requiring an Order or Notice is not successful due to unresolved objections the applicant shall submit an alternative scheme to the Local Planning Authority for its approval prior to first occupation of the development. Any alternative scheme or works shall be implemented prior to the occupation of any dwellings to the satisfaction of the Local Planning Authority.

10. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.

11. The provision of the new high quality bus shelters serving 14,15 and 16, Real Time Passenger Information for every bus stop and high quality arrival/departure boards that have a Content Management System installed (as secured by condition) shall be provided in accordance with SCC's approved suppliers.

5. Lead Local Flood Authority Informative:

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. Sub ground structures should be designed so they do not have an adverse effect on groundwater. If there are any further queries please contact the Flood Risk, Planning, and Consenting Team via SUDS@surreycc.gov.uk. Please use our reference number in any future correspondence.

Officer's Report

Site description

The application site is an assembly of a large number of plots and buildings which are located to the north of North Street in Guildford town centre. The site has an area of 2.69 hectares - its western boundary is formed of The Friary shopping centre, its eastern boundary by Leapale Road, the southern boundary by North Street and the northern boundary is situated at the junction of Commercial Road, Woodbridge Road and Leapale Road. The site currently includes a number of land uses which include Guildford bus station, Council operated surface level car parks and the land between Commercial Road and Woodbridge Road which is currently vacant. In terms of buildings, the largest on the site is known as Dominion House which is a four storey office block which is only partly occupied. The site also includes the two storey retail property on the western side of Woodbridge Road which is known as 'Rugmart' and a part two, part single storey building which occupies the corner of North Street and Woodbridge Road which is also in various retail uses. On North Street, the site also includes the bar/restaurant known as All Bar One, Guildford Cobblers and 15 North Street which is currently vacant.

The site falls in height from south to north and from east to west. The lowest point is in the vicinity of Dominion House. The site is devoid of any notable vegetation or trees.

In terms of constraints, the site is located within the urban area of Guildford and within the town centre boundary. It is opposite (north of and not within) Guildford Town Centre Conservation Area and within an Area of High Archaeological Importance. The site includes a Grade II listed building (All Bar One) and is opposite Stoke House on Leapale Lane which is Grade II listed. Numbers 41-43 North Street, which is to the south of the site is locally listed. Most of the street frontages around the site are defined as being part of the town centre's Secondary Shopping Frontage.

In terms of the surrounding land uses it is noted that the southern boundary of the site fronts onto North Street which is characterised mainly by retail, commercial and office uses. The upper end of North Street hosts the on-street market and the lower end includes The Friary shopping centre and Friary Street which is one of the main restaurant areas in the town centre. The eastern boundary of the site runs along Leapale Road. Opposite the site on Leapale Road is a Council owned and operated multi-storey car park which is set over 12 levels of parking and the Telephone Exchange building which has a maximum height which is broadly equivalent to seven storeys. The northern end of the site is around the junction of Commercial Road, Woodbridge Road, Leapale Road and Leapale Lane. This contains Dominion House which would be demolished as part of the development. As noted above, to the west of the site is The Friary shopping centre and closer to Onslow Street are a number of large scale office buildings.

The application site forms part of a larger allocation in the Local Plan under policy A5. The specific requirements of policy A5 will be set out in detail below, but in summary, the allocation is for: a comprehensive mixed use redevelopment with:

1. approximately 41,000 sq m (gross) comparison retail floorspace or a figure that is consistent with subsequent updates to the Guildford Retail and Leisure studies
2. approximately 6,000 sq m food and drink (A3) and drinking establishments (A4)
3. approximately 400 homes (C3)
4. provision of 1 gym (D2)

Proposal

A mixed use redevelopment on a site bounded by North Street, Leapale Road and including Commercial Road and part of Woodbridge Road, Guildford comprising:

- demolition of existing buildings;
- a new bus interchange with new access junction arrangement, new canopy, waiting facilities, a hard and soft landscaped pedestrian public area and hardstanding;
- erection of buildings ranging from 4 to 11 storeys comprising the following uses: residential dwellings with associated car parking, hard and soft landscaped communal areas, ancillary cycle storage, residents gym, concierge and management office (Use Class C3), flexible non-residential floor space (Class E) together with;
- hard and soft landscaped areas to form pedestrianised streets and public spaces; associated vehicular access, servicing arrangements, plant, highway works (including alterations to North Street, Leapale Road and Commercial Road, and junctions at Leapale Road / North Street, Leapale Road / Commercial Road / Woodbridge Road) and associated infrastructure;
- the stopping up of adopted highway (including Commercial Road and Woodbridge Road); and
- alterations to a Listed Building (17 North Street) including the exposure to part of the flank elevation and party wall works.

As noted above, the application site includes a portion of a wider allocated site (the triangular piece of land between the Friary shopping centre, Leapale Road and North Street) in the Local Plan (policy A5). It involves the regeneration of the currently mainly vacant land with a residential led development, with Class E floorspace (retail, commercial, restaurants, cafes etc) mainly on the ground floors. The proposal also includes the renovation of Guildford bus station as well as public realm improvements such as the provision of a new public square on North Street, the part pedestrianisation of North Street and a range of new areas of public open space.

In terms of the proposed layout it is noted that both Commercial Road and Woodbridge Road would be stopped up as part of the development. A new pedestrian only route would run through the middle of the site, roughly on the same line as the existing Woodbridge Road. This would run from the new public square on North Street to the junction of Commercial Road, Woodbridge Road and Leapale Road. This new route would be maintained as part of the development and at ground floor level it would be fronted by Class E uses along its southern half and by residential units along its northern half. Roughly halfway along the new Woodbridge Road would be a new area of open space which the applicant refers to as 'The Dial'. At 'The Dial', the new Woodbridge Road would intersect with a new east/west route which links Leapale Road to the eastern (side) entrance to The Friary Centre. This new route would again comprise of a mix of Class E and residential uses. Off 'The Dial' would be a further area of public open space which the applicant refers to as 'Friary Gardens'. Friary Gardens would comprise of an area of soft landscaping and areas of seating, framed by a boundary treatment which would separate it from the busier Dial space.

Due to the site levels, the northern end of the new Woodbridge Road would include a staircase and public lift to take users from the upper ground level to lower ground level which at this point would be at grade with the existing junction of Commercial Road, Woodbridge Road and Leapale Road. New buildings would also be erected along both the existing Commercial Road and Leapale Road which would be mainly residential in use, with some Class E uses also on the ground floor of the buildings, fronting onto the street. On North Street, the two buildings on the corner of Woodbridge Road and North Street are to be demolished. These would make way for the wider regeneration and would allow the creation of the new public square. Further to the east, number 15 North Street would also be demolished. This was formerly a furniture store, but has been vacant for a number of years. This would be replaced with a new building with residential

apartments over Class E uses on the ground floor. All other existing buildings along North Street would remain.

The other main element of the development is the refurbishment of the existing Guildford bus station. Works include the provision of a new open sided canopy which would cover the area along the eastern side of The Friary Centre replacing the existing shelter. Also proposed are new enclosed waiting facilities for bus passengers, improved staff accommodation for the bus companies and toilet facilities. The proposal retains the southern access into the bus station from North Street via Commercial Road. In addition, the existing northern exit from the bus station would be re-modelled to facilitate a northern entry into the bus station. As such, depending on the route, buses would be able to access the station either from the north or south, with exit from the north only. A new bus stand would be created outside of the eastern entrance into the Friary Centre and two further bus stops would be provided on North Street adjacent to the library. Also, as part of the changes in this area of the site, the section of Commercial Road between The Friary Centre and Black Sheep Coffee would be turned into a new pedestrianised open space area with landscaping and seating.

As noted above, the proposal also involves the part pedestrianisation of North Street from roughly Leapale Road in the east to Black Sheep Coffee in the west. The pedestrianisation includes changes to movements along North Street with vehicles only able to travel east along this section (during the hours when it is open to vehicles). Along the pedestrianised section, a single carriageway is provided, which allows for the widening of the pavement along both sides of North Street. This will include new paving, tree planting and opportunities for seating. More exact details of the pedestrianisation works will be set out in the main body of this report. In addition, Leapale Road would now become two-way for vehicular traffic and the carriageway and pavements would be widened as part of the development. New landscaping would also be provided.

In terms of the buildings themselves, heights generally increase from south to north which reflects the current land levels. The infill buildings on North Street would be set over four storeys. The rest of the buildings are larger to reflect their location within the development site and range from four to 11 storeys. The building at the northern tip of the site, at the junction of Commercial Road, Woodbridge Road and Leapale Road, would be the tallest building with 11 storeys. The majority of the buildings would be finished with flat, green roofs.

Finally, the proposal would include works to the western side elevation of 16-17 North Street (All Bar One) which is a Grade II listed building. This would include the exposure of its western side elevation and works to the existing chimneys.

Summary of proposal

Total number of on-site car parking spaces: 136

Total number of on-site cycle parking spaces: 810 long-stay in basement and 30 short-stay publicly accessible at ground level

Total number of dwellings (including affordable): 471 (mix of one-bed x 192; two-bed x 220 and three-bed x 59)

Total number of affordable dwellings: 47 (31 affordable rent and 16 shared ownership units)

Total proposed Class E floorspace: 2,019sqm

Relevant planning history

Reference:	Description:	Decision Summary:	Appeal:
23/P/01212	Listed Building Consent for works to 17 North Street associated with detailed application (23/P/01211) for a mixed use redevelopment at North Street, Leapale Road and including Commercial Road and part of Woodbridge Road, Guildford.	Reported elsewhere on this agenda.	N/A
22/P/01336	A mixed use redevelopment on a site bounded by North Street, Leapale Road and including Commercial Road and part of Woodbridge Road, Guildford comprising: <ul style="list-style-type: none"> • Demolition of existing buildings; • A new bus interchange with new access junction arrangement, new canopy, waiting facilities, a hard and soft landscaped pedestrian public area and hardstanding; • Erection of buildings ranging from 4 to 13 storeys comprising the following uses: residential dwellings with associated car parking, hard and soft landscaped communal areas, ancillary cycle storage, residents gym, concierge and management office (Use Class C3); flexible non-residential floor space (Class E) together with; • Hard and soft landscaped areas to form pedestrianised streets and public spaces; • Associated vehicular access, servicing arrangements, plant, highway works (including alterations to North Street, Leapale Road and Commercial Road; and junctions at Leapale Road / North Street; Leapale Road / Commercial Road / Woodbridge Road) and associated infrastructure; • The stopping up of adopted highway (including Commercial Road and Woodbridge Road); • Alterations to a Listed Building (17 North Street) including the exposure to part of the flank elevation and party wall works. 	Refused by Planning Committee January 2023*	Appeal to be heard by Public Inquiry December 2023
22/P/01337	Listed Building Consent for works to 17 North Street associated with detailed application (22/P/01336) for a mixed use redevelopment at North	Refused January 2023**	Appeal to be heard by Public Inquiry

	Street, Leapale Road and including Commercial Road and part of Woodbridge Road, Guildford.	December 2023
09/P/02043	Application to extend the time limit for the implementation of 04/P/00090 approved 23/12/2004 for outline application for comprehensive mixed use redevelopment of land bounded by North Street, Friary Centre/Commercial Road and Leapale Road to provide up to a maximum of 170 residential units, shops (Class A1), professional and financial units (Class A2), restaurants and cafes (Class A3), community space (Class D1), replacement bus station, a public square, residential car parking, servicing, plant, the refurbishment of existing Friary Centre and ancillary works.	Approved October 2010 N/A
06/P/00028	Reserved matters application pursuant to outline application 04/P/0090 for design, external appearance and landscaping only in respect of residential (use class C3), shops (use class A1), financial and professional services (use class A2), restaurants and cafes, drinking establishments and hot food takeaway (use classes A3-A5), community use (use class D1), leisure (use class D2), bus station and refurbishment of part of existing Friary Centre. (As amended by plans received on 24 February 2006 detailing confirmation of reconstituted stone for building 3, changes to buildings 1, 4, 5 and 7 and to elements of public realm; a drop off point introduced along Leapale Road to improve integration with the bus station and disabled access; greater detail provided on the bus station; design of the shop fronts now included; Yorkstone sets introduced along the main alley by building 3 and along the route from the Square to Leapale Road; indicative public art proposals and update perspectives).	Approved March 2006 N/A
04/P/00040	Outline application for comprehensive mixed use redevelopment of land bounded by North Street, Friary	Approved December 2004 N/A

Centre/Commercial Road and Leapale Road to provide up to a maximum of 170 residential units, shops (Class A1), professional and financial units (Class A2), restaurants and cafes (Class A3), community space (Class D1), replacement bus station, a public square, residential car parking, servicing, plant, the refurbishment of existing Friary Centre and ancillary works.

01/P/02222	<p>Redevelopment of land bounded by North Street, Friary Centre/Commercial Road and Leapale Road to provide an extension (26,112m²) to existing Friary Centre. The mixed use development will include shop units (class A1), professional and financial units (class A2), restaurants and cafes (class A3), community space (class D1), covered bus station, pedestrian footbridge over Leapale Road, servicing, plant, the refurbishment of existing Friary Centre and ancillary works.</p>	Refused September 2002	N/A
00/P/00918	<p>Redevelopment to provide a new bus station, retail development (26,640 sq metres - Class A1 shops and Class A3 restaurants and cafes) including an arcade; associated highway works and landscaping; and the change of use (Class A1 to Class A2) and re-cladding of the Post Office building at 15 North Street.</p>	Withdrawn July 2001	N/A

* As noted above, a previous planning application was refused by Members in January 2023. The differences between the refused scheme and this application will be set out in detail later in the report. For information, the previous planning application (22/P/01336) was refused for eight reasons. These are copied below.

1. The proposed development would lead to an increase in bus journey times, particularly those arriving from the south and the west, specifically all bus services travelling into Guildford along the A281, A3100, A31 and from the University of Surrey / Royal Surrey County Hospital, resulting in increased passenger delays and reduced customer satisfaction levels. Despite the emergency access route provided from the south via North Street, it has not been demonstrated that the proposed entrance and exit to the bus station would provide satisfactory levels of operational efficiency and resilience. This would be contrary to Policies ID3 and A5 of the Local Plan: Strategy and Sites, 2019. The failure of which would result in increased passenger delays and reduced customer satisfaction levels. The combination of which will limit efficient and effective bus operations supporting sustainable development, and passenger growth which is contrary to the targets of Surrey County Council's (SCC) Bus Service Improvement Plan (2021) and Local Transport Plan 4 (2021), the DfT Bus Back Better- National Bus Strategy for England (2021), and

the National Planning Policy Framework.

2. The proposed development would result in a reduction in the number of bus stands and layover spaces, and it has not been satisfactorily demonstrated that this reduction can accommodate the planned future growth, which is contrary to Policies ID3, A5, A25, A26 and A35 of the Local Plan: Strategy and Sites, 2019, the targets of Surrey County Council's Bus Service Improvement Plan (2021) and Local Transport Plan (LTP4), the DfT Bus Back Better- National Bus Strategy for England (2021) and the National Planning Policy Framework.
3. It has not been demonstrated that the proposed bus station is accessible for all users. The failure of which would be prejudicial to vulnerable users and would lead to reduced customer satisfaction levels. The combination of which will limit efficient and effective bus operations supporting sustainable development, and passenger growth which is contrary to Policies ID3 and D1 of the Local Plan: Strategy and Sites, 2019, the targets of Surrey County Council's Bus Service Improvement Plan (2021) and Local Transport Plan 4 (2021), the DfT Bus Back Better- National Bus Strategy for England (2021) and the National Planning Policy Framework.
4. The proposal would result in less than substantial harm (low to mid end of this scale) to surrounding designated heritage assets as detailed in the Committee Report. In this case, the identified public benefits of the proposal would not outweigh the heritage harm which would be caused. The proposal would therefore be contrary to Policy D3 of the Local Plan: Strategy and Sites, 2019; Policy D16 of the Guildford Borough (Submission) Local Plan: Development Management Policies (incorporating the Inspector's main modifications), 2022 as well as Chapter 16 of the National Planning Policy Framework.
5. Due to its height, scale, massing and cramped layout, the proposed development would represent an overdevelopment of the application site. As a result, the proposal would fail to reflect the distinct local character of the area and fails to respond to and reinforce locally distinct patterns of development. The development would therefore be an incongruous and harmful addition to the townscape and surrounding area. The proposal is therefore contrary to Policies D1 and A5 (site allocation) of the Local Plan: Strategy and Sites, 2019; Policy D4 of the Guildford Borough (Submission) Local Plan: Development Management Policies (incorporating the Inspector's main modifications), 2022, Policy G5 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07), as well as the relevant guidance within the National Planning Policy Framework.
6. The applicant has failed to satisfactorily demonstrate that providing a greater quantum of affordable housing would not be economically viable. The proposal is therefore contrary to Policy H2 of the Local Plan: Strategy and Sites, 2019, as well as the relevant guidance within the National Planning Policy Framework.
7. The site lies within the 400m to 5km zone of the Thames Basin Heaths Special Protection Area (TBHSPA). In the absence of a completed planning obligation, the Local Planning Authority is not satisfied that there will be no likely significant effect on the Special Protection Area and is unable to satisfy itself that this proposal, either alone or in combination with other development, would not have an adverse effect on the integrity of the Special Protection Area and the relevant Site of Special Scientific Interest (SSSI). As such, the development would be contrary to the objectives of saved Policy NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07), Policy P5 of the Guildford Borough Local Plan: Strategy and Sites, 2019 and with saved Policy NRM6 of the South-East Plan 2009. For the same reasons, the development would fail to meet the requirements of Regulation 63 of The Conservation of Habitats and Species Regulations 2017 as amended, and as the development does not meet the requirements of Regulation 64 the Local Planning Authority must refuse to grant planning permission.

8. In the absence of a completed planning obligation the development fails to mitigate its impact on infrastructure provision. This includes the following:

- provision of a unit within the scheme which may be used by the NHS as a health or medical care facility or in lieu of this a primary healthcare
- contribution;
- education contribution;
- police contribution;
- contribution towards the off-site provision of children's playspace;
- management and future maintenance of all open space (private and public) and the public realm within the site (with the exception of the North Street pedestrianisation);
- that all areas of public realm remain publicly accessible twenty-four hours per day except for identified reasons, in perpetuity where they replace the width and alignment of Woodbridge Road and Commercial Road, and for the lifetime of the development in all other locations;
- contribution towards bus service priority improvements;
- the provision of a minimum of three car club vehicles for a minimum of five years; £50 worth of free travel for car club vehicles for each residential unit and three year's free membership of the car club for all initial occupants of the residential units;
- provide each dwelling with a combined cycle/bus voucher of £250, at a total cost of £118,250;
- SANG (Suitable Alternative Natural Green Space) and SAMM (Strategic Access Management and Monitoring) contributions;
- that the bus station improvements (as approved through this application), North Street Square, North Street pedestrianisation and Friary Square to be commenced as part of phase one of the development and completed in full prior to occupation of an agreed number of dwellings within phase one, or by a date to be agreed, whichever is the sooner;
- that the applicant must undertake an early-stage viability review if the scheme does not commence within 18 months of the full grant of planning permission. The applicant will cover the Council's costs of independently assessing the review;
- the provision of the maximum viable number and type of affordable housing in accordance with Policy H2 of the Guildford Borough Local Plan: Strategy and Sites, 2019;
- securing a late-stage viability review;
- the completion of the remaining public realm works within set timescales to be agreed;
- allowing bus emergency access to the bus station through the new Friary Square (subject to a clarification of what circumstances will constitute an 'emergency'); and
- the applicant shall use reasonable endeavours to provide improved staff and customer facilities at the existing commercial kiosks and staff accommodation at the northern end of the bus station.

Accordingly, the proposal is contrary to policies P5, H2, ID1 and ID3 of the Guildford Borough Local Plan: Strategy and Sites, 2019; saved policy NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07), saved policy NRM6 of the South-East Plan 2009, policy ID6 of the Guildford Borough (Submission) Local Plan: Development Management Policies (incorporating the Inspector's main modifications), 2022; the Council's Planning Contributions SPD 2017 and the NPPF.

These reasons for refusal (and the numbering above) will be referred to throughout the report.

** The previous listed building consent associated with the planning application was also refused in January 2023 under delegated powers. The sole reason for refusal is set out below:

1. As planning application (22/P/01336) which includes the demolition of number 18 North Street has been refused planning permission, the repair and making good works proposed through this application would be unnecessary. In addition, the partial demolition works proposed to the chimney stacks of number 18 North Street would have an impact on the historic fabric of the building. Bearing in mind that planning application 22/P/01336 has been refused, no evidence has been submitted to justify these works and there are no known public benefits which would

outweigh the potential harm caused. The loss and change to the historic fabric of the listed building is therefore deemed to be contrary to the statutory tests set out in the Planning (Listed Building and Conservation) Areas Act 1990, Policy D3 of the Guildford Borough Local Plan: Strategy and Sites, 2019; Policies D16 and D17 of the Guildford Borough (Submission) Local Plan: Development Management Policies (incorporating the Inspector's main modifications), 2022 and the guidance contained in the National Planning Policy Framework, 2021.

Consultations

Statutory consultees

National Highways: No objections raised.

County Highway Authority, Surrey County Council: The County Highway Authority (CHA) raise no objection subject to conditions, informatives and obligations to be secured by way of a s106 agreement. [Officer Note: It is noted that a letter has been received from Safeguard Coaches which confirms that the company agrees with and supports the recommendation of the CHA. However, a number of changes have been suggested to the CHA's conditions including: a commitment to ensure that traffic light phasing at the Onslow Street / Woodbridge Road junction is regularly monitored and reviewed; a commitment to ensure that the detailed design of the improved bus station and concourse area incorporating seating, lighting, toilets, wayfinding information and ancillary infrastructure is agreed with the County Highway Authority prior to commencement of development and that vehicle/pedestrian interface safety risk assessments are undertaken and traffic along Leapale Road is actively discouraged with signage directing through traffic away from Leapale Road. These comments have been forwarded to the CHA].

County Archaeologist, Surrey County Council: The County Archaeologist notes the ES Chapter confirms that the archaeological interest of the site lies with the potential for remains associated with the medieval Dominican Friary and the later development of the site in the post medieval period. An assessment of historic mapping suggests that the site has been subject to extensive post nineteenth century development which will have caused truncation of earlier deposits and this has been confirmed by the trial trench evaluation which suggests that the site has been terraced and that archaeological survival in the western part of the site will be limited to deeper archaeological features such as pits and cellar and possibly graves, although the area is at some distance to the Friary cemeteries that were recorded during excavations of the Friary Church in advance of redevelopment of the brewery site in the 1970s. The eastern area of the site demonstrated a higher degree of survival, albeit with some deep areas of modern truncation, and of particular note was the recording of masonry of probable medieval date that may be part of the Eastern gate into the Friary on the current Woodbridge Road. The ES assesses the archaeological resource as being of medium significance and that the development is likely to result on the loss of much of the surviving archaeology. The report therefore suggests that a programme of archaeological work will be required to mitigate this loss, which will take the form of a programme of a watching brief on the lower western area and detailed archaeological excavation of the of the eastern part of the site with which would be supplemented with an associated programme of public benefit that could comprise information boards on the construction hoardings, local school trips, further research by volunteers of the history and daily life of the Dominican Friary by volunteers. The County Archaeologist states that he is in agreement that these measures once enacted would provide an appropriate mitigation response to compensate against the loss of the archaeological resource and advise that it would be appropriate to secure the necessary works by the use of a planning condition. Subject to this condition, no objections are raised by the County Archaeologist.

Environment Agency: No comments received at the time of writing. [Officer Note: It is noted that for the previous application the Environment Agency (EA) noted no objections to the proposal. Although this is a different scheme, the changes have been made are not expected to alter the EA's previous conclusions. Officers confirm that the conditions previously suggested by the EA which deal with contamination and piling works will be applied to this application should it be approved].

Natural England: No objection subject to appropriate mitigation being secured. As long as the applicant is complying with the requirements of Guildford's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA (through a legal agreement securing contributions to Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM)), Natural England has no objection to this application.

Health and Safety Executive (HSE): The HSE is content with the information provided with the application.

Historic England: Historic England (HE) note that the main area of concern from the 2022 scheme rested on the scale and appearance of Block E which would have resulted in clear harm in a number of locations and to a wide range of heritage assets. HE state that they welcome the considerable amendment to the proposals which improve the proposals beyond just block E (materials and detailing in other areas of the proposals) and which reduces harm in all instances they had raised. The main concerns raised regarding the Castle Motte, views from Dapdune Wharf and in relation to Guildford Cathedral have been largely addressed with the reduction in height of Block E. The reduction in size of Block E, and other parts, and improvements in external materials have also reduced the harm identified to the conservation area (view 12 of the LVIA) and is an improvement in views along Angel Gate.

However, HE note that harm would still be caused to St Saviour's, designed with a tall spire to be prominent and highly visible, in views along Woodbridge Road (view 10 in the LVIA) and the loss of view along Swan Lane (view 15) and obscuring views of it as seen in from Dapdune Wharf. This harm has been identified as less than substantial, at the lower end of the spectrum. HE also consider, even with the updated designs, that by virtue of the scale of the proposals, primarily seen in building heights and a layering of large buildings, as experienced from areas within the Town Centre conservation area (illustrated along Angel Gate and Swan Lane LVIA views 14 and 15 respectively) some harm will still be caused to it. This harm is caused through the visibility of the incongruously larger buildings in contrast to the prevailing and characteristic relatively low height of buildings within the conservation area, and because at present within the conservation area there are very few things that disrupt the sense of scale and character. HE have assessed this remaining harm to the conservation area to be less than substantial, below the mid-range.

In conclusion HE has concerns on heritage grounds. They consider that the application does not meet the requirements of the NPPF, in particular paragraph 195 and believe that harm could be reduced further or avoided through amendments to the designs of the scheme and recommend the Council seeks to achieve amendments to address the concerns noted above.

Head of Environmental Health and Licensing: No objections raised. Conditions have been recommended to control / mitigate contamination, ventilation (particularly for food and beverage premises), noise and air quality. Specific comments have also been made regarding the relationship of the site to the existing public house known as 'Five and Lime'. It is noted that due to the site clearance in the surrounding area, this premises has operated with loud music for the last number of years. If this continued, there would be a risk of noise impacts to the new residents of the development. To address this point the applicant has offered a range of mitigation measures for the residential units. This matter will be discussed in more detail in the main body of the report.

Thames Water: No objections raised. It has been noted that there are water supply constraints in the area and a condition has been recommended that restricts the occupation of the development until water supply can be ensured. Other standard conditions are also recommended.

Lead Local Flood Authority, Surrey County Council: No objections raised, subject to conditions which include providing further details of the design of a surface water drainage scheme to be implemented as part of the highway works.

Active Travel England: Active Travel England (ATE) note that they are not currently in a position to support this application and requests further information. The following points are a summary of the issues raised:

- LTN 1/20 does not recommend that schemes are designed so that cyclists dismounting is required. ATE strongly encourage the applicants to take into the account the guidance in LTN 1/20 with regard to managing user conflict [Officer Note: It is noted that the County Highway Authority have recommended a condition which will ensure that details are provided to allow the safe and efficient movement of cyclists through the pedestrianised area];
- North Street is proposed to become part of the core cycle network. ATE have queried how this will operate with the proposed pedestrianisation [Officer Note: Cyclists will still be able to use North Street, but to ensure the safety of pedestrians and mobility impaired groups, a dedicated cycle lane is not proposed. No objections to this have been raised by the County Highway Authority];
- a reliance on lifts is not ideal should they require maintenance or break down. The applicant should investigate the use of ramps as part of the design to avoid cyclists or wheelchair users having to take an indirect route to avoid this [Officer Note: The use of ramps was thoroughly considered as part of the pre-application process and was not feasible. The operation of the lifts will fall under the management company. Level access can also be provided from other areas of the site];
- the application states the desire to maximise the opportunities for walking and cycling, it was not possible to identify clear targets for mode share for these [Officer Note: The Transport Assessment, table 9.6, shows that nearly 55% of forecast trips will be on foot or by cycle. Surrey County Council stated they did not require a Travel Plan for this application given the site is so well located for walking, cycling and access to sustainable public transport. Therefore, a Travel Plan Statement was provided in its place, which was not required to include targets]; and
- despite a focus on the cycling and walking environment provided within the red line boundary of the application, there appears to be little analysis of key routes to and from the site via walking, wheeling and cycling. It may be that it is appropriate for the development to contribute to wider improvements for walking, cycling and wheeling close to the site [Officer Note: Links to the rest of the town centre have been considered and where necessary improvements are being made (including dropped kerbs etc). Surrey County Council have not requested contributions towards improvements to cycling / walking infrastructure].

Internal consultees

Waste and Recycling (Environmental Services): With regard to refuse collection, every point of consideration has been addressed in detail. No concerns with this application.

Parks and Countryside: The proposal does not deliver the required amount of on-site open space. Financial contributions are required to off-set the under provision.

Environment and Regulatory Services (Licensing and Community Safety): No comments have been received for this application, however, the following comments were noted for the previous proposal:

- taxis are a vital form of transport and having well defined and managed taxi rank locations is beneficial for the taxi trade and travelling public. The rank at the Friary Centre is the principal taxi rank in Guildford and is a well-known location to be able to hail a taxi both during the day and at night...Any changes to this rank, even temporarily, will have a huge impact on how customers leave the town at night, which will potentially lead to an increase in disorder and have considerable safety implications as customers attempt to find a taxi service from another location. This will have significant impact on both the Council's and Police resources, and potentially risk our status as a Purple Flag town. This management should include, but not limited to, the identification of a replacement rank facility with the equivalent capacity, provision of signage/promotional material to notify taxis/customers, provision of marshals to assist with the management of the new location and associated resourcing to ensure staff time spent on this project can be recovered corporately and not via licence fees;
- the proposal also seeks to remove the designated taxi rank spaces (approx. six spaces) on North Street outside Marks and Spencer. These spaces have become increasingly used over the past couple of years and the removal of this rank will leave an absence of rank provision in this immediate area of town and potentially cause difficulties for vulnerable users who rely on taxis during the day and for patrons of the leisure offering in the new development seeking a taxi home after a night out. Request that additional rank space is identified in the town centre in order to mitigate the loss of the spaces on North Street;
- emerging issue on North Street of [food] delivery drivers parking and behaving inappropriately and dangerously which detracts from the area, and would likely to continue to impact residents of the new development if not managed properly, reducing the appeal as a place to want to live. Examples include parking issues but also there have been complaints about the behaviour of drivers such as being aggressive when asked not to park in a location, littering, urinating in public and gathering in groups being rowdy. The application proposes changes to the access and configuration of North Street which if considered could help alleviate and improve the management of this issue. This would improve safety in the area and assist businesses wishing to offer goods for delivery;
- North Street is to become pedestrianised during the day and open to traffic at night as the current arrangement of the High Street allows. Pedestrianisation is to be welcomed as it will improve the perception and appeal of the area and potentially allow a greater number of hospitality venues in the area to place tables and chairs outside, contributing to the café/alfresco culture of North Street. However, the High Street when opening during evening hours completely detracts from the appeal of the area by becoming nothing more than a car park with vehicles parked on both sides of the road creating a narrow street which increased the risk of pedestrian/vehicle conflict. If the same arrangement were to be allowed in North Street it would detract from the area as there is plenty of car parking available in town and subsequently no need to create a similar environment to the High Street. Furthermore there are going to be many residential properties facing onto North Street which are likely to suffer from unwanted noise by customers returning to their cars late at night if the scheme allows cars to be parked on North Street. It is recommended that access and parking on North Street is limited as much as possible to improve safety and perception in the area;
- North Street has some Council owned CCTV however this is likely to be altered and existing cameras rendered useless by the new development as the configuration of North Street changes and new public realm areas are introduced. Consideration needs to be given to incorporating Council/Police CCTV cameras within/covering the relevant areas of the development (such as the new public realm and leisure offering). A review of CCTV needs to be undertaken to identify new coverage required due to the development;
- North Street currently holds a Friday and Saturday market which is very popular however will likely need to be relocated during works. Both locations will need to be carefully considered as the location of the market may impact on existing properties/amenities. Complaints are

regularly received about the impact of markets on existing businesses, particularly with respect of blocking frontages. The redeveloped North Street public realm will include an improved market facility. Whilst this will likely be popular with stall holders utilising the market on a Friday/Saturday, this is also likely to be popular with other sellers who may seek to use the facilities outside of the market times either with or without permission. This will require the involvement of licensing staff to manage, and it is important that this area is covered by CCTV so that potential offences can be investigated effectively;

- consideration needs to be given to ensuring the right mix of commercial premises to cater for both day and night time economy in order to ensure the appeal of Guildford as a destination for a night out is improved; and
- there currently are a few late night licensed premises in the area of the proposed development, All Bar One and Five and Lime. Five and Lime in particular is a popular venue which has been trading for some time without complaint. The venue does emit a certain degree of noise from both patrons and amplified music, however there have not been any complaints received as there are currently no residential premises who may be affected by the noise to complain. As we have seen with other development in the town, where residential properties are built close to licensed premises this will inevitably cause complaints about noise which for the Local Authority responding under the Licensing Act will be very difficult to deal with. It is also worth noting that the Council as the Licensing Authority has adopted the 'Agent of Change' principle in its Licensing Act 2003 Statement of Licensing Policy and as such should the residents of the new development complain about the premises, it is unlikely that the Licensing Authority would be in a position to offer any resolution to their complaints.

Non-statutory consultees

Minerals and Waste Planning Authority, Surrey County Council: No objections raised.

Education Authority, Surrey County Council: No objections subject to securing financial contributions to mitigate the impacts of the development on the education system. The contributions requested total £1,985,980 and would be used towards early years, primary and secondary education.

Farnborough Airport: No objections raised.

Gatwick Airport: No objections raised.

National Air Traffic Services (NATS): No objections raised.

Surrey Police (s106 requests): Surrey Police raise no objection to the proposal, subject to a financial contribution to mitigate the impact of the development on policing.

Surrey Heartlands Health and Care Partnership: No objections raised. It is requested that to mitigate the impacts of the development, that either a unit is secured within the development for a possible future healthcare facility or a financial contribution is secured. Both of these can be secured through the legal agreement (either / or - not both). This matter will be discussed further in the main body of the report.

Surrey Hills AONB Planning Advisor: The AONB Planning Advisor notes that comments on the previous application raised concerns about the height of the proposed buildings from the higher ground of the neighbouring AONB, particularly from The Mount and especially the height of the 13 storey building. The concerns centred not just on the tall buildings but the cumulative effect of several proposals, including permissions, for tall buildings on the character of Guildford at the foot of the Surrey Hills AONB. It is noted that they harm important public views from the Surrey Hills AONB to the town forming part of the setting of the Surrey Hills AONB. The AONB Planning

Advisor notes that this latest application reduces the height of the 13 storey building and makes a few other changes. That is an improvement, but it would have been preferred if the changes had gone further in reducing the heights of buildings. The current brick external colour of the previous tallest building again is an improvement of the previous light colour that would have contrasted with the dark background of other buildings and accentuate its incongruous nature when seen from higher ground of the AONB.

Amenity groups / Residents associations

Guildford Society: Raise an objection to the proposal. The following is a summary of the main points raised (Members can read the comments in full on the Council's website):

- the revised scheme 23/P/01226 [sic] still represents an overdevelopment of the site resulting in an unacceptable mass and scale for its location;
- the North Street proposal (of circa 370 homes per hectare) is similar to several of the schemes being developed in a city of the scale of London. It is not appropriate that Guildford, a gap town set in the valley between the Surrey Hills should have such a high density proposal dropped in to its town centre;
- detrimental impact on several of the key views (the views are those referred to in ' Guildford Town Centre Views' Supplementary Planning Document') in the town centre;
- scale of the proposals and relentless high massing, notably along Leapale Road, will form more 'detractor ' buildings in the town and will adversely affect the setting and character of the town;
- the effect of excessively high-density results in buildings across the development, that are too high and out of character with their surroundings both the immediate streetscape and more widely when viewed from across the town and surrounding country;
- Guildford town centre is planned to deliver approx. 1,400 dwelling units in the LPSS 2019. There are now if the North Street plan is consented due to be 2200 dwelling units built or in development. The majority of these units are single bed units;
- the town centre is in danger of losing its mix of dwellings to meet the requirements of singles, new families, and potentially down sizers;
- surprising that a housing development of this scale is being designed by a single practice. Historic towns are made up from a collage of sites developed over time resulting in a variety of architecture. The St Edwards housing proposals have been prepared by a single architect and do not achieve natural variety;
- projects of this scale would normally be designed by a collaborative team of architects led by a master planner and lead architect in order to achieve architectural variety;
- the gridded nature of the elevation proposed for Leapale Road shows little architectural variety and is reminiscent of Russian / eastern European housing;
- Block E has a considerable impact on the streetscape when combined with other developments. Block E does not improve except for height on the original proposals;
- Design South East (DSE) in their second review of the scheme in August 2022 still have concerns relating to the architectural design. The DSE concerns arise from the scale and density of the proposed development which result from the proposals being too big and tall for the site [Officer Note: It is noted that DSE have provided comments on the revised scheme and these are available to view on the Council's website. The revised comments will also be referenced below where necessary];
- the massing of the site does create permeability on several routes which is to be commended. However, some of the routes are effectively canyons with the ratio to width to height exceeding two;
- the Council has weak planning policies to control heights in the town centre;
- the view from the Hogs Back (representative view 5) where the proposed mass will form the foreground to the town centre and dramatically effect the townscape of the town. Guildford is increasingly becoming a overbuilt mass of buildings which are very difficult to interpret from a distance;

- concerned about the dominance of the proposed development. This is due to the scheme's excessive heights and massing, caused by the extent of the scheme and its repetitive blocks. These are typically four to seven storeys higher than their surroundings. The proposed buildings will therefore dominate the town centre;
- particular risk to the setting of St Saviours Church (Historic England - Grade II Listed) due to the consent for a height extension to No 1 Onslow Street just to the west of the proposed site;
- the verified view (representative view 10: Woodbridge Road) does not show the impact of the consented development of 1 Onslow Street, which currently acts as a modern 'marker building' as you approach Guildford down Woodbridge Road [Officer Note: The TVIA submitted with the application does show relevant approved schemes, including 1 Onslow Street];
- if these developments are proceeded with; they will represent a drastic uncoordinated change to Woodbridge Road;
- the Society believes the reduction of bus stands is acceptable particularly as new bus stands are to be provided at...[the railway] station, North Street and longer term potentially on a redeveloped west side of the station;
- a concern is that the current facilities might not cope with an extension of Demand Responsive Transport that is being trialed by Surrey County Council in Mole Valley and has recently been extended to areas of Guildford;
- the revision proposed to the bus station to improve accessibility appears adequate. We are concerned that access to bus stop No 17 (the single stop to the south of the main area) on the plan has limited pavement width at the doors to the north, and behind the bus shelter. Access may be restricted;
- should be provision for electric bus charging;
- as configured 'bendy' buses will never be able to use the facility;
- the Society believes the layover lane in the middle of the bus station is operationally difficult as bus drivers will need exceptional accuracy when backing out of bus stands. This will make for slower operations which may be an issue as traffic builds up;
- Leapale Road from North Street to Onslow Street appears to be a very complex arrangement trying to fit in buses, deliveries to the North Street site, parking access, and through vehicular traffic;
- the yellow box could cause traffic to back onto the Onslow Street / Bridge Street junction compared to the current arrangements, effectively blocking flow out of Bridge Street;
- Society notes the generous provision of cycle stands which is to be commended;
- note the concerns expressed by Active Travel England. North Street is planned to be part of a core cycle network - concerns about how this will be accomplished;
- most efficient route to the station should be promoted and signposted;
- on the data presented the scheme seems to be an extraordinary economic risk for the applicant; and
- no economic modelling of a different scheme.

Guildford Residents Association: Raise an objection to the proposal. The following is a summary of the main points raised (Members can read the comments in full on the Council's website):

- overdevelopment and excessive massing that is overbearing, out of character, causing harm to views into, out of and around the town;
- the proposed building heights are two or three times those characterising central Guildford, the space between is limited, creating an overbearing design, reducing the value of the public realm within the scheme to little more than a thoroughfare, and substantially reducing the quality of life, enjoyed by residents, particularly those occupying the lower storeys;
- the width of the internal thoroughfares compare with Friary Street and Tunsgate, but the proposed building heights of six to ten storeys, contrasts with, two and three storeys: the space will be shaded for most of the day, and so unattractive to alfresco dining. This so-called public realm, therefore offers no public benefit. It merely provides access and limited daylighting to the flats.

- the public benefits to be weighed against the harm are distinctly limited, tipping the scales down on the harm side;
- the density remains excessive, comparable to new developments close to underground stations in London. This is not the kind of density seen even in London close to low rise character areas;
- poor living conditions for future occupiers - noise, privacy, overlooking;
- the reduction in height of block E is not material, but worse is its apparent increase in width. The now stumpy design is even more overbearing, when viewed from ground level on Woodbridge Road;
- the proposed scheme has no variety;
- the huge wall of development proposed for the Leapale Road frontage would be overbearing and contrast in its scale with the existing buildings opposite;
- with regard to the new proposed public spaces it is noted that a large amount of this is the central thoroughfare that simply follows the existing Woodbridge Road;
- the North Street Square will be too small;
- welcome the partial pedestrianisation of North Street, but regard this is a modest and necessary improvement that in no way justifies, high-rise flats being built on backland far beyond it;
- every likelihood that if consent were granted, a different architect would be employed to work up the detail of what was actually built, and that the value engineers would be given free rein to reduce the quality [Officer Note: There is no evidence to support this comments. Any changes to the scheme are likely to require some form of consent];
- there is much talk of brick for the walls, but it is unlikely that brick will be used extensively given the height of these framed structures;
- unlike the previous time around, Councillors are provided with views that accord with the SPD, the overdevelopment will be revealed, and it will be impossible to do other than refuse;
- the views submitted are contrived to omit the detail that would enable the impact to be assessed, and accordingly fail to meet the requirements of the SPD;
- the developer has largely submitted distant wide-angle and panorama views which are not what the human eye would see and which result in the area of interest containing the proposed development, being too small to see;
- if the views of the North Street proposal are examined dispassionately, they clearly demonstrate that the scale and height of the proposal would swamp the town. It's outrageous for the planning committee to be denied legible details of the proposal;
- the developer's choice of viewpoints, and the typically wide angle of view, are poor and misleading;
- consider the use of the verified views as submitted is a deeply flawed process. Major developments rely on creating a broad momentum in the local media, amongst the general public and local politicians. The combination of distorted views and glossy CGIs -which are effectively advertisements- being used appears to us a misrepresentation of the proposal. Propaganda is defined as "information, especially of a biased or misleading nature, used to promote a political cause or point of view." This sounds an accurate description of the developer's consultation and TCVA [sic]. For any planning decision to be seen to be fair, we believe the planning committee needs to be provided with verified views that meet the criteria set out in its SPD, accord with best practice, and above all are meaningful and honest;
- harm caused to heritage assets;
- the amendments do not materially reduce the adverse impacts to heritage assets and in some respects increase the harmful impact;
- believe the so-called public benefits are exaggerated, and not really public benefits at all, but merely access to the commercial and residential property that it is the applicant's business to create and sell, whilst the modernised bus station or part pedestrianisation of a shopping street should properly and ordinarily be provided by bus operators and/or local councils in return for the taxes they raise;
- as regards affordable housing the scheme is a long way from policy compliant. GBC's

consultants have apparently accepted that the scheme would be non-viable. However, the latest report still does not explain why the build costs are so high relative to the BCIS figures. Crucially a small reduction in cost translates into a big increase in viability, and therefore the ability to require affordable housing. That the developer wishes to pursue a scheme it describes non-viable should strike a note of caution; and

- it is good that the developer has agreed to provide some affordable housing. But it is crucial not to trade that bird in the hand for a series of reviews to capture profit achieved later that would justify more affordable housing. The basis for those reviews, and the extent to which the developer avoids giving the full share of the extra profit, need to be negotiated, and the council will have a much stronger negotiating position before, rather than after, the committee meeting. Provision therefore needs to be secured prior to the committee meeting for a series of early, mid and late stage reviews; furthermore, the terms of those reviews need to be robust.

Third party comments

14 letters of representation have been received raising objections and concerns. The following points are a summary of the stated concerns - the representations can be read in full on the Council's website.

- the height of the buildings is far higher than the surrounding buildings and much bulkier, which will block natural light for residences in the neighbourhood as well as views of the rest of the town and surrounding green spaces;
- both the height and overall scale of the proposals will invade privacy for other residents, with multiple windows overlooking neighbours;
- the number of residences in this proposal pose very real over-development and over population issues for the town, having an impact on everything from public transport, to over stretching or exceeding spaces at schools and local NHS services;
- this proposal, if it were to go ahead as planned, would cause a critical loss of open, natural space, which could otherwise promote and support biodiversity and act as an important social public space within the town;
- the proposal does not comply with all of the Guildford Borough Council Local Plan policies of 2003 that was edited in October 2022 [Officer Note: The 2003 Local Plan has now (apart from a limited number of policies) been superseded];
- additional traffic will cause further congestion and rat running on local roads;
- why will the lower part of North Street accessed from Onslow Street become exclusive to the residents and the buses to use only;
- how will deliveries be made to the current retail units in the town centre if the lower part of North Street from Onslow Street is made exclusively accessible to the buses and residents of this new development. Is this why Marks & Spencer are moving their food hall to the outskirts of town. Will M&S close this store once the food hall has been relocated. [Officer Note: Servicing to existing stores on North Street will still be permissible. Further details are provided in the report below];
- how will customers be able to access the retail units to collect items, including the people who have impacting mobility that need to park near the retail shops with the road closures. Has the disability of people been taken into consideration with this development in accessing all areas [Officer Note: Accessibility issues are discussed below. Level access is provided from North Street and Leapale Road, where there are steps within the scheme, lifts are also provided which will be maintained by the applicant];
- concerns regarding the loss of disabled car parking;
- lack of on-site parking for the future residents;
- concerns regarding access for large delivery vehicles;
- concerns regarding access for emergency vehicles;
- potential impact on the operation of the telephone exchange - concerns about land stability;

- poor access to the bus station from the High Street and North Street;
- this type of development will destroy this strong economy and the enthusiastic community;
- affordable housing provision is inadequate;
- adverse impact on views from the surrounding area;
- why are the roofs flat and not pitched;
- concern that the development is not taking into account changes in climate, temperatures etc;
- the development will be an area for anti-social behaviour [Officer Note: There is no evidence to suggest that this will be the case];
- adverse impacts on heritage and archaeology;
- inadequate information regarding the location of the market;
- concerns about the maintenance of the landscaping;
- impact on wildlife and ecology;
- the most obvious way to improve Guildford town centre is to move the market to George Abbot car park;
- the issue of height, architectural style and density are ones that have not been successfully dealt with;
- overshadowing of the streets and public places as a result of the tall buildings;
- the town needs more family housing rather than small apartments;
- loss of existing town centre car parks;
- concern regarding the terms of the possible healthcare facility;
- the tallest having been reduced to 11 storeys but is much broader and chunkier than the previous 13 storey, so is now a single hulking rectangular mass, with little of elegance to commend it, made worse by the red brick;
- extensive use of red brick is not at all attractive or in keeping with historic Guildford with its hues of sand coloured stone which if used would soften the whole effect of any necessarily taller (than existing) buildings;
- the proposed scheme is based on an area of only 1.25 hectares (roughly a third of the Local Plan allocation) which excludes the Friary Shopping Centre, 1 Onslow and Norwich House but attempts to cram in 471 dwellings. This is contrary to the agreed objectives in the Local Plan;
- the proposed development at 376 dwellings per hectare compares with only 235 dwellings per hectare as first outlined in policy A5 in the Local Plan. A density of 376 dwellings per hectare is similar to an urban residential scheme you would expect to find in central London [Officer Note: For clarity, the Local Plan does not specify a density for this site];
- the proposal will result in the loss of bus stands;
- the phasing of this project over eight years is excessive. The disruption to the town will be overlong and substantial. The capital required for the intended completion of this project over eight years relies on the sales of initial properties to fund subsequent properties. This means that occupants will be living on a partially completed building site;
- the development should not be providing car parking; and
- Guildford needs classical designs like the expensive flats in Mayfair which includes ground floor apartment's behind railings. Urgently need more flats but only attractive designs not the red brick monsters in this application.

174 letters of support have been received outlining the following positive comments:

- the proposals appear to be most consistent with the planning, architectural and heritage requirements of Guildford Borough Council today;
- the proposals satisfy the requirements of the planning committee and hopefully if approved, would allow for the regeneration scheme to progress;
- the applicants have demonstrated their commitment to Guildford and their determination and capability to see the regeneration scheme through to its conclusion;
- approving the scheme and using it as a springboard for the enhancement and development of Guildford as a whole, would be an important success story;
- this part of Guildford has been left neglected for so long and this application offers a huge

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increase in public space, housing, and retail for Guildford along with a very overdue redevelopment of the bus station;

- appreciate the focus on increasing the public space free of traffic and creating focus points;
- the building heights appear to fit in well with the surrounding areas and are an appropriate design for Guildford without being overbearing;
- the developer has taken on board the comments on the past application and incorporated it well into this application;
- the proposal protects the views and historic outlooks while significantly improving the area specifically and Guildford in general;
- the new proposals will transform a town centre derelict brownfield site into an area providing numerous community benefits without the need to develop farmland or on Green Belt land [Officer Note: There is no guarantee that the application will relieve pressure on the Green Belt or farmland for development];
- the development provides 471 highly sustainable new homes, suitable for a range of users from first time buyers to downsizers, designed in beautiful buildings;
- a new bus interchange, with waiting facilities, toilets and quicker journey times;
- improved architecture and reduced building heights;
- the pedestrianisation of North Street, improving air quality by 10% and creating a safe, pleasant, car free environment for residents, visitors and workers;
- 100% of all car parking with electric vehicle charging points;
- c.21,000 sqft of ground floor mixed uses, including al fresco dining, leisure uses and bars;
- a new public wellness garden (called Friary Gardens);
- the safeguarding of a new medical space within the development;
- three new public squares, a water feature, a dedicated public art strategy and a total of 2.2 acres of public realm;
- the planting of 110 new trees and creating a biodiversity net gain of 244% to the site, reconnecting the built form and putting it back in touch with nature;
- an all-electric energy system, minimising the impact and reliance on unsustainable energy sources;
- 71% reduction in CO2 from the 2013 baseline, significantly above local targets;
- Guildford needs investment, housing and the regeneration of this brown field site;
- the improvement in the bus station will encourage more people to use buses rather than driving cars into Guildford;
- this is a great chance for the economy and well being of Guildford to revive and thrive. That ultimately benefits all residents in the borough; and
- as this development won't be visible from the historic parts of the town - don't see the one tall building which will be similar in height the existing adjacent building (1 Onslow Street) being an issue.

[Officer Note: It is noted that a large number of the letters of support have been submitted on a form. Some of the comments provide bespoke comments and others tick boxes which indicate which element of the proposal the writer is most pleased with regarding the scheme. It is also noted that a number of these letters of support have been rejected by the Local Planning Authority as they did not meet the Council's requirements (i.e. no address, name etc). Where possible the Local Planning Authority has contacted the writers, to request these details, however, in some cases, no response has been received].

One letter has been received which neither object to or support the proposal. The following comments have been noted:

- not clear from the plans whether the retained access to the rear of 22-23 North Street is sufficient for an emergency access; and
- possible disruption to commercial premises during construction.

Planning policies

National Planning Policy Framework (NPPF):

- Chapter 1. Building a strong, competitive economy
- Chapter 2. Achieving sustainable development
- Chapter 3. Plan-making
- Chapter 4. Decision-making
- Chapter 5. Delivering a sufficient supply of homes
- Chapter 7. Ensuring the vitality of town centres
- Chapter 8. Promoting healthy and safe communities
- Chapter 9. Promoting sustainable transport
- Chapter 11. Making effective use of land
- Chapter 12. Achieving well-designed places
- Chapter 14. Meeting the challenge of climate change, flooding and coastal change
- Chapter 15. Conserving and enhancing the natural environment
- Chapter 16. Conserving and enhancing the historic environment

South East Plan 2009:

Policy NRM6 Thames Basin Heath Special Protection Area

Guildford Borough Local Plan: Strategy and Sites 2015-2034:

The policies considered relevant to this proposal are set out below.

- Policy S1 Presumption in favour of sustainable development
- Policy S2 Planning for the borough - our spatial strategy
- Policy S3 Delivery of development and regeneration within Guildford Town Centre
- Policy H1 Homes for all
- Policy H2 Affordable homes
- Policy P4 Flooding, flood risk and groundwater protection zones
- Policy P5 Thames Basin Heaths Special Protection Area
- Policy D1 Place shaping
- Policy D2 Sustainable design, construction and energy
- Policy D3 Historic Environment
- Policy ID3 Sustainable transport for new developments
- Policy ID4 Green and blue infrastructure

Site allocation A5: North Street redevelopment, Guildford

Guildford Borough Local Plan: Development Management Policies (March 2023):

The policies considered relevant to this proposal are set out below.

- Policy H6 Review mechanisms
- Policy H7 First Homes
- Policy P6: Protecting important habitats and species
- Policy P7: Biodiversity in new developments
- Policy P8: Land affected by contamination
- Policy P9: Air quality and air quality management areas
- Policy P10: Water quality, waterbodies and riparian corridors
- Policy P11: Sustainable surface water management
- Policy D4: Achieving high quality design and respecting local distinctiveness
- Policy D5: Protection of amenity and provision of amenity space
- Policy D6: External servicing features and stores
- Policy D7: Public realm
- Policy D8: Residential infill development

Policy D9: Shopfront design and security
Policy D10: Advertisements, hanging signs and illumination
Policy D11: Noise impacts
Policy D14: Sustainable and low impact development
Policy D15: Climate change adaptation
Policy D16: Carbon emissions from buildings
Policy D17: Renewable and low carbon energy generation and storage
Policy D18: Designated heritage assets
Policy D19: Listed buildings
Policy D20: Conservation areas
Policy D21: Scheduled monuments
Policy D22: Registered parks and gardens
Policy D23: Non-designated heritage assets
Policy ID6: Open space in new developments
Policy ID9: Achieving a comprehensive Guildford Borough cycle network
Policy ID10: Parking standards for new development

Supplementary planning documents:

Thames Basin Heaths Special Protection Area Avoidance Strategy SPD
Sustainable Design and Construction SPD
Planning Contributions SPD
Parking Standards for New Development SPD
Residential Design SPG
Town Centre Views SPD

Planning considerations

The main planning considerations in this case are:

- background
- EIA development
- the principle of development
- loss of retail floorspace and secondary frontages
- housing need and supply
- affordable housing
- the impact on the townscape and the surrounding area
- the impact on heritage assets
- archaeology
- the impact on neighbouring amenity
- amenity of future occupants / living environment
- daylight and sunlight
- highway / parking considerations
- flooding and surface water drainage
- environmental health matters
- ecology
- sustainable design and construction
- the impact on the Thames Basin Heaths Special Protection Area
- s.106 considerations
- planning balance and conclusion

Background

The recent planning history of this site has been set out above. It is noted that the Local Planning Authority has previously considered a scheme for the regeneration of the site in 2022, culminating in that application being considered by the Council's Planning Committee in January 2023. The previous application was for the redevelopment of the site to include 473 residential units, Class E retail and commercial floorspace, new areas of public realm, the part pedestrianisation of North Street and the improvement of Guildford bus station. The proposal also included significant highways changes in and around the site which would have seen the closure of the southern access to the bus station (from North Street) to be replaced with a new entry / exit at the northern end of the bus station adjacent to Dominion House.

Although a number of harms were identified and although the County Highway Authority objected to the proposal, Officers were of the view that the wider benefits of the scheme were so significant that they outweighed the negative aspects of the development. The scheme was therefore recommended for approval, subject to conditions and the completion of a s.106 agreement. The Planning Committee carefully considered the proposal and resolved to refuse the application for the eight reasons already provided earlier in the report. It is noted that Members were perfectly entitled to form a different judgment on the proposal, particularly given the evidence relating the heritage harm which was identified, as well as the objection received from Surrey County Council. Whilst officers disagreed with that position it was not an unreasonable judgment for Members to have formed.

The previous scheme is now at appeal and will be heard by way of a public inquiry which is scheduled to open on 5 December 2023.

The applicant has also submitted this current proposal which sees a number of changes compared to the refused scheme. These changes include (but are not limited to):

- a reduction in the height of the tallest building from 13 to 11 storeys and its complete redesign;
- refinement of the external materials where most of the previous lighter coloured bricks and render have been replaced with tones of red brick;
- the provision of an additional storey on block C;
- removal of some floor area to the north-east of The Dial space to allow the creation of a further area of public open space which the applicant refers to as Friary Gardens;
- the re-provision of the southern access into the bus station from North Street, via Commercial Road;
- the existing bus station would still be improved through the provision of a new canopy with better access for all to the buses. The canopy is now to be open sided and would cover a smaller area than the previous application;
- the provision of new waiting and toilet facilities for bus passengers as well as improved staff accommodation for the bus companies;
- additional bus stands (compared to the refused scheme) would be provided on Commercial Road and on North Street (adjacent to the library); and
- the pedestrianised area would be slightly reduced. The area outside the southern entry into the Friary Centre would still be repaved and improved, however, buses would now be able to travel along this section of road to access the bus station from the south.

Taking all of these changes into account, but particularly the design alterations and the modifications to the bus station, the scheme now before Members is considered to be materially different to the refused application which is now at appeal. It should be noted that the current proposal is a completely new planning application and as such, it needs to be considered on its own individual merits. However, the previous application and the formal decision of the Council to

refuse planning permission is also a material consideration. Where relevant to the assessment of this application, the previous application and the current situation with regard to the appeal will be discussed further in the main body of the report.

EIA development

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 determines whether there is a requirement for an EIA based on whether the development in question is EIA development, as defined by the 2017 Regulations. This proposal comprises an urban development project which would include more than 150 dwellings. Therefore, the proposal falls within category 10 (b)(ii) of Schedule 2. The applicant has concluded that the potential for likely significant environmental effects as a result of the proposed development cannot be entirely ruled out. On this basis the applicant has undertaken an EIA and has submitted an Environmental Statement (ES) as part of this planning application. The ES provides an important part of the environmental information that the Local Planning Authority must consider in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 when determining the planning application. It informs the decision maker of the likely significant environmental effects of the proposed development, both during construction and on completion, and identifies any measures to prevent, reduce or offset any significant effects on the environment, along with representations from consultation bodies and the public.

The submitted Environmental Statement was independently reviewed by an EIA expert who has been appointed by the Local Planning Authority. This identified a number of areas which required further clarification. The comments provided by the Council's expert have been addressed by the applicant within the 'ES Review Clarification Responses' document .

Following the submission of the additional information set out above, the Council's EIA expert has advised that following the applicant's responses to a list of issues raised they have concluded that sufficient information has been provided on the environmental effects of the proposed development. The conclusion reached by the Council's EIA expert is summarised as 'a number of clarifications were needed following the initial review but there were no significant material omissions that required further information to be provided under Regulation 25 of the EIA regulations. The responses and additional information provided by the Applicant are generally considered sufficient to close out the issues raised...Notwithstanding the limitations of this review i.e. no detailed technical review of the topic assessments being carried out, overall the ES is considered to generally fulfil the requirements of the EIA Regulations...'.

Therefore, the Local Planning Authority is satisfied that the submitted ES is technically acceptable. The environmental information contained in the ES has been considered in assessing the application and this report reflects that assessment.

The principle of development

This is a brownfield site located in the town centre that has been mostly vacant for considerable period of time. The NPPF, at paragraph 119, notes that 'planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses'. Paragraph 120 states that both planning policies and decisions should 'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'. The proposal would utilise a substantial brownfield site for purposes which would be beneficial for the town and would remove a large area of derelict land from the town centre.

Notwithstanding this, the site also forms part of a wider allocation in the adopted Local Plan (allocation A5) which allows for a comprehensive mixed-use redevelopment to potentially accommodate:

- approximately 41,000 sq m (gross) comparison retail floorspace or a figure that is consistent with subsequent updates to the Guildford Retail and Leisure studies
- approximately 6,000 sq m food and drink (A3) and drinking establishments (A4)
- approximately 400 homes (C3)
- provision of 1 gym (D2)

The Local Plan 'requirements' for the proposal include the following

Office provision

(1) a minimum of 5,500 sq m of existing office (B1a) floorspace will be retained.

Design, vitality and connectivity

- (2) development must respond to the context set by the surrounding street pattern and historic environment, including the adjacent Conservation Area, through the need for high quality design and materials, with particular care of massing, heights and roofscapes
- (3) if demonstrated through the Design and Access Statement that providing the proposed scale of development on site is not consistent with good design then the proposed residential quantum should be reduced so that retail needs are met
- (4) design to enhance and respond to the existing historic shopping core and;
- (a) improve connectivity with High Street and lanes, and
- (b) improve underused areas, and
- (c) improve the public realm
- (5) provide a varied roofscape, minimising the impact on the skyline to protect views in and out of the site
- (6) mix day and night-time uses to add to vitality of area
- (7) 24-hour access to public streets and squares

Bus interchange

- (8) bus interchange facilities presently provided at Guildford bus station on the site are to be provided in a suitable alternative arrangement to be located either partly or wholly on or off site
- (9) if alternative arrangement involves on-street provision of bus stops and waiting facilities within the town centre, consideration is required of interactions with other uses such as North Street market, vehicular access and parking, movement and crossings for pedestrians, and the quality, character and setting of the town centre environment

Transport

- (10) stopping up and/or Traffic Regulation Orders to restrict certain vehicle types on Commercial Road and Woodbridge Road (between North Street and Leapale Road)
- (11) mitigation measures, including those achieving modal shift to sustainable modes of transport, to accommodate the increased travel demand from the development, and changes to the town centre network for private traffic, deliveries, and buses

Flood risk

- (12) achieve flood risk betterment, appropriate mitigation and flood risk management, and have regard to the recommendations of the Level 2 SFRA
- (13) avoid development of more or highly vulnerable uses in flood zone 2 (medium risk) and flood zone 3 (high risk)

The following 'opportunities' and 'key considerations' are also set out in the allocation.

Opportunities

(1) this site offers a major opportunity to reinforce Guildford's comparison retail offer, provide town centre housing, to create new squares and streets, and to improve the appearance of North Street

(2) help to reduce flood risk in the local area

Key considerations

(1) design, vitality and pedestrian connectivity

(2) maintaining suitable bus interchange facilities in Guildford town centre

(3) listed building at 17 North Street, Guildford

(4) adjacent to Town Centre Conservation area

(5) flood risk

(6) within a district heat priority area

(7) if the forecast requirements for retail and leisure uses in the latest Retail and Leisure Study are updated in future either by the Council or by a study agreed by the Council then the balance of allocated uses for this site will be adjusted accordingly

The NPPF makes clear that in taking decisions on planning applications, Local Planning Authorities should apply a presumption in favour of sustainable development. It further advises that, for decision-making, this means; approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or where specific policies in the Framework indicate development should be restricted.

While the proposal does not deliver all of the uses which are a requirement of policy A5, it needs to be borne in mind that the application site only includes a portion of the wider allocation. The rest of the allocation which is not included as part of this application predominately includes the Friary Centre which lies to the west of the site and would be directly accessible from the proposed development. It is also noted that the application site does not include some existing buildings such as Barclays Bank and Norwich House which are also included within the allocation.

With this in mind, it is noted that the part of the allocation which includes the application site would, through this proposal, deliver 471 dwellings and approximately 2,019 sqm of flexible Class E commercial floorspace (which could include retail, office, food and drink and drinking establishments). This will be assessed against the allocation below.

Housing provision

It is noted that although this site forms only a portion of the wider A5 allocation, it would potentially deliver 71 more residential units than the allocation envisages (471 proposed v 400 allocated). It should also be noted that further additional dwellings are possible on the Norwich House site (which is also in the allocation) which has planning permission and prior approval for proposals varying between five and eight units. While this is the case, it is firstly noted that the requirements of the allocation are approximate figures only and they should not be taken as either a ceiling or a floor. There is no objection in principle to a greater number of residential dwellings being provided as part of any one allocation, so long as it can be demonstrated that this would not result in any fundamental harm to the surrounding area. It is a matter of planning judgement whether the scheme in its totality, accords with the allocation which will be discussed in greater detail below.

Retail and food and drink provision

As noted above, the allocation has separate requirements for each of the above uses which are approximately 41,000 sqm of comparison retail floorspace, 6,000 sqm of food and drink floorspace and the provision of one gym. However, it is noted that since the adoption of the Local Plan the Government introduced a wide ranging reorganisation of the planning use classes. When the Local Plan was adopted retail, office and food and drink establishments were recognised as individual classes. However, since the reorganisation in 2020, all of these uses fall within a new Class E which now broadly covers uses of a commercial, business and service interest. As such, whereas the Local Plan requires 47,000 sqm of new Class E floorspace (plus a gym), the proposal would only deliver approximately 2,019 sqm of Class E floorspace which could ultimately be used for retail, commercial or food and drink uses. Notwithstanding the fact that the application site only forms a portion of the wider A5 allocation, this provision is significantly below that envisaged by the Local Plan.

When considering this matter in greater detail it is noted that the allocation does allow for some potential flexibility in the floorspace (particularly retail floorspace) requirement. Policy A5 states that 'approximately 41,000 sq m (gross) comparison retail floorspace or a figure that is consistent with subsequent updates to the Guildford Retail and Leisure studies 2014 updated in 2017 with the Guildford Retail and Leisure Study Addendum' (emphasis added). Further clarification on this is provided under the 'Key Considerations', (point (7)) which states that 'if the forecast requirements for retail and leisure uses in the latest Retail and Leisure Study are updated in future either by the Council or by a study agreed by the Council then the balance of allocated uses for this site will be adjusted accordingly'. This clearly allows for an update which has not necessarily been prepared by the Council, as is the case here. As part of the application, the applicant has submitted a Retail Planning Statement (RPS) (which is now annexed to the Planning Statement) and this has been independently reviewed by an economic regeneration consultant (Lambert Smith Hampton) appointed by the Local Planning Authority, as well as the Council's Planning Policy team.

The applicant's RPS is available to view on the Council's website in full, however, in summary it offers the following conclusions regarding the retail and commercial environment in the borough.

The assessment included within the RPS demonstrates that the level of town centre use floorspace within Use Class E of the Town and Country Use Classes Order 1987 (as amended) that is proposed as part of the proposed development is appropriate and that the proposal accords with the development plan on this matter. In particular, it demonstrate that:

- *there is a limited level of capacity for additional comparison goods retail floorspace within Guildford town centre*
- *whilst the town centre is vital and viable, it does have some poor indicators of health including higher than national average levels of vacancy and higher proportions of comparison goods floorspace.*
- *is it therefore not appropriate to deliver the quantum of comparison goods floorspace that was initially envisaged by the Retail Study at the site. That figure of 'need' has now substantially reduced owing to structural factors within the way that people choose to shop (i.e. online shopping).*
- *the level of town centre use floorspace proposed as part of the development is therefore appropriate and will not have a detrimental impact on existing retail provision within the centre given the substantially reduced need for comparison goods retail floorspace.*
- *it follows that by not absorbing all of the capacity the proposal provides the opportunity to ensure that town centre use floorspace at other allocated sites and sites promoted in the masterplan can have the best opportunity to be let and contribute to the town centre's overall vitality and viability.*

- *the level of food and drink provision at the site is appropriate.*

Accordingly, we conclude that the level of town centre use floorspace proposed as part of the application accords with Policy A5 of the LPSS, which has a flexible approach built into it to ensure that a robust evidenced based level of town centre use floorspace is proposed as part of any development of the site, which itself is a long-term strategic ambition for the site that the application will realise'.

The assessment provided by Lambert Smith Hampton (LSH) as part of the previous application (which is also available in full on the Council's planning portal) approaches the current retail demand in Guildford in three separate steps. A summary of each and the conclusion reached is set out below.

Step 1: What is the up to date level of capacity for additional comparison goods retail floorspace within Guildford town centre?

LSH note that the updated capacity assessment has identified that forecast need for new comparison retail floorspace is significantly less than what was assessed in the Retail Study. The findings are comparable to the capacity results for many other local authority evidence bases due to changes within the retail market and shopper preferences, notably in respect to growth in online shopping. The updated capacity results also take account of changes in the rate of expenditure growth and higher rates of productivity growth for existing retailers which ultimately reduce the level of residual retail expenditure to support new floorspace. Whilst Savills' updated capacity assessment identifies need for new retail floorspace in the longer term (from 2030), it is considered that these capacity forecasts over estimate need as the market shares used to inform capacity will not take account of significant growth in online market share. As such, capacity forecasts are likely to be even lower if the assessment was informed by an up to date household survey.

Step 2: Is it therefore appropriate to deliver the quantum of comparison goods floorspace that was initially envisaged by the Retail Study?

Savills' updated assessment provides the justification that the additional 41,000 sqm gross of comparison floorspace allocated within Policy A5 could not be supported on a quantitative basis. From a market perspective, comparison retailers are retreating from high streets and it is unlikely that the site could support the level of additional comparison retail that is allocated in Policy A5. The speculative development of comparison goods retail at this level would not only struggle to attract sufficient anchors, but as Savills highlight, could impact on the viability of retailers in neighbouring areas, such as the Friary Centre. Putting aside the comments that capacity is over estimated, it is considered that Savills updated capacity assessment forecasts (3,875 sqm gross by 2030 then reducing to 1,506 sqm gross by 2034) can be met from the delivery of other site allocations that provide for retail accommodation and the reoccupation of vacant units in the town centre. Therefore, it is not considered that it is necessary for the North Street site to accommodate all of the revised forecast need for comparison goods retail.

Step 3: Would it be appropriate for the proposed development to provide 6,000 sqm of food and drink floorspace as envisaged by Policy A5?

Savills' updated assessment demonstrates that food and beverage (F&B) forecasts in the Retail Study are no longer valid in line with the findings on comparison goods retail capacity. The updated assessment identified a need for 226 sqm and 301 sqm by 2034, a considerable difference from the additional 6,000 sqm identified for Policy A5. It is highlighted that the F&B market is volatile and opportunities are led by specific site and centre requirements rather than quantitative estimates. There is currently limited demand for new outlets in Guildford Town

Centre based on published requirements, which adds weight to the argument that the allocation for F&B floorspace in Policy A5 is unrealistic and would not be delivered from a market perspective.

For the previous application, LSH concluded that the applicant had provided suitable evidence to justify the proposal to deviate from floorspace requirements set out in the Policy A5 site allocation and instead to provide up to 2,358 sqm (GIA) of flexible commercial floorspace to support town centre uses.

LSH have been retained by the Council again for the current proposal. Their response notes that the new proposal now includes a small revision to the comparison retail and food and beverage floorspace, reducing it from the 2,358sqm previously proposed to 2,019sqm now. LSH note that the current application provides no justification or appraisal of the further reduction in retail or food and beverage floorspace, other than noting LSH's previous comments that it was considered the capacity assessment provided by Savills was likely to be optimistic. Having reviewed the current application submission, LSH consider that the approach adopted by Savills is not particularly helpful, given that the additional reduction of 339 sqm in commercial floorspace now being proposed represents a decrease of nearly 15% compared with the scheme previously appraised. It is observed that this level of reduction is not insignificant.

However, notwithstanding this LSH note that compared to previously, expenditure growth rates are expected to slow over the coming years. LSH note that 'available expenditure will only be 7.5% higher in 2025 than the 2020 base year, compared with the previous 13% increase that was expected. Growth rates to 2030 are also slightly lower at 2.5% per annum from 2026 – 2029, compared with the 2.8% - 2.9% previously assumed. This will not be offset by the 3.0% growth expected in 2030 (was 2.9%) and therefore available comparison expenditure per capita will also be lower in 2030 than Savills assumed'.

As a result, the available expenditure previously forecast by Savills is now considered to be high, which in turn will reduce the expenditure available to support new comparison floorspace. At the same time LSH note that Experian are forecasting an increase in the proportion of expenditure that will be spent online and via other Special Forms of Trading (SFT). This is not specifically reflected in the previous Savills assessment, although it is noted that SFT rates of 30% - 35% are not unusual for comparison goods based on experience from recent retail evidence studies, whereas the Savills assessment is based on the historic figure of 12.9%.

The Council's Planning Policy Team have reviewed both the applicant's evidence and the LSH review commissioned by the Local Planning Authority. Regarding the provision of retail and food and drink / drinking establishments floorspace the policy team note that they have considered the LPSS flexibility regarding comparison retail as well as food and drink floorspace and provision, evidence that is provided by the applicant on retail elements alongside its earlier appraisal, and the further RPA provided by LSH. They remain of the view that there is a firm basis for justifying the reduced provision of floorspace proposed, which could accommodate retail and food and drink uses. Further, it is considered that our previous comments on flexibility regarding the proposed Use Class E units (see Annex 1 at para 3.8 and 5.9) remain relevant.

The overall conclusion reached by the policy team with regard to this matter is set out below:

'In this regard, it is considered that the proposal accords with the site allocation policy in terms of the retail and food and drink floorspace proposed. This conclusion is reached in light of the capacity figures provided by the Sept 2022 RPS (which support the current as well as refused applications); their previous review for the Council (which indicated that even the RPS figures are likely to overestimate need); the updated Sept 2023 FRPA received from LSH; and the associated flexibility in the level of provision offered by the LPSS.'

Even if this is wrong and there were to be grounds for a case that LPSS site allocation is in some way breached in relation to the level of comparison retail / food and drink floorspace provision, it is considered that the evidence available in relation to the application provides firm justification for deviating from the LPSS floorspace allocations to the extent proposed'.

In conclusion, it is noted that policy A5 includes the provision of large increases in retail and food and beverage capacity in this area of the town centre. It is firstly noted that although this proposal would deliver a small percentage of what is allocated, the application site forms only a portion of the wider A5 allocation. It is possible that further retail and food and beverage floorspace could be delivered on the remainder of the allocated site. However, notwithstanding this, it is also noted that policy A5 states that the final floor space figures could be those which are 'consistent with subsequent updates to the Guildford Retail and Leisure studies'. As noted above, the supporting text to policy A5 allows for an update to be provided to the Council, so long as it is agreed. As has been set out above, the developer has submitted a Retail Planning Statement which attempts to demonstrate that the reduced floor space provided by the development is acceptable in the current environment. This conclusion has been accepted by the Local Planning Authority's independent consultant. As such, although the retail and food and beverage floor space provision is lower than required by the allocation, it has been robustly justified. The proposal is therefore deemed to be compliant with policy A5 in this regard.

Office retention

Policy A5 requires that a minimum of 5,500 sqm of existing office floorspace will be retained through the redevelopment of the wider allocation. It is noted that this issue has added complexity in the sense that office accommodation is now grouped within the more flexible family of Class E commercial, retail and service uses. As such, the Local Planning Authority has significantly less power to prevent the change of use of town centre offices into other uses which also fall within Class E. However, it is acknowledged that the proposal would result in the demolition of Dominion House (which is currently in office use), as well as 15 North Street, part of which was formally in office use. While the development proposes flexible Class E uses (which could theoretically include office accommodation), the applicant does not expect that any office space will be provided as part of the scheme.

It is noted that outside of the application site, but still within the allocation are large office buildings which include 1 Onslow Street and Norwich House. It is noted that 1 Onslow Street is currently in office use and an application (21/P/00539 refers) for its refurbishment and extension has recently been approved by the Local Planning Authority. This was for the continued use of the building for office purposes, with the extension approved through the application delivering an additional 3,623sqm of floorspace to provide 12,700sqm in total. While the application has not yet been implemented, it is reasonable to assume that the building will remain in office use into the future and therefore although office accommodation is being lost through the subject planning application, it is highly likely that even just considering 1 Onslow Street, more than 5,500 sqm of existing office floorspace will be retained through the redevelopment of the wider allocation. In addition to this the Local Planning Authority has also recently approved an extension to the existing Barclays Bank premises which would deliver an additional 366sqm of office floorspace.

It is necessary to consider the site allocation as a whole in relation to the policy requirement above. Thus, whilst there will be a loss of (albeit largely vacant) office floorspace as a result of the proposed development, it is considered that this will not compromise the LPSS site allocation policy requirement (1). Further, as the site is allocated for uses as per policy A5, it is considered that there is in any case little basis for resisting the proposed loss of employment floorspace in line with Policy E3(12). The proposed development is thus considered not to breach Policy E3 in terms of the protection offered to employment floorspace.

On the above basis, it is considered that the proposal is acceptable in this regard.

Gym

Policy A5 includes the provision of a gym within the allocation. Gyms now fall within Use Class E and could be accommodated within the proposed non-residential floorspace. The Council's Planning Policy Team note that it is not considered that the proposal would breach the site allocation policy requirement for provision of a gym.

Conclusion on the principle of the development

It has been concluded above, through the assessment of the various technical reports submitted with the application, that the different elements of the proposed development are broadly consistent with the allocation. It is acknowledged that there are elements as detailed above that gain in principle support from the relevant parts of the allocation requirements. Other matters will be discussed below.

It is also noted that policy A5 also includes a number of more subjective design and character requirements etc. These matters will be assessed in detail in the rest of the report.

Loss of retail floorspace and secondary frontages

Policy E7 of the LPSS includes protection against the loss of shopping areas / uses along shopping frontages (see paragraph 4 of E7 in relation to secondary frontages) and within the Primary Shopping Area (PSA) at paragraph 5.

The site is within the PSA and North Street is a secondary frontage as are sections of Commercial, Leapale and Woodbridge Roads (as per the Local Plan Policies Map).

The proposal would result in the net loss of non-residential floorspace, however, it is acknowledged that a significant proportion of this will be due to the demolition of Dominion House which is currently in office use. Although it is noted that ground floor retail would be lost along North Street (including 15 North Street which is in poor repair and is a negative contributor to the streetscape) it may be re-provided, albeit with the flexibility offered by Class E. Furthermore, new commercial uses are proposed along parts of the Commercial, Leapale and Woodbridge Road frontages.

The Council's Planning Policy Team note that there is no certainty that the re-provided unit/s on the North Street frontage will be in retail/shop use (former A1 Use Class). Even if they were not provided as a shopping unit/s it does not appear that Policy E7 would necessarily be breached. In any case, even if there were to be a breach of E7(4), Use Class E permits flexibility and the proposal will add greater vibrancy and vitality to this frontage. Further, the proposal will improve the appearance and function of the frontage. In this regard, is it considered that the proposal conforms with LPSS Policy E7.

In relation to secondary frontages along Commercial, Leapale and Woodbridge Roads most of the land parcels along these frontages are currently used for parking or are derelict. Considering the retail evidence provided with the application and the (limited) scope for further retail uses on site, it is considered that the proposal reflects the extent of commercial (with the potential for retail) use along these frontages that might be expected. The proposal will contribute to activating these frontages and promoting vitality of the Guildford town centre. It is considered that there is no conflict with Policy E7 in this regard.

As such, the proposal is deemed to be consistent with Policy E7 of the LPSS.

Housing need and supply

Paragraph 60 of the NPPF states that 'to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'. Paragraph 62 goes on to note that 'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disability, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)'.

The Guildford Borough Local Plan: Strategy and Sites (LPSS) and Development Management Policies (LPDMP) were adopted by the Council in 2019 and 2023 respectively. Both plans are up-to-date and carry full weight as part of the Council's Development Plan.

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as being 6.46 years based on most recent evidence as reflected in the GBC LAA (2022). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 8, this is therefore greater than the threshold set out in paragraph 222 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

As the site forms part of the allocation under policy A5, the proposal will make an important contribution to meeting the housing requirement which is identified in the Local Plan.

Dwelling mix

Policy H1 of the LPSS states that 'new residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest Strategic Housing Market Assessment (SHMA). New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location'. The proposed dwelling mix for the development, as well as the SHMA requirement, is provided below.

Table 1			
Overall Housing Mix	No.	SHMA % Req	Provided %
1 bed	192	20	40.76
2 bed	220	30	46.71
3 bed	59	35	12.53
4 bed	0	15	0
Total	471		

It can be seen from the table above that the dwellings being provided by the development are skewed towards smaller units. Almost 90% of the units are either one or two bedrooms. No four bedroom units are proposed and it is also noted that the mix is entirely made up of apartments.

While this could be seen as a concern, the context of the site and the requirements of the allocation (policy A5) need to be borne in mind. The application site is within the town centre, beside a bus station and a five to ten minute walk from the mainline railway station. The future residential units would have a range of retail, commercial, entertainment and leisure facilities on their doorstep. In such a sustainable location, it is important that any application makes the most efficient use of the land and the provision of mainly one and two bedroom apartments ensures

that would be the case. Traditional family style houses on this site would not achieve the 400 units expected through the allocation and would not be appropriate given the surrounding uses and the fact that the development requires a relatively large amount of commercial space at ground floor level. In addition, it is noted that traditional family homes are being approved and delivered in more appropriate areas of the borough, so this element of Guildford's need is well catered for.

Furthermore, the Inspector's Final Report (paragraph 48) on the LPSS examination he stated '*as regards housing mix, the policy is not prescriptive but seeks a mix of tenure, types and sizes of dwelling, which the text indicates will be guided by the strategic housing market assessment. The policy also seeks an appropriate amount of accessible and adaptable dwellings and wheelchair user dwellings*'. While the proposed mix varies from the SHMA guidance, it is noted that the SHMA mix is to be achieved over the whole of the housing market area and over the lifetime of the plan. It is not feasible or practical to require every site to rigidly meet the identified mix in the SHMA and this is reflected in the Inspector's comments noted above. The flexibility set out in the policy must be used to achieve an acceptable mix across the borough.

The proposal is not likely to cause any material harm to the Council's ability to deliver a compliant SHMA mix on a wider basis and overall, the proposed mix is deemed to be acceptable.

Accessible units

Policy H1 of the LPSS requires that 'on residential development sites of 25 homes or more 10% of new homes will be required to meet Building Regulations M4(2) category 2 standard 'accessible and adaptable dwellings' and 5% of new homes will be required to meet Building Regulations M4(3)(b) category 3 wheelchair user accessible dwellings standard'.

The applicant has confirmed compliance with the above requirements and are providing 443 accessible and adaptable dwellings and 26 wheelchair user accessible dwellings. This provision exceeds the Council's requirements and will be secured by condition.

Affordable housing

Scheme viability

Policy H2 of the LPSS seeks at least 40 per cent of the homes on application sites to be affordable, with the mix in tenures being the same as set out above. Policy H2 also states that 'the tenure and number of bedrooms of the affordable homes provided on each qualifying site must contribute, to the Council's satisfaction, towards meeting the mix of affordable housing needs identified in the Strategic Housing Market Assessment 2015, or subsequent affordable housing needs evidence'. The proposal generates a requirement for 189 affordable properties on the site.

When originally submitted, the application included zero affordable dwellings as part of the proposal. The Viability Appraisal submitted with the application noted that the scheme was significantly in deficit and that therefore, the provision of affordable housing was not viable.

It is noted that issues of viability, if satisfactorily demonstrated, can form part of the planning process and become a material consideration. This is set out in both local and national planning policy.

The reasoned justification which accompanies policy H2 (but does not form part of it) notes that 'land values and property prices are generally high across the borough, although with considerable variation. Our viability evidence shows that the vast majority of housing developments in most locations in the borough are viable providing an affordable housing contribution of 40 per cent. Bearing in mind that viability assessment was undertaken in preparation of the Local Plan, the impact of policies on development viability have been considered and are regarded as realistic. The need for a viability assessment at planning application stage will thus need clear justification by the applicant in line with paragraph 57 [now paragraph 58] of the NPPF. Should this need be accepted, the Council will need to weigh the outcomes and implications of the viability assessment against all circumstances relating to the case as part of considering the acceptability of the proposal. We will expect developments to provide the required amount of affordable housing in accordance with this policy and Guildford Planning Contributions SPD. In considering viability, developers will be expected to have taken into account the costs of meeting policy requirements, including the provision of affordable housing and infrastructure requirements, in the price paid for a site. Where we consider that these requirements have not been satisfactorily taken into account in the purchase of land or of an option, we will not accept a lower rate of provision. Where developers raise viability concerns with providing the required proportion of affordable housing, they will be expected to meet the costs of the Council's financial appraisals as well as their own'.

Policy H2(6) of the LPSS states that 'if developers satisfactorily demonstrate that providing the amount of affordable housing required by this policy would not be economically viable, the Council will consider the following to assist with delivering a scheme: (a) varying the tenure mix of the affordable housing (for example, more intermediate housing and less rented housing), size, and/or type of homes to be provided; and/or (b) reducing the overall number of affordable homes'. Although published before the adoption of the LPSS, the Council's Planning Contributions SPD notes the following 'applicants who consider their proposal will be unviable with all the required planning contributions must be able to support their case with detailed evidence of development viability in the form of a detailed financial viability assessment. This should use the "standard" viability appraisal toolkit recommended by the Council. The development appraisal will be scrutinised by external experts appointed by the Council. The Council will expect the developer to fund the costs incurred through the employment of its external experts'.

Paragraph 58 of the NPPF states that 'where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up-to-date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available'.

The applicant's Viability Appraisal has been independently assessed by a consultant appointed by the Local Planning Authority. Following discussions between the parties, it has been agreed by both sides that the proposal would be significantly in deficit. The Council's viability expert has calculated the scheme deficit as being £9.31m. It is noted that the overall deficit has increased marginally from the previous application which was reported as being £9.29m. It is acknowledged that the proposed scheme includes a host of expensive works which raise the quality of the proposal and the benefits that it will bring to the wider town centre. For example, the costs of the bus station improvements and pedestrianisation of North Street are both considerable.

It is noted that the Council's expert has also carried out a sensitivity analysis of the conclusions they have reached. It is noted that if values grew by 6% (double the cumulative increase forecast by the applicant's agent) and costs remained unchanged, the residual land value would still be lower than the benchmark land value. However, in actual fact, it is noted that costs are forecast to increase by 16.89% over the five year period to 2027, which would result in negative residual land values both if sales values remain unchanged, or if values increased by 6%. It is noted that significant growth of 20% would be required to generate a residual land value exceeding the benchmark land value. The Council's expert notes that in the context of current forecasts, the prospects of growth at these levels materialising is very remote.

While it is acknowledged that the applicant's claimed scheme deficit, at £43.96m, is significantly greater than that concluded by the Council's expert (£9.31m), overall it is common ground between both sides that the scheme as presented is unviable. Therefore, considering the adopted policies in the Local Plan there is a justification for the applicant to not provide any affordable housing as part of the scheme, either on-site or a contribution in lieu. In conclusion, the Council's viability expert has concluded the following: 'as a result of a reduction to construction costs of circa 4.5% and other changes, our appraisal currently identifies a deficit of £9.31 million. Consequently, the proposed development, as currently presented, remains financially unviable and unable to support the provision of affordable housing alongside policy compliant Section 106 contributions'.

Commercial offer made by the applicant

Notwithstanding the above, following discussions between Officers and the applicant, and taking into account the concerns raised by Members via refusal reason six for the previous scheme, the following commercial offer has been made in an attempt to recognise the importance of providing affordable housing as part of the scheme and overcoming the previous concerns. The applicant has therefore offered the provision of 47 affordable dwellings as part of the development. This would equate to 10% of the total, compared to the Council's requirement of 40%.

The applicant notes that the proposed affordable units would be provided in a mix of 31 affordable rent (66%) and 16 shared ownership units (34%). It is noted that this mix differs slightly from the Council's recommended split which is 70% affordable rent and 30% shared ownership. However, given the viability position and the fact that the offer is only marginally deficient in this regard, the proposed mix of affordable units is considered to be acceptable. The applicant has also confirmed that:

- the proposed affordable units would be tenure blind;
- to limit the impact on the viability of the scheme, all affordable units would be delivered in the final phase of the development; and
- there is no late or mid stage viability review, but that an early stage review takes place if the scheme is not progressed within set timeframes.

All of the above could be secured through an appropriately worded legal agreement.

While the proposal does not provide the required level of affordable housing as set out in policy H2 of the LPSS, this has been fully demonstrated through viability assessments. Importantly, the Council's independent viability expert has concluded that the scheme is not viable, even with zero affordable units. The applicant's offer of 47 on-site affordable units, goes some way to offsetting this matter. However, as policy H2 of the LPSS allows for viability arguments to be taken into account, when considered as a whole, the proposal is found to be compliant with the Local Plan and NPPF in this regard. This is clearly a significant benefit of the scheme which will be discussed further in the final balancing exercise.

Viability review mechanism

Policy H6 of the LPDMP sets out the Council's requirements with regard to viability reviews where the viability of a scheme has been confirmed as being an issue. The introduction to policy H6 states that 'in this regard, where proposals are being considered that at the outset may not meet Local Plan affordable housing requirements, the Council will seek a review of viability of the scheme with the aim of achieving policy compliance over time. This review will allow for any improvements in scheme viability between the date that the planning permission was granted and that established at (a) later date/s during the implementation of the scheme to contribute toward meeting minimum policy requirements that were not possible to achieve at the point that the scheme was consented'.

The most relevant requirements of Policy H6 for this application are copied below:

- 1) if a reduced contribution to affordable housing than that which is required by the Local Plan is proposed and justified on viability grounds, the Council will normally require a viability review mechanism to be secured.
- 2) based on the outcome of the review/s of viability, the Council will seek to recover in full or in part any affordable housing contributions that would otherwise have been secured under the Local Plan affordable homes policy.
- 3) the viability review mechanism will specify a trigger point or points for undertaking viability review which will reflect:
 - a) a late stage review which should be undertaken prior to the sale or lease of 75% of market homes, or at an agreed similar point; and
 - b) for large-scale phased development, an additional mid-stage review prior to implementation of the second half or later phase/s of the development.

While in principle a late stage review should normally be secured as part of this development it is noted that the applicant has specifically excluded one as part of the affordable housing offer. The lack of a late stage review needs to be considered in light of the viability position and the commercial offer which the applicant is making. On this point the Council's viability expert has noted that 'the offer...was contingent on there being no mid or late stage review mechanism... Our analysis of medium term sales values growth and forecast build cost inflation indicates that if a review were incorporated into the Section 106 agreement, it is very unlikely to result in a sufficient improvement in viability that would result in more affordable housing than...offered by the applicant....

As such, it is Officer's view that the commercial offer made by the applicant of 47 affordable units is very unlikely to be matched or improved through a late stage review. Therefore, Officers consider that the best way of maximising the provision of affordable housing on the site is to accept the applicant's commercial offer, rather than have no affordable housing provided at this stage and hope that some could be secured through a late stage viability review.

As regards a possible mid stage review it is noted that paragraph 2.30 of Policy H6 notes that this should only apply to schemes which deliver 500 or more residential units. The proposal does not meet this threshold so a mid-stage review would not be supported by the Council's policy. The applicant has however agreed to an early stage review which would be undertaken should there be a delay to the construction of the scheme. The exact triggers and requirements for an early stage review would be secured through the legal agreement.

In conclusion on this matter, it is Officer's view that in this very unique situation, the applicant's offer of on-site affordable units provides certainty over the delivery of affordable housing through this scheme and therefore is the preferred option rather than a late stage review. Officers conclude that the viability position has been robustly tested and given the unique set of circumstances with this case, and the infrastructure which is being delivered as part of the application, substantial and robust justification has been provided (and which has been verified independently) which demonstrates that the potential for additional contributions is limited by the circumstances of the case. As such, there is not considered to be any conflict with policy H6 of the LPDMP.

As regards policy H7 of the LPDMP (First Homes) there is a requirement that 'a minimum of 25% of affordable homes provided either on-site or off-site or as a financial contribution in lieu of on-site provision in line with the Council's adopted affordable housing requirements are expected to be First Homes'. It is noted above that the scheme is not viable and the applicant has made a bespoke offer. This does not include any First Homes. Given that the policy states that the provision is only 'expected' rather than 'required', in this instance and given the specific and unique circumstances of the case, the lack of First Homes is not objectionable.

Deliverability

It is acknowledged that the applicant's claimed deficit at £43.96m is considerable. On this matter, the Council's viability expert has stated that 'the applicant's report indicates that the proposed development generates a deficit of £43.96 million, which raises significant doubt as to its deliverability, notwithstanding the applicant's stated intentions'. On this point, there are a number of matters to consider.

Firstly, although the applicant disagrees, the Council's viability expert notes that many of the key inputs to the applicant's appraisal are not supported by evidence and taking into account available evidence they have predicted a much lower deficit of £9.31m. While still a large deficit, it is considerably smaller than that suggested by the applicant. Secondly, it is noted that the applicant has provided a letter to the Local Planning Authority which addresses this point in more detail. They note that 'we have provided extensive information in relation to the current market conditions and the concerns we have on the viability of this development, however whilst we consider that market conditions are challenging, we have calculated that in order to achieve an acceptable level of return we would need to achieve between a 3% to 4% growth in revenue per annum above cost inflation over the lifecycle of the scheme. Whilst the current climate is undoubtedly challenging, we are reliant on market conditions improving for us to generate a reasonable return. We are a developer who takes informed risks on projects of this nature and we take a long-term view of market conditions. We believe Guildford is a desirable investment opportunity and we are confident with our track record and expertise for placemaking, our brand reputation and our ability to drive good growth through regeneration that we can transform this part of the town and help elevate the local market to achieve an acceptable level of return'.

While the concern is fully acknowledged, on the above basis, it is not felt that the Local Planning Authority could raise an objection on deliverability.

The layout and appearance of the development in relation to the surrounding area

The NPPF in chapter 12 promotes 'achieving well designed places'. Paragraph 130 is applicable and states that planning decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective

landscaping;

(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 134 requires significant weight be given to:

(a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes; and/or

(b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Policy S3(5) of the LPSS is also relevant and it requires new development to have regard to, inter alia, policy D1, historic environment, street pattern, topography and views within the town centre of important historic buildings. S3(6) expects developments to contribute to achieving mixed uses with active ground floor uses, defined public and private spaces, an attractive and safe public realm, legible routes and improved access and views to the River Wey.

Policy D1(1) seeks to ensure that all new developments achieve high quality design that responds to distinctive local character, creating places with a clear identity, easy to navigate, with natural security and attractive overlooked streets and spaces.

Policy D4 of the LPDMP is also relevant and it provides further detailed design guidance. Amongst other things, it notes that development proposals are required to incorporate high quality design which should contribute to local distinctiveness by demonstrating a clear understanding of the place. Development proposals should respond positively to:

- a. the history of a place;
- b. significant views (to and from);
- c. surrounding context;
- d. built and natural features of interest;
- e. prevailing character;
- f. landscape; and
- g. topography.

Policy D4 goes on to note that development proposals are expected to demonstrate high quality design at the earliest stages of the design process, and then through the evolution of the scheme, including in relation to:

- a) layout - settlement pattern of roads, paths, spaces and buildings, urban grain, plot sizes, building patterns, rhythms and lines
- b) form and scale of buildings and spaces - height, bulk, massing, proportions, profile and roofscapes

- c) appearance
- d) landscape - landform and drainage, hard landscape and soft landscape
- e) materials
- f) detailing

Development proposals are also required to reflect appropriate residential densities that are demonstrated to result from a design-led approach taking into account factors including: a) the site size, characteristics and location; b) the urban grain of the area and appropriate building forms, heights and sizes for the site; and c) the context and local character of the area. Development proposals are expected to make efficient use of land and increased densities may be appropriate if it would not have a detrimental impact on an area's prevailing character and setting.

The requirements of the allocation have already been set out above, but in summary the proposed requirements are:

- respond to the context set by the surrounding street pattern and historic environment, including the adjacent Conservation Area, through the need for high quality design and materials, with particular care of massing, heights and roofscapes
- if demonstrated through the Design and Access Statement that providing the proposed scale of development on site is not consistent with good design then the proposed residential quantum should be reduced so that retail needs are met
- design to enhance and respond to the existing historic shopping core and;
- improve connectivity with High Street and lanes, and
- improve underused areas, and
- improve the public realm
- provide a varied roofscape, minimising the impact on the skyline to protect views in and out of the site
- mix day and night time uses to add to vitality of area
- 24 hour access to public streets and squares

Policy D8 of the LPDMP relates to public realm and states (inter alia) that it is required to be designed as an integral part of new development and its future care and maintenance secured. High quality new or improved public realm proposals are required to demonstrate that:

- they are informed by their context, including the landscape, townscape, important views and historic character;
- the design responds to the character, location and function of the spaces and surrounding buildings, and creates a sense of identity;
- it contains and reveals focal points and landmarks to enable ease of movement and legibility
- it creates attractive, safe and, where appropriate, lively streets with visual interest at pedestrian level;
- it maximises opportunities for activity and enjoyment, and encourages social interaction and community cohesion;
- it maximises opportunities to incorporate soft landscaping including trees, hedges and other planting, appropriate to both the scale of buildings and the space available;
- all new streets are tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate, and their long-term maintenance is secured;
- the materials are sustainable, durable and long-lasting; and help create and reinforce local distinctiveness; and
- it takes a coordinated approach with adjacent sites/phases in terms of the palette of materials, and the design and siting of street furniture, boundary treatments, lighting and signage.

Aspects of the scheme relating to the wider townscape impact, permeability, and heritage impact are considered in separate sections later in this report. The place and architectural character that would be created by the layout and design of the scheme are examined below.

Background

It is acknowledged that for the previous application, Officers found that the proposal would not result in any material harm to the character or appearance of the town centre. However, it is noted that the Planning Committee disagreed and reason for refusal five reflected Member's concerns about the height of some of the proposed buildings, as well as the bulk, scale and massing of the development. The reason for refusal has already been set out in full earlier in the report.

Members were perfectly entitled to form a different and reasonable judgement to that of Officers on the previous scheme, and while the reason for refusal is a material planning consideration the new application now being assessed is materially different. Therefore, Officers must continue to assess the proposal against the adopted policies of the Local Plan.

Architectural design, bulk, scale and massing of the scheme

It is noted that while the town centre in general is characterised by low scale, individual buildings, there are a number of larger properties in the immediate vicinity of the application site. These include The Friary Centre, the telephone exchange, Dominion House, the multi-storey car park on Leapale Road, as well as the office and commercial buildings on Onslow Street. The Surrey Police headquarters and House of Fraser department store are also close to the site. As such, it must be recognised that the immediate surroundings consist of a wide mix of building sizes and heights.

In general, the proposed scheme increases in height from south to north. The buildings fronting onto the more sensitive North Street end of the site are lower in height, scale and massing. They include a new building to the west of the existing All Bar One which would be set over four storeys and a replacement of 15 North Street which would also be four storeys in height. These infill buildings are considered to be in keeping with, and sympathetic to, the scale and height of existing buildings along the northern side of North Street. The buildings then gradually increase in height towards the tallest building on the site which would be roughly in the same position as the existing Dominion House. The new Woodbridge Road which would run through the centre of the site would be flanked by buildings which would be between four and 11 storeys in height. The Leapale Road and Commercial Road frontages would be set with buildings of between four and 11 storeys. It is also noted that the proposed buildings would be large structures, with significant footprints. Apart from the larger buildings referred to above, the proposal would appear as a rather large incursion into the existing townscape.

The Council's Urban Design Officer notes that 'the proposal is ordered around the existing Woodbridge Road and the new thoroughfare of Astor Lane. The development structure is loosely based around the principle of perimeter blocks that are traditionally used to establish clear public frontages and private rear areas. This is successful south of The Dial where the existing built form of North Street together with new build have been used to form two enclosed private rear courtyards. North of Astor Lane the traditional structure has been modified to respond to the narrower site areas resulting in two open sided perimeter blocks...' It is noted that the proposal to retain the existing Woodbridge Road alignment would establish a legible spine to the scheme. Street frontages would frame views to the spire of St Saviours Church. Along the length of the street architectural interest would be provided by brick and metalwork detailing at ground floor level. The proposals for Woodbridge Road respond well to the local context and street pattern as required by Local Plan policies. The Urban Design Officer notes that the proposals for Friary

Circus successfully integrate the modernised bus facilities with the wider public realm, creating a legible sense of arrival for pedestrians at the junction with Astor Lane. The modernised bus facilities would include a new concourse, canopy, signage, waiting areas, accessible toilets and staff facilities. To the south of Friary Circus paving would prioritise pedestrian movement with a clearly demarcated bus carriageway and wide raised table at the junction with North Street. The new development blocks would establish a well-defined edge to Commercial Road with activity at ground floor levels and good passive surveillance provided by upper floor apartments. Friary Circus would be animated by public art; a flexible event space; opportunities for informal 'amphitheatre' seating; and al fresco dining. It would be framed to the rear by tree planting and a rain garden. This would create a pleasant 'green' backdrop that would also serve to soften views of the Friary Centre's side elevations.

On the eastern side of the scheme the proposal would provide a new streetscene to Leapale Road. The proposed scheme would re-establish a two sided street that would generate more pedestrian activity with good levels of passive surveillance. Active commercial and residential frontages would step down the street with existing levels. At the junction with Astor Lane an archway will provide a distinctive and legible pedestrian gateway. Street trees and a pedestrian crossing would also help signpost the Astor Lane gateway. The scale and massing of the new frontage would be broadly consistent with the telephone exchange and multi-storey car park on the opposite side of the street.

It is acknowledged that a number of concerns have been raised by the public with regard to the height of the proposal and the resulting impact on the townscape. It is claimed that due to the height and bulk of the buildings they would not be in keeping with the existing character and scale of Guildford town centre. To a certain extent, these concerns reflect reason for refusal five of the previous application.

While Officers must be careful not to judge this proposal against the previous scheme, it is important to set out the differences between the two. The biggest change sees the reduction in the height of Block E from 13 to 11 storeys. The reduction in height has also necessitated a complete redesign of the building which is now a modern interpretation of a warehouse style structure, finished in red brick. In addition to this and to give space at the centre of the site and to reduce the feeling and perception of overdevelopment, a significant area of floorspace has been removed from the centre of the site, to the north of The Dial. This change has the effect of opening up the centre of the scheme and giving it to public open space (referred to as Friary Gardens by the applicant) is seen as a positive change. These positive changes do materially change the impacts of the scheme on the townscape.

As a reminder, the allocation states that the scheme should 'respond to the context set by the surrounding street pattern and historic environment, including the adjacent conservation area, through the need for high quality design and materials, with particular care of massing, heights and roofscapes'. While it is acknowledged that some of the proposed buildings are taller and bulkier than others in the surroundings, it could be said that the design does respond to the context of the site and that particular care has been given to massing and heights. The taller buildings are situated away from the more sensitive, historic end of the site where it fronts onto North Street. The new 11 storey building would now sit beside 1 Onslow Street which has planning permission for a rooftop extension which would bring its height to nine storeys, with a further large plant structure on top. In addition, while not as tall as the proposal, the Friary Centre also presents as a very large and bulky building in the streetscene. Therefore, it is considered that the taller buildings would be set in a context of mainly large structures (as referred to above) and are sited in the least sensitive part of the site and where 'height' is more likely to be accommodated with reduced harm. In this context it is not considered that the proposal would be so out of place that a reason for refusal on these grounds could be justified.

It is noted that Block E, if approved, would become one of the tallest buildings in the town centre. In their comments on the previous scheme, Design South East (DSE) commented that 'the scale of the different blocks works well in relation to each other, including the marker block building, which is sufficiently different in height to the blocks that surround it to be distinctive and create an accent in height at this strategic location'. While it is acknowledged that the design and appearance of Block E has now changed fundamentally, the principle of these comments are still considered relevant - that the proposed height of this building would be acceptable and appropriate in its context. It is considered that the applicant has chosen the most appropriate location to position the tallest building in the scheme. The building would act as a gateway into the town centre and would mark the beginning of the retail and commercial centre. In urban design and townscape terms, the positioning of a taller building in the lowest part of the site is a rational design choice.

While it is acknowledged that some of the proposed buildings would be larger than the ones they would be surrounded by, they would not be so incongruous or out of place in their context that material harm would be caused. It is noted that paragraph 130 of the NPPF seeks development that is sympathetic to the surrounding environment, but it is noted that this should not discourage appropriate innovation or change (such as increased densities). The proposed scale and size of the buildings allows for an effective use of a highly sustainable, brownfield site located in the centre of the market town of Surrey. Concerns have been raised with regard to the Leapale Road frontage and the fact that it could appear as a long un-broken frontage of tall buildings. In response to this it is firstly noted that Leapale Road does have a gentle curve to the west which ensures that the whole length of the street is never viewed as one. In addition, the proposed built form on Leapale Road would be successfully broken up with the slightly smaller building over Astor Lane, the introduction of the pedestrian arched walkway which would provide interest and new street planting which would be located on new build-outs into the pavement.

In terms of the architecture, on the previous scheme the Council's Urban Design Officer noted that 'the architectural approach set out in the DAS would draw upon the character of Guildford through: the primary use of various tones of red brick; special materials to act as a counter point to brick through texture and colour; largely simple, repetitive and ordered elevations; detail focused upon the basis and tops of buildings; special characteristics such as ground floor colonnades and inviting openings; and colour to aid wayfinding and indicate special public spaces'. DSE in their second letter on the previous scheme also noted that 'overall, there is a clear and rational approach to materials and detailing. The analysis and use of colour, the differentiation of the base middle and top on the different buildings, and the use of colour as wayfinding are all strong. The special elements such as the archways and written signage also work well. It is important that high quality materials are used for the signage - their boldness is a positive, but any reduction in the quality of materials, given their prominence, could have a significant negative impact. The elevations work well overall. The architecture is fragmented and organic although there is a relatively regular grid of wall and fenestration. On the bigger buildings, a slightly looser, less orthogonal approach could fit better with the overall master plan approach, by giving greater variation and a more informal appearance...'.

It is noted that the proposed materiality of the scheme has been updated as part of the current application to include more brick buildings, which replace the previous areas of render and lighter colour bricks. While the proposed buildings share a consistent theme in terms of their colour and appearance, they are differentiated through their materials and the use of glazing etc, brick detailing etc. In addition to the use of more brick, the proposed material strategy also includes the use of contrasting coloured materials, such as coloured concrete, glazed bricks, ribbed stone effect cladding and glazed tiles. The use of these alternative materials has been used strategically, typically at the base or tops of the proposed buildings, in order to provide architectural relief and animation, to enliven and enhance the streetscenes. There are also instances where the use of these alternative accent materials are being purposefully used as key

placemaking and wayfinding devices within the designed public realm, this include at the proposed Astor Lane Arch (linking the Dial to Leapale Road) and at the Dial itself. It is noted that the applicant has produced detailed models of some of the buildings which illustrate the fine detailing which is built into the architecture. This will ensure that the scheme is not read as one homogenous block, but a series of individual buildings which share a common theme. In addition, the landscaping, public open spaces and features such as the glazed arch onto Leapale Road all help to enrich and raise the architectural quality of the scheme as a whole. All of the buildings would have a strong base which would either repair existing streetscenes (such as North Street and Leapale Road) or create new ones in the case of the new Woodbridge Road. At street level, the proposal would provide active frontages which have interest, articulation and in places, an element of fun in their finish and design. The architecture of the pedestrian environment would therefore be of very high quality, creating spaces where people will want to occupy and enjoy. The interventions on North Street have been designed to fit in with their neighbours and are respectful in terms of the fenestration arrangement and architectural order. In the case of 15 North Street, the proposed building would be of a much better quality than the one it would replace.

The materials would all be controlled by planning condition, but nevertheless, the material strategy as set out for the proposed scheme is considered to be well considered and complementary to the prevailing palette observed both immediate to the site and more broadly throughout Guildford, but equally contribute markedly towards creating a well-designed scheme which has a positive and coherent identity.

Success of the layout of the scheme in creating a sense of place

At present, the existing site is comprised of a number of derelict and vacant sites. It presents very poorly to the townscape and detracts significantly from this area of the town centre.

The proposal would provide the complete regeneration of this part of North Street and would add a new commercial and residential area to the town centre. While it is acknowledged that the scheme would have its own distinct character and design, which would be clearly distinguishable from the rest of North Street, efforts have been made to help the proposal integrate with the existing town centre. Pedestrians travelling from the High Street to the proposed site would be drawn to the new public space areas which are to be provided beside the All Bar One building and also on Commercial Road (Friary Circus). Public spaces of this quality are lacking from the town centre and they would help to knit the site allocation with the existing town centre in an understated way. As noted above, the new infill buildings on North Street have been designed to reflect the existing height and arrangement of existing buildings on the street and they would help to provide a more 'gentle' entrance into the site when approaching from the High Street.

The spaces within the scheme have clearly been carefully considered by the applicant. The main route through the scheme would be the re-modelled Woodbridge Road. This road would be stopped up as part of the proposal and would become a pedestrianised space. This new pedestrian street would retain the historic alignment of Woodbridge Road. The width of the street and height of the buildings are well proportioned and would form a vista with framed views extending to the spire of St Saviour's Church. High quality paving with a central channel would emphasise the linearity of the street. The southern and northern sections of the street would have contrasting characteristics. To the south, the street would have a lively feel with restaurants, bars, opportunities for al-fresco seating and catenary lighting. To the north, the street would be residential in character with front doors and a defensible landscaped front garden space. At upper floor levels apartment windows and strategically located balconies would also enliven the street and provide passive surveillance. Along the length of the street architectural interest would be provided by brick and material detailing at ground floor level. This new route would provide a much more desirable walking route from the town centre in the direction of Woodbridge Road

and is likely to quickly become part of residents everyday use that they utilise to move around the town.

Half way along the pedestrianised and remodelled Woodbridge Road would be a new public open space named the Dial which would be fronted by commercial properties, the new Friary Gardens and the main entrance into the concierge for the apartments within the scheme. The Dial would form a new public space at the heart of the development which would include landscaping and areas for seating. To the north-west of the Dial would be the new Friary Gardens which would be a large area of soft landscaping and seating. This would be a more contemplative space and a welcome addition to the scheme. As noted above, Friary Gardens also replaces the former concierge building and through the loss of this built form, the centre of the scheme would feel more open and spacious. It is noted that the Council's Urban Design Officer has raised some concerns about the relationship between The Dial and the new garden. The Urban Design Officer notes that 'at the junction of Woodbridge Road and Astor Lane the Dial building and public space is intended to punctuate the centre of the site. This design intent is however weakened by the proposed Friary Gardens, which this space would 'leak' into. The DAS states that the space will be lively with cafes and restaurants spilling out into the public realm. However, only one main commercial frontage to this space is proposed. The majority of activity is likely to be generated from pedestrians moving through the space and as a result the Dial building between the Dial and Friary Gardens will appear somewhat disconnected from the urban grain. The proposals do not adequately address Local Plan policies A5, S3, D1 and D7, which amongst other things seek a strong relationship between internal and external spaces, active frontages and where appropriate lively streets that encourage social interaction'.

While these concerns are noted, the creation of this new public space would be a very welcome addition to the urban fabric of the town. While it is acknowledged that some activity has been lost around this space, on the other hand the reduction in the built form provides a greater sense of openness in the middle of the scheme which is something which Members raised a concern regarding the previous scheme. In addition, the new Friary Gardens would be a welcome addition to the scheme and would see the provision of a different type of public open space within the town centre. Exactly how Friary Gardens is separated from The Dial could be controlled by condition. It is further noted that DSE raise no concerns about this space and they state 'the decision to bring down the garden from the podium and make it publicly accessible during daytime is supported. It creates a more attractive and accessible space bordering Astor Lane East, allows for the introduction of trees, and brings important publicly accessible and visible greenery. It also gives greater informality to the important intersection of the Dial and introduces more space to linger, which works well with the overall character of the public and private realm within the masterplan. The Dial is an appropriate scale, and there is a good complementary relationship between the tranquil courtyard garden and the activity of Friary Circus, with the Dial linking the two'. On balance, while some concerns have been raised, it is considered that The Dial and Friary Gardens are acceptable and would provide health and well being and ecological benefit within this area.

As noted above, the southern end of the new Woodbridge Road would terminate at the proposed North Street Square. The square would replace 18 North Street and 108-109 Woodbridge Road which are to be demolished as part of the proposal. The space would be framed with a new red brick building which would include a decorative colonnade to its south and west facades. The square would serve as a public realm gateway to the development and a breakout space to North Street. It would be framed by semi-mature trees and seating with a central water feature. The benches shaded by trees would create an attractive dwell space to rest and enjoy the activity of the square and the street. The central water would provide interest and an opportunity for informal play. DSE previously noted that 'the new square on North Street works very well and is a great addition to the proposal. The colonnaded area is particularly successful. The water feature is a good idea and contributes to the play provision of the scheme'.

Away from the new Woodbridge Road, a new area of open space is also proposed on Commercial Road which is also to be stopped up as part of the development. This new public space which the applicant calls Friary Circus would form an important link between the new residential and commercial quarter, the bus station, the Friary Centre and North Street. The Urban Design Officer notes that 'Friary Circus would be animated by public art; a flexible event space; opportunities for informal amphitheatre seating; and al fresco dining. It would be framed to the rear by tree planting and a rain garden. This would create a pleasant 'green' backdrop that would also serve to soften views of the Friary Centre's side elevations'. DSE also note that 'Friary Circus now has a clear purpose that differentiates it from other spaces, and we welcome the changes made here. The space for buskers and activity is likely to appeal to older children and teenagers. The inclusion of activities for older children / teenagers such as space for skateboarders should be considered. The new Friary Circus is now better delineated spatially. The greenery works well as a screen and a buffer to the bus station and bus access from the south. There is a good line of sight to North Street on the sketches. This is less obvious on plan view but is a strength and should be part of the proposal as it will ensure the activity in this area is visible from a distance, making the space more attractive'.

In addition to all of the above, the proposal also includes the part pedestrianisation of North Street between Commercial Road and Leapale Road. The exact details of the pedestrianisation will be discussed later in the report, but in physical terms it will involve the re-paving of the pavements and the carriageway to create a mostly level surface between the southern and northern sides of North Street. The pedestrianisation works would also include new street furniture, lighting and seating. These works would positively transform this part of North Street and together with the other aspects of the development would help it integrate with the existing town centre. These works will be described in greater detail below.

The creation of new pedestrian north-south and east-west routes through the site would also help to improve town centre permeability. The use of narrow lanes and broader streets is a deliberate design feature which replicates the High Street / North Street and the narrow alleys and laneways which link the two. This feature also helps the scheme integrate into its surroundings.

In all, through the layout, the provision of new areas of open space and the architecture and detailing, the proposed scheme would create its own strong sense of place, whilst also successfully integrating with the existing town centre. The quality of the proposed public realm, including the detailed hard and soft landscaping, street furniture, public art and play spaces would be secured by condition.

Bus station

The existing bus station offers a very poor environment for its users. Its design is of its time and is in need of investment. The proposal would involve the demolition of the existing concourse which runs along the eastern edge of the Friary Centre. The new concourse would be located in broadly the same position but housed in a new, purpose built, modern structure. The proposal now includes 17 bus stands (including one stand on Commercial Road adjacent to the Friary Centre), a new enclosed passenger waiting room, toilets, information displays etc and would be covered with a new bespoke canopy roof.

DSE note that 'allowing bus access from the south is a well-justified decision, given the competing demands and requirements, particularly from the bus operators. The introduction of facilities into the bus station is a positive move and a significant improvement, making the bus station more civilised, welcoming and accessible. The bus station was, in the previous iteration, on ambitious and striking proposal. The canopy is now more minimalistic and understated in appearance – this could be successful, but the change means the detailing and materials are

particularly important. There is a risk that it appears too utilitarian: it must feel more like an attractive, uplifting public facility rather than a service area'.

The design of the new concourse is not objectionable and would be a welcome improvement over the current situation.

Commercial properties

It is noted that policy D9 of the LPDMP provides the requirements that are expected in relation to the design of shopfronts. It states that (inter alia) shopfronts are required to be designed to a high quality, including being responsive to, and where possible enhancing the character and appearance of their surrounding context and the building it forms part of. Development proposals are also required to contribute to the continued preservation or enhancement of the Borough's heritage assets, with their design having been informed by relevant national and local design guidance. All new and alterations to shopfronts are expected to use high quality sustainable materials and to be of a design that retains, or relates well to the proportion, scale, detailing, period and character of the host building as a whole, as well as the wider street scene. Unless the architecture of the building indicates otherwise, new and replacement shopfronts are required to include as a minimum the following features within their design:

- a) fascia
- b) pilasters
- c) cornice
- d) stall riser(s)
- e) retail window(s)
- f) doorway

Policy D9 goes on to note that shopfronts contribute positively to the established character and appearance of the building they form part of, the surrounding context or which are identified as being of architectural or historic interest must be retained or restored.

As regards advertisements, it is noted that individual advertisement consent applications will be required by each unit (where consent is required). Policy D10 of the LPDMP provides the requirements for the design and location of advertisements.

It is noted that the design of the shopfronts and commercial advertisements and signage within the scheme will to a large extent depend on the final occupiers. As such, this information is not available at present. While the applicant has provided some broad designs of the shopfronts, these will most probably be altered as occupants are found. To ensure that the shopfronts and the signage associated with the commercial premises are of a high standard and display a consistent theme throughout the development, the applicant will be required to submit a Shopfront and Advertisement Strategy before works on the units begin. This will be secured by condition. As such, it is considered that the requirements of policies D9 and D10 can be met through the condition.

Conclusion on urban design

While it is acknowledged that the proposal would redefine this part of the town centre and would introduce built form on land currently devoid of buildings it has been sensitively designed to reflect the nature and character of its surroundings. Higher buildings have been placed where they would reflect the scale and massing of existing larger scale buildings responding to these buildings to make a positive contribution to the surrounding context. The tallest building, which is located at the northern end of the side, close to Onslow Street, would aid legibility in an area which is already characterised by larger buildings. As such, this element of the proposal would

not appear out of place in this context. The impact on wider views will be considered in the next section of the report.

Other elements of the proposal also include bulky buildings which would transform Leapale Road and the former Commercial Road. However, the quality of the architecture, the detailing of the buildings, as well as the public realm improvements will help the structures to assimilate into their surroundings. While the proposed buildings are large, overall, in urban design and townscape terms the proposal would not result in harm to the character or appearance of the surroundings.

It is acknowledged that the Urban Design Officer has raised a number of concerns regarding the materials and The Dial. However the Urban Design Officer does go on to note that 'on balance, the scheme responds positively to Local Plan design policy'.

As such, the proposal is deemed to be compliant with policies A5, S3 and D1 of the LPSS and policy D4 of the LPDMP.

Impact on wider townscape

NPPF Chapter 12 paragraph 130 noted above is also relevant to consideration of the townscape impact of a development. In particular, it seeks to ensure at (c) a sympathetic approach to local character and history, the surrounding built environment and landscape setting.

LPSS Policy S3(5) requires new development to have regard to (c) important views into and out of the town centre from the surrounding landscape, and (d) views within the town centre of important historic buildings.

Policy P1 (3) advises that great weight will be given to the conservation and enhancement of the natural beauty of the Surrey Hills AONB and development proposals must have regard to protecting the setting. The AONB includes the wooded hilltops either side of the valley in which the Town Centre is located.

Policy D1(1) requires new developments to respond to distinctive local character, (including landscape character); and (4) to take account of SPDs.

The Guildford Town Centre Views SPD 2019 provides guidance in implementing LPSS policy, in particular S3 and D1. It covers how to manage change in key views with the aim to retain the character of Guildford, including the ability to appreciate key heritage assets and to understand the relationship of the town with its landscape setting. It identifies 16 key landmark buildings which are noted as focal points in key views. These have informed the list of 15 viewpoints, relating to the river corridor, approaches to the town, and the town centre that are deemed to be important in the context of policy S3. However, it is noted that the SPD is for guidance only and is not policy. The SPD also does not preclude other views being considered important.

The specialist assessment of impact on heritage assets is addressed under a separate heading below, but here the impact of the scheme on selected viewpoints towards the site from within and beyond the town centre is examined. This includes views in which the wooded hilltops towards the Surrey Hills AONB, either side of the town can currently be seen.

The application is supported by a Townscape and Visual Impact Assessment (TVIA). This examines the impact of the scheme from 21 viewpoints which were agreed with Council Officers at pre-application stage. The viewpoints selection has been informed by a theoretical 'Zone of Visual Influence' study (which showed where a building of a defined height is likely to be seen), taking into account views identified by the Council as significant, (e.g. in the Town Centre Views SPG), other sensitive locations such as the setting of listed buildings and from conservation

areas, 'representative' locations from where the development would be seen, and locations where there is extensive open space between the view and the site so that it would be prominent rather than obscured by foreground buildings. The viewpoints covered the range of points of the compass from which the development would be visible, a range of distances, and different types of townscape area. The photographs used to produce the images, whether 'fully rendered' or 'wireline' are 'verified', to ensure that they are accurate representations. In addition, the images created are required to include the cumulative effect of other approved large schemes, so that the proposal can be appreciated in the context of the emerging townscape.

Officers consider the TVIA to be important in assessing the wider impact of the proposed as now proposed on Guildford. However, it is stressed that any such view is, literally, a 'snapshot', and that buildings are experienced in their settings in a dynamic manner, as the observer moves around an area with different observers moving at varying speeds. Thus, whilst a key view could be adversely impacted by a proposal, it is important to appreciate that a slight repositioning of the viewpoint could have a very different result. Accordingly, it would be inappropriate to judge the townscape impact of a proposed development solely via the TVIA process.

The TVIA submitted with the application has been undertaken in accordance with a strict methodology which has been published with the application. The methodology meets with the relevant industry standards. The TVIA concludes that in townscape character terms the completed development would:

'have a moderate and beneficial effect on 'TCA2: North Guildford Historic Fringe', due to the Proposed Development's building typologies responding to the local context's buildings. Also, its parcels and new public realm improving pedestrian permeability through the Site. The uses at ground floor would activate the Proposed Development's elevation and provide natural surveillance onto the surrounding streets. The Proposed Development's Block A and B1 building address North Street and along with the public realm enhancements would have a moderate to minor and beneficial effect on 'TCA1: Guildford Historic Core'. Partial to glimpsed views are likely to be possible from 'TCA3: River Wey Corridor', 'TCA4: Northern residential suburbs and 'TCA5: Western Guildford Historic Fringe' to the Proposed Development's buildings and it would have an indirect minor and beneficial effect on TCA4: Northern residential suburbs and 'TCA5: Western Guildford Historic Fringe' and a moderate to minor and beneficial effect on 'TCA3: River Wey Corridor'. Long distance glimpsed views are likely to be possible from the open space areas and roads within 'TCA6: University of Surrey', 'TCA7: Western Residential Suburbs' and 'TCA8: Raised Southern Residential Suburbs', resulting in a minor and neutral effect on 'TCA8: Raised Southern Residential Suburbs' and a negligible and neutral effect on 'TCA6: University of Surrey' and 'TCA7: Western Residential Suburbs'".

As regards the visual impacts the TVIA notes that the :

'Proposed Development's visibility would extend beyond the existing situation with the implementation of the buildings. These would be read in conjunction with the existing town centre's buildings within the immediate and mid-range views. The varied building typologies, façade material and roofscape aids in reducing the effect of the Proposed Development within the long-range views. Within the long-range views the design of the Proposed Development has considered the view management guidance set out within the Guildford Town Centre Views SPD (Ref. 14), such as maintain Guildford Cathedral as the dominant feature of the views, maintain a treed skyline backdrop to the views where possible, and ensure that legacy landmarks remain visible within the views, along with providing an articulated roofscape and using muted façade tones. This would lead to the following effects on the representative views:

- moderate and beneficial (significant) – RV02 Pewley Hill, RV04 Hog's Back, RV07 Castle Motte, RV08 Stag Hill, RV10 Woodbridge Road, RV14 Angel Gate and RV15 Swan Lane.

- moderate to minor and beneficial – RV06 Bright Hill, RV11 Farnham Road (east), RV12 The Bars, RV17 North Street (west), RV18 Leapale Lane and RV21 Martyr Road
- moderate to minor and neutral – RV01 Dapdune Wharf and RV03 St. Catherine's Hill
- minor and beneficial – RV16 Bedford Road footbridge and RV19 Stoke Road / York Road junction
- minor and neutral – RV05 Farnham Road (west), RV09 Stokes Field, RV13 North Street (east) and RV20 Worplesdon Road Junction'.

The Urban Design Officer has noted that 'the TVIA submitted with the application identifies 21 representative viewpoints. In views from higher ground such as View 4 (Hogs Back looking north-east) the proposed palette of red and brown brick tones would help assimilate the scheme with the wider townscape, which is likely to result in a neutral effect. However, in local and skyline views such as View 11 (Farnham Road) the dominant use of reds and browns against the sky would accentuate the overall scale and mass of the buildings, which is likely to result in an adverse effect. In view 10 (Woodbridge Road) the tower would be seen behind the spire of St Saviours Church. Although the building would appear below the top of the spire, in this specific location, the appearance, scale and massing would detract from the role of the spire as a local landmark'.

Further commentary, specifically on the views identified in the Council's Guildford Town Centre Views SPD will be provided below.

View 1, Dapdune Wharf: The SPD states that for this view it should be ensured that new town centre development, which has the potential to form a component in the background of the view, is no higher than existing buildings and does not compete with the spire of St. Saviour's Church for prominence.

It is noted that the top floor of Block E would be glimpsed above the Surrey Police Station in the background of the view. However, the building now sits well below the spire of the Church of St. Saviour. The upper floor set back of Block C would also be visible in the winter behind the spire when the trees in the middle ground are not in leaf. The changes to the façade materials, which now include predominately red brick has been selected to ensure that it does not compete with the spire. It should be noted that this view would also change as a result of the recent approval at 1 Onslow Street which would be visible in this view. However, overall, the proposal would have a negligible impact on this view given the height of the proposed buildings and the materials used.

View 2, Pewley Hill: The main SPD requirements for this view is to ensure that the prominence of Guildford Cathedral, as the key landmark feature within the view, is maintained. New development within the view should not compete with the cathedral, for example by rising above the otherwise undeveloped wooded skyline or appearing overly dominant by virtue of scale, height, massing or detailed design. Maintain the undeveloped character of the distant ridge line, which provides an important element of the landscape backdrop of the view. There are a range of materials and colours in this view – aim to replicate the muted tones of the historic buildings which sit more comfortably than the light / bright colours of some of the modern buildings. Maintain the distant wooded backdrop – ensure nothing breaks the undeveloped wooded skyline.

In this view the proposed development would be situated well below the height of the Cathedral and it would not impact on its prominence in any way. The development would also be below the wooded skyline. The layering of the development means that the scale and height of the buildings in this view would not be incongruous when set against the other more modern structures which are also visible. It is considered that the proposal would have a neutral impact on this view.

View 3: St Catherines Hill: The SPD requirements for this view is to ensure the composition of Guildford Castle, the cupolas of Abbots Hospital and Holy Trinity Church tower continue to form the focus of this view. Ensure that new development does not compete with this composition for prominence by way of height, proximity, massing or materials/ colours – ensure developments blend with the generally muted tones typically found in the town, drawing on vernacular materials and features where appropriate to provide a sense of place. Aim to create a fine grained and articulated roofscape with pitched and interesting roof forms which complement, rather than detract from the historic town centre buildings. Preserve the undeveloped and wooded ridge lines of the hills that surround the town.

A limited glimpsed view would be gained to the upper floors of Block B2, C and E in the background, behind the evergreen trees. It would be indiscernible within the view, from this viewpoint, and importantly would not detract from the group of legacy landmarks of Guildford Castle, the cupolas of Abbots Hospital and Holy Trinity Church tower. It also sits below the wooded skyline. It is considered that the proposal would have a neutral impact on this view.

View 4: Hogs Back: The SPD notes that the requirements of this view are to maintain open views from this location so it remains possible to appreciate panoramic views over the town to the distant London skyline. Maintain Guildford Cathedral as the dominant feature of the view – ensure new buildings do not compete with it for dominance. Make sure it remains possible to see legacy landmarks such as Abbot's Hospital, The Guildhall and Holy Trinity Church Tower. Aim to create a fine grained and articulated roofscape with pitched and interesting roof forms which complement, rather than detract from or obscure, the key historic landmark buildings. Ensure new developments blend with the generally muted tones typically found in the town, and are appropriate according to the townscape character area in which they lie.

This is a distant view, in which the development would form a relatively small part of the wider panorama. The proposed development's blocks would be visible within the River Wey Valley and Guildford town centre. The proposed Blocks D1, D2, D3 and E, along with a limited extent of the upper floors of Blocks A, B1, B2 and C, would be visible.

It is noted that the proposed development does not affect the prominence of Guildford Cathedral within the view or break the wooded skyline. The varied building typologies and proposed façade materials break up the perceived mass of the proposed development within the view. The buildings would sit against the existing town centre built form and whilst they would be clearly visible they would be viewed with other more modern buildings, both built, approved or in the process of construction. This would somewhat reduce in incongruity of the proposal in this view, including the flat roof roofscape which is proposed. For the previous scheme the Council's Urban Design Officer noted that the proposal would have a neutral impact on this view. Given the changes which have been made since, there is no reason to deviate away from this position.

View 5: Farnham Road: For this view the SPD notes that development should ensure it remains possible to view the key legacy landmarks such as Holy Trinity Church tower and the Castle Keep from this location. Ensure it remains possible to see the scale and grain of historic buildings along the High Street and encourage new development to respect this scale and grain of typically two to three storeys and on relatively narrow plots. Aim to create a fine grained and articulated roofscape with pitched and interesting roof forms which complement, rather than detract from or obscure, the key historic landmark buildings which can be seen along the High Street. Ensure new buildings do not compete with existing historic landmarks for prominence - either through height, massing or materials / colours - ensure developments blend with the generally muted tones and rich reds typically found in the town, drawing on vernacular materials and features where appropriate to provide a sense of place. Maintain a wooded backdrop and skyline - ensure the suburbs that climb up the hillside remain at a relatively low density and that trees are plentiful and ensure that no new buildings break the skyline.

The proposed development would not have an impact on the legacy landmarks within the town centre. In addition, the built form would be well below the wooded skyline. For this view the Council's Urban Design Officer has noted that 'the dominant use of reds and browns against the sky would accentuate the overall scale and mass of the buildings, which is likely to result in an adverse effect'. While this concern is noted, the built form would sit within the existing wider town centre which is characterised by a mix of buildings and the view would not be impacted to such an extent that material harm could be argued.

View 6: Bright Hill: In this view, the town centre is seen beyond Bright Hill surface car park. The SPD requirements are to maintain Guildford Cathedral as the dominant feature on the skyline - ensure new buildings do not compete with it for dominance. Make sure it remains possible to see legacy landmarks such as Holy Trinity Church Tower and Abbot's Hospital. Any development should take the opportunity to frame views of the legacy landmarks. Aim to create a fine grained and articulated roofscape with pitched and interesting roof forms which complement, rather than detract from, or block, the key historic landmark buildings. Ensure new developments blend with the generally muted tones typically found in the town.

The proposed changes to the scheme result in a significant positive change to this view. The proposal would sit comfortably within the existing townscape. It would be well below the ridge line and would not compete with the prominence of Guildford Cathedral. The proposed materials would also help the development to assimilate into its surroundings in an acceptable manner. The proposal would not have a negative impact on this view.

View 7: Castle Motte: The SPD requirements are to ensure that the prominence of Guildford Cathedral, as the key landmark feature within the view, is maintained. New development within the view should not compete with the cathedral, for example by rising above the otherwise undeveloped wooded skyline or appearing overly dominant by virtue of scale, height, massing or detailed design. Avoid creating additional visual skyline clutter by carefully considering the positioning, design and materials of roof plant/enclosures. Maintain the significant tree and woodland cover which occupies the slopes of the hills surrounding the town, providing a scenic backdrop and setting to the cathedral, and contributing to the overall townscape character by screening and breaking up areas of built development.

It is noted that the proposal would be clearly visible in this view. The layered nature of the proposal would see it step up towards the skyline, however, the development would not be any higher than the existing House of Fraser building. The proposal would have no impact on the setting of Guildford Cathedral in this view. It is also noted that from a heritage perspective, Historic England note that their previous concerns regarding this view have now been largely addressed due to the reduction in the height of Block E. It is considered that the proposal would have a neutral impact on this view.

View 8: Stag Hill: The SPD requirements are to ensure that the prominence of the Castle Keep, Holy Trinity Church tower and Semaphore House is maintained so that these continue to provide points of interest in the view. New development within the view should not compete with these buildings by virtue of scale, proximity or materials. Maintain the significant tree and woodland cover which occupies the slopes of the hills surrounding the town, providing a scenic backdrop and contributing to the overall townscape character by screening and breaking up areas of built development. Maintain the undeveloped character of the distant ridge line, which provides an important element of the backdrop to the view. Aim to create a fine grained and articulated roofscape with pitched and interesting roof forms which complement, rather than detract from or obscure, the key historic landmark buildings such as the Castle Keep, Holy Trinity Church tower and Semaphore House.

The foreground of this open view is dominated by grassland with mature trees and hedgerows around its edges. The vegetation frames views of the town centre. In this view the scheme would be seen in the context of other development within the town centre. In the summer months, its visibility would be reduced by intervening vegetation. The proposed development would sit below Holy Trinity Church and would not affect the prominence of the legacy landmarks within the view or break the wooded skyline. The proposal would not have a negative impact on this view.

The following views are not identified in the Town Centre Views SPD, but have been requested by Officers to help fully assess the impact of the scheme in other locally significant views. These are set out below:

View 10: Woodbridge Road: In this view the spire of St. Saviour's Church is a prominent landmark. The composition of buildings also includes the modern nine storey police station, the five storey Dominion House office building as well as 1 Onslow Street. It is noted that 1 Onslow Street has an extant permission in place for the addition of extra storeys and these are shown in the cumulative impact views in the applicant's TVIA. It is noted that Block E would now sit significantly lower than the Church spire and behind it. In this view the proposal would result in some heritage harm (which will be discussed below) and it is also acknowledged that the Urban Design Officer states that the appearance, scale and massing would detract from the role of the spire as a local landmark. However, in overall townscape terms in this view the scheme site very comfortably within the streetscene and would not be overly prominent or dominant, particularly given the massing of the police station and the new approval at 1 Onslow Street.

View 14: Angel Gate: Existing views down this narrow alley extend to the listed 17 North Street that sits within the site. Elements of the development would be seen behind 17 North Street. The additional height, bulk, scale and massing would be clearly visible and would be incongruous given the scale and nature of 17 North Street. Overall, the effect upon the townscape from this specific view is likely to be adverse.

View 15: Swan Lane: – Existing views along this alley look towards the buildings on the corner of Woodbridge Road and North Street, which is the focus of this view. To the left distant views extend to the Spire of St Saviour's Church. The proposals would see North Street square and the building fronting onto it terminating this view. The façade and materials of the buildings respond well to the townscape and would be softened by tree planting within the square. The new composition would be a positive addition to the public realm and while views of St Saviours would be lost, this will be considered from a heritage perspective below. In townscape terms, the proposal would be acceptable in this view.

View 17: North Street: The existing view includes Black Sheep Coffee, which marks the corner of North Street and Commercial Road. Beyond this building, the frontage to Commercial Road is undefined. Views extend beyond the existing derelict site to Leapale Road. In the foreground the street scene is cluttered with signage and lighting. The proposal has the potential to significantly improve the street scene by re-establishing frontage development to Commercial Road, rationalising the street layout, adding street trees and removing road signage. In this view the proposed development responds to and improves the townscape resulting in a beneficial effect within the view from this viewpoint.

View 18: Leapale Lane: This view extends down Leapale Lane to the indistinct Dominion House at the junction with Leapale Road, Woodbridge Road and Commercial Road. The proposed Block E would identify the northern corner of the site and pedestrian route to the town centre shops and amenities. From this viewpoint the new building would be perceived as being of a similar height to the existing buildings within the fore and middle ground. A glimpsed view can be gained to the canopy of the new bus interchange. No harm has been identified in this view.

The proposal would inevitably introduce a large amount of built form into the town centre and would include large and bulky buildings. However, with the exception of some harm to the view along Angel Gate (and according to the Urban Design Officer Farnham Road), the proposal has been designed so that it would assimilate into the townscape in an acceptable manner. While the development would be visible in many vantage points in and around the town centre, this does not in itself equate to harm. In general the development is now set below the ridge line surrounding the town and would not mask or compete with legacy landmark buildings including the Cathedral and Guildford Castle. Overall, and on balance, the proposal would not result in any material harm to the character or appearance of the wider townscape.

It is noted that Guildford Residents Association have raised detailed concerns about the TVIA and how it has been presented. As noted above, Officers have no concerns about the accuracy of the submitted TVIA and are satisfied that the methodology follows industry standards. While some of the views that have been presented may be taken from slightly different positions to the Council's SPD, they still clearly allow the impact of the scheme to be assessed against the guidance set out in the SPD (i.e. impact on legacy landmarks etc).

Pedestrianisation of North Street and stopping up

As noted above the proposal includes the pedestrianisation of North Street between Commercial Road and Leapale Road. The highways implications of this will be discussed below, but in summary, vehicles will be prohibited from using the pedestrianised section between the hours of 10am to 6pm Monday to Sunday. Deliveries would be restricted to the hours of 6pm to 10am daily. It is noted that these details are indicative only. The final arrangements for the pedestrianisation will need to be agreed by both Guildford Borough Council and Surrey County Council.

The submitted Design and Access Statement states that 'the proposed improvements to the highways are aimed at improving the pedestrian environment and will include narrowing of the carriageway, introduction of flush block work raised tables and the removal of parking, with associated widening of the footways'. The plans show that the current carriageway would be finished with a mix of block paving where pedestrian traffic would be high, with areas of tarmac in between. The pavements would also be re-paved. This means that pedestrians coming from the High Street using Angel Gate, Swan Lane or White Lion Walk would be able to access the development at grade across flush areas of new paving.

The proposal also includes the addition of traffic gates to the east and west which will allow access by traffic to be controlled within agreed hours. Details of their exact design will be controlled by condition and will be subject to further approvals from both Guildford Borough Council and Surrey County Council. The proposal would also include opportunities for new street trees and other planting.

It is noted that the use of high quality, durable materials will be an important factor in the success of this element of the scheme. Officers note that the materials can be controlled by condition and this will ensure that a high-quality finish can be secured.

It is noted that the proposal also includes the stopping up of the majority of both Commercial Road and Woodbridge Road where they run through the site. This means that both of these roads would be removed from the public highway and put to private use to facilitate the development and ensure its permeability. However, it is noted that Commercial Road would still provide access to buses accessing the bus station from the south. The proposal includes a new street through the development which would be generally on the alignment of Woodbridge Road. As noted in the preceding section of the report, this new street would be fully pedestrianised and would be accessible 24 hours a day. As such, pedestrian permeability through the site would be

significantly improved. The impact of the closure on vehicular traffic will be assessed in the highways section of the report. Commercial Road would also be closed to private vehicles as part of the proposal. It would be replaced in part with the re-modelled bus station and in part with a new area of public open space which the applicant calls Friary Circus. As noted above, this new area of public realm would provide a valuable area of open space in the heart of the town centre and would also provide a safer and more attractive pedestrian route from North Street to the bus station. Again, the stopping up of Commercial Road would have many accessibility benefits for pedestrians as well as the obvious townscape benefits that would be achieved.

As such, overall the proposed stopping up of both Commercial Road and Woodbridge Road is seen as an overall benefit in the terms set out above. This work facilitates the creation of the high-quality and extensive areas of public realm which are to be delivered by the scheme. As noted, the highways impacts of the closures will be discussed later in the report.

Finally, it is noted that the pedestrianisation works would impact on a number of existing arrangements including the taxi rank outside Marks and Spencer and the outdoor market which operates from North Street. In terms of the taxi rank, it is noted that this would have to be relocated elsewhere in the town centre. The County Highway Authority raise no objections to this though the details of the relocation are yet to be agreed. In terms of the market it is noted that the newly pedestrianised section of North Street could accommodate the market in the future. This would provide a much more convenient space for stalls and traders, with more space, better facilities and the possibility of a more efficient layout. It is understood that alternative locations for the market during construction works are currently being considered. Planning permission is likely to be required at which time the planning merits can be considered.

The impact on heritage assets

As noted above, the application site includes one listed building (All Bar One) which is Grade II listed. It is noted that this building is being retained, with some minor external alterations proposed to the side elevation and chimney. Apart from that, due to the scale of the proposal, it has the potential to impact on a number of listed buildings which are located across the town. These will be specified in detail below and include Stoke House (Grade II listed) which is opposite the site to the north-east and the Church of St Saviour (Grade II listed) which is located to the north of the site on Woodbridge Road. In addition 41-43 North Street is a locally listed building and this is situated opposite the site on the other side of North Street. The site is opposite (north of and not within) Guildford Town Centre Conservation Area and is within an Area of High Archaeological Importance.

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' It is noted that as the site is not located within a conservation the duty under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 does not apply to this proposal.

Case-law has confirmed that, when concerned with developments that would cause adverse impacts to the significance of designated heritage assets (including through impacts on their setting) then this is a factor which must be given considerable importance and weight in any balancing exercise.

Turning to policy, Chapter 16 of the National Planning Policy Framework sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs. Paragraph 195 sets out that 'local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.

Paragraph 199 of the NPPF applies to designated heritage assets. It states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. This policy reflects the statutory duty in section 66(1). Paragraph 200 goes on to note that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'.

Policy D3 of the LPSS is generally reflective of the NPPF and it states:

- the historic environment will be conserved and enhanced in a manner appropriate to its significance. Development of the highest design quality that will sustain and, where appropriate, enhance the special interest, character and significance of the borough's heritage assets and their settings and make a positive contribution to local character and distinctiveness will be supported; and
- the impact of development proposals on the significance of heritage assets and their settings will be considered in accordance with case law, legislation and the NPPF.

Policy D16 of the LPDMP concerns designated heritage assets and it emphasises the requirements in the NPPF as regards the assessment of applications concerning heritage assets. Policy D17 relates to listed buildings and it notes that (inter alia):

- development proposals are expected to conserve, enhance and where appropriate better reveal the significance of listed buildings and their settings. Where harm to significance is identified this will be considered against Policy D16(3).
- repairs, alterations or extensions, that directly, indirectly or cumulatively affect the special interest of a statutory listed or curtilage listed building, or development affecting their settings are expected to: a) be of an appropriate scale, form, height, massing and design which respects the host building and its setting; b) have regard to the historic internal layout as well as the architectural and historic integrity that form part of the special interest of the building; c) reinforce the intrinsic character of the building through the use of appropriate materials, details and building techniques; and d) respect the setting of the listed building including inward and outward views.
- development proposals for the demolition/removal of objects or structures fixed to the building or within the curtilage of a Listed Building are required to demonstrate that they are: a) incapable of repair for beneficial use or enjoyment; or b) not of special architectural or historic interest as an ancillary structure to the principal Listed Building.

Policy D18 relates to development within or in the setting of a conservation area. It notes that:

- development proposals within or which would affect the setting of a Conservation Area are expected to preserve or enhance its special character and appearance. Where harm to/loss of significance is identified this will be considered against Policy D16(3): Designated Heritage Assets.

- development proposals are required to show how they respect and respond to the history of place, the surrounding context and the preservation or enhancement of the Conservation Area's special character and local distinctiveness, by having regard to: a) the retention of buildings, groups of buildings, existing street patterns of the area, building lines and ground surfaces, and the impact on significant open spaces; b) the retention of architectural details and features of interest that contribute positively to the character and appearance of the area, such as windows, doors, and boundary treatments; c) the protection, and where appropriate, the enhancement of key views and vistas, to, from and through a Conservation Area; and d) the protection of trees and landscape that contribute positively towards the character and appearance of the area.
- development proposals within or which would affect the setting of a Conservation Area are required to be of a high-quality design and are expected to take the opportunity to enhance the special interest of the area. They are required to reinforce or complement the character and local distinctiveness and characterisation of the Conservation Area, including having regard to: a) size, height, bulk, massing, scale, layout, landscape and appearance; b) the use of good quality sustainable building materials and detailing, appropriate to the locality and sympathetic in colour, profile and texture; and c) maximising opportunities to mitigate and adapt to climate change through energy efficiency improvements.

Policies D21 (scheduled monuments), D22 (registered parks and gardens) and D23 (non-designated heritage assets) are also relevant.

Heritage assets

Although the proposed site is not located in a conservation area, due to its scale, it has the potential to impact on a number of heritage assets which are located both in the immediate vicinity of the site and further beyond. Having read through the supporting documents the Council's Conservation Officer notes that there are a vast number of heritage assets that have been identified in the study area which will not be impacted by the proposed development, as either there is no or very limited intervisibility between the asset and the site, or the way in which the asset is experienced or understood will not be impacted by the proposed development. Therefore, the Conservation Officer has focused on the assets which are affected by the proposal. These being:

- *Listed buildings:*

1. Church of St Saviour - Grade II
2. 17 North Street - Grade II
3. Stoke House - Grade II
4. Cathedral Church of the Holy Spirit, Stag Hill - Grade II*
5. Guildford Castle Keep - Grade I

- *Registered Park and Garden:*

6. Jellico Roof Garden, High Street - Grade II

- *Conservation areas:*

7. Town Centre Conservation Area
8. Wey and Godalming Conservation Area
9. Bridge Street Conservation Area

Non-designation assets:

10. 18 North Street and 108-109 Woodbridge Road

Historic England have also commented on the application, but it is noted that their remit is not as wide as that of the Council's Conservation Officer. The assessment of each asset below will include comments made by Historic England, where they have provided them.

Assessment of impact on significance - listed buildings

1. Church of St Saviour - Grade II

The church was originally built on the garden belonging to a large house, which historic mapping indicates was named as The Elms. This original early setting was composed of a terrace row of small cottages, together with a public house facing on to Woodbridge Road, immediately to the south of the church, with more terraced housing to its east and north. The land on the opposite side of Woodbridge Road (west) at the time of the Church's consecration had recently been developed (1896) as the new home of Guildford's cattle market and corn exchange, which had been relocated from North Street. Little of this original setting remains. The cattle market and corn exchange have long since been replaced by a civic campus consisting of the town's magistrate court and police station, whilst other modern development has also been constructed within the immediate setting, such as 1 Onslow Street and Onslow House. Another significant change to the setting is the road and road junctions immediate to the site, all of which are heavily engineered and are detractive. As a consequence, the setting of the church is impinged by activity, movement and noise.

Conservation Officer Assessment: This asset is located fairly close to the northern end of the application site, on Woodbridge Road and was purposefully designed to be prominent in local views thanks to the height and reach of its thin needle spire. It is recognised that the scheme has undergone a considerable degree of amendment to that which was refused (22/P/01336) and many of these amendments, such as the reduction in height of Block E and the materiality changes have helped to reduce the level of harm that was previously identified, but it certainly has not omitted it.

Whilst the new height of Block E does relieve the upper section of the spire, the scale and massing of the proposed structure does still present a challenge to this heritage asset. The concern is that the structures proposed height and its block style massing is such that it would diminish the asset's designed prominence and scale, thus harming part of its significance. It is noted that this is particularly apparent in the Townscape and Visual Impact Assessment (TVIA) viewpoint 10 (Woodbridge Road) where the width and height of Block E appears to envelop the lower section of the spire, as well as TVIA viewpoint 15 (Swan Lane) where the view of the spire would be lost altogether. However, in the case of viewpoint 15 it is appreciated that the view of the spire is localised to a couple of specific points along the route and therefore is not a consistent visual feature along the full length of Swan Lane. In addition to the identified harm from Block E, the asset's significance and setting is also challenged by the presence of the upper floors of Block C2, which would be visible to the east of the Church's spire. The height of this structure is similar to that of the previous scheme. In isolation, the presence and impact of the upper storeys of Block C2 upon the significance of the Church in TVIA view 10 (Woodbridge Road) is considered to be limited, however, when one looks at the scheme holistically, the cumulative impact of Blocks C2 and E together do begin to challenge spire's setting, thereby resulting in harm.

The guidance set out in the Guildford Town Centre Views SPD relating to TVIA viewpoint 1 (Dapdune Wharf), stipulates that development should not compete with St Saviour's Church spire for prominence. Having looked at the supporting representative view the Conservation Officer is satisfied that whilst there would be long distance glimpsed views of the upper levels of both Block E and C, the magnitude of these is limited and negligible given the existing town and landscape in said view, and as such the proposed scheme would comply with this particular guidance.

Harm to the significance and setting of this heritage asset has clearly been identified in the above. The Conservation Officer notes that the level of harm is at the low end of less-than-substantial.

Historic England assessment: Historic England (HE) have previously noted that St Saviour's is a church with spire, designed to be a landmark and an eyecatcher. The building is prominent to make salvation easy to find. HE note that harm would...be caused to St Saviour's, designed with a tall spire to be prominent and highly visible, in views along Woodbridge Road (TVIA view 10) and the loss of view along Swan Lane (TVIA view 15) and obscuring views of it as seen from Dapdune Wharf. Therefore, HE note the harm to the Church of St Saviour is at less than substantial, at the lower end of the spectrum.

Harm to significance: The Council's Conservation Officer is of the opinion that the proposal would result in a low level of less than substantial harm to the significance of the Church of St Saviour. The same conclusion has been reached by HE.

2. 17 North Street - Grade II

This asset directly adjoins the application site on its southern boundary. The building is set over three storeys and is an early 19th century shop, that has been converted into a bar (All Bar One), with accommodation above. The property's immediate setting is principally formed from the townscape of North Street, which is commercial in its character and function. North Street is a street that has undergone considerable change during the 20th century, with the removal of many of its historic buildings, such as the Methodist and Congregational Churches and the Post Office, and which continues to change into the 21st century. Its current built character is composed of a varied mix of ages, architectural styles and material palette. As regards the significance of the building, it is noted that it is of special interest due to its brick tone which is not local to Guildford and thus indicates that it was imported to the town. The transportation of this material at the time of construction would have been at great cost, therefore indicating that whoever commissioned its construction was relatively wealthy. It also illustrates early 19th century domestic and commercial detailing and design.

Conservation Officer assessment: In this case, the Council's Conservation Officer has highlighted two main considerations which need to be assessed. These are (i) the impact of the demolition of 18 North Street and 108-109 Woodbridge Road upon the asset's fabric and setting and (ii) the impact of the proposed development scheme upon setting.

As regards (i) it is proposed to demolish 18 North Street which adjoins directly on to this heritage asset. This property has been identified as a non-designated heritage asset and thus the principal of the loss of this building from that particular perspective is considered and dealt with further on in this report. Nevertheless, it is recognised that its removal has the potential to have a physical impact upon 17 North Street, as well as an impact upon its setting. Starting with setting, the Council's Conservation Officer acknowledges the architectural and historic interest of 18 North Street contributes positively to the setting of this heritage asset and thus its demolition would result in further removal of its historic setting and thus some erosion of the asset's significance. However, there is recognition that the alteration to this setting is somewhat offset by

the creation of a new public square in its place, which has been designed sympathetically using what appears to be an appropriate material palette - natural aggregate flag paving (light grey) and natural aggregate block paving (terracotta blend) - that is considerate to the surrounding historic environment. In terms of the physical impact upon 17 North Street, there is a reasonable chance that the process of removal and/or making good could have an influence upon the asset's structure and fabric, however to what extent is currently uncertain, as there are still a number of unknowns. Nevertheless, the methodology currently set out in the supporting document appears to be sensitively considered and appropriate for the context of the works. It is noted that the provision of a further method statement is welcomed that is to be presented to the Local Planning Authority at least two weeks before the commencement of works, as more information should have been gained to inform this. This should be included as a condition in the supporting Listed Building Consent application.

In terms of (ii) the Conservation Officer notes that the impact on this asset's setting remains mixed, with some positives identified as well as some negatives. Starting with the positives, as previously mentioned, the provision of a new public square, one which has been designed sympathetically using a sensitive material palette is certainly viewed as a transformational enhancement to the asset's setting, as is the proposed pedestrianisation of North Street, both of which would enable better appreciation of it. It is also suggested that the replacement of 15 North Street, which is currently seen as a negative detractor, with a building (Block A) that is of a more complementary and improved design, is an action that would further enhance this listed building's setting, by virtue of it improving the North Street streetscape. Nevertheless, despite some significant enhancements to the asset's setting there is still a concern with the visual challenge upon the asset's traditional low scale and setting from the cumulation of Blocks B and C and their resultant contrasting scale and mass. This is most apparent from Angel Gate as demonstrated in TVIA viewpoint 14 (Angel Gate). The Conservation Officer notes that some of this concern is somewhat mitigated by the use of materials that respond positively to the prevailing townscape and it is equally acknowledged that the stepped layering of the development does provide this particular aspect with visual articulation and a dimension that is somewhat typical of Guildford's town centre town and roofscape. However despite all of this there are concerns that the scale of the proposed development does incongruously dominate the setting of this heritage asset. The scheme also proposes a residence roof terrace on top of Block B, which is in close proximity to this listed building. Whilst there are no concerns in principle with such a provision and facility, it is strongly advocated that care and consideration needs to be given to its detailing and design to ensure that it sits discreetly by means of a low constrained profile. The Conservation Officer notes that features of height forming part of the design, such a pergolas, parasols, heaters etc would need to be controlled as individually and collectively these could look incongruous within the context of North Street and thus would diminish the listed buildings setting. A detailed landscape plan for this space should therefore be conditioned as a means of safeguarding the setting of the listed building as well as preserving the character and appearance of the Town Centre Conservation Area.

Given all of the above the Conservation Officer concludes that there is harm to the setting of this statutory asset which has been identified as being less-than-substantial at the lower end of the spectrum.

Historic England do not provide specific comments in relation to this asset.

Harm to significance: The Council's Conservation Officer has concluded that the harm to significance would be at the lower end of less than substantial.

3. Stoke House - Grade II

This asset is situated obliquely to the north of the application site and at the closest point the distance between the site and the asset measures approximately 20 metres. Stoke House is a brown/red brick faced, town house whose origins date back to the 17th century, but which was rebuilt in the mid-18th century and further extended in the 19th and 20th centuries (to the left and rear respectively).

Much of the property's original 18th century setting has been removed and replaced by more contemporary development, this includes a modern development, known as Bell Court, to its rear and eastern side, which dates to the late 1980's, early 1990's. Also, the large telephone exchange building opposite, which was constructed in 1937, and the large expanse of cleared land that forms the application site. Despite experiencing all of this change, what has remained relatively consistent in terms of this asset's setting has been the road layout. Despite its modern engineering and scale, much of the layout that currently existing is historic. Nevertheless, the activity, movement and noise arising from the use of this infrastructure does influence how one experience this asset.

In terms of the significance of the asset it is noted that it is of historic interest as a survival of an early house outside of the main town but also provides legibility and understanding to the town's northern expansion. The use of vernacular material and traditional building techniques in its construction and its 18th and 19th century domestic detailing and design is also of importance.

Conservation Officer assessment: This asset is best appreciated from the Leapale Lane / Leapale Road junction. From this position one can recognise that its setting is entirely modern. The Conservation Officer agrees with the assessment reached in the supporting Heritage Assessment, that the building relies on its inherent historic and architecture interest for its significance rather than its setting. Nevertheless, this does not signal that its setting is insignificant. Development still must have regard towards preserving a setting that is of significance, but equally in instances where a setting has suffered from inappropriate past development actions there is an opportunity to seek enhancement. It has been identified that the change to the asset's setting will be considerable by virtue of the scale, mass and quantum of development being proposed. TVIA viewpoint 18 (Leapale Lane) is one view which illustrates the relationship between the proposed development and the heritage asset and the likely magnitude of change to the setting. In this view Block E, which sits at 11-storeys, will replace the current five storey Dominion House in terminating the view. It is considered that the scale and massing of both blocks E and C would challenge this asset's more domestic scale.

Notwithstanding this, there is recognition that despite the concerns identified relating to their scale and massing, the design, detailing and materiality of both structures C and E is of a high quality that is grounded in principles which relates to the prevailing character of Guildford, but which is also complementary to qualities and character of this heritage asset. Further still, the proposed development does provide for an area of public realm directly opposite which is certainly seen as being a positive to the setting of this heritage asset. This area is known in the scheme as the Northern Gateway and is an important pedestrian entry point into the proposed scheme from the north. This piece of public realm is of an intimate scale and its layout has been rationally designed with the purpose of facilitating pedestrian movement, but still offers areas of planting which would help to soften, not only the floor scape, but would aid in softening the immediate setting of Blocks E, C2 and D4, as well as Leapale Road. A further positive to the setting is the full pedestrianisation of Woodbridge Road and the rationalisation of the existing road junction.

Given the above the Conservation Officer concludes that there is some harm to the setting of this statutory asset by virtue of the visual challenge the proposal places upon the prevailing human scale of the surrounding townscape. It is noted that the resultant harm in this instance would be qualified at less-than-substantial at the lower end of the spectrum, when giving consideration to the fact that the setting of this asset does not contribute to its significance and that there are some arising positives that have been identified.

Historic England do not provide specific comments in relation to this asset.

Harm to significance: The Conservation Officer concludes that there is some harm to the setting of Stoke House by virtue of the visual challenge the proposal places upon the prevailing human scale of the surrounding townscape. The resultant harm in this instance would be qualified at less than substantial at the lower end of the spectrum.

4. Cathedral Church of the Holy Spirit, Stag Hill - Grade II*

This asset is situated approximately one kilometre km to the north-west of the application site. Guildford Cathedral was designed by Edward Maufe in 1932/3, the building was the result of a competition to design a cathedral for the newly formed diocese of Guildford on land gifted for the building by the Onslow family.

Today the Cathedral is a visually prominent landmark of Guildford and can be seen for miles around sitting on top of the green verdant mound of Stag Hill. The building has a commanding presence in many views around the town and at night, when the floodlit building is seen against the dark cushion of Stag Hill, the silhouette is particularly dramatic. It is seen as a single monumental entity on top of a green hill. Its elevated position also provides a vantage point over the town centre where a number of landmark structures and assets can be identified in view, such as Guildford Castle and Holy Trinity Church. In this view the dramatic valley, in which the town sits, is easily identifiable as is the relationship between the town and its landscape setting. A comprehensive plan for landscaping the setting of the cathedral was never produced, so Maufe's design focuses on the two approaches to the landmark, from the south and west. Local views along these approaches also contribute to the appreciation of this heritage asset. Its local setting now includes the post war buildings of the University Surrey on the north hillside.

In terms of its significance it is noted that the building is one of only three Anglican cathedrals built in England since the 17th century. Its association with Sir Edward Maufe, known for his work on places of worship and memorials, including the Air Forces Memorial at Egham is also of significance, as well as the glass work and windows and statues that are present in the building.

Conservation Officer assessment: The Council's Conservation Officer notes that visual prominence was a key factor in the siting of this heritage asset on Stag Hill, not least for symbolic reasons. The architectural design emphasis is that of prominence through its enormously impressive scale including its imposing mass and height. The solid materiality, simple fenestration and massive central tower present an imposing silhouette that can be appreciated across the historic town from most angles. An important element of the setting and relationship between the Cathedral and the town is the visual interplay with the other church towers that form important elements of the historic townscape, as well as the ability to be able to appreciate the visual relationship with the castle. The Conservation Officer notes that as a result of its landmark status and its visual prominence, the asset features in a number of the key views identified in the Guildford Town Centre Views SPD, and thus has been captured in multiple TVIA viewpoints supporting the application, including TVIA viewpoint 2 (Pewley Hill), TVIA viewpoint 4 (Hogs Back), TVIA viewpoint 6 (Bright Hill), TVIA viewpoint 7 (Castle Motte) and TVIA viewpoint 8 (Stag Hill).

It should be noted that views of the proposed development are not possible directly from the cathedral at ground floor level, due to the topography of the site and the existing vegetative screening which encloses the Seeds of Hope Children's Garden, located at the east end of the Cathedral's grounds. The closest location where views are possible is best represented by TVIA viewpoint 8 (Stag Hill) which is taken from the east facing slope of Stag Hill, over 100m from the Cathedral itself. It is a view which is characterised by the grassland and mature trees and hedgerows that forms the setting to the Cathedral at its eastern end. The view also demonstrates the visual relationship between Stag Hill and Pewley Hill and reveals the distinctive topography of the town. Key valued features in this view include legacy landmark features, Guildford Castle Keep and Holy Trinity Church. Helpfully, the supporting wireline confirms that the introduction of the proposed development would not obscure or cause challenge to the legacy landmark features, thereby not affecting the intervisibility between these assets, a quality of the Cathedral's significance. Equally, the taller elements of the proposed development which would be seen, specifically Blocks D4 and E, take a position in this view that benefits from partial screening arising from the existing vegetation within the foreground, thereby, helping to mitigate their overall visibility. In terms of returning views of the asset these are captured in TVIA viewpoint 2 (Pewley Hill), TVIA viewpoint 4 (Hogs Back), TVIA viewpoint 6 (Bright Hill) and TVIA viewpoint 7 (Castle Motte). In all instances the Conservation Officer is satisfied that the proposed development will not present a direct prejudicial challenge to the significance or prominence of the Cathedral. Given this, the Conservation Officer is satisfied that the scheme would not result in any harm to the setting of this heritage asset.

Historic England assessment: Historic England have previously provided detailed comments with regard to the impact on the Cathedral. In their response to the current application, HE note that the main concerns they raised regarding the Castle Motte, views from Dapdune Wharf and in relation to Guildford Cathedral have been largely addressed with the reduction in height of Block E. HE do not offer any further thoughts on the level of harm, if indeed there still is any.

Harm to significance: The Council's Conservation Officer is of the opinion that the proposal would not result in any harm to the significance of the Cathedral. HE noted in their comments on previous applications that the harm to this asset would be 'at the lower end of less than substantial'. It has been noted above that HE now note that their previous concerns have been 'largely addressed'.

5. Guildford Castle Keep - Grade I and Scheduled Ancient Monument

This asset is situated approximately 270m to the south of the application site on high ground overlooking the River Wey, as well as the ford crossing it. This asset is recognised to be the remains of the Guildford Castle's tower keep which dates from the mid-12th century and first mentioned in written record in 1173. The structure was subject to a partial rebuild, following a fire in the 13th century. It was converted to a house for Francis Carter, a Guildford merchant in the 17th century who had bought the castle and its grounds from King James I.

Locally, the asset's setting comprises of the castle grounds and the remains of other parts of the castle complex such as the ruins of the Shell Keep and the private apartments. The complex is self-contained which is articulated by a combination of the surrounding townscape as well as the immediate Victorian park landscape. Nevertheless, the site's elevated position and graduating topography does allow for wide reaching views looking north, west and south, especially from the Castle Keep motte. Views to the north overlook the High Street, North Street and the town's northern suburbs; those to the west overlook Quarry Street and down over towards the lower river area around Millbrook and across over to The Mount; view to the south takes in the southern extremities of the town as well as St. Catherine's Chapel.

The topography of Guildford plays a pivotal role in the contribution made by the setting of the castle to its significance and an understanding of that significance. What is noted in views out from this asset is the visual prominence of the important ecclesiastical buildings of Guildford, with the stone towers of St Mary's and St Nicholas rising above the tile and slate roofscape below. There is also very strong visual link to the mighty brick tower of the Cathedral which crowns Stag Hill beyond the compact historic core of the town, which is reciprocated back. Equally, there is also an appreciation of the wooded surroundings of Guildford and its position with the natural valley topography which helps to illustrate and provide an understanding of the reasons for the town's origins and evolution, as well as why it looks the way it does. The River and Town Bridge are also aspects of its wider setting that contribute to its significant not least as this relates back to the military aspect of this heritage asset.

The Conservation Officer has summarised the significance of the building as:

- ruinous structure of exceptional interest, reflected by its Grade I listing and Schedule Monument status
- surviving ruin of a royal castle dating to at least the 1170s
- town landmark
- tangible link to the early settlement of Guildford as a site of fortification
- used as a prison by the end of the 12th century up until 16th century, when it was moved to Southwark
- strong group value with other castle remains
- associated with King Henry II who used the castle as a hunting lodge and King Henry III, who turned Guildford Castle into one of the most luxurious palaces in England and oversaw the rebuilding works following the 13th century fire
- referenced in art and literature over the centuries including '*South West Prospect of Guildford in The County of Surrey*', engraved by Samuel and Nathaniel Buck, 1738
- John Darborne became guardian of the castle in 1544
- rare survival and valuable resource which illustrates how the defensive complex was organised, operated and evolved
- importance and dominance of the castle expressed through its materials, including expensively worked stone
- the intended visual prominence and sense of scale which contrasts with the finer grain and smaller scale of the historic town
- high status residence with traces of ornate stonework still extant
- architectural relationship between the castle and St Mary's and St Nicholas as important civic buildings, sharing similar materials and deliberately prominent architectural scale
- represents the grim official architecture of Henry II built in memory of the recent civil war and before the new ideas of castle building were brought back from the Crusades' Nairn and Pevsner (*The Buildings of England – Surrey*)
- evidence of medieval graffiti on some of the chalk walls

Conservation Officer assessment: As a grade I listed structure as well as Scheduled Monument this is an asset of high significance. The castle's raised elevation and prominence allows for views to the town and surrounding landscape and thus is considered to have a wide-reaching setting which includes the proposed development site. The consequence of this is that the asset appears in a number of the key views identified in the Guildford Town Centre Views SPD, and thus has been captured in multiple TVIA viewpoints supporting the application, including TVIA viewpoint 3 (St Catherine's Hill), TVIA viewpoint 4 (Hogs Back), TVIA viewpoint 5 (Farnham Road), TVIA viewpoint 7 (Castle Motte) and TVIA viewpoint 8 (Stag Hill). The most immediate of the viewpoints is TVIA viewpoint 7 (Castle Motte). This illustrates the view that is to be gained of the proposed development directly from the castle and its immediate setting. In this view Blocks B1, C2, D1, D2, D3, D4 and E can be seen rising gradually back from North Street and continuing the prevailing townscape layering. Generally speaking, it is felt that in this view the

graduating heights of the scheme are successful in achieving a compatible grading of built form that would not appear uncomfortably out of scale with, or incongruous to the prevailing historic townscape, especially when one takes into consideration the scale and visual prominence of House of Fraser. In terms of returning views of the asset these are captured in TVIA viewpoint 3 (St Catherine's Hill), TVIA viewpoint 4 (Hogs Back), TVIA viewpoint 5 (Farnham Road) and TVIA viewpoint 8 (Stag Hill). In all instances the Conservation Officer is satisfied that the proposed development will not present a challenge to the asset. For instances, in the case of TVIA viewpoint 8 (Stag Hill), the supporting wireline confirms that views of the castle keep would be maintained and remain prominent from this position, as it is separated sufficiently enough from the proposed development not to obscure or challenge it, thus not affecting the intervisibility between the castle and the cathedral. Equally, the taller elements of the proposed development which would be seen, specifically Blocks D4 and E, take a position in this view that benefits from partial screening arising from the existing vegetation within the foreground, thereby, helping to mitigate their overall visibility. With regards to TVIA viewpoint 3 (St Catherine's Hill) this verified view confirms that there is the potential of limited glimpsed views of the upper floors of the development behind a belt of coniferous trees that form the central part of the middle distance of this view, but in the main, the development would be indiscernible from this position. More significantly, the proposed development would not conceal, interfere, or detract from the group of legacy landmarks that can be observed in this view including the castle. Given the above the Conservation Officer is satisfied that the scheme would not result in any harm to the setting of this heritage asset.

Historic England assessment: Historic England have previously provided detailed comments with regard to the impact on the castle. In their response to the current application, HE note that the main concerns they raised regarding the Castle Motte, views from Dapdune Wharf and in relation to Guildford Cathedral have been largely addressed with the reduction in height of Block E. HE do not offer any further thoughts on the level of harm, if indeed there still is any.

Harm to significance: The Council's Conservation Officer is of the opinion that the proposal would not result in any harm to the significance of the castle. HE noted in their comments on previous applications that the harm to this asset would be 'at the lower end of less than substantial'. It has been noted above that HE now note that their previous concerns have been 'largely addressed'.

Assessment of impact on significance - Registered Park and Garden:

6. Jellico Roof Garden, High Street - Grade II

This asset is situated directly to the south of the application site on the opposite side of North Street. The garden of c 770 sqm is situated above the former Harvey's department store (now House of Fraser), which is a five-storey building on the north side of Guildford High Street. The Sir Geoffrey Jellicoe designed garden occupies one of the roofs of the building and is surrounded to the south, east, and west by plain cast-iron railings (circa 1m high). The garden has an L-shaped floor plan following the outline of the underlying roof. Its main component is a shallow lily pool, which forms a large sheet of water covering the entire roof space, except for the site of the former cafe, in which various flower beds and viewing platforms are set, connected by steppingstones.

The main attributes of setting that contribute to this heritage assets significance are principally the department store itself, which includes 105-111 High Street, as well as the extensive views out over Guildford and the surrounding countryside, which provide a sense of connection between the asset and its wider surroundings

The Conservation Officer summarises its significance as

- association with Sir Geoffrey Jellicoe, one of the 20th century's most celebrated landscaped architects
- designed to symbolise the flight of the first sputnik
- the circular shapes in the design 'embody the idea of planets spinning through space' (Architectural Review 1957)
- Jellicoe said that it was '*...primarily a sky garden... the underlying idea has been to unite heaven and earth the sensation is one of being poised between the two*'.

Conservation Officer assessment: The garden was designed to use the town of Guildford as its setting and currently from this vantage point one is able to observe and appreciate the fine urban grain and human scale of the town, as well as take in the dramatic valley topography and tree lined back drop which adds to the towns distinctive character and provides a narrative to its existence and evolution. A previous modelling exercise undertaken confirmed that the proposed development would be readily viewed from this unique vantage point by virtue of its, scale, height, massing and extent. This is likely to be most acute from the northern end of the garden with many of the development's core blocks being evident. However as the viewer moves more centrally within the garden the development's visibility is moderately diminished, reduced to just the upper floors of Blocks C, D3, D4 and E. The proposed development becomes even less apparent as you move into the southern section of the garden behind the café, to the extent that its completely removed from view. With the reduction in height of block E the Conservation Officer still maintains that the proposed development would undoubtedly challenge this outlook, by virtue of the exaggerated, and contrary scale and massing of some of the built components such as Blocks C, D3, D4 and E, appearing incongruous to the prevailing townscape and severing views out across the town towards the north-west. However, it is noted that views from the garden of the town's most significant landmarks, such as Guildford Castle and Guildford Cathedral will remain unaffected. When giving consideration to the asset's uniqueness, particularly in terms of its outlook, and Jellicoe's vision that the idea of the garden was '*to unite heaven and earth the sensation is one of being poised between the two*', the Conservation Officer notes the resultant harm as being less-than-substantial at the low end of the spectrum. The Conservation Officer also notes that the supporting Heritage Statement suggests that the application of well-designed structures within the garden's setting will add interest and the green elements on roofs and balconies will have an especially beneficial effect. The Conservation Officer does not agree with this assertion and notes that while the design and architecture of the scheme is of good quality and that there are no concerns with the proposed provision of green roofs and balconies across the scheme, the Officer is not convinced that they, individually or collectively, aid in mitigating the identified harm noted above sufficiently.

Historic England do not provide specific comments in relation to this asset.

Harm to significance: The Conservation Officer concludes that the resultant harm should be categorised as less than substantial at the low end of the spectrum.

Assessment of impact on significance - conservation areas

As noted above, the site is not located within a conservation area. However, it has the potential to impact on the setting of a number which exist in and around the town centre. These will be assessed below.

7. Town Centre Conservation Area

This conservation area is located directly to the south of the application site with its boundary line being drawn down the centre of North Street, thereby including properties on North Street's southern side. It was designated in 1969 and is one of the Borough's conservation area's which benefits from a character appraisal (adopted 2006). The focus of this large Conservation Area is Guildford's historic town centre, which takes in Guildford Castle, the High Street and a mix of commercial, residential and civic areas. The Conservation Area is bounded to the west by Millbrook and the modern shopping area; to the south by the mediaeval chalk quarries and early 20th century suburbs; and to the east and north by late 19th century residential suburbs. The character appraisal divides the conservation area into four character areas Guildford Castle and the quarries; the High Street; 19th century housing to the south of Sydenham Road; and 19th century and later development to the north of the High Street.

The Guildford castle and the quarries character area sits on a west facing slope that drops down to the River Wey. A mix of uses can be found here; mainly offices, tourism and leisure, and some residential. Its most important buildings are Guildford Castle and St Mary's Church. It is characterised by terrace properties set on the back of pavements, many of which are listed and a number of which date to the 16th and 17th centuries and are timber framed. Roofscape features, such as steeply pitched gables and brick chimneys also contributed to the visual interest in views of and within this area. The High Street is the town's historic commercial corridor that climbs dramatically in an easterly direction from the junction with Millbrook. It is connected to two subsidiary east-west corridors, one lying to its north (North Street) and the other to its south (Castle Street/Sydenham Road) by narrow lanes that run broadly north-south. These 'gates' as the lanes are historically known tended to be owned by inns and taverns and became public routes from the 16th century onwards. Buildings which define this area are of 2 to 3 storeys, a large number of these are former town houses of the 17th 18th and 19th centuries with the ground floors now presenting as shops.

The conservation area's setting is influenced by the character of the adjoining conservation areas of Millmead and Portsmouth Road and Wey and Godalming Navigations to the west, Stoke Fields to the North and Waterden Road and Charlottetown to the east. A further influence are the surrounding hills which offer important elevated views of the town centre enabling one to appreciate the significance of the conservation area and its relationship to the wider town. Views of particular note are from Pewley Hill, St Catherine's Hill; the Hogs Back; Farnham Road and Stag Hill. Equally, there are reciprocal view back out from the conservation area towards the surrounding wooded hills to the west. number of Guildford landmarks can be found in this area including the Guildhall with its projecting clock, Holy Trinity Church and the Jacobean Abbots Hospital. Notable views and vistas within the conservation area include along The High Street and into and out of the Castle Grounds, focusing on the Norman Keep.

The Council's Conservation Officer summaries the significance of the conservation area as

- origins as a Saxon settlement focused on the High Street, Guildford Castle and Quarry Street
- survival of its medieval plan
- development and growth over the centuries – becoming the County town of Surrey
- the importance of the River Wey Navigation and later the arrival of the railway
- reference in art and literature over the years
- rich townscape of early defensive, civic, domestic, educational and religious buildings
- many landmarks are important contributors to the identity of the town

Conservation Officer assessment: The Town Centre Conservation Area has a close relationship with the application, the most immediate of which is the shared a boundary along North Street, but equally the site's eastern edge lies not too far from the boundary along Haydon Place. The dense urban grain which characterises a significant proportion of the designated area means that the proposed development will not be visible from many areas, this includes High Street and Quarry Street, which are areas with the highest concentration of designated heritage assets and therefore of greatest significance. Assessments have concluded that the proposed development has most potential for impact in the following locations:

- the northern edge of the Conservation Area (North Street, Angel Gate and Swan Lane) [Character Area 2]
- between Haydon Place and Stoke Road/Chertsey Street [Character Area 4]

- Character Area 2 (North Street, Angel Gate and Swan Lane)

Swan Lane and Angel Gate are two pedestrian ginnels that run north/south, connecting the High Street with North Street, in which views of the proposed development would be possible, particularly towards their northern ends. The views along these linking routeways are identified in the Town Centre Conservation Area Appraisal as being of significance to the character of the designated area. In the case of Swan Lane, the introduction of the proposed scheme would represent a significant visual change, as signalled in TVIA viewpoint 15 (Swan Lane), which demonstrates that Block B1 would be prominently visible having replaced 18 North Street and 108-109 Woodbridge Road and consequently prevents onward views towards the spire of the Church of St Saviour. Also apparent in this view, to varying extents, would be Blocks D2, D3 and D4. The visual impact of the proposed changes, whilst considerable, is not necessarily considered to be to the detriment of this view or to the character of this part of the conservation area, as the Conservation Officer noted the development's scale, design, layered composition and material palette are all successfully responsive to the surrounding context. However, it is appreciated that the proposed scheme would result in the loss of onward views towards St Saviour's spire which is regrettable, however the Conservation Officer does not consider that the significance of this part of the conservation area is dependent on having intervisibility with the spire, and as such, the Officer is not overly concerned with this loss. In fact, an argument could be made that a terminated view is more characteristic of Guildford's ginnels and alleys. Angel Gate is a narrow pedestrian lane and is formed of the yards of the Angel Hotel, which fronts on to the High Street. This narrow linear lane is framed with small to medium footprint red-brick buildings and is terminated at its northern end by the elevation of 17 North Street (Grade II). Above this, in the distance, one is able to appreciate the pinnacle of the Church of St Saviour's spire. TVIA viewpoint 14 (Angel Gate) is a representative view of the proposals impact from Angel Gate, and it is a view where the proposed development does present a concern to the setting of the conservation area as well as 17 North Street (Grade II) by virtue of the visual challenge the cumulation of Blocks B and C and their resultant scale and layering which appears discordant with the general low scale character which prevails. Whilst the Conservation Officer notes and acknowledges that there is a degree of mitigation being provided by the use of materials that respond positively to the prevailing townscape, the resultant effect is still one which prejudices the setting of both the conservation area and the listed building.

- Character Area 4 (Haydon Place and Stoke Road/Chertsey Street)

This character area, which is situated to the east of the site, is an area characterised by late 19th century suburban terraced housing. The visual relationship between the application site and the character area is extremely limited, a consequence of the interceding large-scale development (Leapale multi-storey carpark and Guildford telephone exchange), and thus views toward the site are restricted to locations such as The Bars and Martyr Road, both of which are represented in the supporting TVIA work. TVIA viewpoint 12 (The Bars) illustrates that the introduction of Block

E would result in an obvious visual change to the termination of this view by virtue of its scale, height and mass. However, the Conservation Officer is satisfied that the resultant change would not be to the detriment of this particular section of the Conservation Area as the design and angled positioning of the proposed structure appears to cohere with the prevailing form of the streetscape. There is an acknowledgment that Block E's proposed height is contrary to that of the prevailing built form, however from this view point it is noted that the visual contrast would not result in harm to the conservation area's significance, due to the way in which the structure has been orientated and its materiality.

In addition to the above the proposed development's height, scale and mass are also considered to present a challenge to the character and setting of the Town Centre Conservation Area, particularly in those wider views where one can appreciate the richness of Guildford's historic townscape within its unique context such as TVIA Viewpoint 6 (Sydenham Road/Bright Hill) and TVIA Viewpoint 11 (Castle Motte). It is appreciated that the application site is situated at the periphery of the town centre in an area that is largely characterised by larger scaled 20th century building and is beyond the extent of the homogeneous historic core. Nevertheless, it is an area which has been identified in the Views SPD as containing structures of a scale and mass which competes with the fine grained, domestic scaled townscape of the conservation area. Therefore, the concern here is that the proposed height, scale and massing of the scheme as a whole could perpetuate this concern and disrupt the sense of scale and character that defines the Town Centre Conservation Area, by appearing more noticeably incongruous within its setting. Whilst the reduction in height to Block E does help with reducing its incongruity, the fact remains is that the scale of many of the proposed structures are in complete contrast to the prevailing human and homogeneous scale of the conservation area.

Harm to the significance and setting of this heritage asset has clearly been identified in the above and in this instance the Conservation Officer states that it would be qualified at the low end of less-than-substantial.

Historic England assessment: HE note that the reduction in size of Block E, and other parts, and improvements in external materials have reduced the harm they identified to the conservation area (TVIA view 12) and is an improvement in views along Angel Gate. However, HE also noted that even with the updated designs, by virtue of the scale of the proposals, primarily seen in building heights and a layering of large buildings, as experienced from areas within the Town Centre Conservation Area (illustrated along Angel Gate and Swan Lane TVIA views 14 and 15 respectively) some harm will still be caused to it. This harm is caused through the visibility of the incongruously larger buildings in contrast to the prevailing and characteristic relatively low height of buildings within the conservation area, and because at present within the conservation area there are very few things that disrupt the sense of scale and character. HE therefore assess this remaining harm to the conservation area to be less than substantial, below the mid-range.

Harm to significance: The Conservation Officer concludes that the level of harm to the conservation area would be at the low end of less than substantial. HE note that the harm would be slightly higher at less than substantial, below the mid-range.

8. Wey and Godalming Navigations Conservation Area

This conservation area was designated in 2002 as part of a joint strategy with Waverley, Woking, Runnymede and Elmbridge councils. In total, the conservation area runs for 20 miles (from the River Thames at Weybridge to the Town Bridge at Godalming). It specifically covers the long and sinuous Wey and Godalming Navigation channel throughout the borough, however, it is slightly fragmented within the town centre as a result of other transecting conservation areas, such as the Bridge Street Conservation Area. The section of conservation area immediately to the north of the Bridge Street Conservation Area includes Dapdune Wharf and its listed buildings, whilst

the sections to the south of the Bridge Street Conservation Area contains the schedule monument and listed Treadwheel Crane and the site of the Town Wharf. The navigation is characterised by the river corridor and open spaces and vegetation fronting it. The river corridor itself is a long narrow space lined by the towpath and crossed by bridges. It is well enclosed by development within the town centre and this tapers down as you progress out to the north and south. Relative to the application site, this conservation area is situated directly to the west.

The setting of the conservation area is extensive and varied. In the section between Dapdune Wharf and Onslow Bridge, the setting is characterised by a significant amount of recent development, adjacent to both sides of the vegetated riverbank, some of which is large in terms of footprint and / or scale.

The Conservation Officer summarises the significance of the conservation area as:

- one of the earliest waterways in Britain to be made navigable - linking Guildford to the River Thames
- locally important and environmentally sensitive corridor through Surrey, linking heavily populated and commercially developed suburban areas with open countryside.
- development and use of the navigation has significantly influenced local history townscape and landscape through the Wey valley, and has supported Guildford's growth from the late 17th century until the arrival of the railways in the mid-19th century
- offers unique opportunities for informal recreational enjoyment, educational development and historical enrichment
- there is group value from structures associated with both its function (e.g. locks and lock keepers cottages) and use as a working waterway (e.g. mills and wharfs)

Conservation Officer assessment: The significance of this Conservation Area lies in its importance in the industrial history of Guildford and the historic buildings and landscapes that form its setting. The Conservation Officer notes that the intervisibility between the proposed development and the conservation area would be limited thanks to the screening provided by the intervening-built context. Nevertheless, it is recognised that there would be the occasional opportunity for glimpsed views where, for the most part, the proposed development would be viewed subtly in conjunction with the existing built form. It is noted that previously the Conservation Officer raised concerns over with the development's visibility from Dapdune Wharf, however, it is noted that these have been completely addressed as part of this revised scheme. It is noted that the current proposal would not affect one's ability to appreciate this heritage asset's significance. Therefore, no harm is identified.

Historic England assessment: As noted above, HE have stated that the main concerns they raised regarding the Castle Motte, views from Dapdune Wharf and in relation to Guildford Cathedral have been largely addressed with the reduction in height of Block E. HE do not offer any thoughts on the level of harm, if indeed there is any.

Harm to significance: The Conservation Officer has concluded that the proposal results in no harm to the significance of the Wey and Godalming Navigations Conservation Area. As noted above, HE state that their previous concerns have been 'largely addressed'.

9. Bridge Street Conservation Area

This conservation area is located approximately 100m to the west of the application site. It was designated in 2003 and is one of the Borough's conservation area's which benefits from a character appraisal, adopted at the time of the designation. It is focused upon the Grade II listed Onslow Bridge and a small section of the River Wey. This small conservation area retains urban fabric from the late 19th century that is linked to the town's industrial and mercantile expansion.

The supporting character appraisal describes the historic interest of the conservation area as '*the hub of late 19th and early 20th century phase of commercial and industrial growth of the town following the arrival of the railway and the subsequent construction of Onslow Bridge, Bridge Street and Onslow Street*'. The area includes the Rodboro buildings (Grade II) which were the first purpose built car factory in Britain, if not the world and the Central Hall Picture Palace, now known as the Casino Nightclub, which was the first cinema in Guildford and among the first to be opened after the introduction of the cinematographic act in 1910. Architecturally the area has a coherent character and similar architectural themes are used throughout the area with many of the newer buildings having been designed to successfully pick up on the established themes but applying a modern twist. Examples of the architectural themes exhibited include the use of pilasters and pier buttresses; brick and terracotta detailing; non-standard windows and doors; symmetry and the back of pavement building line. A strong sense of enclosure is created by flat elevations usually three or four storeys high. Another aspect of the character of this area is movement with the gyratory serving as a major vehicular route within the town

The main elements of setting that contribute to the significance of this heritage asset are the riverscape and townscape characteristics found in the adjoining conservation areas of the Wey and Navigations and Millmead and Portsmouth Road. Equally, it can be argued that townscape characteristics which define Guildford Town Centre and its conservation area are also big influences. The gyratory and the large-scale buildings fronting it comprise a large, negative component of its setting to its east, south and west (particularly the blank frontages of the Friary Centre).

The Conservation Officer summarises the significance of the conservation area as:

- evidences the town's industrial and mercantile past centred around the growth of the railway
- site of the first purpose-built car factory in Britain – Rodboro Buildings
- town's second river crossing point which was built in 1882. The bridge was required to improve the access to the new station
- bustling and busy environment – both historically and today
- coherent character, particularly with the more historic fabric as this was constructed within a 30-year period
- industrial and commercial character
- lower scale and massing (three-four storeys)
- buildings crowned with pitched roofs, often gable ended to the street
- use of projecting bay windows at first floor

Conservation Officer assessment: This conservation area is screened from the majority of the application site by the Friary Centre, nevertheless the supporting TVIA does evidence that visibility of the proposed development is feasible, both within the conservation area and from its setting. As evidenced in TVIA view 11 (Farnham Road), principally what would be viewed from within and just beyond the conservation area would be the upper floors of Blocks D and E, but there are areas where glimpsed views would be gained through to block C. All of this would all be read as background to the Friary Centre but would appear as a significant change in outward views from the conservation area, given their scale, height and quantum. Nevertheless, the Conservation Officer notes that this conservation area is one which tends to be utilised as a movement corridor, be it traffic navigating around the gyratory, or pedestrians moving between Guildford train station and the centre, thus it is an area which is characterised by lots of activity and noise and is not an area where one is encouraged to pause and take in views. Taking account of this, it is noted that TVIA view 11 would be where the visual impact of the proposed development would be at its acutest, due to the locations rising topography and more open aspect, and that as you move eastwards along Bridge Street, the visual impact of the development experienced from the conservation area would depreciate, the closer you get to the Friary Centre, with some of the blocks, such as Block C, eventually being removed from view.

The Conservation Officer agrees with the supporting heritage impact assessments that the proposed development will not change the character or significance of the conservation area, nor does it harm an important element of its setting. It is acknowledged that there still will be a considerable visual change to this asset's setting due the proposals scale, height and quantum, however, it is appreciated that this change is very dynamic and as a consequence, the resultant impact upon the conservation area does vary across its extent. Given all of the above the Conservation Officer has concluded that there would be a limited degree of harm to the setting of this conservation area by virtue of the visual challenge and distraction the proposal places upon the prevailing human scale of the surrounding townscape. It is noted that the resultant harm in this instance would be qualified at less-than-substantial at the lower end of the spectrum.

HE have not offered comments on this asset.

Harm to significance: The Conservation Officer has concluded that there is some harm to the setting of this conservation area which is qualified at less than substantial at the lower end of the spectrum.

Assessment of impact on significance - non-designated assets

Policy D23 of the LPDMP concerns non-designated heritage assets. It notes, inter alia, that:

- development proposals affecting Non-designated Heritage Assets and their setting are required to be supported by an evidence-based statement of significance. The level of detail provided within the statement is expected to be proportionate to the asset's importance and sufficient to facilitate an informed assessment of the significance of the asset and its setting, and the impact of the proposed development on that significance.
- development proposals are expected to preserve or enhance the significance of non-designated Heritage Assets, with an expectation that development proposals: a) respond to and respect the special architectural and historical interest of the heritage asset and its local importance; and b) are designed and sited so as to conserve the asset, any features of interest and its setting.
- development proposals which result in harm to, or loss of the significance of a non-designated Heritage Asset, or their contribution to the character of a place will be considered in line with national policy and guidance.

18 North Street and 108-109 Woodbridge Road directly adjoins the application site on its southern boundary. It is an early 20th century, two storey development, that is sited on the north-eastern corner of the junction of North Street and Woodbridge Road. It is constructed in red brick and is covered over by a combination of a shallow pitched slate roof (number 18) and flat roof (number 108-109) which is hidden behind a parapet.

The property's immediate setting is principally formed from the townscape of North Street, which is commercial in its character and function. North Street is a street that underwent considerable change during the 20th century, with the removal of many of its historic buildings, such as the Methodist and Congregational Churches and the Post Office, and which continues to change into the 21st century. Its current built character is composed of a varied mix of ages, architectural styles and material palette

The Conservation Officer notes that this is a heritage asset of local importance whose architectural and historic interest contributes positively to the setting of the adjoining listed building (17 North Street) as well as the setting of the Guildford Town Centre Conservation Area. The proposed scheme would require this asset to be completely demolished and for it to be replaced by a new public square at the North Street entrance to the scheme.

In terms of the asset as a non-designated heritage asset (NDHA), the act of demolition would result in total loss of its historic and architectural significance, which it is assessed as being limited in nature. In weighing applications that affect NDHA's, the NPPF states that a balanced judgement is required, having regard to the scale of any harm or loss and this significance of the heritage asset. Thus, the Conservation Officer concludes that the proposal would result in substantial harm to an asset of limited significance.

Looking more widely at the impact upon the setting and significance of the adjoining statutory listed building (17 North St) and the opposite Town Centre Conservation Area. It has been concluded that the removal of 18 North Street and 108-109 Woodbridge Road would contribute to further erosion of their historic setting, but in terms of the listed building, also has the potential for physical impacts on the asset, that may require some degree of repair. However, these impacts are somewhat offset by the creation of a new public square in its place which has been designed sympathetically using an appropriate material palette - natural aggregate flag paving (light grey) and natural aggregate block paving (terracotta blend) - that is considerate to the surrounding historic environment. As a result of the sensitive context, should Officers be minded approving the application, then specific details regarding materials, the water feature and street furniture should be conditioned.

Harm to significance: The Conservation Officer has concluded that the proposal would result in substantial harm to an asset of limited significance.

Cumulative heritage harm - taking into account other schemes in the area

In terms of the potential effect of the proposed development in combination with other development proposals, the schemes which are contextually relevant are:

- Guildford Railway Station (14/P/02168) - Approved
- Debenhams (21/P/02232) - Approved
- 1 Onslow Street (21/P/00539) - Approved

With regards to the approved applications, these schemes are located to the west and south of the application site, with the Guildford railway station scheme being approximately 250m away to the west and Debenhams being approximately 155m away to the south. They are visible in a number of key verified views such as TVIA viewpoint 2 (Pewley Hill), TVIA viewpoint 4 (Hogs Back), TVIA viewpoint 6 (Bright Hill), TVIA viewpoint 7 (Castle Motte) and TVIA viewpoint 8 (Stag Hill).

Having assessed all of the representative views within the TVIA the Conservation Officer notes that to some degree there is agreement with the conclusions reached in the supporting Heritage Assessment (paragraph 9.12.18). Whilst the proposed development and these schemes identified will have an impact on built heritage assets individually, their locations, their distances from each other, their separation from built heritage assets and the existing screening in place from existing buildings and vegetation leads to a conclusion that cumulatively the approved schemes, together with the introduction of the proposed scheme would not generate any further cumulative effects.

Conclusion on heritage harm

The table below provides a summary of the heritage harm which has been identified by both the Conservation Officer and Historic England. The Conservation Officer identifies that six designated heritage assets would be impacted by the proposal. The harm allocated to all of them is less than substantial and at the lower end of that scale. Historic England broadly agree with this assessment, but they note that the harm to the Town Centre Conservation Area is less than

substantial - below the mid range. HE have not provided specific observations on the level of harm to other assets, instead they have commented that their previous concerns have been 'largely addressed'. The Conservation Officer has also noted that the demolition of 18 North Street and 108-109 Woodbridge Road (non-designated heritage assets) would result in substantial harm, but this to an asset of limited significance.

Designated heritage asset	Grading (if applicable)	Harm (Conservation Officer)	Harm (Historic England)
Church of St Saviour	II	Less than substantial - low	Less than substantial - low
17 North Street	II	Less than substantial - low	No specific comments
Stoke House	II	Less than substantial - low	No specific comments
Guildford Cathedral	II*	No harm caused	No observations provided on level of harm, although it is noted that previous concerns have been 'largely addressed'.
Guildford Castle Keep	I and Scheduled Ancient Monument	No harm caused	No observations provided on level of harm, although it is noted that previous concerns have been 'largely addressed'.
Jelicoe Roof Garden	NA	Less than substantial - low	No specific comments
Town Centre Conservation Area	NA	Less than substantial - low	Less than substantial - below mid range
Wey and Godalming Conservation Area	NA	No harm caused	No observations provided on level of harm, although it is noted that previous concerns have been 'largely addressed'.
Bridge Street Conservation Area	NA	Less than substantial - low	No specific comments
18 North Street and 108-109 Woodbridge Road	Non-designated	Substantial (to an asset of limited significance)	No specific comments

On the overall cumulative heritage harm resulting from the proposal it is noted that PPG guidance on the Historic Environment, clearly states in paragraph 18a-013-20190723 that 'when assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change'. Given the quantum and calibre of heritage assets that are within the immediate context of the development site a

cumulative assessment is considered to be essential.

The Conservation Officer notes that with the exception of the single non-designated heritage asset where 'substantial harm was identified to an asset of limited significance', the harm identified to the remaining assets is considered to be 'less-than-substantial' at the low end of the spectrum. Given this the Conservation Officer concludes that when considering the historic environment as a collective that there is resultant cumulative harm from the proposal which has been set as 'less-than-substantial (medium)'. The Conservation Officer notes that this is a 'fair assessment when one takes into consideration the number of heritage assets, together with their degree of significance where harm has been identified, as well as the range of harm identified, which in this case includes a number of instances of 'less-than-substantial (low)' as well as a 'substantial harm (total loss)' to an asset of limited significance.

Historic England do not appear to offer a specific cumulative level of harm, their letter notes the following: 'this is a sustainable location for new development, which utilises a brownfield site and offers opportunities to create a valuable new quarter within the town along with considerable amount of residential accommodation, and the site allocation establishes the principal of that. We welcome the considerable amendments that have been made to the scheme since the 2022 application, which would reduce harm to heritage. However, there would be residual harmful impacts to designated heritage assets. We continue to encourage amendments to be made to reduce these further or avoid harm altogether (as required by paragraph 195 of the NPPF), primarily resulting from the height of proposed buildings'.

It is also noted that harm has been found to a non-designated heritage asset (18 North Street and 108-109 Woodbridge Road). This has been categorised as substantial harm as the asset would be demolished, therefore resulting in a complete loss of significance. On this, paragraph 203 of the NPPF 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 directly or indirectly affect 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'. The Conservation Officer notes that this asset is of low significance and as such, its total loss needs to be calibrated accordingly.

Based on all of the above, the Local Planning Authority concludes that the proposal, overall, would result in less than substantial harm to the surrounding heritage assets. As noted by the Conservation Officer, this harm would be at the 'medium' point of that scale and it includes the harm to the non-designated asset.

In terms of paragraph 195 of the NPPF and the requirement to '..avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal...', it has already been noted above that the proposed scheme is considered to be unviable. Since the previous proposal the applicant has sought to minimise the harm resulting from the proposal by reducing some of the building heights, changing the external materials etc while still producing a scheme that the applicant is prepared to invest in (see the affordable housing section of this report). In Officer's view, the scheme has been amended to minimise its harm by as much as possible.

Having reached the view that the proposal results in harm to surrounding heritage assets, it is re-emphasised that paragraph 199 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This accords with the duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Paragraph 200 goes on to note that 'any harm to, or loss of, the significance of a designated heritage asset (from its

alteration or destruction, or from development within its setting), should require clear and convincing justification’.

In a situation where less than substantial harm is identified, the NPPF at paragraph 202 states that ‘this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use’. The applicant has set out a detailed case in this regard and notes that the proposal would result in a range of public benefits. Whether these claimed public benefits outweigh the heritage harm, and the considerable weight and importance that must be afforded to it, will be assessed in the final section of this report.

In terms of the optimum viable use, it is noted that the site is allocated for the uses that are proposed and that a viability report has been submitted which confirms that even the proposed quantum of development is not viable. A reduction in the number of residential units / commercial floorspace proposed would weaken the viability of the scheme even further. Paragraph 204 of the NPPF is also acknowledged which states that ‘local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred’. This will be considered and secured through the legal agreement and will be discussed in greater detail below.

Archaeology

The application site is within the designated Area of High Archaeological Potential for the centre of Guildford - an area which has been proven to contain important remains relating to the origins and development of the town, as well as earlier material dating to the prehistoric periods. It is noted that part of the site is within the precinct of the Dominican Friary that was established in the thirteenth Century.

The heritage sensitivity of the site is acknowledged in Environmental Statement (Chapter 10) which has been prepared by Museum of London Archaeology and informed by a desk based archaeological assessment and a trial trench evaluation of the site completed in June. The ES chapter confirms that the archaeological interest of the site lies with the potential for remains associated with the medieval Dominican Friary and the later development of the site in the post medieval period. An assessment of historic mapping suggests that the site has been subject to extensive post nineteenth century development which will have caused truncation of earlier deposits and this has been confirmed by the trial trench evaluation which suggest that the site has been terraced and that archaeological survival in the western part of the site will be limited to deeper archaeological features such as pits and cellar and possibly graves, although the area is at some distance to the Friary cemeteries that were recorded during excavations of the Friary Church in advance of redevelopment of the brewery site in the 1970s. The eastern area of the site demonstrated a higher degree of survival, albeit with some deep areas of modern truncation, and of particular note was the recording of masonry of probable medieval date that may be part of the eastern gate into the Friary on the current Woodbridge Road. It is noted that some of the archaeological remains may be of national importance.

In response to the issue of potential remains of national significance, the evidence from trench nine suggests that the masonry walls that were recorded are part of the Friary eastern gateway. The County Archaeologist notes that this was not unexpected as the trench was located due to the possible presence of a gateway structure in this area as indicated on a seventeenth century map of the area. The remains of a well-preserved Friary complex would be of national significance but the vast majority of the most significant buildings at Guildford Friary were removed following excavation between 1974-1978 during the comprehensive redevelopment of the area at the time and so that significance now lies in the archaeological archive record rather than the remains of the complex itself. The gatehouse is therefore significant as one of the few remaining elements of the Friary complex, but it has been heavily truncated down to foundation

level and is itself not a particular rare survival of its type. Historic England Guidance suggests that it is not of schedulable quality and so in line with the advice given in the NPPF, a balance has to be sought between conserving the heritage asset and the benefits of the wider scheme. The mitigation proposals put forward in the ES allow for full recording of the structure, including provision for public viewing of the archaeological work as well as the full dissemination of the results. The view of the County Archaeologist is that this provides an appropriate response, as due to its current condition and significance, it would not be proportionate to require the basement to be redesigned to enable its preservation and display.

Overall, the ES assesses the archaeological resource as being of medium significance and that the development is likely to result in the loss of much of the surviving archaeology. The report therefore suggests that a programme of archaeological work will be required to mitigate this loss, which will take the form of a programme of a watching brief on the lower western area and detailed archaeological excavation of the of the eastern part of the site with which would be supplemented with an associated programme of public benefit. This could comprise information boards on the construction hoardings, local school trips, further research by volunteers of the history and daily life of the Dominican Friary by volunteers.

The County Archaeologist has reviewed the application and no objections are raised. The County Archaeologist agrees that with the measures suggested by the applicant, this would provide an appropriate mitigation response to compensate against the loss of the archaeological resource. A condition is recommended which secures the measures set out by the applicant and agreed by the County Archaeologist.

Taking into account the above, the development is deemed to be compliant with policy D3 of the LPSS and the advice set out in Chapter 16 of the NPPF.

The impact on neighbouring amenity

Policy D5 of the LPDMP states that 'development proposals are required to avoid having an unacceptable impact on the living environment of existing residential properties or resulting in unacceptable living conditions for new residential properties, in terms of:

- a) privacy and overlooking
- b) visual dominance and overbearing effects of a development
- c) access to sunlight and daylight
- d) artificial lighting
- e) noise and vibration
- f) odour, fumes and dust

Although the site is located in the town centre, there are very few residential dwellings in the immediate vicinity. According to the Council's records and in consultation with the Environmental Health Officer the only residential properties which are within a relatively close proximity are two apartments above 16-17 North Street (it is understood that this is staff accommodation associated with All Bar One), an apartment above 3 Leapale Road (Five and Lime public house), as well as a number of apartments at Woodbridge Chambers which are diagonally opposite (to the north-east) of Dominion House.

The impacts on these properties will be assessed below. It is also important at this stage to note that all of these properties are situated in the town centre where an element of noise, disturbance and overlooking etc is to be anticipated. Urban living cannot be expected to offer the same level of residential amenity as one would get when living in more suburban or rural locations. This needs to be taken into account when considering the amenity of those residential dwellings that already exist in the vicinity.

16-17 North Street:

As noted above, this property contains two residential units which are associated with the public house below (All Bar One). The Council understands that the living accommodation is situated in the upper floors of the listed building. The windows facing onto North Street would not be impacted by the proposal. The windows in the rear elevation already face the more modern two storey extension to the rear of All Bar One, however, the proposed new building to the west (Block B1) would be significantly larger than the one it replaces and would extend a greater distance beyond the existing rear elevation of the listed building. Views from the rear of the listed building would now be of the blank side wall of Block B1 and as such, the proposal would have an adverse overbearing impact on this property.

The level of weight to be afforded to this harm will be discussed later in the report.

3 Leapale Road:

3 Leapale Road is the public house known as 'Five and Lime' and it contains living accommodation within its upper floors. The building shares its northern (side) boundary with the application site.

The building does not contain any windows in its side elevation, however, there are numerous windows in the front and rear elevations, most of which serve the associated living accommodation. It is noted that the amenity of this accommodation will already be compromised by its presence above a public house which provides entertainment at nighttime and in a busy location off North Street. The closest proposed building to Five and Lime would be Block B2. This would be slightly set back from the front elevation of Five and Lime, but it would project significantly beyond its rear elevation. The windows at the front of Five and Lime would not be impacted by the development, but the windows in the rear would. However, it is noted that the windows closest to Block B2 would be non-habitable and include a landing and bathroom / toilets. The windows further along the rear elevation include a kitchen, and it is understood that all bedroom accommodation is situated to the front of the building overlooking Leapale Road.

In terms of height, the element of Block B2 which would adjoin Five and Lime would be set over four storeys. Due to its projection at the rear it would significantly impact on the upper floor rear windows of Five and Lime, blocking their outlook to the north-west. However, as noted above, the primary impact would be to non-habitable windows. Nonetheless, due to the proximity of the built form, it would have a significant overbearing and dominating impact on the Five and Lime residential accommodation.

When assessing the level of weight that should be afforded to this matter, the current amenity of the living accommodation will need to be considered, as well as the fact that the property is located within the town centre.

Woodbridge Chambers:

Woodbridge Chambers contains a number of apartments in the first and second floors of the building and is diagonally opposite the site. It currently faces onto Dominion House which is four storeys in height and in office use. Dominion House already leads to some overlooking and overshadowing of Woodbridge Chambers.

The apartments on the Woodbridge Road side of Woodbridge Chambers would face Block E. The new building would be a mix of commercial uses on the ground floor with residential above. At 11 storeys, it would be the tallest building in the proposed scheme and it would be between 14 and 18 metres away from the southern elevation of Woodbridge Chambers.

It is fully acknowledged that the outlook from the apartments at Woodbridge Chambers would change significantly as a result of the scheme. The proposed block E would have a more imposing presence in the streetscene and would result in more windows and balconies facing Woodbridge Chambers. However, due to the distance of separation, any overlooking which would occur would not lead to any material loss of amenity or privacy for the existing residents. While the proposal would have an impact on Woodbridge Chambers, given the distance of separation and the fact that the site is within a busy urban location, there would not be any material loss of amenity associated with this impact.

Other impacts:

It is acknowledged that the proposed use would result in a higher density of people living in this part of the town centre and additional commercial business, including the possibility of new food and drink establishments. The development is likely to attract more visitors to North Street and will change the routes that pedestrians use through the town. While these are all benefits of the scheme in terms of improving the vitality and viability of the town centre, they will bring with them increased activity, noise and general disturbance in the area. As noted above, there are a limited number of residential properties in the immediate surroundings of the development, however, it is noted that the prevalence of residential accommodation does increase to the north-east of the site. While the proposal as a whole will change the character of the area, it should be recognised that the site forms an integral part of an important town centre regeneration scheme which has been allocated for redevelopment in the Council's Local Plan. As such, increased activity, noise and disturbance is an inevitable impact of the proposal and given the town centre location, it is not unreasonable.

Due to the impacts on the residential accommodation associated with Five and Lime and All Bar One, overall it is considered that the proposal would fail to comply with policy D5 of the LPDMP.

Amenity of future occupants / living environment

As already noted above, policy D5 of the LPDMP seeks to avoid developments which result in unacceptable living conditions for new residential properties.

Paragraph 130 of the NPPF and policy H1 of the LPSS also require the need for conformity with the nationally described space standards (NDSS), as well as creating places with a high standard of amenity for existing and future users. Policy D5 also states that all new build residential development proposals, including flatted development, are expected to have direct access to an area of private outdoor amenity space. In providing appropriate outdoor amenity space, both private and shared, development proposals are required to:

- take into account the orientation of the amenity space in relation to the sun at different times of the year;
- address issues of overlooking and enclosure, which may otherwise impact unacceptably on the proposed property and any neighbouring properties; and
- design the amenity space to be of a shape, size and location to allow effective and practical use of the space by residents.
- all balconies or terraces provided on new flatted development proposals are required to be: a) designed as an integrated part of the overall design; and b) a minimum of 4sqm.
- development proposals are required to have regard to relevant national and local design guidance or codes, including in relation to garden sizes and residential building separation distances

Internal space standards:

The applicant has submitted a Nationally Described Space Standards compliance table with the application. It is noted that all of the proposed apartments either meet or exceed the standards suggested by the Government. The proposal is compliant with policy H1 of the LPSS in this regard.

Private open space:

It is noted that of the 471 apartments in the proposed scheme, a total of 352 would have direct access to a private balcony or garden terrace. As such, the proposal does conflict with the requirements of policy D5 of the LPDMP in this respect. However, this would be off-set by the fact that all apartments would have access to the high quality shared terraces and courtyard gardens which are proposed as part of the development.

Policy D5 also requires that all proposed balconies should be a minimum size of four sqm. The applicant has confirmed that the proposal complies with this requirement.

In total, four areas of private open space (for residents) are proposed which take the form of courtyards which are set between the buildings. These spaces would generally be shared between two blocks and would be accessed directly from the residential building cores or externally via gated, controlled access points from the public streets. It is noted that Friary Gardens would be open to the public during the day, but would only be accessible to residents in the evening. Only indicative plans have been provided for the design of the courtyards and they show that they will be finished with areas of landscaping, lawns and doorstep play areas for children. The exact design of these spaces could be controlled by condition. While these spaces are generally small in size, they would provide a valuable private amenity space for future residents.

In addition to the courtyards, one rooftop garden is also proposed on Block B which would provide additional high quality amenity spaces for residents close to homes. Similar to the courtyards at ground floor, the rooftop garden would be landscaped to include amenity lawns, seating and raised planters with multi-trees and shrub planting selected to provide year-round seasonal interest and value for wildlife. Again, the exact details of these spaces could be controlled by condition. Every resident would have access to at least one private communal open space area.

Public open space:

Policy ID6 of the LPDMP provides details on how much open space is to be provided on-site as part of development proposals (or a contribution in lieu).

It is noted that the proposal does not provide any space for parks and recreation areas. It is considered that for this site, in a highly sustainable location, it would not be appropriate to use valuable land for playing fields and formal urban parks. As such, it is agreed that this provision should not be met on site. In terms of playspace it is noted that the proposal includes some limited provision for ancillary facilities. For example, the water feature in the North Street Square would provide an element of play for children and natural play features would also be built into the landscaping in Friary Circus. However, the quantum of these spaces would not meet the standards which are set out in policy ID6.

Based on the requirements of policy ID6 the proposal should be delivering the following on site. This is based on a population of 850 people, calculated as per policy ID6. The actual open space provision proposed through the development is provided within brackets ().

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- allotments - not required on site (0ha)
- amenity / natural green space - 0.87ha (0.236ha)
- parks and recreation grounds (including pitches) - 1.15ha (0ha)
- play space (children) - 0.04ha (0ha)
- play space (youth) - 0.03ha (0ha)

In terms of on-site amenity it is noted that the proposal provides a range of open space areas as part of the development. These include spaces which will be publicly accessible to all (such as the new North Street Square, the Dial, Friary Gardens, and Friary Circus), as well as private open space areas which would only be accessible to residents of the scheme. Given the different spaces within the scheme, it is difficult to calculate accurate figures for the provision as part of the development. However, the following points should be noted. In terms of amenity / natural green space Officers have counted the main new public realm areas proposed through the scheme. The main pedestrian streets are not included. Due to the location of the site and what is being delivered, there is no provision on site for formal parks or recreation grounds. In terms of youth and children's play spaces, it is noted that there are no areas within the scheme which would be accessible to the public. However, the public realm areas have been designed to incorporate an element of play and other spaces could be used for youth recreation.

As noted above, the scheme does not provide any formal playing fields. However, this is not objectionable given that such a use would not be an appropriate use of land in this location. The provision of play space and amenity / natural green space is also below the standard expected through policy ID6.

Although the proposal is deficient in terms of the amount of open space that is being provided, policy ID6 does allow for this to be mitigated as a contribution towards off-site provision. The off-site contribution for formal playing fields would amount to approximately £1.8m. As there is no on-site provision, the full amount would be payable. The full allotment contribution would also be required which is approximately £97,988. In terms of children's playspace and amenity / natural greenspace it is noted that some is being provided on-site and as such, only a proportion of the contribution would be required. The required contributions would amount to £231,453 for children's playspace and approximately £165,904 for amenity / natural greenspace.

Due to viability reasons the applicant has confirmed that it will not be possible to contribute the amounts noted above. As such, the proposal is in conflict with policy D5 and ID6 of the Local Plan and this harm will be considered further below.

Other matters:

It is noted that there are a number of instances within the development where residential dwellings would front onto the new streets that are being created. These will hopefully, in time, be well used, public routes which will see activity throughout the day and night. Following earlier concerns raised by Officers, the applicant has now provided landscaping and small areas of defensible space in front of units which would abut public areas. This will help to protect the amenity of these units. In addition, it is noted that some of the residential uses will be in close proximity to new commercial premises, which could be used for restaurants and cafes. While there may be some noise associated with these commercial uses, any residents of a mixed-use town centre scheme should expect some element of disruption. However, notwithstanding this, a condition is recommended which requires the applicant to submit details of the treatment of the properties (windows in particular) to ensure that they have an adequate level of internal amenity.

It is also noted that as there are a number of commercial units proposed in close proximity to residential units, their extraction and filtration systems need to be carefully considered. The applicant has agreed that all vents and flues etc will be provided within the buildings and then vented at roof level to meet relevant standards. This will prevent smells etc from causing a nuisance to the residential dwellings. This will be secured by condition.

Daylight and sunlight

Paragraph 130 of the NPPF states that planning decisions should ensure that developments create ‘...places that are safe and promote health and well-being, with a high standard of amenity for existing and future users’. Policy H1 of the LPSS also requires creation of places with a high standard of amenity for existing and future users whilst Policy D2 of the LPDMP confirms that development proposals are required to avoid having an unacceptable impact on the living environment of existing residential properties or resulting in unacceptable living conditions for new residential properties, in terms of access to sunlight and daylight.

The application is supported by a “Report on Daylight and Sunlight within the Proposed Dwellings & Sunlight to Proposed Amenity Spaces”, (July 2023), (the RDS).

NPPF paragraph 125c) reads “...when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit making efficient use of a site, (as long as the resulting scheme would provide acceptable living standards)”.

Daylight – proposed dwellings

It is industry practice to test a representative sample of rooms rather than all habitable rooms. However, in this instance and as requested by Officers, the RDS confirms that all habitable rooms in proposed blocks were tested. This provides a full picture of the scheme’s impact. Results confirm that 839 (68%) of the 1,231 rooms assessed across the site will achieve illuminance levels that either meet or exceed the recommended guideline values based on the targets for their specific room use. It is noted that the results would have been higher if balconies were not required through other policies of the LPDMP.

Assessment results demonstrate a very high adherence level to illuminance levels for a town centre location. Officers consider that the daylight results do not result in unacceptable living conditions and thus satisfy policy D5 in this regard.

Sunlight – proposed dwellings

The RDS advises that the scheme layout has sought to limit north-facing elevations, but where units do face north, the strategy has been to aim for main living rooms to be located on the corners to provide a dual aspect. All rooms were tested, but the comments were provided for those rooms whose windows face within 90 degrees of due south.

The results of the Sunlight Exposure (SE) assessment demonstrate that of the 658 rooms assessed, 523 (79%) would meet or exceed the minimum guideline values, demonstrating that the majority of these rooms achieve a reasonable level of sunlight. Of those rooms assessed, 249 were main living spaces which have at least one window facing within 90 degrees of due south. Of these, 94% would meet or exceed the minimum guideline values. Given guidelines focus on main living rooms, this is an excellent level of adherence for southerly orientated rooms.

The presence of balconies to provide private amenity within new developments does create challenges in relation to maximising sunlight potential as it limits the sky visibility from the centre point of the window. A flexible approach is therefore needed (particularly on large-scale developments where building heights tend to be greater and separation distances smaller) to strike a balance between the provision of balconies and achieving adequate levels of sunlight.

Whilst the BRE Guidelines intend to give good access to sunlight in a range of situations, it is noted that in some circumstances “the designer or planning authority may wish to choose a different target value for hours of sunlight.” Officers consider that based on the RDS findings, the sunlight compliance rate for the rooms tested within the scheme, in terms of BRE guidance, is in line with expectation for a large development with inset and projecting balconies, where for good townscape reasons, in some instances the buildings are fairly closely spaced.

It is noted that the layout of the scheme has resulted in 557 of the habitable rooms (46%) not being tested for sunlight because they are not within 90 degrees of due south. While some apartments, particularly at ground floor level may not achieve the same levels of sunlight as other dwellings within the scheme, given the scale of the development, its urban location and the fact that some rooms have to be on northern facing elevations, on balance, the scheme is considered to be acceptable in this regard.

Impact on existing and proposed public and communal open spaces

The policy context imposes a need to evaluate the impact of the scheme on its own proposed amenity areas for public and residents, and also on existing open spaces around the site available to the public, as set out below:

For issue 2, LPSS Policy D1 expects all new developments to (6) create a high-quality public realm, and (7)...include high quality landscaping. The preamble notes that public realm should be designed in a way that contributes to pedestrian friendly environments. Officers consider that these expectations should be interpreted to ensure that public spaces receive a reasonable amount of sunlight both for their use and to enable soft landscaping to thrive.

This interpretation is endorsed by LPDMP D5 (2), which expects all new build residential development proposals to provide direct access to an area of private outdoor amenity space. Furthermore, in providing both private and shared outdoor amenity space, developments are required to take into account the orientation of the amenity space in relation to the sun at different times of the year.

The BRE criterion is that for an amenity area to appear adequately sunlit throughout the year, at least half of that space will achieve two hours sunlight on the Spring Equinox, 21 March.

A total of seven areas in the public realm, forming the proposed pedestrian routes and amenity areas within the site, were assessed, together with five communal amenity spaces for residents. There are no existing public amenity spaces surrounding the development site that needed to be assessed, since it adjoins public highway on Leapale Road to the east, North Street or the rear of commercial buildings fronting North Street to the south, and the bus station and Friary Centre to the west. Notwithstanding the proposed pedestrianisation of North Street, this area was not tested since most of the frontage is taken up by existing buildings that will remain other than block A, which is proposed to replace an existing building of similar height, and block B, which is to be set back, behind the new North Street Square which was tested.

The results for the public realm areas tested were as follows:

Public Realm Area	Percentage of area in sunlight for 2 hours or more; 21 March	Percentage of area in sunlight for 2 hours or more; 21 June
Friary Circus (Commercial St)	98%	100%
Planting east of remote bus stops in bus station, west of D3	87%	99%
Northern Gateway (adjoining E)	21%	69%
Astor Arcade	9%	85%
North St Square	99%	100%
The Dial and Astor Lane (east)	17%	80%
Woodbridge Road (north)	4%	43%

Taking the March 21 results, three areas comfortably exceed the 50% BRE criterion, but the other four fall short. Of those that pass, two are the most important public spaces, Friary Circus and North Street Square.

Woodbridge Road would receive between one-two hours sunlight, but since it is a route to pass through the scheme, this is considered less important. The Northern Gateway would generally receive one to 1.5 hours sunlight, this is also considered satisfactory for passing through into the scheme. The Dial, Astor Lane and Astor Arcade would receive limited amount of sunlight. For The Dial, much of the space would achieve between one to 1.5 hours sunlight, during the middle part of the day. Although not ideal, it would be of some benefit, assisted by the presence of two other new public squares in close proximity enjoying sunnier positions. Astor Lane and Astor Arcade will act as passing places rather than dwelling spaces. Overall, Officers consider that at the recommended date for assessment, ample sunlight would be available in public realm areas where this would be of most benefit.

The results for June 21 demonstrate that six of these spaces would be very sunny. The seventh, the Northern Gateway, would only very narrowly miss the criterion, but not in a material manner, and would offer some on-site shade in a public space.

Turning to the residents' communal spaces, the results are as follows:

Residents' Communal Area	Percentage of area in sunlight for 2 hours or more; 21 March	Percentage of area in sunlight for 2 hours or more, 21 June
Blocks A and B ground level	17%	59%
Blocks D1 and D2	77%	99%
Blocks D3 and D4	68%	98%

Taking the March 21 results first, two areas very comfortably exceed the 50% BRE criterion. The third would still include a small area of adequate sunlight. With The Dial & North Street Square close by and intended for use by all residents, it is considered that there would be adequate alternative provision for that time of year. The June 21 results demonstrate the BRE criterion are exceeded in all areas.

Overall, Officers consider that the assessment demonstrates that on March 21, both public realm and residents' communal spaces within the scheme would provide adequate sunlight, with opportunities for visitors and residents to find sunnier alternatives elsewhere within the scheme. Within a multi-block, inner-town urban development, there are naturally going to be some areas that receive less sun. There would be extensive areas of sunlight in all spaces on June 21. Accordingly, the proposals would satisfy LPSS Policy D1 and LPDMP policy D5.

Impact on existing surrounding properties in terms of daylight, sunlight and overshadowing

The application is supported by a "Daylight and Sunlight Report (Impact on Neighbours)", (July 2023), (the DSR), prepared by consultant surveyors Anstey Horne. The document provides a measure of the impact on the daylight and sunlight in neighbouring buildings which are, at least in part, in residential use. The following locations have been considered:

- Woodbridge Chambers
- 3 Leapale Road
- 16 – 17 North Street
- Friary House

In line with BRE guidance, daylight and sunlight conditions are established as per current circumstances, and again to reflect post-construction conditions. The relative change is determined, and comparisons can be made. Guidelines confirm that a loss of light will be noticeable if the amount retained will be less than 0.8 times its former value (the "BRE 0.8 guideline").

Under the BRE Guidelines, where one room in a residential unit meets the minimum recommended levels of sunlight exposure, the unit as a whole is considered to have passed, the guidelines confirm that the room in question should preferably be a living room. For daylight, 70% of windows assessed within these blocks adhere to the strict application of the BRE Guidelines. For both annual and winter sunlight, 100% adhere to the BRE Guidelines.

NPPF paragraph 125 is relevant and reads, "when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight where they would otherwise inhibit making efficient use of a site, (as long as the resulting scheme would provide acceptable living conditions)"

The DSR notes that currently, since the application site is largely vacant, several of the neighbouring properties enjoy uncharacteristically high levels of natural light which then leads to large percentage reductions once massing is proposed in the vicinity. Despite this, as noted, the retained levels of light remain commensurate with a town centre location where the BRE guidelines recommend a flexible approach. Officers agree with this assessment, the results demonstrate that overall, with the majority of neighbouring properties fully adhering to the BRE guidelines, they will not experience significantly reduced daylight or sunlight. Accordingly, Officers consider that the scheme's impact on daylight and sunlight experienced by neighbouring residential properties would comply with the requirements of LPDMP policy D5.

Highway/parking considerations

The applicant has submitted a Transport Assessment (TA) with the planning application. This provides details regarding the impact of the development on the local highway network as well as an analysis of the operation of the bus station and how the application seeks to address the previous reasons for refusal.

NPPF Chapter 9 'Promoting Sustainable Transport' expects transport issues to be considered from the earliest stages of development proposals so that:

- opportunities to promote walking, cycling and public transport use are identified and pursued; and
- patterns of movement ...and other transport considerations are integral to the design and contribute to making high quality places.

Paragraph 112 states development should:

- give priority to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible – to facilitate access to high quality public transport, with, inter alia, facilities that encourage public transport use;
- address the needs of people with disabilities and reduced mobility...; and
- create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles...

As noted above, the hierarchy clearly places pedestrians first, and that safe, attractive places without conflict between pedestrians and vehicles are expected. This is an important policy context in consideration of the proposed pedestrian enhancements locally.

The LPSS contains the following policies relevant to assessment of the proposals:

S3(6) requires schemes to demonstrate high quality urban design and contribute wherever possible to (c) an attractive and safe public realm; (d) legible routes that...give priority to pedestrians and cyclists over motor vehicles.

D1(6) requires all new development to ensure...it creates safe and accessible spaces, with particular regard given to maximise opportunities for pedestrian and cycle movement and the creation of a high quality public realm; (9) requires development to be well designed to meet the needs of all users, including in respect to transport infrastructure and public realm.

ID3 – 'Sustainable transport for new developments' covers a number of matters relevant to the configuration of the bus station and its pedestrian and cycling approaches:

requires new development to contribute to the delivery of an integrated, accessible and safe transport system, maximising the use of sustainable transport modes of walking, cycling and the use of public and community transport;

- requires new development, in so far as site size, characteristics and location allow, to maximise (a) high quality, safe and direct walking and cycling routes with priority over vehicular traffic; (c) the improvement of existing cycle and walking routes to local facilities, services, and bus stops, (d) the provision and improvement of public and community transport; (e) opportunities for people with disabilities to access all modes of transport;
- requires new development to have regard to the Sustainable Movement Corridor (SMC) Supplementary Planning Document; [Officer Note: This SPD has not been progressed to consultation]; and
- requires applications to have regard to the Infrastructure Schedule which sets out the key infrastructure requirements on which the delivery of the plan depends.

The LPDM also includes policies relating to parking provision, the creation of a cycle network and public realm. These policies along with the new Parking Standards for New Development SPD will be considered, where relevant below.

Proposed highways amendments and capacity

A transport package suitable for the scale of development which focuses on provision of sustainable transport options for future occupiers is proposed. By providing access to these modes of transport, reliance on the private vehicle should be reduced and therefore the predicted additional trips from this site onto the highway network should also be reduced.

The traffic impact of the proposal on the highway network has been demonstrated by Icenis as follows: the residential units have been assessed within the TA based on the quantum of parking spaces proposed. This has been identified by the CHA as a reasonable approach. In terms of the car parks currently on the site, the traffic associated with them has been reassigned to other local public car parks. The commercial units are considered to compliment the already wide-ranging offer of retail and other amenities within the town centre. Therefore, trips to the proposed commercial units will be linked from the existing town centre uses, rather than generated by the development proposals. Servicing and delivery trips have also been considered within the TA.

The overall impact and redistribution of traffic has been considered by way of a strategic town centre model and junction specific detailed models. The model is based on the proposal as well as the following highways changes being made in the surrounding area:

- widening of Leapale Road to facilitate two-way traffic;
 - proposed zebra crossing on Leapale Road;
 - proposed reconfiguration of Leapale Road multistorey car park access;
 - proposed development access at Leapale Road;
 - Leapale Road / North Street signal junction upgrade;
 - north and south in / north out new bus interchange junction;
 - alterations to south in access to new bus interchange;
 - increased bus capacity at North Street bus stop; and
 - North Street gyratory exit and taxi movements.
-
- Woodbridge Road (through the site) will be closed through a Stopping Up Order;
 - Commercial Road will be restricted to authorised vehicles only, including buses, and partially closed via a Stopping Up Order;
 - Leapale Road will be converted to two-way to all traffic;
 - new signal-controlled bus station access, north in north out, to facilitate all turning movements to/from Leapale Road (south)/Woodbridge Road (north);
 - heavy load vehicles (7.5t) restricted "except for access" at east end of North Street;
 - existing multistorey car park changed to right in, left out access to/from Leapale Road;
 - Leapale Road/North Street signal junction upgraded with new ahead only exit (for service vehicles) except for taxi from North Street (eastbound);
 - vehicle access to North Street from gyratory restricted, except for bus, taxi and access;
 - North Street/gyratory junction upgraded to provide egress on to Gyratory for vehicles before, during and after North Street pedestrianisation times;
 - North Street proposed eastbound only between gyratory and Leapale Road and to be pedestrianised (at times) between Commercial Road and Leapale Road;
 - eastbound service vehicle traffic from North Street (west of Leapale Road) will exit to North Street ahead only, no left turn to Leapale Road; and
 - further access restrictions are proposed at Leapale Lane and Martyr Road.

The majority of the changes set out above are self-explanatory and further information is provided in the TA if necessary. However, further information on the main alterations are provided below.

In terms of the bus station access, it is proposed to provide a new upgraded entry and egress junction. This would see the existing southern entry from North Street and the northern exit onto Leapale Road / Woodbridge Road being retained, but with the provision of a second entry from Leapale Road / Woodbridge Road. The new access junction will facilitate the pedestrianisation of North Street, by removing buses from North Street between Commercial Road and Leapale Road which is considered a significant improvement to the town centre. The new bus interchange access is proposed at Leapale Road / Woodbridge Road, via a new 'north in, north out' signal-controlled junction.

The TA notes that the benefits of creating a second access to the new bus interchange is the resilience it provides should access from North Street be blocked (and vice versa). This is an improvement on the existing accessibility and resilience of the current bus station arrangement. In addition, the access to the north will reduce the journey time and distance for a number of services which currently route south on Onslow Street towards the gyratory. This also benefits local congestion and reduced carbon emissions by removing a number of bus services from the gyratory and North Street which improves the public realm. Furthermore, the exit from the new bus interchange is significantly improved whereby the largest bus used on the network will now be able to exit the new bus interchange without waiting for queuing traffic to clear.

As the new junction at the northern end of the bus station will be signal controlled, this provides the benefit of also being able to signal control all pedestrian crossings, to significantly improve pedestrian connectivity to the new bus interchange and accessibility between the proposed development and amenities to the north. The existing pedestrian and traffic islands have been realigned and amended to provide room for turning buses, into and out of the new bus interchange. Yellow box road markings are proposed between stop lines on Woodbridge Road / Leapale Road to ensure queuing traffic is minimised and does not delay bus movements. The proposed exit has been designed to be a smoother and less acute turn than the existing Commercial Road to Leapale Road movement.

The existing southern access into the bus station from North Street would also be altered as part of these proposal, in part due to the need to create new areas of public realm and open space as part of the development. A single 3.7m wide road is proposed to connect to the new bus interchange from North Street. The access road widens as it approaches North Street to accommodate the swept paths of buses turning left towards the new bus interchange. An additional bus stop is proposed on the 'south in' access road to provide increased capacity to the new bus interchange. A loading bay with restricted access is also proposed on the access road to provide loading opportunities for proposed commercial uses and refuse collection. As has already been discussed above, this change still allows for the creation of Friary Circus and other public realm improvements which will greatly enhance the southern end of Commercial Road when compared to the existing situation.

It is also proposed to increase the capacity of the existing westbound bus stop on North Street, adjacent to Guildford Library. There are two exiting bus stops on the eastbound side of North Street and only one on the westbound. The proposal includes extending the bus cage to accommodate two buses in the westbound direction. It is noted that these improved and additional bus facilities adjacent to the library could form part of a future strategy to relocate park and ride services out of the new bus interchange to provide opportunity for increasing capacity to accommodate future growth.

It is proposed to create a priority 'T' type junction exit from North Street to the gyratory. The priority exit has been designed with a generous exit radius to accommodate the swept paths of large delivery vehicles and taxis. To assist vehicle egress, yellow box road markings are proposed on the gyratory to provide gaps in potential traffic queues. The primary taxi rank in the town centre is located on North Street, immediately south of the gyratory. Currently taxis use Commercial Road, via North Street, to access the local highway network upon leaving the taxi rank. This is the same for an additional small taxi rank currently located between Commercial Road and Woodbridge Road on North Street. Given the proposed restrictions this new arrangement will now be utilised by taxis. It is proposed to retain the main taxi rank in its current location and remove the smaller rank between Commercial Road and Woodbridge Road. The existing taxi rank shelter will be replaced and relocated within the adopted highway adjacent to the taxi rank. It is proposed to make minor changes to the alignment and exit of the taxi rank as part of a wider scheme to create a new exit onto the Gyratory from North Street. A traffic island is proposed along with realigned kerbs to direct taxis into position to make either left or right turns from the taxi rank.

Before and after pedestrianisation periods, taxis will be able to use North Street eastbound. However, during pedestrianisation, the proposed alignment of the taxi rank and creation of the exit to the gyratory will allow taxis to continue to be able to operate from the primary rank. It is also noted that the existing service road, which joins North Street west of Friary Street, will have retained 24 hour access as it is located outside of the pedestrianisation restrictions. A swept path analysis study has been undertaken to ensure the service road is accessible within the new highway arrangement proposals, as well as demonstrating how taxis can enter and exit the primary taxi rank within the proposals.

The access arrangements to the site would include a new vehicular access from Leapale Road to the basement car park, two long servicing lay-bys along Leapale Road and three on North Street. Pedestrian and cycle access to the new development would be provided from all directions via Woodbridge Road, North Street, Friary Circus, the bus station and Leapale Road. Pedestrian access to the bus station would be afforded from and to the north via the signalised junction with Woodbridge Road, from the east via the proposed 'Astor Way' within the scheme, and from the south via the new Friary Circus pedestrianised area, and as before, directly from the Friary Centre to the west.

Leapale Road would also be widened to allow two-way traffic along its length whilst access to and from the Leapale Road car park would also be altered to suit the proposed two-way nature of Leapale Road. The junction of Leapale Road with North Street would be improved as a traffic signal controlled junction facilitating all permitted movements and pedestrian crossing facilities also. Outside of the restricted times proposed for the pedestrianised section of North Street, this junction would allow North Street vehicles either left turn and easterly (ahead) movements for taxis whilst service vehicles would be required to continue eastwards along North Street only. Egress from the western end of North Street onto the gyratory would be permitted for all vehicles requiring access including taxis and servicing vehicles to Friary Street and the Phoenix Court / Friary Street servicing area.

The TA notes that the proposed development could be expected to generate 388 two-way movements over a 12-hour day (0700 – 1900), which equates to one vehicle movement every two minutes. The TA also demonstrates, which has been accepted by the County Highway Authority, that the existing site generates a significantly higher number of vehicle movements. It is noted that compared to the existing situation, the development will likely result in a reduction of 64 two-way trips in the AM peak, 158 two-way trips in the PM peak and 1,372 fewer two-way trips over the 12-hour period 07:00 to 19:00.

On the face of it the above illustrates that the proposal would not result in any severe impact on the local highway network. However, the TA has also modelled the impact of the proposal on 13 key road junctions in the local area. The modelling also takes into account already committed development in the surrounding area (such as Guildford Park Road, Guildford Station and Debenhams), the redistribution of trips to car parks following the closure of the two facilities on the application site, potential traffic growth and changes to bus routes which may result from the development. While it was concluded that some junctions would see an increase in traffic, the detailed modelling undertaken revealed that all of the junctions which were assessed have the capacity to cater for the proposal. The County Highway Authority raise no concerns with this conclusion.

Therefore, taking into account the highways improvements which are being made as part of the application, the proposal would not have a severe impact on the operation of the local highway network even taking account of the redistributed traffic flows already on the network as a result of the removal of the two existing car parks.

The access arrangements and mitigation would need to be subject to Road Safety Audits. They would be implemented through a s.278 agreement and subject to further assessment at the detailed design stage by the CHA's internal Road Safety Team and Engineers.

Parking

Policy ID10 of the LPDM sets out the Council's expected parking standards for development within Guildford town centre. The policy states that for non-strategic sites the provision of car parking in new residential development in Guildford town centre or suburban areas, for use by residents themselves, will not exceed the maximum standards set out in the Parking Standards for New Development SPD. The SPDs maximum standards in this location are one space for both one and two bedroom units and 1.5 spaces per three bedroom units. Based on the proposed mix, and considering the fact that all of the spaces would be allocated, the maximum parking standard for the site would be 595 spaces.

The spaces proposed would be located in the basement area of the development which would be accessed from the northern end of Leapale Road. The proposal would be well below the maximum standards. All of the proposed parking spaces would be for the use of the residential dwellings. No parking is proposed for the commercial uses within the development. The location of the scheme provides a significant opportunity for sustainable travel and there are a number of existing public car parks locally which can be utilised should car travel be required for visitors, for example.

The proposal provides a total of 136 parking bays which includes six disabled parking spaces. Overall the parking ratio of 0.29 spaces per dwelling is well below the maximum standards outlined in Guildford's Parking Standards for New Development SPD. Given the town centre location and high level of public transport access, the site is ideally located to encourage walking, cycling and public transport use. The package of further sustainable transport measures will be set out below which justifies the below maximum parking provision. While there is also an argument to say that the proposed development could be car-free, the relatively limited provision, which is well below the Council's maximum standards is not objectionable.

It is noted that the size of the car parking spaces within the basement are slightly smaller than is required by the Council's SPD (2.4x4.8m proposed v SPD requirement of 2.5x5m). Whilst not ideal, this small technical non-compliance will not impact on the ability of these spaces to be used by residents and as the spaces are in a basement, any possible knock-on impacts would be contained within this space. It is noted that all of the spaces would be fitted with EV charging facilities.

As noted above, policy ID10 also notes that the provision of car and motorised vehicle parking at lower than the defined maximum standards must be justified by a coherent package of sustainable transport measures which will be proportionate to the level of reduction sought. It is noted that this site is in a highly sustainable location, adjacent to the bus station and a short walk to the railway station and town centre. The development itself would provide improved pedestrian routes through the site, which in turn improves permeability in the town centre. The new public realm will also help to encourage a greater number of trips on foot. Further to this, the proposal includes the refurbishment of the bus station and generous cycle parking is provided. The applicant is also proposing three car club spaces within the close vicinity of the site. Residents will be provided with free membership for a set period of time as well as a voucher for first use. This reduces the likelihood of residents of the scheme needing to own a car themselves. There are suitable parking spaces that can be converted to car club spaces nearby on Leapale Lane, easily accessible via the improved pedestrian phase of the signals at the junction to Leapale Road, which would ensure that the additional vehicles are also available to the public. The car club scheme would be secured through the legal agreement. In addition to the car club, residents will be given a Travel Pack when occupying the new units which will include vouchers to use on public transport. This could help to change the travel patterns of the new residents and encourage them to use public transport over private vehicles.

Therefore, there is the strong potential to deliver a development with low car ownership and low traffic generation. Given the above, the proposed vehicle parking provision is considered to be acceptable.

In terms of cycle provision the SPD requirement is that residential development (except sheltered / elderly housing or nursing homes) should have a minimum of one long stay cycle parking space per each bedroom. Based on the number of bedrooms proposed, this would result in an expected provision of 809 long-stay cycle parking spaces. Following concerns which were raised by Council Officers regarding the level of cycle parking proposed, the applicant has now submitted an addendum to the Transport Assessment which increases the number of cycle spaces to 810 which is therefore compliant with the SPD. The proposal includes a mix of Sheffield stands and two-tier stacking systems. Five percent of the cycle parking spaces will be able to accommodate larger cycles. Active power sockets will be provided within cycle stores located at intervals to allow users to access cycle charging from long-stay cycle parking spaces. However, it is considered that most cycle charging will be via removable batteries which are charged within individual apartments.

For the retail and commercial units, the SPD requirement is for 11 short-stay spaces and 6 long-stay spaces. The TA notes that short stay cycle parking is proposed at the accesses to the upper ground podium and at The Dial. It is proposed to provide 30 spaces, six at each location in the form of three Sheffield stands. One larger cycle parking space will be provided at each location to allow for cycle deliveries to/from the development. Cycle parking for staff of the commercial units could be accommodated within the units themselves and details of this could be secured by condition. The proposal is therefore deemed to be compliant with these requirements.

Servicing and refuse

The servicing strategy is outlined in Section 8 of TA. As regards refuse collection it is noted that two refuse holding/pick up locations are proposed, one accessed via Leapale Road and one via the southern end of Commercial Road. An Operational Waste Management Strategy has been prepared and this accompanies the planning application. The document details that refuse will be transferred from apartments, by residents, to ground floor storage 'satellite' areas which will be within the 30m walking distance of the front door of core accesses. Refuse will then be transported from the satellite stores to the refuse collection store prior to bin collection day by the

estate management company. As regards refuse collection from the existing commercial businesses in the area, the TA notes that the existing arrangements along North Street are largely an effective and efficient operation. The existing commercial units can continue to have refuse collection as existing, albeit refuse vehicles will now route eastbound along North Street. The Council's waste and recycling team note that the Operational Waste Management Strategy has been reviewed and every point of consideration has been addressed in detail. Therefore, the team have no concerns with the application.

With regards to residential deliveries, delivery vehicles will set down in the dedicated northern and southern laybys on Leapale Road. All residential servicing is proposed from Leapale Road, through the creation of two proposed loading laybys, a strategy which has been agreed with the County Highway Authority. The southern layby on Leapale Road can accommodate either one 12m in length delivery vehicle, or two typical internet delivery vehicles at a time. The northern layby can accommodate either a 12m vehicle and one typical internet delivery vehicle, or up to three typical internet delivery vehicles at a time. It is forecast that the residential apartments will generate 47 deliveries between 7am and 7pm (majority of vehicles will be delivering to more than one apartment at a time). The forecast for commercial units is eight deliveries between 7am and 7pm. This totals 55 deliveries per day between 7am and 7pm, which averages to four/five deliveries per hour. The TA notes that there is a potential capacity of between 18 and 30-delivery vehicles per hour across the two laybys which is considered more than adequate to service the residential scheme. In addition, the laybys will provide opportunities for taxi pick up and drop off, ad-hoc removal vans, food deliveries and refuse collection.

The strategy for delivery to the proposed commercial is that two proposed commercial units on Leapale Road will use the proposed laybys on Leapale Road, while the remainder will use proposed laybys on North Street and Friary Circus outside of pedestrianisation times. Only two commercial units will be served from Friary Circus which will attract minimal trips per day/week and will egress via the new bus interchange. The rest of the units will be serviced from North Street.

Access for emergency vehicles has also been considered. The fire tender vehicle access strategy has considered two vehicle types, a typical fire tender and a large 12m in length aerial platform / turntable ladder / special appliance. Using North Street Square to access The Dial space allows emergency vehicles to access all blocks within the scheme. It is noted that fire safety will also be considered in more detail outside of the planning system and as part of the Building Regulations phase of the development.

The applicant has also considered the future servicing of existing commercial units on North Street in particular. The assessment of existing servicing activity indicated a peak period of servicing on North Street at 6am indicating that the precedent is that servicing activity takes place before the local highway network becomes busy with pedestrians and other road users, therefore the timed pedestrianisation (similar to High Street) is unlikely to affect the existing servicing operations.

The TA notes that servicing access to North Street will be subject to the proposed TRO and pedestrian timings which are likely to be between 10am and 6pm. However, it is clear that the majority of existing service vehicle access occurs before 8am. Therefore, should the pedestrianisation timing be 9am, 10am or later, which will be similar to the situation on the High Street where pedestrianisation starts at 10am there will be adequate time to deliver to the existing commercial units. The scheme for North Street provides additional on-street loading bays, a betterment than the existing situation. Two of the proposed loading bays can accommodate 16.5m articulated vehicles which is a significant benefit on the existing provision. All of the loading bays, including on Friary Circus, are suitable for a 10m rigid vehicle, five 7.5T Box Vans and seven transit van vehicles (3.5T panel vans), which will be able to work independently of one

another (from a tracking perspective). The removal of general through traffic, additional loading bays with capacity for the largest delivery vehicles and likely increased access times to North Street prior to pedestrianisation is considered to be adequate for the existing commercial uses to operate broadly as existing for delivery purposes. It is noted that the County Highway Authority raise no objection to the proposed servicing arrangement for either the proposed development or the existing units within the area.

Pedestrianisation

The design aspects of the pedestrianisation proposals are addressed under the townscape heading. This section assesses the impacts on connectivity and highways capacity of the pedestrianisation.

The development proposals include the pedestrianisation of existing roads via stopping up and the formation of new pedestrian streets and squares within the scheme, which in combination would create an extensive public realm that is vehicle-free either part of the day, or in other locations, all day. This new area would link to existing pedestrianised streets / passages connecting to the High Street, and also to the closest entrances to the Friary Centre, thereby forming an even larger area with a pedestrian focus.

The new built form layout would create pedestrian-only areas at ground level, with all parking limited to the basement accessed from Leapale Road, and servicing associated with the scheme at its edge. The scheme would create new public squares / spaces at the southern end of the site, adjoining the North Street / Woodbridge Road junction; at its centre, part way along Woodbridge Road at 'The Dial'; at its northern end at the junction of Woodbridge Road and Leapale Road, and also mid-way along the western group of buildings, (blocks D2 and D3) facing the bus station. These would all be linked by the pedestrianised Woodbridge Road and a new pedestrian street aligned east-west.

To address the change in levels in the public realm areas both northwards and westwards, the scheme has been designed to maintain a horizontal plane for the 'upper ground' level, reached step free from North Street and Leapale Road, and to incorporate two internal public lifts, one adjoining the steps down to Woodbridge Road, and one the steps down to the bus station. These will be maintained by the management company of the scheme rather than the Council, which will ensure a permanent arrangement to ensure inclusivity.

Overall, Officers consider the proposals would create a very permeable scheme for pedestrians.

Cyclists would be expected to dismount within the development, encouraged by ground level entrances to the internal cycle stores for residents from Friary Circus / bus station pavement and on Leapale Road, and with visitor cycle racks around the edges of the scheme and elsewhere to be agreed by condition. This would avoid conflicts with pedestrians on the streets and squares.

The application also enables and funds the pedestrianisation of North Street between Commercial Road and Leapale Road resulting in the closure of the western part of North Street to through traffic and the implementation of a fully pedestrianised area between restricted hours, except for those vehicles allowed to access Commercial Road. The southern section of Commercial Road would also form part of the pedestrianised area, albeit with a bus lane. The pedestrian improvements of these current public highways would create a well-designed, safe place for pedestrians to enjoy without the risk of conflict with other vehicles, and linking directly to pedestrian streets / passages to the south and the scheme to the north / east.

The pedestrianisation works proposed have been incorporated into the highway network modelling that as noted above the CHA has accepted demonstrates a satisfactory impact on the town centre highway network. The CHA has also confirmed that it is satisfied that these roads may be stopped up since they are surplus to its needs. Thus, Officers consider, overall, that the proposals to pedestrianise North Street and Commercial Road (in part) satisfy Local Plan Policies D1, S3 and ID3 as well as D7 of the LPDMP.

Bus station operation

The existing bus station currently operates with inbound vehicles accessing the bus stands via North Street and Commercial Road from the south and egressing vehicles exiting via a set of traffic signals onto Woodbridge Road towards the north. The majority of the current 22 bus stands are located within the bus station area accessed west of Commercial Road with additional bus stands positioned on the western side of Commercial Road itself on an 'island'. The bus station is currently an unattractive facility which suffers from a lack of facilities for bus users and accessibility difficulties to some of the stands. All of these issues may hamper bus usage in the town. There are currently a total of up to 51 bus departures per hour in the peak periods.

As regards the current proposals for the bus station, working from the existing exit going clockwise around the bus station interchange design, the existing kerbed island providing shelters for existing bus stands on Commercial Road is proposed to be reduced in width to one metre wide. The Commercial Road carriageway is proposed at seven metres wide and is relocated west to abut the amended kerb island. Two bus stands are proposed along the access road, formerly Commercial Road which have been designed so buses can enter and egress independently (i.e. if either bus stand is occupied, the other stand is fully accessible). Modern bus shelters are proposed to provide waiting areas for passengers. To provide circulation a large 'U-turn' space is provided at the southern end of the bus station interchange layout. The approach to the 'U-turn' has been designed to guide drivers into the optimum position to make the turning manoeuvre.

The U-turn leads to the eastern side of the station where the existing 13 spaces are retained. In addition, a fourteenth bus stand is proposed immediately south of the existing bays and a fifteenth is proposed adjacent to the new Friary Circus area at the southern end of Commercial Road. The proposed roof canopy will extend to cover passenger alighting and boarding at the proposed bus stands. In total, 17 bus stops are provided as part of the new bus interchange. In addition, the existing layover space is retained within the bus apron opposite the bus stands.

As already noted above, the proposal includes a new north in / north out access to the bus station. The TA notes that this significantly improves the bus station resilience on the network. For example, should Commercial Road be blocked, the north in access can be reached via Onslow Street or Leapale Road. In addition to the new north in / north out access, the southern access into the main terminal from North Street is to be retained. The access will be modified to increase the space for a public square and improved pedestrian environment between the development and the Friary Centre. As noted above, one additional bus stop is proposed along the south in access from North Street. The TA notes that retaining the south in access reduces journey time impact on bus services which route from to/from the west and south. The north in access will assist in cutting bus journey times for services which currently route to/from the north and east. Reducing bus journey times will assist operators to run more efficient bus services, increasing reliability of service and making them more attractive to passengers.

The proposals also include for improved facilities such as a new concourse, new canopies, and improved permeability for passengers, in and around the station. As well as this the applicant will upgrade the kiosk/café space to provide a purpose built sheltered waiting area and toilet facilities for passengers. In addition, interactive timetables screens which will also include interactive bus

maps which allow a user to view elements such as timetables, routes and operator details not just in the station but across the whole of the county. The detail and specification of the improvements are to be agreed with SCC and bus operators and will be secured by condition.

The TA provides a significant amount of detail regarding the capacity of the station and how it can accommodate the existing services. It also deals with possible future growth. It is noted that the 17-stand new bus interchange can accommodate the current (April/May 2023) and base case (February 2020) timetables with spare capacity. The 17-stand new bus stand interchange, with 5/6 layover spaces could potentially accommodate 92 departures per hour including with two arrival bus stands. This is well above the base case 73 departure per hour in February 2020. Therefore, there will already be a substantial level of growth designed within the new bus interchange from the current timetable and indeed the base case timetable. If further unexpected growth occurred, the TA notes that the new stand which is being provided adjacent to the library on North Street could be used for some of the Park and Ride services as it is not essential to run these to and from the new bus interchange as their principal use is confined to end-to-end journeys.

In terms of the impact of the proposals on bus timings the TA notes that from detailed modelling of the network the following results have been observed:

- AM Peak – average journey time increase of 4 seconds;
- PM Peak – average journey time reduction of 33 seconds; and
- Peak Average – average journey time decrease of 14 seconds.

On this basis the TA notes that while the bus journey time increases for some services, it reduces for others and overall, across both peaks there is an average reduction in journey time of 14 seconds per bus journey. It is noted that the majority of services will experience a reduced journey time or an increase of less than one minute. An increase of less than one minute will not be discernible from daily fluctuations on the network as a delay of less than a minute would still mean that the bus arrives at the timetabled time. As such, the impact of the proposals on bus journey times is considered to be positive. The TA goes on to note that operators should notice a benefit to running bus services and passenger satisfaction should be improved as a result of the reduction in bus journey times related to the proposed new north in access.

On this point it is noted that no objections have been received to this application from any of the bus operators in the town, with Safeguard Coaches confirming that they are satisfied with the comments which have been put forward by the County highway Authority. Therefore, Safeguard Coaches no longer object to the scheme. In addition, it is also noted that the County Highway Authority objected to the previous application based mainly around the impact on the bus station, its capacity, how it would accommodate future growth and the increase to some bus journey times. The County Council now note that 'a southern access [to the bus station] has now been included in these revised proposals and as a result we are satisfied that this aspect of our objection has been addressed. In doing so, it also addresses our concerns with regard to emergency access, future resilience and operational efficiency. It also means that journey times and thus bus reliability is not adversely affected by the proposed development'.

Overall, it is considered that the proposals provide a significantly improved modernised new bus interchange facility which will transform passenger experience, including new toilets for passengers and formal waiting area. The proposal also provides the town with the capacity to cater for future bus growth if needed in the future.

Impact of construction traffic

Concerns relating to the impact of construction traffic were considered by the CHA and no objections have been noted. They note that a Construction Transport Management Plan (CTMP) will be required as part of any planning permission granted. The CTMP will need to detail all points in the above condition, for each phase of the development, and the Highway Authority will be consulted on this before any such condition can be discharged. The condition as proposed by the CHA would cover the following:

- parking for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials
- programme of works (including measures for traffic management)
- provision of boundary hoarding behind any visibility zones
- HGV deliveries and hours of operation
- construction vehicle routing
- measures to prevent the deposit of materials on the highway
- before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- on-site turning for construction vehicles
- demonstrate how the existing public car parks on the site can safely operate during construction works (if appropriate)

The County Highway Authority will thereby be able to ensure that a detailed and comprehensive CTMP is provided to minimise disruption to Guildford town centre. Given the scale of the development and its location, it is inevitable that the proposal will lead to some level of traffic disruption and inconvenience in the area. However, this would not be to levels which result in any highway safety concerns and no specific objections have been raised by the County Highway Authority regarding the use of particular routes. As such, this concern can be adequately addressed by the CTMP condition and the proposal is deemed to be acceptable in this regard.

Highway / parking conclusions

It has been demonstrated through the TA and the lack of any objection from the County Highway Authority that the proposal would not have a severe impact on the local highway network, even when taking into account committed development in the vicinity of the site, the changes to car parks etc. In addition, when considering the package of sustainable travel initiatives which will be secured through the legal agreement, the proposal provides an adequate level of vehicle and cycle parking within the scheme. As regards servicing and refuse collection the County Highway Authority raise no objection to the proposal. Servicing for the new development would be accommodated either from North Street or new loading bays situated on Leapale Road and Commercial Road. Servicing of the existing units on North Street would also not be adversely impacted. In terms of refuse collection no objections have been raised by the Council's Waste and Recycling Team.

As noted above, the proposals provide a significantly improved modernised new bus interchange facility which will transform passenger experience, including new toilets for passengers and formal waiting area. The proposal also provides the town with the capacity to cater for future bus growth if needed in the future as well as improvements to some bus journey times. All of the objections raised previously by the County Highway Authority have now been addressed and overcome. The benefits created by the new bus station will be set out later in the report and factored into any balancing exercise.

Therefore, the proposal is considered to be acceptable in this regard and compliant with policies S3, D1 and ID3 of the LPSS, as well as policy ID10 of the LPDMP.

Flooding and surface water drainage

The site lies to the east of the River Wey flood plain and is therefore outside of flood zones two and three (greatest probability of flooding) and inside flood zone one. Flood zone one includes land which has a less than 1 in 1,000 annual probability of river flooding.

In terms of surface water flooding it is noted that the majority of the site is at 'very low' risk (annual probability of flooding of less than 0.1%) of surface water flooding. However, within the roads surrounding the site the risk varies from 'low' risk (between 0.1% and 1% annual probability), 'medium' risk (between 0.1% and 3.3% annual probability) and 'high' risk (greater than 3.3% annual probability) of surface water flooding. It is noted that the majority of the built development lies outside of the medium risk overland flood routes which are required for assessment under the NPPF; these flow routes are shallow and are restricted to the existing roads. It is noted that the site is not identified in the Guildford Surface Water Management Plan as a 'hot spot'. However, two of the requirements of the Local Plan allocation deal with flood risk and they state that development of the site as a whole should (i) achieve flood risk betterment, appropriate mitigation and flood risk management, and have regard to the recommendations of the Level 2 SFRA and (ii) avoid development of more or highly vulnerable uses in flood zone two (medium risk) and flood zone three (high risk).

Paragraph 159 of the NPPF, states that 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere'. Paragraph 167 goes on to note that 'when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: (a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; (b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; (c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; (d) any residual risk can be safely managed; and (e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

The Planning Practice Guidance (PPG) provides additional guidance to ensure effective implementation of the planning policies set out within the NPPF regarding development in areas at risk of flooding. The PPG states that developers and LPAs should seek opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the proposed development, and the appropriate application of SuDS.

Policy P4 of the LPSS states that 'all development proposals are required to demonstrate that land drainage will be adequate and that they will not result in an increase in surface water run-off. Proposals should have regard to appropriate mitigation measures identified in the Guildford Surface Water Management Plan or Ash Surface Water Study. Priority will be given to incorporating SuDS (Sustainable Drainage Systems) to manage surface water drainage, unless it can be demonstrated that they are not appropriate. Where SuDS are provided, arrangements must be put in place for their management and maintenance over their full lifetime'.

Policy P11 of the LPDMP also sets out more detailed requirements for SuDS.

Flood risk

As part of the application a Flood Risk Assessment (FRA) has been submitted along with a Drainage Strategy. The FRA notes that an 'intermediate' stage-discharge assessment has been carried out to estimate the peak flood levels at the site based on the updated guidance. This concluded that the design flood level is 32.35m AOD. According to the latest development proposals the lowest proposed finished floor level on site is 34.80m AOD, providing a freeboard (safety factor) of 2.46m. Therefore, the FRA confirms that the site is considered to be at a low probability of flooding from the River Wey throughout the anticipated 100 year lifetime of the development.

In terms of surface water, the medium risk overland flow routes passing through the site are shallow and are restricted to the existing road network. Due to the steep gradients of the existing roads, it is anticipated the overland flow routes will remain within the carriageway and will not affect the built development. The risk of flooding due to sewers and artificial sources is also low.

Therefore, in terms of flood risk the proposal is situated on a site which is sequentially preferable for redevelopment, in a manner which would not increase the flood risk to either the proposal or the surrounding area. On this basis, as regards flood risk, the proposal is considered to be compliant with policy P4 of the LPSS and the NPPF.

SuDS and surface water management / drainage

In terms of surface water drainage it is noted that a system will be provided to collect rainwater run-off, via rainwater outlets from all roofs, channels and terraces from all of the buildings within the development. There is also drainage provided to the podium areas at upper ground level. All rainwater will then drain by gravity and discharge to rainwater attenuation storage tanks which are located throughout the development. The development provides a total of 1,135 metre cubed of rainwater attenuation storage on site which are below many of the public and communal open space areas. From the attenuation storage areas rainwater will either be controlled by gravity or pumped at a controlled outfall rate of 5.2 l/s to existing or new surface water drainage outfall positions. The controlled release of storm water from the site will also help to minimise the on-site and downstream flooding of neighbouring properties.

It is noted that for the previous application the Lead Local Flood Authority raised concerns with existing surface water flooding issues on North Street and the side streets such as Commercial Road and Leapale Road. At present, during times of heavy rain and flooding, surface water collects at the lower end of North Street and has difficulty clearing into the river if it is also high. The LLFA challenged the applicant to make this situation better through the scheme. The LLFA note that the applicant has now agreed to consider at the detailed design stage the following measures to deal with the existing surface water flows along the public highway:

- permeable surfacing;
- attenuating tree pits;
- rain gardens;
- the use of soakaways / hydrock systems; and
- SuDs planters

These measures will be subject to detailed discussions with the County Highway Authority as part of any S278 agreement and the works would also be secured by a detailed scheme which would be submitted and agreed by condition.

Overall, it is considered that the proposal would not increase flood risk elsewhere in the area. The measures introduced at the request of Officers will help to alleviate the existing surface water issues in the area, particularly at the lower end of North Street. These measures make the site more resilient, but will also decrease the surface water flood risk that currently exists in the area. As such, the proposal is deemed to be compliant with policy P4 of the LPSS, policy P13 of the LPDMP and the guidance contained within the NPPF.

Environmental health matters

Noise and vibration:

The noise and vibration impact section of the Environmental Statement (ES) notes that the main impacts arising from the development will be during the construction phase. It is noted that even when factoring in mitigation measures, the development will lead to some adverse effects in terms of both noise and vibration. Considering the scale and nature of the proposal it is inevitable that there will be some disruption caused as a result of construction works. This will include noise and vibration from demolition, piling increased construction traffic etc. Measures will be taken to reduce these impacts such as a condition to control construction hours and a requirement to submit a Construction Environmental Management Plan (CEMP) before works begin. In addition it is noted that concerns regarding a noise nuisance (including from development sites) are best investigated and dealt with through Environmental Health legislation rather than through the planning system.

In terms of when the development has been constructed, the possible noise sources include from vehicular traffic associated with the development and the use of plant and equipment, which will be generally located on the roof of the building. The ES notes that the impacts of these noise sources would be negligible at worst. As mitigation, the Council's EHO has suggested conditions to limit the noise from mechanical sources (such as plant etc) to maximum levels. While such a restriction would not usually be applied by the Local Planning Authority, in this instance, given the nature of the development and the number of dwellings proposed, such a condition could be secured.

The site is also located adjacent to the Five and Lime public house, which would abut Block B2 of the development. The Council's EHO has previously noted that 'essentially this venue has operated as a premises offering live music, the noise from which is clearly audible in the vicinity during the night time period. Whilst unaware of any party wall shared with the new development, the venue has operated without any obvious mitigation to control amplified music for some years due to the location within an area, which is and has been earmarked for redevelopment. Whilst there are no recorded complaints to the Environment and Regulatory Service, the sound of amplified music is regularly observed to be audible in the development area and surrounds by officers of the service whilst on noise patrol at weekends...It is noted that there have been representations, which clearly put the case for the public house continuing to emit noise at the same level and that this is covered by the agent of change principle. If the noise is allowed to continue without mitigation then the development will need to have to accommodate this in the residential facades facing the location Blocks A1, B1 and B2. This has been addressed in sections 8.7.6 to 8.7.13 of the noise report, however the tonal elements associated with largely bass noise have been highlighted as difficult to mitigate against...It is therefore unlikely that some parts of the development will be acceptable in terms of noise exposure'.

In response to the above the applicant noted the following: 'the impact from the operation of the public house on the future residents of the proposed development has been a design team consideration from the outset. As a result, the proposed development has been specifically designed in layout and form with this in mind....The application is supported by various technical information which will inform the technical specification of construction materials and methods in

relation to the noise environment. For instance, the applicant will comply with the relevant glazing and ventilation specification for the relevant apartments. The heating and cooling strategy for the development relies on mechanical ventilation for all apartments, and so those apartments located closer to the Five and Lime will not be unique in this regard. However, glazing specification will likely be up-scaled for this part of the development in accordance with the necessary noise mitigation requirements as set out in the report'.

With regard to some of the other potential impacts the applicant notes that the proposed development would protect the amenity of future residents from noise from Five and Lime as follows:

- the proposed development includes a solid façade on the southern flank of Block B2, which will abut the party wall with Five and Lime pub and part of Norwich House. This solid façade will have no openings and so the proposed apartments at that location will be protected from noise from the public house. The apartments located to the rear of the Leapale Road elevation of Block B2, will be set back from the boundary, and a new courtyard will be provided between the site and Norwich House. This physical separation and the existing built form at the site's boundaries will also play a part in protecting residents from noise and vibration;
- whilst the proposed new development will abut the existing public house, there will not be any physical connection between the two, so eliminating the risk of any transfer of vibration between buildings;
- whilst the existing public house will be generally founded on the ground immediately beneath it and has a traditional masonry construction, the proposed new development will be founded on concrete pile foundations and constructed with a reinforced concrete frame. Both of which will significantly reduce the likelihood of any transfer of vibration between new and existing;
- glazing in relevant locations will have the necessary acoustic specifications. In terms of workmanship, the applicant has much experience constructing new homes in noise environments typical of town centre urban environments. It may be appropriate to require verification of any treatment installed to protect residents from the noise from the public house in this regard, by an appropriately worded condition;
- the relevant apartments with such measures will likely be those in Block B2 with openings facing the public house. However, the specific apartments will be identified following detailed noise modelling following the planning stage, based on the parameters set out in the ES chapter. A condition is suggested in this respect; and
- the development includes exhaust air heat pumps combined with a heat recovery ventilation system that has the ability in warmer weather to operate in reverse providing an element of cooled air into the apartments, without the need for open windows.

The measures above have been considered by the Council's EHO. It is noted that 'the developers have obviously thought about this issue and taken specialist advice. The noise from the Five and Lime Public House is not subject to any particular controls in terms of licensing or environmental health. The venue has operated without intervention as there are currently no receptors affected by the noise. Essentially, the introduction of mitigation measures to insulate the building whilst providing isolation of the structure and artificial ventilation is a very reasonable solution...'. A condition has been recommended by the EHO which ensures that the above works are undertaken, to a standard which bring the noise levels within the new apartments in blocks B1, B2 and A to acceptable levels. On this basis, the EHO raises no objection to the relationship of the proposal to the Five and Lime public house.

Air quality:

The site lies within the Guildford Town Centre Air Quality Management Area (AQMA) which was designated on 1 October 2021. The AQMA was declared due to: exceedances / potential exceedances of annual air quality for NO₂ at several locations as well as using detailed air quality assessments using 2019 data. Policy P11 of the LPDMP notes that development proposals should have regard to the need to improve air quality and reduce the effects of poor air quality and that they must not result in significant adverse impacts on sensitive receptors, including human health, sensitive habitats and any sites designated for their nature conservation value, from any sources of emissions to air. The policy goes on to note that development proposals within, and in close proximity to AQMAs are required to demonstrate how the proposed avoidance and mitigation measures would make a positive contribution towards the aims of the Council's Air Quality Strategy and the appropriate Air Quality Action Plan.

It is noted that the applicant has committed to a range of measures which will help to limit any further air quality impacts as a result of the proposed development. These include:

- there are no additional fixed emission sources with the exception of potential extraction flues from food businesses;
- 100% of the parking spaces have electric vehicle charging;
- a car club is proposed as part of the development; and
- the construction and demolition phases can be controlled through a Construction Environmental Management Plan (CEMP) which could be secured by condition.

It is noted that Chapter 7 of the EIS deals with air quality. The report notes that in terms of road traffic emissions on nearby properties would be negligible and not significant. It is noted that concentrations in 2030 are predicted to be below those currently experienced, predominantly due to improvements in vehicle emissions and background concentrations. Air quality modelling shows that concentrations at the site are well below the air quality objectives, and therefore the site is suitable for residential use with no requirement for additional mitigation measures. It is noted that the proposed development results in small improvements in air quality, particularly along North Street. As such, the report concludes that the proposal would not interfere in the delivery of the Council's Air Quality Action Plan.

The Council's EHO raises no objection to the development on air quality grounds. With the conditions requested by the EHO and the requirement for the submission of a verification report the proposal is considered to be compliant with policy P11 of the LPDMP.

Extraction and ventilation from food premises:

The proposal includes a number of commercial units, some of which could be utilised by restaurants and other uses which may require odour extraction. The applicant has submitted a Ventilation and Extraction Report which confirms that the commercial units will be provided with kitchen extract ventilation, capable of providing 40 air changes per hour. The extract fans and ductwork will be fire rated and routed to exhaust locations at roof levels where applicable. It is noted that the routing to the external louvres at roof level will be internal, and so there will be no or minimal external ducting on the elevations of the proposed buildings. The louvres at roof level are to be duct mounted and discharged with maximum distance from any intake or openable windows.

The provision of internal ducting within the buildings is important to protect the quality of the design and the character of the streetscene. This can be secured by condition. With the conditions recommended by the EHO, no objections are raised to the development in this regard.

Contamination:

Policy P10 of the LPDMP deals with contamination and this matter should be dealt with through the planning process, including the level of detail which will be expected. The application is accompanied by a formal assessment of possible contamination of the site. The contamination risk assessment has identified hotspots of lead within the made ground which is considered overall to pose a low risk to human health and controlled water receptors. Limited asbestos contamination has also been identified. The submitted report makes recommendations for further intrusive investigation, particularly in areas of the site that are not currently accessible. This will take place alongside sampling for asbestos within excavated material that is due to be disposed of offsite. These measures can be secured by a suitably worded condition.

The Council's EHO has reviewed the contamination assessment and notes that the contamination present does not present any barriers to this development subject to conditions. As such, the EHO raises no objection to the proposed development, subject to conditions to ensure the development is suitable for its proposed use. The Environment Agency have also provided comments on contamination and they note that 'the previous use of the proposed development site was for various contaminative uses including a garage, bus depot, and car wash which present a moderate to high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is within source protection zone one and located upon a principal aquifer...The application's Phase 1 desk study...demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken'. The EA have suggested a range of conditions to adequately deal with contamination.

With the conditions recommended above in place, the proposal is deemed to be acceptable in this regard. The proposal is considered to comply with policy P10 of the LPDMP.

Ecology and biodiversity

Chapter 15 of the NPPF sets out the Government's planning policy with regard to the natural environment. Paragraph 174 of the NPPF states that 'planning policies and decisions should contribute to and enhance the natural and local environment by...' (inter alia):

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 180 of the NPPF states that 'when determining planning applications, local planning authorities should apply the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments),

should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Policy ID4 of the LPSS sets out the Council's principles in relation to biodiversity and ecology. The following policies of ID4 are considered to be particularly relevant to this section of the report:

- the Council will maintain, conserve and enhance biodiversity and will seek opportunities for habitat restoration and creation, particularly within and adjacent to Biodiversity Opportunity Areas (BOAs). The Council will produce a Green and Blue Infrastructure Supplementary Planning Document (SPD) setting out how this approach will be implemented.
- new development should aim to deliver gains in biodiversity where appropriate. Where proposals fall within or adjacent to a BOA, biodiversity measures should support that BOA's objectives. The SPD will set out guidance on how this can be achieved.
- the designated sites in the following hierarchy are shown on the Policies Map or as subsequently updated:
 - European sites: Special Protection Areas (SPA) and Special Areas of Conservation (SAC)
 - National sites: Sites of Special Scientific Interest (SSSI)
 - Local sites: Sites of Nature Conservation Importance (SNCI) and Local Nature Reserves.
- permission will not be granted for development proposals unless it can be demonstrated that doing so would not give rise to adverse effects on the integrity of European sites, whether alone or in combination with other development. Any development with a potential impact on SPA or SAC sites will be subject to a Habitats Regulations Assessment.
- permission will only be granted for development proposals within or adjacent to national sites where it can be demonstrated that doing so would not be harmful to the nature conservation interests of the site and its function as an ecological unit.
- permission will not be granted for proposals that are likely to materially harm the nature conservation interests of local sites unless clear justification is provided that the need for development clearly outweighs the impact on biodiversity. Where this test is met, every effort must be made to reduce the harm to the site through avoidance and mitigation measures

In addition, it is noted the policy P6 and P7 of the LPDMP deal with ecology and biodiversity respectively.

Ecology

The site itself is not subject to any statutory or non-statutory ecological designations. The nearest statutory designation is Pewley Down LNR located approximately 1.1km to the south-east of the site. The nearest non-statutory designation is The Mount, Guildford SNCI located approximately 1km to the west of the site. All of the ecological designations in the surrounding area are physically well separated from the site and are therefore unlikely to be adversely affected by the proposals. The Thames Basin Heaths SPA falls within 5km of the site, as such the proposed residential development must be mitigated through a combination of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM). This will be discussed in more detail in a separate section of the report.

The submitted Ecology Appraisal states that habitats present within the site include buildings and hardstanding, bare ground with recolonising vegetation, amenity planting and amenity grassland. However, it is noted that these habitats do not form important ecological features and it is considered that their loss to the proposals is of negligible significance. The appraisal goes on to note that the site generally offers limited opportunities for protected species and no evidence of any such species was recorded during the survey work. No specific records of bats from within or adjacent to the site were returned from the desktop study and the buildings on site exhibited only a low number of potential roosting opportunities for bats and overall are assessed as providing negligible to low suitability for bats. The site contains very limited vegetation with no features such as hedgerows or trees which would be of high value to foraging or commuting bats. As such, the site is of negligible importance to foraging and commuting bats.

Although the proposals would not result in any significant ecological harm, the applicant has set out a range of mitigation measures and ecological enhancements which will be implemented as part of the redevelopment of the site. These include, but are not limited to the careful clearance of the site when preparing for construction, the provision of bat and bird boxes and bee bricks, new habitat piles, hedgehog safeguards and the use of sensitive lighting. In addition (and as will be explained in more detail in the biodiversity section of the report below), the proposal includes habitat creation possibilities through new planting of trees and vegetation. Furthermore, the majority of the buildings would be finished with green and brown biodiverse roofs, which have been extended in area by 170sqm following the latest amendments.

The Council's Ecology Consultant has reviewed the proposal and the submitted documents. With regard to ecology, the consultants note that *'a suite of ecological surveys has been undertaken to support the application and includes surveying the site for habitats and species. The surveys were undertaken in May 2022. The submitted Ecological Appraisal report prepared by Aspect Ecology (July 2022), detailed the surveys which were undertaken. The surveys included a phase 1 habitat survey which was conducted in May 2022 which would have been a suitable time for surveying grassland habitats on site. The site was assessed as not supporting any priority habitats and comprised buildings, hardstanding, bare ground with recolonising vegetation, amenity grassland, and amenity planting, within an urban setting. Protected species surveys for bats were included, whilst an assessment of the site to support other protected and notable species was made. Phase 1 bat surveys were undertaken following the Bat Conservation Trust (BCT) survey guidelines (2016), which did not identify any bat roosts on site, and buildings were assessed as holding negligible to low potential. Mitigation measures detailed in section 6 of the Ecological Appraisal, include the need to update surveys in the event of a delay when works commence, following a precautionary working methodology, and implementing a sensitive lighting strategy which are welcomed. Further mitigation measures are provided for safeguarding hedgehogs, and nesting birds, which are also welcomed. No protected species or priority species were recorded on site. Habitat creation including green roofs, and native tree planting, along with the provision of enhancement features for nesting birds, bats, and invertebrates are provided'*.

With conditions to secure the mitigation and enhancement measures noted above, no objections are raised to this element of the proposal and it is considered to be compliant with the relevant provisions of the NPPF, policy ID4 of the LPSS and policy P6 of the LPDMP.

Biodiversity

At present there is no formal adopted target for biodiversity improvements as part of the development process. However, it is noted that policy P7 of the LPDMP suggests a biodiversity net gain of at least 20% should be achieved. It is also noted that without setting a target, paragraph 174(d) of the NPPF states that 'minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to

current and future pressures' should be a requirement of both plan making and decision taking.

As part of the proposal the applicant has submitted a Biodiversity Net Gain Assessment (Revision A). This notes that to quantify the level of biodiversity net gain that can be delivered under the proposed development, the change in biodiversity value resulting from the scheme has been calculated using the Defra Biodiversity Metric version 3.1 calculation tool and associated user guide. This takes account of the size, distinctiveness and ecological condition of existing and proposed habitat areas to provide a proxy measure of the present and forecast biodiversity value of a site, and therefore determine the overall change in biodiversity value. The report goes on to note that to establish the habitat baseline, broad habitat areas have been identified based on the survey work undertaken at the site, with habitat condition assigned based on the guidance set out in the Technical Supplement and professional judgement. The post-development habitat creation and enhancement is based on the landscape masterplan which has been submitted with the application. It is noted that post-development habitat being created includes green roofs, amenity lawns, urban trees and native hedgerow.

The data from the baseline habitat survey work and the proposed habitat enhancement and creation works have been coded into the metric by the applicant. In summary, the DEFRA 3.1 Biodiversity Impact Assessment Calculator indicates that the development will result in a 244.37 percent biodiversity net gain in habitat units and a 100 percent net gain in hedgerow units.

The Council's Ecology Consultant has noted the following with regard to biodiversity net gain 'based on the submitted metric, the baseline habitats on site have been included with their associated condition, along with the correct use of strategic significance. The baseline habitats are all to be lost through the proposed development and therefore no enhancement measures have been provided. The habitat creation details have been provided along with a realistic and achievable targeted condition. The trading results have been satisfied for this development which is predicted to result in a net gain of 244.37% habitat units and 100% net gain in hedgerow units. The development will therefore satisfy the Guildford Borough Local Plan Policy [P]7 in achieving 20% net gain'.

As such, the proposal would significantly better the emerging requirements which are for at least a 20 percent net gain and it is therefore deemed to be acceptable in this regard.

It is acknowledged that the applicant has used an earlier version of the DEFRA metric (3.1 instead of 4.0 which was published in March 2023). However, given the significant net gain being achieved in this instance, there is little merit in requesting the applicant to update the results as it is clear the proposal will comply with the Council's net gain requirements.

In terms of the other requirements of policy P7 it is noted that the individual species of trees and plants to be used will be secured by condition. The retention of the biodiversity features set out by the applicant can also be secured for a period of at least 30 years. In terms of the features being proposed, the majority have the potential to incorporate species and habitats. For instances, the green and brown roofs provided throughout the development will allow for the creation of habitats as will the rain-garden which is to be located at the Friary Square. The management regime for these areas can be secured by condition. As such, it is considered the proposal is compliant with policy P7 of the LPDMP.

It is noted that the level of biodiversity net gain being achieved on the site as part of the development is something which weighs in favour of the proposal and which will form part of the balancing exercise undertaken at the end of this report.

As such, it is considered the proposal is broadly compliant with policy P6 and P7 of the LPDMP and policies ID4 and NE4 of the LPSS.

Sustainable design and construction

Policy D2 of the LPSS states that new buildings must achieve a reasonable reduction in carbon emissions of at least 20 per cent below the relevant Target Emission Rate (TER) set out in Building Regulations 2010. It is noted that this should be achieved through the provision of appropriate renewable and low carbon energy technologies in the locality of the development and improvements to the energy performance of the building. Policy D2 is supplemented by the Council's Climate Change, Sustainable Design, Construction and Energy SPD 2020 which provides the framework for assessing the acceptability of sustainability and energy matters.

Policy D14 of the LPDMP notes that 'new dwellings must achieve an emission rate no higher than the relevant Target Emission Rate (TER) set out in the Building Regulations (Part L)'. Policy D15 also sets out the Council's climate change adaption policies and D16 and D17 deal with carbon emissions from buildings and renewable and low carbon energy generation and storage.

The applicant has submitted an Energy Statement and a Sustainability Statement with the application, the details of which will be discussed below.

Energy

The Climate Change, Sustainable Design, Construction and Energy SPD 2020 sets out an energy hierarchy which is: eliminate energy need; use energy efficiently; supply energy from renewable and low carbon sources and offset carbon emissions.

The Energy Strategy notes that a range of energy sources have been considered as part of the scheme development. It notes that the feasibility of decentralised energy production has been considered but as the proposed development is overlooked from a number of directions there were concerns about the visual impact of locating mechanical plant on the roofs. A communal heating system also has higher running costs to residents compared to an individual system that provides similar CO2 performance. Consequently, the option to serve the development with a communal air source heat pump system has been dismissed as there would have been a significant visual impact. Solar panels have been rejected for a similar reason and the fact that the buildings will be finished with green roofs, with little space left for potential solar arrays. Gas fired Combined Cooling, Heat and Power (CCHP) has been rejected on carbon grounds. In addition, a ground source system would require a large amount of ground study, boreholes etc. and result in a large investment if found to be suitable.

The Energy Strategy states that a range of energy efficiency measures are proposed, such as low U-values. They allow the proposed development to achieve an 18.6% reduction in overall regulated CO2 emissions, with a 15.1% reduction for the residential development and a 40.9% reduction for the non-residential development over a Part L 2013 baseline. The energy strategy for the residential units is that the space heating and hot water will be supplied by individual exhaust air heat pumps within each apartment. This delivers a further overall CO2 reduction of 50.8%. It is anticipated that the non-residential elements of the development will be served by individual air source heat pumps providing heating, hot water and cooling where necessary with space allocated either in the basement or in discreet locations at roof level. This approach delivers a further overall CO2 reduction of 1.2%.

The combination of the measures outlined above result in an overall 70.7% reduction in CO2 over the Part L 2013 baseline. This is deemed to be acceptable.

Sustainability

The applicant's Sustainability Statement notes that the issue of sustainable development has been considered throughout the design of the proposed development. In particular, the incorporation of sustainable design and construction methods, energy and water saving measures, waste reduction techniques as well as measures to enhance the ecological value of the site, have been factored into the design of the scheme.

In terms of sustainability the following elements of the proposal are noted:

- energy strategy: The proposed development will target a 70.9% reduction in Regulated CO2 emissions over the Part L 2013 baseline through energy efficiency measures, heating technology and renewable energy technologies.
- site layout and urban form: Design measures implemented across the site reduce shadowing, allow for natural ventilation and natural daylight, and maximise solar gain in winter.
- biodiversity and ecology: Enhancements will be implemented through the provision of landscaped areas, play space and additional tree and shrub planting across the site.
- flexibility and adaptation: Futureproof design measures have been incorporated including higher ceilings and the ability to move internal walls without the need for structural alterations.
- overheating: The scheme has been designed to ensure overheating risk is reduced to acceptable levels in accordance with the new Approved Document O (2021) and CIBSE TM59:2017 requirements.
- security: Consultation with a security specialist has taken place to ensure the proposed development is safe and secure for its residents.
- sound insulation: The dwellings are to target an improvement on Building Regulations Part E through party walls and floors.
- inclusive access: 95% of the new dwellings will be designed to meet Building Regulations Approved Document M4(2) and 5.5% will meet Part M4(3) Clause 2a with respect to being adaptable to meet the needs of wheelchair users.
- water efficiency: Flow control devices and water efficient fixtures and fittings will be installed in all dwellings to target a maximum daily water consumption of 110 litres/person/day (including 5 litres/person/day for external water consumption) in line with Part G requirements. Rainwater harvesting tanks will be installed to reduce the demand on potable water and promote effective use of water supplies for landscaping irrigation purposes.
- biodiverse roof: All roofs that do not form resident terraces will be provided with a combination of either green or brown roofing solutions.
- flood risk and SUDs: The proposed development site lies in a low flood risk zone and will benefit from SUDs such as biodiverse roof, geo-cellular storage and permeable paving.
- sustainable transport: The site will benefit from a good existing public transport network and sustainable modes will be encouraged through the provision of 840 cycle storage spaces and electric vehicle charging points.
- materials: Where practical, new building materials will be sourced locally to reduce transportation pollution and support the local economy. New materials will be selected based on their environmental impact and responsible suppliers will be used where possible. Consideration will also be given to the reuse and recycling of materials to reduced embodied carbon within the buildings.
- waste and recycling: Adequate facilities will be provided for domestic and construction related waste, including segregated bins for refuse and recycling.
- circular economy: The principles of a circular economy shall be incorporated into the proposed development, where possible.
- building for life: The principles of the scheme will be implemented into the design of the development. All twelve considerations under the assessment have been marked 'green,' demonstrating good practice.
- sustainable construction: The site will aim to achieve an Excellent score with the Considerate

Constructors Scheme and will closely monitor construction site impacts.

Following clarifications from the applicant, the Council's Planning Policy team have noted that generally, the scheme appears to perform very well on carbon and energy...The scheme also seems strong on sustainability, the information provided is highly detailed and useful.

All of the above commitments which are contained in both the Energy and Sustainability Statements can be secured by condition.

Overall, the proposal meets the requirement of policy D2 of the LPSS, policies D14-17 of the LPDMP (as relevant) and the Climate Change, Sustainable Design, Construction and Energy SPD 2020.

The impact on the Thames Basin Heaths Special Protection Area

The application site is located within the 400 metre to 5 kilometre buffer of the Thames Basin Heaths Special Protection Area (TBHSPA). Natural England advise that new residential development in proximity of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes a net increase in residential units and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site.

The Council has adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2017 which provides a framework by which applicants can provide or contribute to Suitable Alternative Natural Greenspace (SANG) within the borough which along with contributions to Strategic Access Management and Monitoring (SAMM) can mitigate the impact of development.

The applicant proposes to mitigate the impact of this development via SANGs which are operated by the Council or through securing capacity at a private SANG which has a catchment which includes the site. It is also possible that a combination of the two may be used.

Natural England is satisfied that, subject to compliance with the adopted SPD, the impact of the development on the Thames Basin Heaths SPA can be appropriately mitigated.

Based on the adopted tariffs and the number and mix of units, the proposal generates a SAMM contribution of £370,166.78 and a SANG contribution of £2,788,963.54. However, it should be noted that the full SANG amount would only be payable if Council owned SANG is used as the only mitigation.

If the above mitigation was secured by way of a s.106 agreement, it is considered that the proposal would be compliant with the objectives of the TBHSPA Avoidance Strategy SPD 2017 and policy NRM6 of the South East Plan 2009.

An Appropriate Assessment has also been completed by the Local Planning Authority and it has been agreed with Natural England.

S.106 considerations

The three tests as set out in Regulation 122(2) require s.106 agreements to be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

If all aspects of the application are deemed to be acceptable, then the following contributions would be secured by way of a s.106 agreement.

Thames Basin Heaths SPA

The development is required to mitigate its impact on the TBHSPA. The applicant has not yet decided how to achieve this, but it will be either the allocation of Council owned SANG to the development and the payment of a financial contribution in line with the Council's adopted tariffs (as set out in the TBHSPA Avoidance Strategy SPD 2017 - currently SANG - £2,788,963.54 and SAMM - £370,166.78) or the applicant would secure SANG capacity at an appropriate private SANG in the area. Both options are acceptable and both would be secured through a legal agreement. With the legal agreement in place, the proposal would accord with the TBHSPA Avoidance Strategy SPD 2017 and the advice provided by Natural England. Without this, the development would be unacceptable in planning terms and would fail to meet the requirements of the Habitat Regulations. The obligation is therefore necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Affordable housing / viability review

The affordable housing situation has been set out above. In short, although the scheme is not viable, the applicant has made a commercial decision to offer ten per cent of the units as affordable dwellings (47 units in total). Affordable housing is required through policy H2 of the LPSS and would go some way to meeting the Council's 40% policy requirement. The provision of these units, as well as the mix and tenures reported earlier in the report, could be secured through the legal agreement.

An early stage viability review would also be secured through the legal agreement.

These obligations are directly related to the development and reasonable and therefore would meet the requirements of Regulation 122.

Primary healthcare

The Surrey Heartlands Health and Care Partnership (SHHCP) have been involved in discussions relating to this proposal from a relatively early stage. The SHHCP note that due to the increased population that the development will bring to the town centre, it has the potential to increase pressure on the primary healthcare service in an area where there is already some pressure in the system.

During pre-application discussions, the Local Planning Authority has been able to negotiate that one or two of the proposed commercial units on Leapale Road could be given over to the SHHCP or NHS as a healthcare facility. The SHHCP have confirmed their interest in this proposition and two possible units have been identified which would meet their needs. While exact details of the leasing arrangements etc have not been finalised, the applicant has confirmed their willingness to secure such a use through the s.106 legal agreement. If the need arises for such a facility (which would need to be confirmed by the SHHCP within set timescales), the proposal could deliver a new community healthcare centre for both new residents of the scheme and the wider population. This would not only mitigate the primary healthcare impacts of the proposal, but would be a benefit of itself to the town centre and the wider population.

In the event that the SHHCP do not follow up their 'option' of taking a unit(s) within the development or in the event that timescales do not align, then as a backstop the SHHCP have requested a contribution of £303,207 in lieu of the on-site provision. This contribution is calculated based on the population of the development and would be used towards improving

primary healthcare provision in the immediate area.

As both options would mitigate the impacts of the development, the obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Policing

The proposal as a whole has the potential to increase pressures on existing policing resources in the area. Surrey Police note that the application will create an additional demand upon the police service that does not currently exist. The police will need to recruit additional staff and officers and equip them. The development will also require the services of a police vehicle. Staff and officers will also need to be accommodated in a premises that will enable them to serve the development. They note that it is necessary to secure section 106 contributions for policing infrastructure, due to the direct link between the demand for policing services and the changes in the operational environment beyond Surrey Police' control i.e. housing growth and the subsequent and permanent impact it has upon policing. They note that securing modest contributions means that the same level of service can be provided to residents of new development as it is to existing residents and without compromising front line services. The consequence of no funding is that existing infrastructure will eventually become stretched, and the communities may not receive adequate policing.

The contribution of £72,540.57 will be used towards the capital costs associated with employing additional staff, as well as those towards fleet provision and accommodation at Guildford police station.

As the contribution is required to mitigate the impacts of the development, the obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Highways

The County Highway Authority have requested the following which would need to be secured through the legal agreement:

Car club: The provision of the following entirely at the applicant's expense, including the costs of on street adjustments and traffic orders:

- a minimum of three car club vehicles for a minimum of five years, with all costs associated with the provision of the vehicle including provision of parking space either within a publicly accessible location of the development or on the public highway and pump priming being met by the developer.
- £50 worth of free travel for car club vehicles for each residential unit.
- three year's free membership of the car club for all initial occupants of the residential units.

Public transport vouchers: Prior to first occupation of each residential unit the applicant will be required to provide each dwelling with a combined cycle/bus voucher of £250 per dwelling. The developer shall monitor and report to the County Highway Authority the uptake of the vouchers by each household, all in accordance with a scheme to be submitted to and agreed in writing by the County Highway Authority. All monies shall be index linked from date of any resolution to grant planning permission and paid to the County Highway Authority.

It is considered that these requirements are directly related to the development, fair and reasonable in scale and necessary to make the proposed development acceptable in planning terms.

Open space

As noted above, the proposal is deficient in terms of the amount of open space, allotments etc that is being provided on-site. However, policy ID6 does allow for this to be mitigated as a contribution towards off-site provision. The relevant contributions are set out in the Council's Planning Contributions SPD. The off-site contributions have been set out above.

As the contribution is required to mitigate the impacts of the development, the obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

However, as noted above, due to viability reasons the applicant has confirmed that it will not be possible to contribute the amounts noted above. The harm resulting from the under provision will be set out later in the report.

Other matters

There are also a number of other non-financial obligations within the legal agreement. These include the following:

The proposal includes a number of improvements and benefits to the public realm as well as the renovation of the bus station (including the provision of the new passenger and staff facilities). These are key benefits of the proposal and as such their delivery must be secured through the legal agreement. It is noted that the renovated bus station will be delivered before the occupation of 50% of the units within phase three of the development. This equates to the occupation of the 125th unit out of 471 units overall. Both the Local Planning Authority and Surrey County Council are content that this trigger will ensure that this important infrastructure work is delivered early in the development. The North Street pedestrianisation works (which includes the new North Street Square) would be delivered before the occupation of the final dwelling within phase three, which would equate to the 164th unit. The works to Leapale Road and any other remaining agreed highways works will be delivered by the occupation of the last dwelling in phase four, which equates to the 290th unit. These triggers are also deemed to be acceptable and reasonable.

As already noted above, the affordable housing will be delivered in the last phase of the development. The legal agreement will secure that no market units within this phase can be occupied until the affordable housing has been provided. While it is not ideal that the affordable housing is in the last phase, this trigger significantly reduces the risk as the applicant will still have approximately 20% of the total market units left to sell at this point.

The delivery of the public realm will be linked to the phase which it is within. It is noted that The Dial and Friary Gardens will be delivered before any market dwellings are occupied in the final phase of the development. This is considered to be acceptable.

An obligation will also be secured which ensures that the new areas of public realm are accessible to the public at all times (subject to closures for emergencies etc). The applicant (or through a management company) will also be responsible for the maintenance and upkeep of the public realm areas and the private amenity spaces within the scheme. This will exclude land which will remain in the public highway (such as Leapale Road and North Street), as well as the bus station.

It is considered that these requirements are directly related to the development, fair and reasonable in scale and necessary to make the proposed development acceptable in planning terms.

Heritage harm v public benefits balancing exercise

As noted above, paragraph 199 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. The requirements of Section 66(1) and the case law governing these provisions should be remembered. The report has concluded that the development and its associated works would result in less than substantial harm to a number of heritage assets. The proposal would also result in harm to a number of conservation areas, as well as a registered park and garden.

It is noted that the Council's Conservation Officer has concluded that the overall level of harm, taking into account all of the assets, their individual significance and other development in the area would be less than substantial harm and at the medium point of the scale.

Paragraph 202 of the NPPF states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'. Guidance in the form of the Historic Environment PPG does seek to explain the concept of 'public benefit' stating that 'public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph eight). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit'. It is acknowledged that the proposal does result in a number of public benefits and these will be set out and discussed below:

Provision of housing

The proposal provides a total of 471 residential dwellings on a site which is allocated through the Local Plan. The provision of these units will help meet the Council's identified need and demand for additional housing. The provision of such a large number of dwellings would make a material and significant contribution to the borough's supply of housing.

Provision of affordable housing

The proposal provides 47 on-site affordable dwellings, which would be of a tenure split which is broadly compliant with the Council's requirements.

Although not the 40% which is required by policy, the provision of what is a sizeable number of affordable homes is a clear public benefit. The borough has had difficulty in supplying affordable homes over recent years and there is a clear need and demand for further units. While the proposed offer is a relatively small percentage of the overall number of units being provided, 47 affordable homes is a meaningful contribution which will materially help with the Council's supply.

Removing a long term derelict site

It is noted that the application site is an amalgamation of a number of different land parcels which have suffered from varying stages of dereliction over a prolonged period. Over the last decade, former commercial buildings and dwellings have been gradually demolished and what now exists are temporary surface car-parking uses, vacant, cleared land and in the case of Dominion House an outdated office building which is partly occupied with little prospect of future use without significant (and probably cost prohibitive) renovation. Although the site is not within the retail core of the town centre, it is in an area which is prominent and which is visible to many. The site abuts the bus station and one of the side entrances to the biggest shopping centre in the town and is also visible in part from Onslow Street which is one of the main routes into Guildford. Its current condition and prolonged period of dereliction damages the character, reputation and image of Guildford as a regional centre and market town of Surrey. It is noted that the Council has made a number of attempts to regenerate the site, however, these have failed to materialise into planning applications. The only planning application to be approved was in 2004/06 for the extension of the Friary Centre. However, this scheme was not implemented and is unlikely to now correspond to the current retail environment which has changed significantly over the last decade.

The continued long-term dereliction of the site may result in the further knock-on decline of this part of the town centre and North Street in particular. Shops and businesses would be difficult to attract to an area which is in long term decline and there is a risk that this impact would gradually spread to North Street. The continued dereliction of the site would also prohibit its more efficient use for housing and other facilities which would benefit the wider town and its residents. The continued dereliction is also more likely to attract crime and anti-social behaviour to the area.

The proposal would offer the complete regeneration of the site and would go further by pedestrianising a large section of North Street. It would provide a mix of uses on the ground floor, which have now been accepted by the Council's consultants and planning policy team as being of a quantum which is justified given the current retail and commercial environment. It would also introduce 471 residential units into the town, which would bring all the benefits associated with this increased activity. The proposal would have a substantial and positive transformative impact not only on North Street, but also the town as a whole. It would remove the derelict sites and re-purpose them to provide a development which is be-fitting of the twenty-first century

The redevelopment of the site would, overall, make a more effective use of this highly sustainable site in the County town. It is noted that paragraph 120(c) of the NPPF states that planning decisions should 'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'. The proposal would also accord with the similar requirements of policy S3 of the LPSS, as well as the site allocation. This policy notes that the enhancement of the public realm and its amenity value will ensure the town centre becomes an even more attractive place to live, work and visit and will be a key component of the area's regeneration.

As such, the redevelopment of this vacant site, and the prevention of further long-term dereliction is considered to be a public benefit of the proposal.

Vitality of the town centre

At present the site is vacant and this has a negative impact on the vitality of this part of the town centre. There are currently no uses which act as a positive attractor for visitors or residents. While the car parks do result in trips, they are not ones which contribute positively to the vitality of the surroundings.

The proposal on the other hand would be a mixed-use scheme which would provide activity and life throughout the day and night. The large number of residential properties would provide comings and goings and activity and the proposed commercial units, some of which may be well suited for food and beverage outlets, would provide a more prolonged level of activity from the morning until late evening. Through the thoughtful design of the scheme, new public squares and spaces have been created which would become areas for al-fresco dining, meeting areas for residents and for relaxation and recreation.

The proposal would have the result of transforming the character, vitality and viability of this part of the town centre from a largely deserted area to a lively and active site which has life throughout the day and night.

This is considered to be a material public benefit of the proposal.

New areas of public realm

At present, the town centre lacks usable areas of public open space. It is noted that the Castle Grounds offer a high quality area of open space, however, this is on the other side of the town centre. Other areas include spaces adjacent to the river, the rotunda at the junction of Friary Street and North Street (which is of limited attractiveness as an amenity space) and Quakers Court further along North Street. There is a noticeable lack of 'dwell spaces' where people can rest for a short period in an attractive environment and the lack of any focal open spaces areas which could be destinations in themselves and capable of supporting events throughout the year.

The proposal includes four main new public open space areas. These include the Dial which would be located towards the middle of the scheme, the North Street Square which has previously been welcomed by Design South East, Friary Circus and the new Friary Gardens.

It is noted that each of these spaces would be managed and maintained by the management company and would be available to the public 24/7 (with the exception of Friary Gardens which would be closed at night). Each space would provide a different experience for the public. North Street Square would be a large area of public realm, fronted by commercial units and finished with a water feature and areas of seating and landscaping. The space could be used for play by children (the water feature), as an event space during the year and for rest and relaxation as a place to dwell while shopping or visiting the town centre. Friary Circus would be a busier space between North Street and the bus station. It would be finished with significant areas of planting and trees and would provide a large space for performances etc. The Dial would be at the centre of the scheme and would be a bustling space also fronted by commercial units and the entrance into the concierge for the residential apartments. Access to Friary Gardens would be provided from The Dial and this is envisaged as a quieter space with soft landscaping and seating.

The provision of such a high quality range of open spaces would be a substantial benefit to the town centre.

New bus station

As already noted in the report, the existing bus station offers a very poor and un-welcoming environment for bus users. It also presents a poor first impression for visitors who may be arriving in the town centre from the park and ride facilities.

Through this proposal, the environment and design of the concourse would change dramatically for the better. A new canopy would be provided and access on to buses would also be improved for those with mobility difficulties. In addition, the applicant is now proposing new, enclosed passenger waiting facilities and toilets. These are facilities which do not exist at present and will

greatly enhance the experience of using buses from Guildford station.

The new station would provide a modern, clean environment for passengers and together with the rest of the development would provide a much improved entry into the town centre for bus users. This is also deemed to be a public benefit of the scheme which is worthy of consideration.

Improved access to the bus station

The current bus station is accessed from the south and buses exit from the north. With this arrangement there is a risk of disruption to services should either the entry or exit be blocked for whatever reason.

The proposal maintains the southern access and northern exit but also provides a new access from the north. This provides added resilience to the operation of the bus station as if there are traffic issues in the area bus operators will have a choice as to how to enter the station.

In addition, by providing a new access to the north of the site, some services will see shorter journey times as some buses will not need to travel through the gyratory to access the station.

These benefits have been acknowledged by the County Highway Authority and they are clearly a public benefit of the proposal.

Pedestrianisation of North Street

The proposal includes the part pedestrianisation of North Street between Commercial Road and Leapale Road.

The pedestrianisation would include new paving throughout, new street furniture, signage and lighting. The pedestrianisation, in itself would positively transform and revitalise this section of North Street. It would elevate North Street and provide another high quality pedestrian environment to the town centre (in addition to the High Street).

The pedestrianisation works will therefore have obvious benefits to the character and appearance of the area, but it will also offer a safer environment for town centre users, particularly for those with mobility difficulties. The works are also likely to raise the attractiveness of North Street as a retail destination which may help to attract further business to this area of the town centre.

The pedestrianisation of North Street is therefore seen as a major public benefit of the development.

Economic benefits

At present, the site provides very little in the way of economic benefits to the town.

The Planning Statement submitted with the application notes that the proposal will result in a range of temporary and permanent economic benefits for the wider area - not just the town centre. These include:

- during construction, the development will create or sustain approximately 300 net jobs on average throughout the year. Some of these jobs will be available for local construction workers.
- it is forecast that when completed, the commercial floorspace will support as many as 83 (full-time equivalent) jobs;
- the increase in employment would increase the earnings in the local economy by

approximately £1.6m per annum. This would have further knock-on benefits to the local economy;

- it is estimated that the additional 471 residential units would increase spending in local shops by approximately £12.5m per annum

The economic benefits of the proposal are therefore considered to be a public benefit of the proposal.

Biodiversity benefits

As noted above, the LPDMP seeks biodiversity net gain of at least 20%. Through the planting of new trees, the provision of green / brown roofs, installation of bird and bat boxes and bee bricks and the provision of flowering lawns on amenity grassland, the proposed scheme would achieve a biodiversity net gain of 244.37% habitat units and 100% net gain in hedgerow units. The proposal would greatly exceed requirements of the Council's policies.

Such a large betterment in biodiversity is considered to be a public benefit of the scheme.

Energy and sustainability benefits

The proposal would be a fully electric development, thereby reducing the reliance on fossil fuels for energy. The Council's requirement is that developments should achieve a 20% reduction in carbon emissions. The subject application significantly better the Council's requirements by reducing emissions by 70.7%. The residential units will all be fitted with individual exhaust air heat pumps. which means that the development will be gas free. In addition, all of the car parking spaces will have charging facilities and a car club is to be provided which will use electric vehicles. Other key benefits include:

- future proof design measures have been incorporated including higher ceilings and the ability to move internal walls without the need for structural alterations.
- the scheme has been designed to ensure overheating risk is reduced to acceptable levels.
- flow control devices and water efficient fixtures and fittings will be installed in all dwellings to target a maximum daily water consumption of 110 litres/person/day
- rainwater harvesting tanks will be installed to reduce the demand on potable water and promote effective use of water supplies for landscaping irrigation purposes.
- commitment to the use of main materials that are A+ to B in the Green Guide to Specification.
- facilities will be provided for domestic and construction related waste, including segregated bins for refuse and recycling.
- the site will aim to achieve an excellent score with the Considerate Constructors Scheme and will closely monitor construction site impacts.

The benefits of reducing carbon emissions are obvious in terms of climate change. Such a significant betterment of the Council's policy is considered to be a public benefit of the scheme

Heritage harm v public benefits balance:

Overall, the public benefits of the proposal are wide ranging and long lasting. The proposal would fundamentally transform a large area of the town centre which has been in varying stages of decline and dereliction for a prolonged period. The proposal would create a modern, attractive and high-quality space for residents and visitors which would offer a very different town centre experience which is not currently available in Guildford. The pedestrianisation of North Street, the new bus station with its new facilities and improved access and the provision of a number of high quality areas of public realm are benefits which will have a positive impact on a much wider area

than the site. The proposal would also now deliver 47 affordable units which will make a meaningful difference to the Council's supply, as well as the provision of a large number of market dwellings to meet the Council's identified need.

As noted above, paragraph 199 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. The impacts on the heritage assets are recognised and are given great weight and considerable importance.

Although great weight and considerable importance has been afforded to the heritage harm, it is considered that the significant scale of the public benefits and the transformative impact that the development would have on the town centre, are considered to be sufficient in this instance to outweigh the identified heritage harm.

In terms of paragraph 195 of the NPPF and the requirement to '..avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal...', it has already been noted above that the proposed scheme is considered to be unviable. Since the previous proposal the applicant has sought to minimise the harm resulting from the proposal by reducing some of the building heights, changing the external materials etc while still producing a scheme that the applicant is prepared to invest in (see the affordable housing section of this report). In Officer's view, the scheme has been amended to minimise its harm by as much as possible.

As such in this regard the proposal is considered to be compliant with the NPPF and policy D3 of the LPSS.

Final balancing exercise

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be taken in accordance with the development plan unless material considerations indicate otherwise. This requires a broad judgement regarding whether the development accords with the plan read as a whole. Paragraph 11 of the NPPF also states that 'plans and decisions should apply a presumption in favour of sustainable development...For decision-taking this means...approving development proposals that accord with an up-to-date development plan without delay'. While the proposal does conflict with some policies, overall and taken as a whole, the development is considered to accord with the development plan. Therefore, the presumption is that the application should be approved without delay.

Notwithstanding this, it is noted that the harm identified above must be considered and balanced against the benefits of the proposal. As already set out above, paragraph 202 of the NPPF requires a balance of the heritage harm against the public benefits of the scheme. That balance has been carried out above, and the conclusion that has been reached is that the public benefits of the scheme do outweigh the heritage harm. However, the other harms resulting from the proposal must also be assessed, together with the heritage harm, and these should also be balanced against the benefits of the proposal. This final balancing exercise will be carried out below.

In assessing the weight to be afforded to harms / benefits, officers have applied a scale which attributes moderate, significant, or substantial weight to each identified harm / benefit. Having attributed such weight, an overall judgement is then required regarding the balance of harm vs benefit.

As noted above, the less than substantial harm identified to designated heritage assets carries **substantial (great) weight and considerable importance** in the planning balance. Given the full analysis in relation to heritage harm above, that exercise is not here repeated, but other identified planning harms are considered below.

Other harm:

Harm to neighbouring amenity

It has been concluded above that the proposal would reduce the internal amenity of the residential properties which are associated with All Bar One and Five and Lime. It is noted that in the case of All Bar One, the proposal would have an adverse overbearing impact on this property and in the case of Five and Lime, the proposal would have an adverse overbearing and dominating impact on this property.

It is acknowledged that while the rooms impacted would be in residential use, it is staff accommodation associated with the businesses which operate from the respective ground floors (e.g. a restaurant / bar and bar). As such, it is noted that their amenity is already compromised as a result. While this residential accommodation should be protected to some degree, it must be recognised that staff accommodation, in a dense urban location will not achieve the same levels of amenity as would normally be expected. While this does not remove the harm caused, it does, in Officer's view reduce the level of weight which should be attributed to it.

Bearing all of the above in mind, **moderate weight** is afforded to this harm in the balance.

Lack of open space / contribution in lieu

As set out above, the proposal does not meet the requirements of the Local Plan. The proposal does not provide the required amount of on-site open space. While the Local Plan does allow for mitigation through a financial payment in lieu of on-site provision, the applicant has confirmed that in this instance a payment will not be forthcoming. This is due to viability concerns (which have been reported above). However, it must also be acknowledged that compared to the last scheme, the proposal now includes a new area of open space called Friary Gardens which increases the amenity space provision within the development.

This under provision is in direct conflict with policies D5 and ID6 of the Local Plan and the proposal would not fully mitigate its impact on existing open space provision in and around the town centre. As such, the proposal will place additional pressure on these facilities which will impact on existing and future residents and their access to open space, playing fields and allotments etc.

Significant weight should be afforded to this matter.

No other harms have been identified throughout the report.

Benefits of the proposal:

The benefits of the scheme have already been set out above in the section entitled 'heritage harm v public benefits and balancing exercise'. For ease of reference, the individual benefits resulting from the scheme will be summarised again below and a level of weight attributed to them.

Provision of housing

The proposal provides a total of 471 residential dwellings on a site which is allocated through the Local Plan. The provision of these units will help meet the Council's identified need and demand for additional housing. The provision of such a large number of dwellings would make a material and significant contribution to the borough's supply of housing.

Substantial weight is afforded to this matter.

Provision of affordable housing

The proposal would provide 47 on-site affordable dwellings which would be of a tenure split which is broadly compliant with the Council's requirements.

Although not the 40% which is required by policy, the provision of what is a sizeable number of affordable homes which would make a meaningful contribution and materially help with the Council's supply..

Given the number of affordable units being provided and the more favourable tenure mix, **substantial weight** is afforded to this matter.

Pedestrianisation of North Street

The proposal includes the part pedestrianisation of North Street between Commercial Road and Leapale Road.

The pedestrianisation would include new paving throughout, new street furniture, signage and lighting. The pedestrianisation, in itself would positively transform and revitalise this section of North Street. It would elevate North Street and provide another high quality pedestrian environment to the town centre (in addition to the High Street).

The pedestrianisation works will therefore have obvious benefits to the character and appearance of the area, but it will also offer a safer environment for town centre users, particularly for those with mobility difficulties. The works are also likely to raise the attractiveness of North Street as a retail destination which may help to attract further business to this area of the town centre.

The pedestrianisation of North Street is therefore seen as a major public benefit of the development.

Substantial weight is afforded to this matter.

Economic benefits

At present, the site provides very little in the way of economic benefits to the town.

The Planning Statement submitted with the application notes that the proposal will result in a range of temporary and permanent economic benefits for the wider area - not just the town centre. These include:

- during construction, the development will create or sustain approximately 300 net jobs on average throughout the year. Some of these jobs will be available for local construction workers.
- it is forecast that when completed, the commercial floorspace will support as many as 83 (full-time equivalent) jobs;

- the increase in employment would increase the earnings in the local economy by approximately £1.6m per annum. This would have further knock-on benefits to the local economy;
- it is estimated that the additional 471 residential units would increase spending in local shops by approximately £12.5m per annum

The economic benefits of the proposal are therefore considered to be a public benefit of the proposal.

Significant weight is afforded to this matter.

Biodiversity benefits

As noted above, the LPDMP seeks biodiversity net gain of at least 20%. Through the planting of new trees, the provision of green / brown roofs, installation of bird and bat boxes and bee bricks and the provision of flowering lawns on amenity grassland, the proposed scheme would achieve a biodiversity net gain of 244.37% habitat units and 100% net gain in hedgerow units. The proposal would greatly exceed requirements of the Council's policies.

Such a large betterment in biodiversity is considered to be a public benefit of the scheme.

Significant weight is afforded to this matter.

Energy and sustainability benefits

The proposal would be a fully electric development, thereby reducing the reliance on fossil fuels for energy. The Council's requirement is that developments should achieve a 20% reduction in carbon emissions. The subject application significantly better the Council's requirements by reducing emissions by 70.7%. The residential units will all be fitted with individual exhaust air heat pumps which means that the development will be gas free. In addition, all of the car parking spaces will have charging facilities and a car club is to be provided which will use electric vehicles. Other key benefits include:

- future proof design measures have been incorporated including higher ceilings and the ability to move internal walls without the need for structural alterations.
- the scheme has been designed to ensure overheating risk is reduced to acceptable levels.
- flow control devices and water efficient fixtures and fittings will be installed in all dwellings to target a maximum daily water consumption of 110 litres/person/day
- rainwater harvesting tanks will be installed to reduce the demand on potable water and promote effective use of water supplies for landscaping irrigation purposes.
- commitment to the use of main materials that are A+ to B in the Green Guide to Specification.
- facilities will be provided for domestic and construction related waste, including segregated bins for refuse and recycling.
- the site will aim to achieve an Excellent score with the Considerate Constructors Scheme and will closely monitor construction site impacts.

The benefits of reducing carbon emissions are obvious in terms of climate change. Such a significant betterment of the Council's policy is considered to be a benefit of the scheme

Significant weight is afforded to this matter.

Benefits associated with the s.106 contributions

The s106 contributions agreed with the applicant have been set out above. While it is acknowledged that the contributions are only required to offset and mitigate the impacts of the development, the improvements that the contributions bring are nevertheless beneficial to the wider community.

It is noted that this is particularly true for the possible provision of a new NHS facility as part of the development. If delivered by the NHS, this facility would provide wider benefits to those living in the town centre. The provision of a purpose-built, modern facility would also be of benefit. However, as there is no certainty as to whether this facility will be provided (the alternative is the payment of a financial contribution in lieu), the additional weight that can be attributed to this matter is very low.

Overall, the contributions that have been secured will help to improve local facilities. **Modest weight** is afforded to this matter.

The following benefits arise from the scheme complying with the requirements of the site allocation (policy A5 of the LPSS).

Removing a long term derelict site

It is noted that the application site is an amalgamation of a number of different land parcels which have suffered from varying stages of dereliction over a prolonged period. Over the last decade, former commercial buildings and dwellings have been gradually demolished and what now exists are temporary surface car-parking uses, vacant, cleared land and in the case of Dominion House an outdated office building which is partly occupied with little prospect of future use without significant (and probably cost prohibitive) renovation. Although the site is not within the retail core of the town centre, it is in an area which is prominent and which is visible to many. The site abuts the bus station and one of the side entrances to the biggest shopping centre in the town and is also visible in part from Onslow Street which is one of the main routes into Guildford. Its current condition and prolonged period of dereliction damages the character, reputation and image of Guildford as a regional centre and market town of Surrey. It is noted that the Council has made a number of attempts to regenerate the site, however, these have failed to materialise into planning applications. The only planning application to be approved was in 2004/06 for the extension of the Friary Centre. However, this scheme was not implemented and is unlikely to now correspond to the current retail environment which has changed significantly over the last decade.

The continued long-term dereliction of the site may result in the further knock-on decline of this part of the town centre and North Street in particular. Shops and businesses would be difficult to attract to an area which is in long term decline and there is a risk that this impact would gradually spread to North Street. The continued dereliction of the site would also prohibit its more efficient use for housing and other facilities which would benefit the wider town and its residents. The continued dereliction is also more likely to attract crime and anti-social behaviour to the area.

The proposal would offer the complete regeneration of the site and would go further by pedestrianising a large section of North Street. It would provide a mix of uses on the ground floor, which have now been accepted by the Council's consultants and planning policy team as being of a quantum which is justified given the current retail and commercial environment. It would also introduce 473 residential units into the town, which would bring all the benefits associated with this increased activity. The proposal would have a substantial and positive transformative impact not only on North Street, but also the town as a whole. It would remove the derelict sites and re-purpose them to provide a development which is be-fitting of the twenty-first century

The redevelopment of the site would, overall, make a more effective use of this highly sustainable site in the County town. It is noted that paragraph 120(c) of the NPPF states that planning decisions should 'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'. The proposal would also accord with the similar requirements of policy S3 of the LPSS, as well as the site allocation. This policy notes that the enhancement of the public realm and its amenity value will ensure the town centre becomes an even more attractive place to live, work and visit and will be a key component of the area's regeneration.

As such, the redevelopment of this vacant site, and the prevention of further long-term dereliction is considered to be a public benefit of the proposal.

Substantial weight is afforded to this matter.

Vitality of the town centre

At present the site is vacant and this has a negative impact on the vitality of this part of the town centre. There are currently no uses which act as a positive attractor for visitors or residents. While the car parks do result in trips, they are not ones which contribute positively to the vitality of the surroundings.

The proposal on the other hand would be a mixed-use scheme which would provide activity and life throughout the day and night. The large number of residential properties would provide comings and goings and activity and the proposed commercial units, some of which may be well suited for food and beverage outlets, would provide a more prolonged level of activity from the morning until late evening. Through the thoughtful design of the scheme, new public squares and spaces have been created which would become areas for al-fresco dining, meeting areas for residents and for relaxation and recreation.

The proposal would have the result of transforming the character, vitality and viability of this part of the town centre from a largely deserted area to a lively and active site which has life throughout the day and night.

This is considered to be a material public benefit of the proposal.

Substantial weight is afforded to this matter.

New areas of public realm

At present, the town centre lacks usable areas of public open space. It is noted that the Castle Grounds offer a high quality area of open space, however, this is on the other side of the town centre. Other areas include spaces adjacent to the river, the rotunda at the junction of Friary Street and North Street (which is of limited attractiveness as an amenity space) and Quakers Court further along North Street. There is a noticeable lack of 'dwell spaces' where people can rest for a short period in an attractive environment and the lack of any focal open spaces areas which could be destinations in themselves and capable of supporting events throughout the year.

The proposal includes four main new public open space areas. These include the Dial which would be located towards the middle of the scheme, the North Street Square which has previously been welcomed by Design South East, Friary Circus and the new Friary Gardens.

It is noted that each of these spaces would be managed and maintained by the management company and would be available to the public 24/7 (with the exception of Friary Gardens which would be closed to the public at night). Each space would provide a different experience for the public. North Street Square would be a large area of public realm, fronted by commercial units and finished with a water feature and areas of seating and landscaping. The space could be used for play by children (the water feature), as an event space during the year and for rest and relaxation as a place to dwell while shopping or visiting the town centre. Friary Circus would be a busier space between North Street and the bus station. It would be finished with significant areas of planting and trees and would provide a large space for performances etc. The Dial would be at the centre of the scheme and would be a bustling space also fronted by commercial units and the entrance into the concierge for the residential apartments. Access to Friary Gardens would be provided from The Dial and this is envisaged as a quieter space with soft landscaping and seating.

The provision of such a high quality range of open spaces would be a substantial benefit to the town centre.

Substantial weight is afforded to this matter.

New bus interchange

As already noted in the report, the existing bus station offers a very poor and un-welcoming environment for bus users. It also presents a poor first impression for visitors who may be arriving in the town centre from the park and ride facilities.

Through this proposal, the environment and design of the concourse would change dramatically for the better. A new canopy would be provided and access on to buses would also be improved for those with mobility difficulties. In addition, the applicant is now proposing new, enclosed passenger waiting facilities and toilets. These are facilities which do not exist at present and will greatly enhance the experience of using buses from Guildford station.

The new station would provide a modern, clean environment for passengers and together with the rest of the development would provide a much improved entry into the town centre for bus users. This is also deemed to be a public benefit of the scheme which is worthy of consideration.

Given the new passenger facilities which are also proposed through this application, **substantial weight** is afforded to this matter.

Improved access to the bus station

The current bus station is accessed from the south and buses exit from the north. With this arrangement there is a risk of disruption to services should either the entry or exit be blocked for whatever reason. The proposal maintains the southern access and northern exit but also provides a new access from the north. This provides added resilience to the operation of the bus station as if there are traffic issues in the area bus operators will have a choice as to how to enter the station. In addition, by providing a new access to the north of the site, some services will see shorter journey times as some buses will not need to travel through the gyratory to access the station.

Given the importance of public transport and bus travel in particular, **substantial weight** is afforded to this matter.

Overall harm v benefits balance:

Overall, the public benefits of the proposal are wide ranging and long lasting. The proposal would fundamentally transform a large area of the town centre which has been in varying stages of decline and dereliction for a prolonged period. The proposal would create a modern, attractive and high-quality space for residents and visitors which would offer a very different town centre experience which is not currently available in Guildford. The pedestrianisation of North Street, the new bus station and the provision of a number of high quality areas of public realm are benefits which will have a positive impact on a much wider area than the site. The proposal also now includes major improvements to the bus station as well as providing resilience to its operation through the provision of two access points for services. In addition, it is noted that a number of services would see decreased journey times as a result of the improvements to the station.

The main harm resulting from the proposal is to the heritage assets. However, as noted above, this heritage harm is outweighed by the public benefits of the proposal.

Overall, it is considered that the benefits associated with the proposal do outweigh the identified harm, including harm to designated heritage assets. The proposal accords with the development plan read as a whole and other material considerations do not weigh against the grant of planning permission. As such, the proposal is deemed to be acceptable and is therefore recommended for approval.

It is noted that for the previous application Members raised concerns regarding the design of the proposal and its resulting impact on the surroundings. This formed one of the reasons for refusal. While Officers continue to believe that the proposal is acceptable from a design and urban design point of view it is noted that even if Members disagree with this conclusion and attribute harm to this aspect, it would still, in the view of Officers, not outweigh the substantial benefits that the proposal is delivering. Therefore, in such a situation Officers would conclude that the balance would still tip towards approval.

Conclusion

The application site forms a large portion of an important town centre allocation for a mixed used development including residential accommodation and commercial floorspace. The delivery of the scheme, and therefore a large portion of the allocation, is an important aspect of the proposal.

It has been concluded above that the development would be compliant with the requirements of the allocation. While a reduced quantum of commercial floorspace is provided, this is allowed through the policy and has been tested by independently appointed experts. Given the current environment the commercial floorspace envisaged by the allocation is no longer realistic. The now residential led development would bring a significant number of new homes to the town centre. These would be located in a highly sustainable location, close to transport routes, jobs and shops and services. The residential units would also make a material and meaningful contribution to the Council's housing supply. While the scheme has been confirmed to be unviable with zero affordable housing, through negotiation with Officers, the applicant has now offered 47 on-site units with a mix of affordable rent and shared ownership.

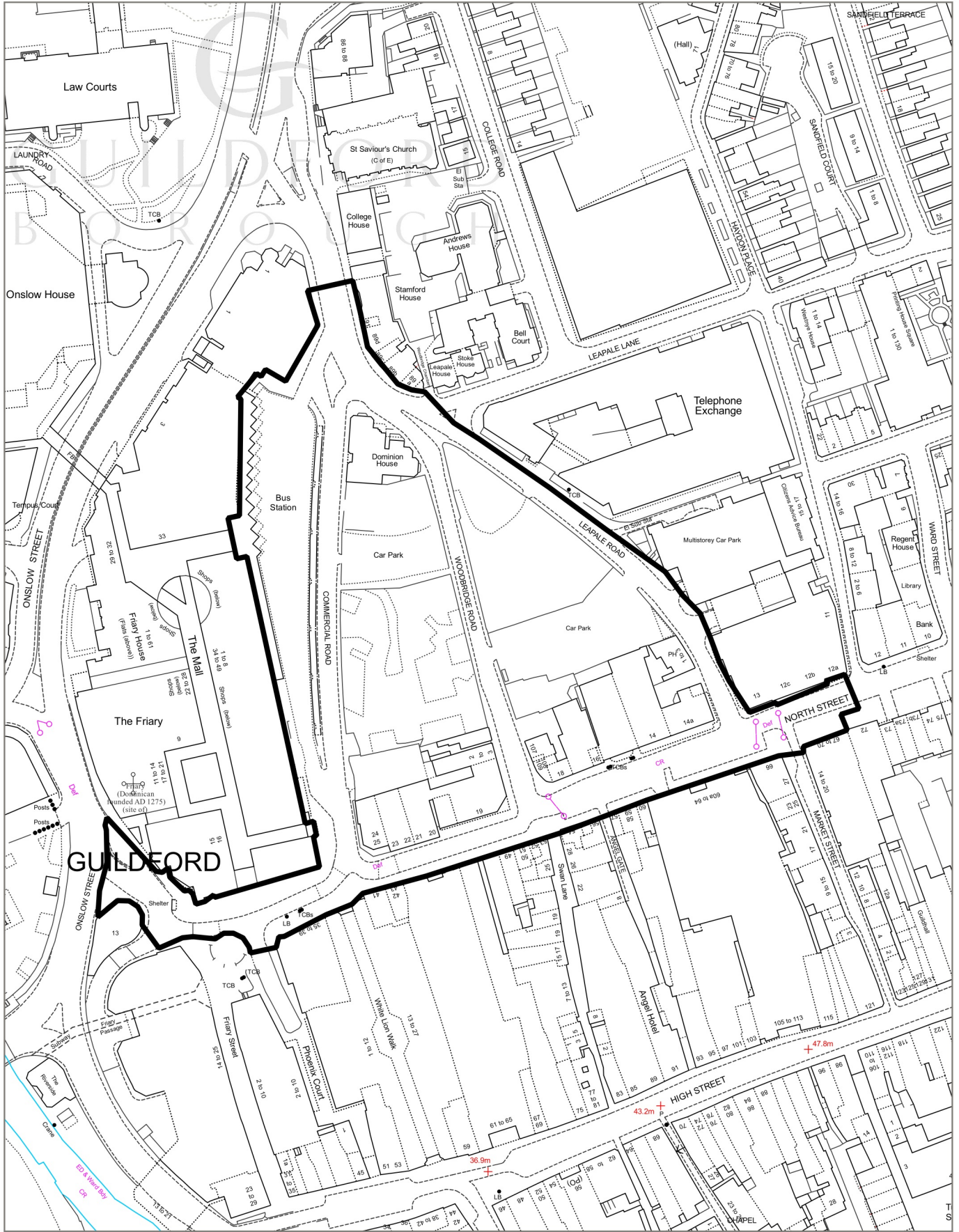
It is noted that the site is in a sensitive town centre location and is close to listed buildings and conservation areas. While it is acknowledged that the proposal has a modern appearance and would have its own character, it still reflects and has references to the surrounding built environment. The Council's Urban Design Officer is of the opinion that the proposal complies with the relevant design policies of the Local Plan. In addition, while harm to heritage assets has been identified by both the Council's Conservation Officer and Historic England, the public benefit balance that has been carried out by Officers concludes that the public benefits of the proposal clearly and demonstrably outweigh this.

The proposal would result in long-lasting and diverse benefits to the town. The site has been derelict for a considerable period of time and this proposal would act as a catalyst for its regeneration. The associated public realm works and the pedestrianisation of North Street would transform this part of the town centre and would materially improve its appearance and character. The proposal would also see significant improvements to the bus station with the provision of new passenger facilities. The two access points would also offer a resilience to operations. Other benefits have been set out in the report and include beyond policy requirement carbon reduction measures and biodiversity net gain. The proposal would also result in significant economic benefits from both the construction of the scheme as well as the proposed commercial units and introducing a significant residential population into the area.

As well as the heritage harm which has been noted above, harm has also been found to be caused to the amenity of some residential dwellings. The applicant is also failing to fully mitigate the impact of the scheme on open space.

A detailed planning balance has been undertaken and in summary, the benefits of the proposal are so significant and are of such importance that they do clearly and demonstrably outweigh the harm which has been identified (even when giving substantial weight and great importance to the heritage harm). As such, the application is recommended for approval, subject to the conditions outlined in this report and the completion of a legal agreement which will secure the Head of Terms.

23/P/01212 - 17 North Street, Guildford



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Print Date: 29/09/2023



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GUILDFORD
BOROUGH

23/P/01212 – 17 North Street Guildford, GU1



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App No: 23/P/01212 **8 Wk Deadline:** 06/11/2023
Appn Type: Listed Building Consent
Case Officer: John Busher
Parish: Holy Trinity **Ward:** Castle
Agent : Mr R Steele **Applicant:** Mr Robert Packham
Savills Guildford St Edward Homes
244-246 High Street
Guildford
GU1 3JF

Location: 17 North Street, Guildford, GU1 4AF
Proposal: Listed Building Consent for works to 17 North Street associated with detailed application (23/P/01211) for a mixed use redevelopment at North Street, Leapale Road and including Commercial Road and part of Woodbridge Road, Guildford.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee as it forms a fundamental constituent part of the North Street regeneration proposals, which are being considered elsewhere on this agenda.

Key information

The proposal is for listed building consent for works to 17 North Street which is known as All Bar One.

It is noted that works are required to the western elevation of 17 North Street as the building which is currently attached to it (18 North Street) is to be demolished to facilitate the wider North Street regeneration scheme. The demolition of number 18 would expose the western side wall of the listed building and works would be required to repair it. These remedial works are the subject of this application.

Summary of considerations and constraints

In terms of the physical impact upon 17 North Street, there is a reasonable chance that the process of removal and / or making good could have an influence upon the asset's structure and fabric. To ensure that the works are undertaken in an acceptable manner, a method statement could be secured as a condition.

It has been concluded that the proposal would not result in any harm to the significance of 17 North Street and therefore, the proposal is deemed to be acceptable.

RECOMMENDATION:

Approve - subject to the following condition(s) and reason(s) :-

1. The works for which listed building consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

Reason: In pursuance of Section 196D of the Town and Country Planning Act 1990 and Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The works hereby permitted shall be carried out in accordance with the following approved plans: 01653-JTP-ES-RF-DR-A-0001 REV P1, 01653C-JTP-ES-UG-DR-A-0012 REV P1, 1653-JTP-MP-ZZ-DR-A-0404 REV P1, 01653C-JTP-ES-XX-DR-A-0008 REV P1 and 01653C-JTP-ES-XX-DR-A-0010 REV P1.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. Before the works hereby approved are commenced (including the demolition of 18 North Street), a Method Statement will be submitted to and approved in writing by the Local Planning Authority. The Statement shall set out how the demolition works will be carried out as well as providing further information on any repair and reinstatement works that are required to 17 North Street. The works shall only be carried out in full accordance with the agreed details.

Reason: To ensure that the works do not have an adverse impact on the significance of the listed building.

Officer's Report

Site description

The works associated with this application relate to 17 North Street which is currently in occupation as a bar / restaurant which is known as All Bar One. The building is Grade II listed.

The site is located within the urban area of Guildford and within the town centre boundary. It is opposite (north of and not within) Guildford Town Centre Conservation Area and within an Area of High Archaeological Importance.

In terms of the surrounding land uses it is noted that the site fronts onto North Street which is characterised mainly by retail, commercial and office uses.

The application site forms part of a larger allocation in the Local Plan under policy A5. The allocation is discussed in detail as part of the assessment of the main application (23/P/01211), but in summary, the allocation is for a comprehensive mixed-use redevelopment with an additional:

- approximately 41,000 sq. m (gross) comparison retail floorspace or a figure that is consistent

with subsequent updates to the Guildford Retail and Leisure Study

- approximately 6,000 sq. m food and drink (A3) and drinking establishments (A4)
- approximately 400 homes (C3)
- provision of 1 gym (D2)

Proposal

Listed Building Consent for works to 17 North Street associated with detailed application (23/P/01211) for a mixed-use redevelopment at North Street, Leapale Road and including Commercial Road and part of Woodbridge Road, Guildford.

It is noted that works are required to the western elevation of 17 North Street as the building which is currently attached to it (18 North Street) is to be demolished to facilitate the wider North Street regeneration scheme. The demolition of number 18 would expose the western side wall of the listed building and works would be required to repair it. These remedial works are the subject of this application.

Relevant planning history

Reference:	Description:	Decision Summary:	Appeal:
23/P/01211	A mixed-use redevelopment on a site bounded by North Street, Leapale Road and including Commercial Road and part of Woodbridge Road, Guildford comprising: <ul style="list-style-type: none"> • Demolition of existing buildings; • A new bus interchange with new access junction arrangement, new canopy, waiting facilities, a hard and soft landscaped pedestrian public area and hardstanding; • Erection of buildings ranging from 4 to 13 storeys comprising the following uses: residential dwellings with associated car parking, hard and soft landscaped communal areas, ancillary cycle storage, residents gym, concierge and management office (Use Class C3); flexible non-residential floor space (Class E) together with; • Hard and soft landscaped areas to form pedestrianised streets and public spaces; • Associated vehicular access, servicing arrangements, plant, highway works (including alterations to North Street, Leapale Road and Commercial Road; and junctions at Leapale Road / North Street; Leapale Road / Commercial Road / Woodbridge Road) and associated 	Reported elsewhere on this agenda.	N/A

infrastructure; • The stopping up of adopted highway (including Commercial Road and Woodbridge Road); • Alterations to a Listed Building (17 North Street) including the exposure to part of the flank elevation and party wall works.

22/P/01336	A mixed use redevelopment on a site bounded by North Street, Leapale Road and including Commercial Road and part of Woodbridge Road, Guildford comprising: • Demolition of existing buildings; • A new bus interchange with new access junction arrangement, new canopy, waiting facilities, a hard and soft landscaped pedestrian public area and hardstanding; • Erection of buildings ranging from 4 to 13 storeys comprising the following uses: residential dwellings with associated car parking, hard and soft landscaped communal areas, ancillary cycle storage, residents gym, concierge and management office (Use Class C3); flexible non-residential floor space (Class E) together with; • Hard and soft landscaped areas to form pedestrianised streets and public spaces; • Associated vehicular access, servicing arrangements, plant, highway works (including alterations to North Street, Leapale Road and Commercial Road; and junctions at Leapale Road / North Street; Leapale Road / Commercial Road / Woodbridge Road) and associated infrastructure; • The stopping up of adopted highway (including Commercial Road and Woodbridge Road); • Alterations to a Listed Building (17 North Street) including the exposure to part of the flank elevation and party wall works.	Refused by Planning Committee January 2023* Appeal to be heard by Public Inquiry December 2023
22/P/01337	Listed Building Consent for works to 17 North Street associated with detailed application (22/P/01336) for a mixed use redevelopment at North Street, Leapale Road and including	Refused January 2023** Appeal to be heard by Public Inquiry December

Commercial Road and part of
Woodbridge Road, Guildford.

2023

* As noted above, a previous planning application was refused by Members in January 2023. The differences between the refused scheme (22/P/01336) and the application to be considered (23/P/01211), are set out in detail in the report included elsewhere in this agenda.

** The previous listed building consent (22/P/01337) associated with the planning application (22/P/01336), was also refused in January 2023 under delegated powers. The sole reason for refusal is set out below:

1. As planning application (22/P/01336) which includes the demolition of number 18 North Street has been refused planning permission, the repair and making good works proposed through this application would be unnecessary. In addition, the partial demolition works proposed to the chimney stacks of number 18 North Street would have an impact on the historic fabric of the building. Bearing in mind that planning application 22/P/01336 has been refused, no evidence has been submitted to justify these works and there are no known public benefits which would outweigh the potential harm caused. The loss and change to the historic fabric of the listed building is therefore deemed to be contrary to the statutory tests set out in the Planning (Listed Building and Conservation) Areas Act 1990, Policy D3 of the Guildford Borough Local Plan: Strategy and Sites, 2019; Policies D16 and D17 of the Guildford Borough (Submission) Local Plan: Development Management Policies (incorporating the Inspector's main modifications), 2022 and the guidance contained in the National Planning Policy Framework, 2021.

Consultations

Historic England: Historic England have not offered any specific comments on this application for listed building consent.

Third party comments

It is noted that three letters of representation have been received which note objections to the application. However, comments made do not relate to the listed building consent application, but the main application for the redevelopment of the wider site (i.e. 23/P/01211).

Planning policies

National Planning Policy Framework (NPPF):

Chapter 16. Conserving and enhancing the historic environment

Guildford Borough Local Plan: Strategy and Sites 2015-2034:

The policies considered relevant to this proposal are set out below:

Policy D3. Historic Environment

Guildford Borough Local Plan: Development Management Policies (LPDMP) adopted 2023:

The policies considered relevant to this proposal are set out below:

Policy D18: Designated heritage assets

Policy D19: Listed buildings

Planning considerations

Heritage assessment

Statutory provisions: Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework addresses proposals affecting heritage assets. Paragraph 199 sets out that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. The NPPF also sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraphs 199-203 set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs. The policies from the LPDM and LPSS reflect the requirements of the NPPF. The Council's Conservation Officer has assessed the application and notes the following.

This listed building is three-storey property which is an early nineteenth century shop, which has since been converted into a bar, with accommodation above. It is constructed of grey brick and covered over by a hipped slate roof, which is obscured by a brick dentilled plat band parapet. Two tall brick chimneys with dentil decoration are located on the property's western side, each carrying three chimney pots. Window openings on the upper floors are recessed with timber or stone sills and splayed brick headers. Joinery is typically sash (hornless), with those to the first floor being two over two but with the upper glazing bars having been removed and the glazing replaced with single panes. At second floor level the openings are smaller and thus the windows are three over six with the upper sash being half the height of the lower. A plate glass shopfront with central door sits across the ground floor elevation and is accentuated and decorated by means of two attached fluted Doric columns. Access into the property is by a set of three steps. A further door (six panelled) sits off to the right-hand side, and this too is marked by a further two fluted Doric columns.

The Conservation Officer notes that the significance of 17 North Street can be summarised as:

- a building of special interest as reflected by its Grade II listing status;
- the brick tone is not local to Guildford and thus indicates that it was imported to the town. The transportation of this material at the time of construction would have been at great cost, therefore indicating that whoever commissioned its construction was relatively wealthy; and
- it illustrates early nineteenth century domestic and commercial detailing and design.

As regards the impact on significance, the Conservation Officer notes that it is proposed to demolish 18 North Street which adjoins directly on to this heritage asset. This property has been identified as a non-designated heritage asset and thus the principal of the loss of this building is considered and dealt with through planning application 23/P/01211, which as noted above is reported elsewhere on this agenda. Nevertheless, it is recognised that its removal has the potential to have a physical impact upon 17 North Street, as well as an impact upon its setting.

Starting with setting, it is acknowledged that the architectural and historic interest of 18 North Street contributes positively to the setting of this heritage asset and thus its demolition would result in further removal of its historic setting and some erosion of the asset's significance. However, there is recognition that the alteration to this setting is somewhat offset by the creation of a new public square in its place, which it is noted has been designed sympathetically using an appropriate material palette of natural aggregate flag paving (light grey) and natural aggregate block paving (terracotta blend) that is considerate to the surrounding historic environment.

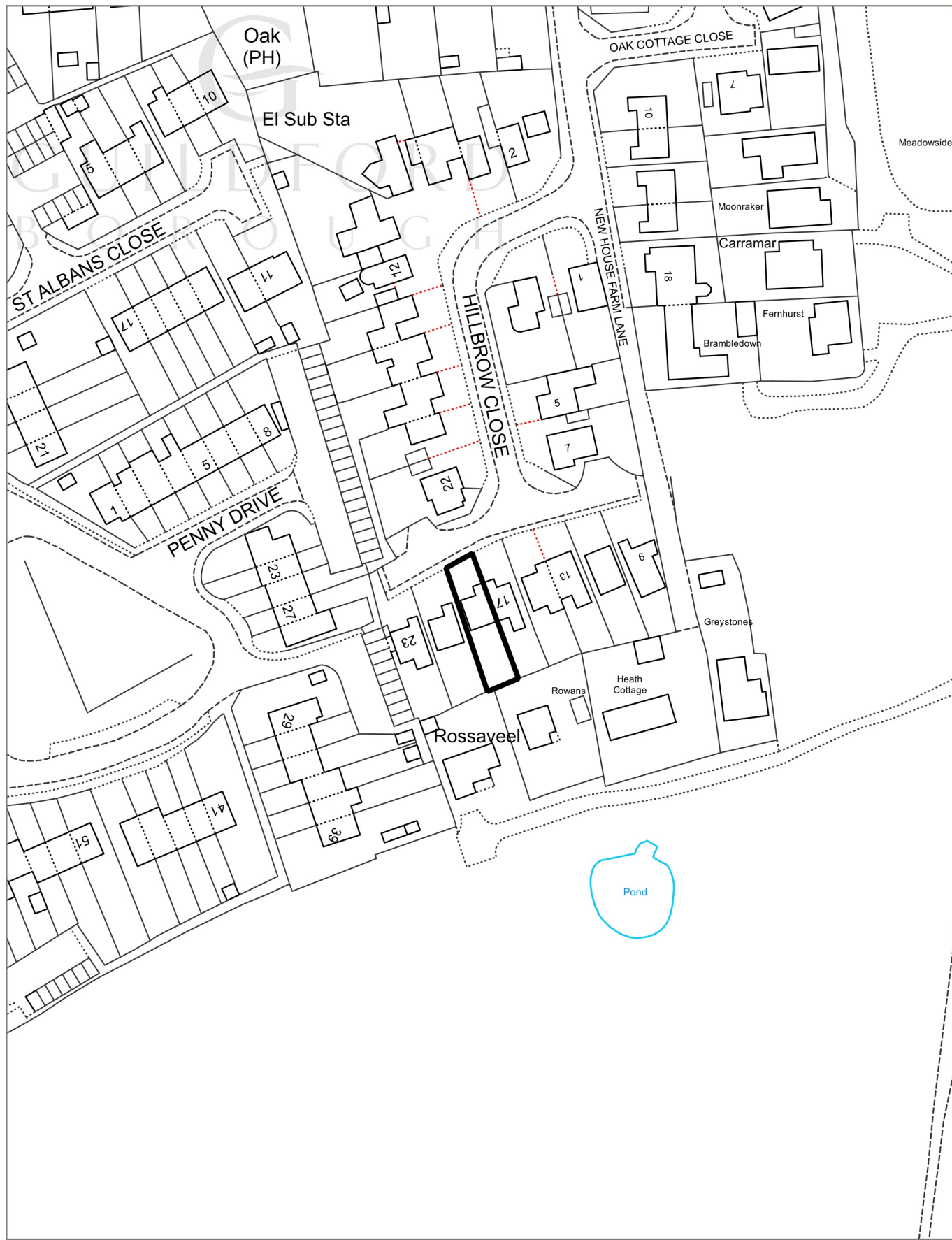
In terms of the physical impact upon 17 North Street, there is a reasonable chance that the process of removal and / or making good could have an influence upon the asset's structure and fabric. However, to what extent is currently uncertain as there are still a number of unknowns. Nevertheless, the methodology currently set out in the supporting document has been sensitively considered and appears appropriate for the context of the works. The Conservation Officer particularly welcomes the provision of a further method statement that is to be presented to the Local Planning Authority two weeks before the commencement of works. At that point, more information should have been gained to inform the method statement. This could be secured as a condition.

Conclusion

Given the above, it has been concluded that the proposal would not result in any harm to the significance of 17 North Street. As such, there is no requirement for an assessment of the public benefit balance. The proposal is deemed to be compliant with the statutory tests set out in the Planning (Listed Building and Conservation) Areas Act 1990, policy D3 of the LPSS and policies D18 and D19 of the LPDMP.

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23/P/01428 - 19 Hillbrow Close, Wood Street Village, Guildford



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Print Date: 03/10/2023

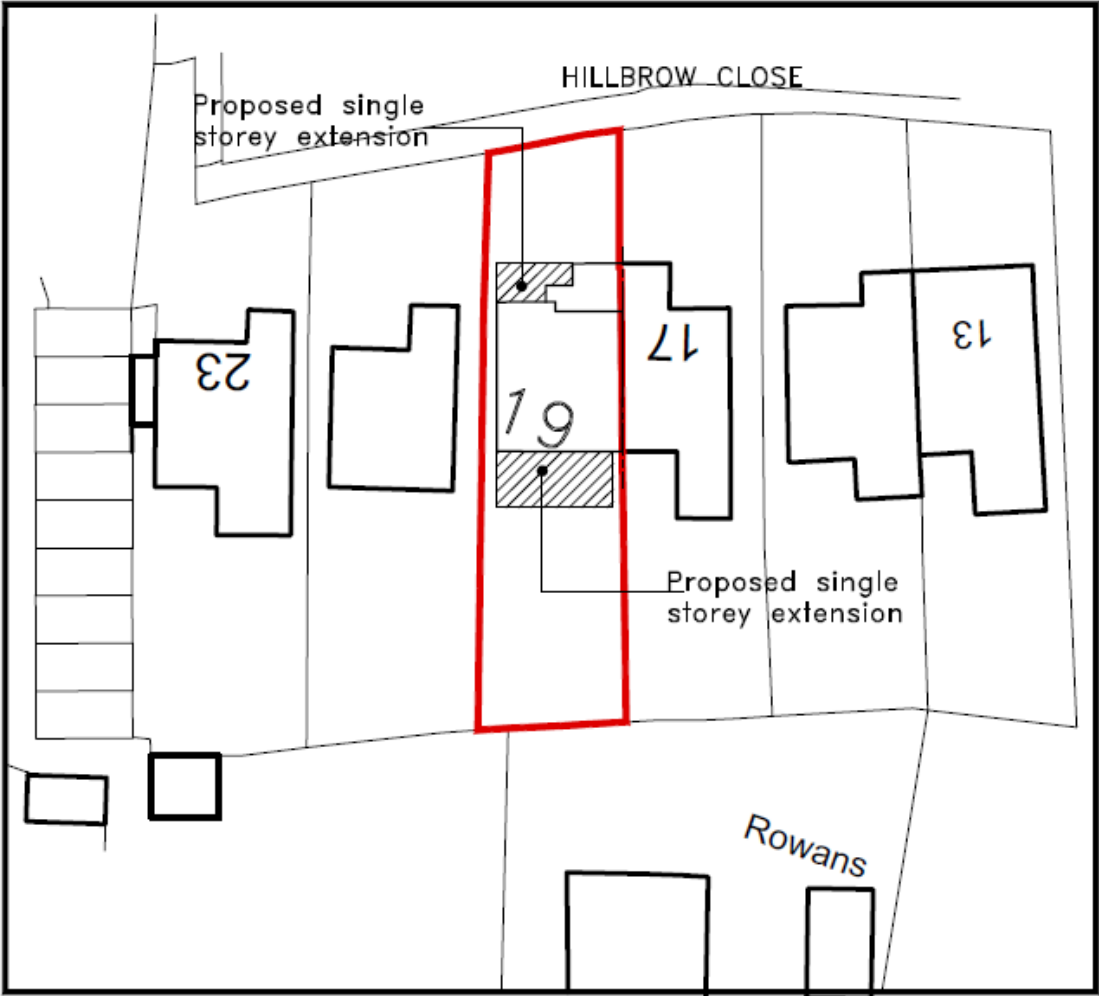


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GUILDFORD
BOROUGH

23/P/01428 – 19 Hillbrow Close, Guildford



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App No: 23/P/01428 **8 Wk** 10/11/2023
Deadline:

Appn Type: Full Application

Case Officer: James Tang

Parish: Worplesdon

Ward: Worplesdon

Agent : Mr S. King

Applicant: Mr and Mrs Ryder

Simon King Planning and
Design Service
1A Church Street
Godalming
GU7 1EQ

Location: 19 Hillbrow Close, Wood Street Village, Guildford, GU3 3DF

Proposal: Proposed single storey front extension, conversion of garage to habitable accommodation and single storey rear extension.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because in accordance with paragraph 18.3 in part 5 of the council's constitution the applicant is related to a council employee.

Key information

The proposal is for a garage conversion, front extension and a rear extension.

Summary of considerations and constraints

The proposed garage conversion and extensions would not have an adverse impact on the visual amenities of the street scene, or the character of the area and property. The proposal would not materially impact on the amenities of the occupiers of the adjacent properties and the resultant property would comply with the adopted car parking standards. The proposal is considered to comply with policies with the Guildford Borough Local Plan Strategy and Sites 2015 - 2034 and the Guildford Borough Local Plan Development Management Policies.

RECOMMENDATION:

Approve - subject to the following condition(s) and reason(s) :-

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

Reason: To comply 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 development hereby permitted shall be carried out in accordance with the following approved plans: 14, 15 and 16 received on 23/08/2023.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

3. The external finishes of the development hereby permitted, including making good to the retained fabric, shall match in material, colour, size, style, bonding, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the building is satisfactory.

Informatives:

- . If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk
- . This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and

proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre-application advice service in certain circumstances
- Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

- Pre-application advice was not sought prior to submission and:
 - The application was acceptable as submitted

Officer's Report

Site description.

The site consists of the right side of a pair of semi-detached two-storey dwellings located on the south side of the cul-de-sac of Hillbrow Close. It has a pitched tile roof and brick and render to its elevations. It has an integral garage with off street parking to the front of the property.

It is located in a residential neighbourhood characterised by a mixture of two storey detached and semi-detached dwellings of a similar design and size. The front gardens of the properties are generally open plan, with low level front boundary screening to a limited number of properties.

Proposal.

The applicant has applied for a Full Planning Application for a front extension, conversion of garage to habitable accommodation and a rear extension. The proposed front extension would be single-storey and would have a width of 2.9 metres, and a depth of 2.0 metres. It would feature a lean-to roof and would have a maximum height of 3.2 metres. Two rooflights would also be installed. The existing garage would be filled with facing brickwork and a window would be added to the wall and be converted into a habitable accommodation. The proposed rear extension would be single storey and would have a width of 6.2 metres and a depth of 3 metres. It would have a pitched roof and would have a maximum height of 3.3 metres. It would feature a rear-facing patio doors and 2 rooflights. The existing door on the west side elevation would be replaced by a window. The application form has confirmed that materials used for the proposed alterations would match existing materials.

Relevant planning history.

None.

Consultations.

Parish Council

Worplesdon Parish Council: No comments received.

Third party comments.

No letters of representation have been received

Planning policies.

National Planning Policy Framework (NPPF) 2021

1. Achieving sustainable development
2. Decision-making
3. Achieving well-designed places

Guildford Borough Local Plan: Strategy and Sites 2015 - 2034

S1. Presumption in favour of sustainable development

D1. Place shaping

Guildford Borough Council: Development Management Policies (LPDMP) March 2023

Guildford's Local Plan Development Management Policies (LPDMP) was adopted by the Council on 22 March 2023. This now forms part of the statutory development plan and the policies are given full weight.

D4. Achieving High Quality Design and Respecting Local Distinctiveness

D5. Protection of Amenity and Provision of Amenity Space

H4. Housing Extensions and Alterations including Annexes

ID10. Parking Standards for New Development

Supplementary planning documents (SPD)

Residential Extensions and Alterations SPD 2018

Parking Standards for New Developments SPD 2023

Planning considerations.

The main planning considerations in this case are:

- Impact on the scale and character of the existing site
- Impact on the character and visual amenities of the street scene of the area
- Impact on neighbour amenity

Impact on the scale and character of the existing site

The Residential Extensions and Alterations SPD 2018 (SPD) states that any development or alteration should be subordinate to and in character with the existing site.

Front extension

The proposed front extension would be single storey and would have a width of 2.9 metres and a depth of 2 metres. This would result in a 6 square metres increase in ground floor space. It would fill in a L-shaped corner gap at the front elevation and would not protrude beyond the existing building line. Therefore, the proposed front extension would be considered of a modest scale.

The proposed front extension would feature a lean-to roof, which would not match with the existing flat roof on the ground level of the front elevation. However, it would match with the pitched main roof and would look subservient to the main dwelling. The application form and drawing plans have also confirmed that the proposed building materials would match the existing materials. As such, the proposed front extension would be considered acceptable.

Rear extension

The proposed rear extension would be single storey and would have a width of 6.2 metres and a depth of 3 metres. This would result in a 18.6 square metres increase in ground floor space. Although the scale of development would be considerable, as it would be single-storey, it would not be so substantial so as to warrant refusal. The application form and drawing plans have also confirmed that the proposed building materials would match the existing materials. Therefore, it is considered that the proposed rear extension would be considered acceptable.

Accordingly, the proposed development would comply with Policies D1 of the LPPS, D4 and H4 of the LPDMP, The NPPF and the Residential Extensions and Alterations Guide SPD 2018.

Impact on the character and visual amenities of the street scene of the area

The SPD also states that any development or alteration should be in character with the street scene of the area.

Front extension

Front elevation is visible on the street scene and has a direct impact on the street as a whole. The SPD stresses that it is particularly important to consider the symmetry and design of the front elevation on semi-detached properties. The application site is the right side of a pair of semi-detached properties and the two properties share the same flat roof for their garages at the ground level. While the proposed front extension would change the roof form into lean-to roof, which would result in an asymmetric outlook, the proposed design and materials would blend in the properties as a whole and would not look overly dominant. Moreover, examples of both flat roof and pitched roof front extensions are found in the area, such as 13 Hillbrow Close. Upon balancing these considerations, it is considered that the proposed front extension would not have a detrimental impact on the street scene of the area, and would be considered acceptable.

Rear extension

The proposed rear extension would not be visible from the street. Therefore, it would not have an impact on the street scene of the area.

Accordingly, the proposed development would comply with Policies D1 of the LPPS, D4 and H4 of the LPDMP, The NPPF and the Residential Extensions and Alterations Guide SPD 2018.

Impact on neighbour amenity

The SPD states that any development or alteration should not result in any significant loss of privacy and amenity to the neighbours or be overbearing or unduly intrusive. The neighbour most impacted by this proposal would be 17 Hillbrow Close and 21 Hillbrow Close. 17 Hillbrow Close is the left side of the pair of semi-detached properties and shares a party wall with the application site. 21 Hillbrow Close is located immediately west to the application site and they share a boundary.

Front extension

The front extension would extend the property closer to the road than the existing dwelling and would be visible from the adjacent neighbouring property, however, given the juxtaposition between the two properties and the limited depth and design of the extension it is considered that the proposal would not unduly affect the amenities of the occupiers of the adjacent neighbouring properties.

Rear extension

The proposed rear extension would also be single-storey and would feature a rear-facing French door window and 2 rooflights. The extension would extend to a depth of 3 metres along the boundary with the attached neighbouring property. The proposal would have a pitched roof with an eaves height closest to the boundary at a height of 2.3 metres which is defined by a 1.8 metre high (approx.) wooden boundary fence. The proposal would not extend any closer to the adjacent neighbouring property than the existing dwelling and views to and from the extension would be obscured by boundary screening. It is therefore considered that the proposed rear extension would not result in any significant loss of privacy and amenity to the neighbours.

A door on the west side elevation is proposed to be replaced by a window. This would unlikely increase loss of privacy and amenity to 21 Hillbrow Close, and therefore would be considered acceptable.

Accordingly, the proposed development would comply with policies D5 and H4 of the LPDMP, the NPPF and the Residential Extensions and Alterations Guide SPD, 2018.

Parking spaces

The proposal involves conversion of a garage to a habitable accommodation, which would lead to a loss of a parking space at the site. However, the dwelling is set back from the street and there is a driveway to the front of the property with off road parking for at least two vehicles. The adopted parking standards requires two parking spaces for a three bedroom property. Whilst these are maximum standards the proposal would comply with this.

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