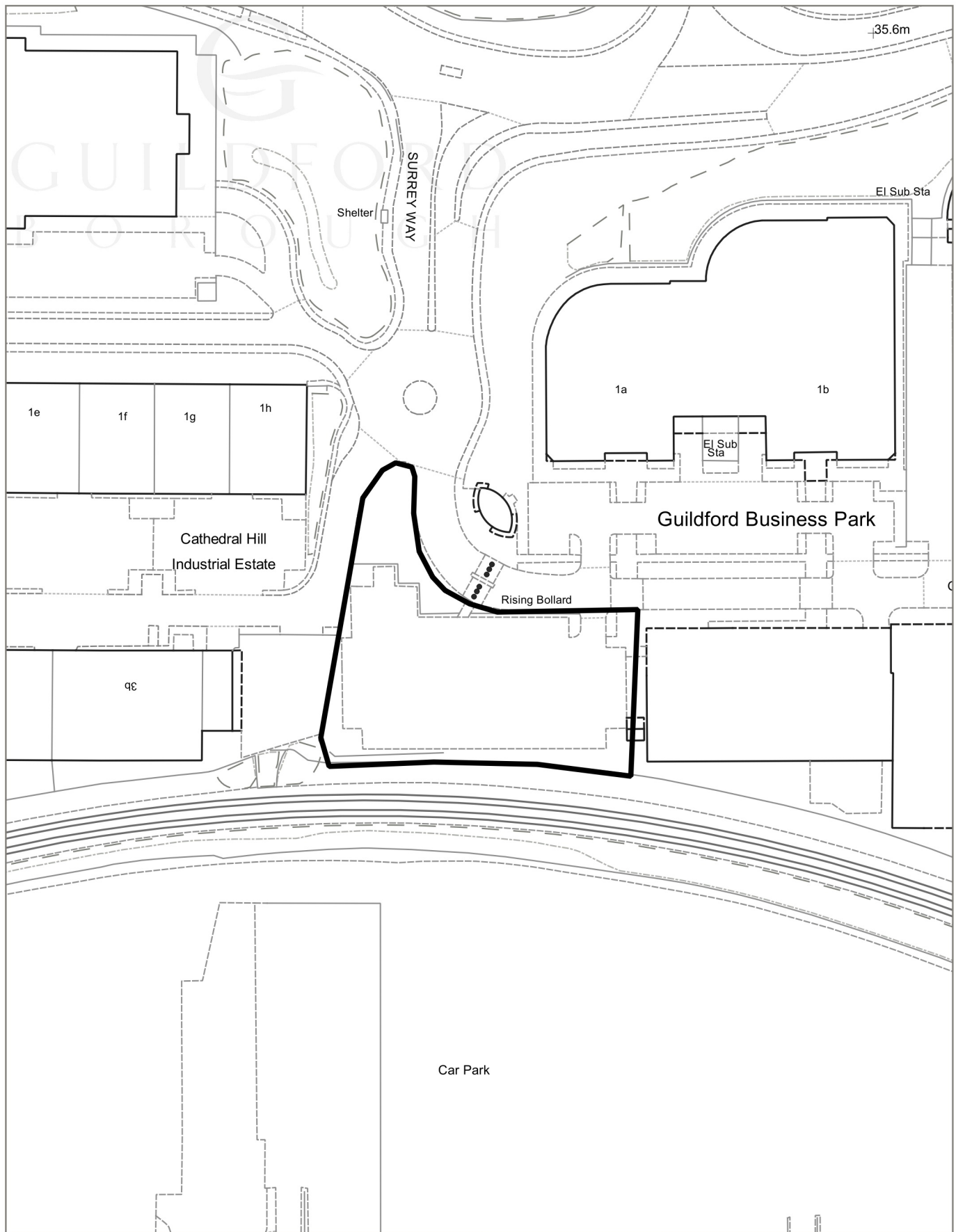


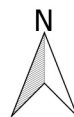
20/P/00481 - Plot 5, Guildford Business Park, Guildford Business Park Road, Guildford



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Print Date: 15/03/2021

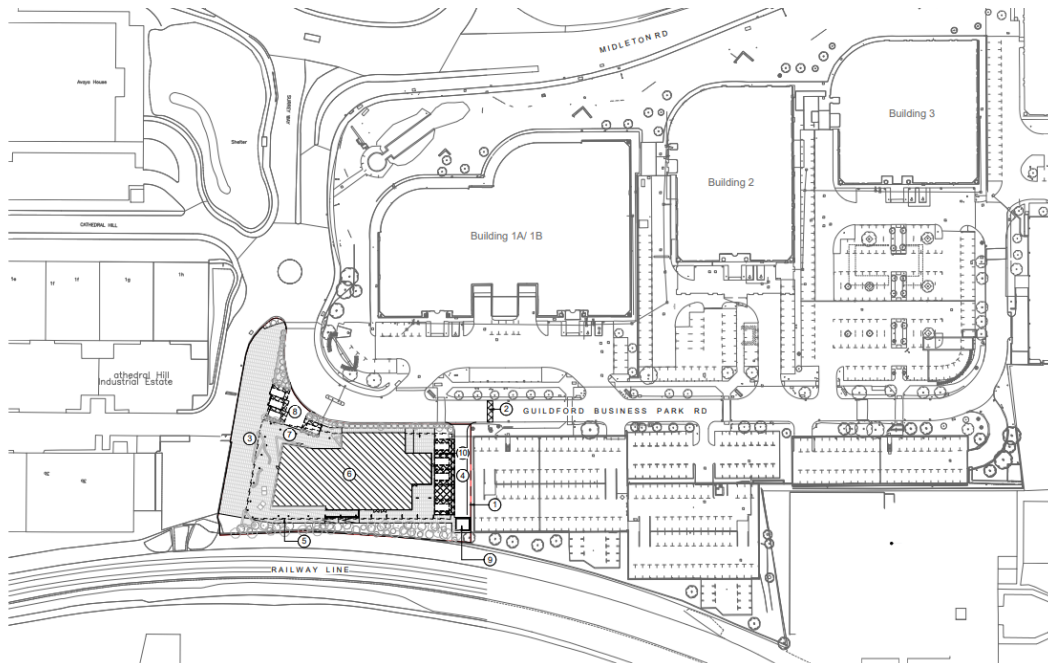


Not to Scale



GUILDFORD
BOROUGH

**20/P/00481 – Plot 5, Guildford Business Park, Guildford Business
Park Road, Guildford**



Not to scale



App No: 20/P/00481
Appn Type: Full Application
Case Officer: Kelly Jethwa

8 Wk Deadline: 15/06/2020

Parish: Onslow
Agent : Mr B Kitcherside
Chart Plan (2004) Ltd
Eden House, Suite 11F
Enterprise Way
Edenbridge
TN8 6HF

Ward: Onslow
Applicant: Mr J Lawes
Pavilion Trustees Ltd & Pavilion
Property Trustees Ltd.
47, Esplanade
St Helier
Jersey
JE2 0BD

Location: Plot 5, Guildford Business Park, Guildford Business Park Road, Guildford, GU2 8XG

Proposal: Redevelopment to provide purpose built student accommodation including 360 bedspaces, support ancillary student services (such as study spaces, gymnasium, games rooms, lounge areas, student hub) car and cycle parking, access and landscaping arrangements.

Executive Summary

Reason for referral

The application has been referred to committee at the discretion of the Planning Development Manager given the importance of the decision and the potential implications for our Strategic Employment Sites.

Key information

The application proposes the erection of a new six-storey building for student accommodation. The development would include 360 student bed spaces, as well as ancillary student spaces including study spaces, a gym, games rooms and student hub. Access to the site would be from the estate road within the Business Park.

Summary of considerations and constraints

The application site is a Strategic Employment Site (SES) as identified by the Guildford Borough Local Plan: Strategy and Sites (LPSS). Policy E3(9) of the LPSS seeks to retain employment land for employment uses. The policy also provides criteria against which departures can be considered. These would include at E3(10) and E3(11), where it has been demonstrated through a marketing exercise that employment development is not likely to take place and that all other employment generating, and ancillary uses have been explored, justified by evidence of an active and comprehensive marketing exercise. The applicant has submitted a test of marketing, including a further submission following the recent appeal decision on a similar scheme that was dismissed by the Planning Inspectorate. Both of which the Council have had independently assessed. However, a planning judgement has to be made taking into account the tests submitted, the review of this and the appeal decision. When assessed against these tests of marketing, the judgement taken is that these do not justify the loss of 0.35 hectares of employment land for office, other employment generating uses or complementary or ancillary

accommodation to support the function of this important site on a wider Strategic Employment Site (SES).

The development through an associated application would deliver additional student accommodation and it is accepted there is some demand for student accommodation in the area. The development would also contribute to the Council's five-year housing land supply. The development would also allow the delivery of a new bridge over the railway line and this would have some benefit beyond the remit of the development. Whilst these matters weigh in favour of a grant of planning permission, they do not amount to material considerations sufficiently strong enough to outweigh the conflict with the development plan identified above.

The proposals would also fail to meet the requirements for policy D2, as the proposed development has not demonstrated in detail that sustainable design and construction principles would be incorporated, the minimisation of minerals and waste, measures to enable sustainable lifestyles, the application of the energy and waste hierarchies and use of Combined Cooling, Heat and Power ((C)CHP) within in the within Heat Priority Area.

Accordingly, it is recommended that permission be refused.

RECOMMENDATION:

Refuse - for the following reason(s) :-

1. The development proposed would result in the loss of a site that should continue to be available as a Strategic Employment Site. The development would fail to protect the integrity of this Strategic Employment Site and would reduce the capacity and adaptability of the Borough's Employment Land Supply. It has not been demonstrated that the land could not provide a beneficial employment use to both current and alternative suitable B class employment uses and other employment generating uses or one which would be complementary or ancillary to the existing Business Park. The marketing information provided falls short of the active, continuous and comprehensive marketing justification required for the loss of employment capacity on protected employment sites. Accordingly, the development would be contrary to Policy E3 of the Guildford Local Plan: Strategy and Sites 2015-34 and the objectives of section 6 of the National Planning Policy Framework.
2. The proposals involve a new building and the NPPF seeks to avoid increased vulnerability to the range of impacts arising from climate change and to reduce greenhouse gas emissions. The applicant has not demonstrated in detail that sustainable design and construction principles would be incorporated, the minimisation of minerals and waste, measures to enable sustainable lifestyles, the application of the energy and waste hierarchies and use of Combined Cooling, Heat and Power ((C)CHP) within in the within Heat Priority Area. Accordingly, the proposal would be contrary to Policy D2 of the Guildford Borough Local Plan: Strategy and Sites (LPSS) 2015-2034, Climate Change, Sustainable Design, Construction and Energy SPD and would conflict with paragraph 153 of the NPPF and advice in the PPG and the National Design Guide (NDG).

3. In the absence of a planning obligation to secure the delivery and maintenance of the proposed footbridge, (ref 20/P/00481) the proposed development would result in an isolated residential development that would not have any physical or functional connection to the University campus. The development would also fail to make the best of opportunities for promoting sustainable transport options. Accordingly, the development is contrary to the objectives of policies H1, D1 and ID3 of the Guildford Local Plan: Strategy and Sites 2015-34 and the objectives of sections 5, 8 and 9 of the National Planning Policy Framework.
4. The site lies within the 400m to 5km zone of the Thames Basin Heaths Special Protection Area (TBHSPA). The Local Planning Authority is not satisfied that there will be no likely significant effect on the Special Protection Area and, in the absence of an appropriate assessment, 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). In this respect, significant concerns remain with regard to the adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use, damage to the habitat, disturbance to the protected species within the protected areas and road traffic emissions. As such the development is contrary to the objectives of 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 (LPSS) 2015-2034 and conflicts 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.
5. In the absence of a completed planning obligation the development fails to mitigate its impact on infrastructure provision. This may include, but is not limited to the following:
 - Financial contribution towards SANG and SAMM (in accordance with the updated tariff);
 - a contribution towards the cost of the provision of Real Time Passenger Information Systems within the building
 - a contribution towards the cost of the travel plan monitoring; and
 - occupation restrictions to students in full time education at an institution within the Borough of Guildford.

Accordingly, the proposal would be contrary policies ID1 and ID3 of the Guildford Borough Local Plan: Strategy and Sites (LPSS) 2015-2034, Planning Contributions SPD 2017 and the NPPF.

Informatives:

1. 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

In this instance, while the applicant engaged in pre-application advice and resolved a number of issues raised at an early stage. The applicant was given the opportunity to submit additional information following the appeal decision. However, it has not been able to agree on the principle of the development and the overall conflict with the Development Plan.

Officer's Report**Site description**

The application site comprises an area of Guildford Business Park generally known as Plot 5 and consists of an area of car parking and landscaping. Guildford Business Park (GBP) is bordered by railway lines to the south, with the University of Surrey and Guildford Cathedral further to the south. To the north west of the business park, is Cathedral Hill Business Park and to the west is the Deacon Field Industrial Estate consisting of industrial buildings used for warehousing and small business units for car servicing. To the north, the site overlooks the A25 and the A3 with a predominantly suburban area beyond.

The business park has undergone a rebranding programme consisting of redesigning the park's landscaping and external areas, general renewal and update of existing building facades, new external signage and the provision of a new security hut and cafe. The full refurbishment of unit 2 has also recently been completed. Guildford Business Park is on an elevated site to the north of Guildford town centre overlooking the A3 road. It is in a prominent position both for its own visibility and the views to the surrounding area including Guildford Cathedral.

This wider business park site of 1.2 hectares lies in the urban area of Guildford, it is identified as a Strategic Employment Site (SES) and is also partially in an areas at low and medium risk of surface water flooding. The site is within the 400m to 5km zone of the Thames Basin Heaths Special Protection Area (TBHSPA).

Proposal

Proposed six storey purpose-built student accommodation block including 360 bed spaces, support ancillary student services (such as study spaces, gymnasium, games rooms, lounge areas, student hub), car and cycle parking, access and landscaping arrangements.

The ground floor of the building will provide a double height entry space (creating a seven storey height building) and reception as well as social and learning areas. This would include study spaces and a gym. The first floor would include games and cinema rooms and a laundry.

Of the residential rooms provided, there would be 291 on-suite cluster rooms with 69 studio units.

Relevant planning history

Guildford Business Park has a long and complex planning history. The planning history most relevant to this application are those for 'Unit 5' which includes:

19/P/00407 - Proposed six storey purpose-built student accommodation block including 360 bed spaces, support ancillary student services (such as study spaces, gymnasium, games rooms, lounge areas, student hub), car and cycle parking, access and landscaping arrangements.

Refused (03/02/2020), Dismissed on appeal (26/10/2020)

19/P/00406 - The construction of a footbridge linking Guildford Business Park to the University of Surrey over the Wanborough railway line.

Granted (17/10/2019)

17/P/02243 - Proposed development for office purposes, car parking and ancillary areas

Approved (07/07/2017)

16/P/01009 - Lawful Development Certificate for existing use to establish whether implementation has started of planning permission 12/P/01894 approved 03/05/13 by the erection of the car park support structures.

Granted (08/07/2016)

12/P/01894 - Erection of a new office building comprising office space, reconfiguration of parking area and erection of a parking deck to provide 40 spaces (33 replacement and 7 additional).

Approved (03/05/2013)

Consultations

Statutory consultees

County Highway Authority: No objection subject to conditions including construction of footbridge and travel plan and a contribution towards the cost of the provision of Real Time Passenger Information Systems.

Highways England: No objection, subject to restricted student parking and travel plan

Environment Agency: No objection, subject to a condition preventing piling using penetrative methods

Natural England: No objection provided the development complies with the Councils TBHSPA Avoidance Strategy

Lead Local Flood Authority: No objection subject to conditions for a detailed surface water drainage scheme and verification report

Internal consultees

Environmental Health: No objection and any exceedances of the relevant Air Quality Objectives at this location, subject to conditions

Non-statutory consultees

County Archaeology: No objection and no archaeological concerns

Amenity groups / Residents associations

Guildford Society: object and have raised the following matters:

- overdevelopment – bulk and scale
- harm to viewpoints in Guildford
- harm to the setting of Guildford Cathedral
- inadequate car parking
- unsustainable location
- premature to conclude no demand from marketing test for pre-let
- retained for future commercial use

Third party comments

One objection response was received, raising the following matters:

- out of character – 6 storeys other building 2-3 storeys
- conflict of uses
- increase traffic congestion

Planning policies

National Planning Policy Framework (NPPF)

Chapter 2. Achieving sustainable development

Chapter 4. Decision-making

Chapter 5. Delivering a sufficient supply of homes

Chapter 6. Building a strong, competitive economy

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

Planning Policy Guidance (PPG)

National Design Guide (NDG)

Guildford Borough Local Plan: Strategy and Sites (LPSS) 2015-2034

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies):

Policy S1 Presumption in favour of sustainable development

Policy S2 Planning for the borough - our spatial strategy

Policy H1 Homes for all

Policy P4 Flooding, flood risk and groundwater protection zones

Policy P5 Thames Basin Heaths Special Protection Area

Policy E3 Maintaining employment capacity and improving employment floorspace

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

Evidence base:

Employment Land Needs Assessment 2017

Guildford Borough Economic Strategy 2013 – 2031

West Surrey Strategic Housing Market Assessment (SHMA) 2015

West Surrey SHMA Guildford Addendum Report 2017

South East Plan 2009:

Policy NRM6 Thames Basin Heath Special Protection Area

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

Policy G1 (3), (4), (8), (13) General standards of development

Policy G5 (2), (3), (4), (5), (7), (8), (9) Design code

Policy H4 Housing in urban areas

Policy HE4 New development which affects the setting of a listed building

Policy NE4 Species protection

Policy R2 Recreational open space provision in relation to large new residential developments

Supplementary planning documents

Climate Change, Sustainable Design, Construction and Energy SPD 2020

Guildford Town Centre Views SPD 2019

Planning Contributions SPD 2017

Thames Basin Heaths Special Protection Area Avoidance Strategy 2017

Guildford Landscape Character Assessment 2007

Vehicle Parking Standards SPD 2006

Residential Design SPG 2004

Surrey Design 2002

Guidance

Surrey County Council Vehicular and Cycle Parking Guidance 2018

Planning considerations

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as 7.34 years based on most recent evidence as reflected in the GBC Land Availability Assessment (LAA) (2020) and updated five year land supply position statement. In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2020 measurement is 90%. The buffer that needs to be applied to our five year housing supply (as set out in NPPF para. 73) is now 5% rather than 20%. This change is reflected in the updated five year land supply position statement. For the purposes of NPPF footnote 7, this is therefore greater than the threshold set out in paragraph 215 (85%). Therefore, the LPSS and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

Background

An application for the same proposal was refused under 19/P/00407 and dismissed on appeal in October 2020. This appeal carries significant weight in decision-making, as the matter of the loss of the strategic employment land is the main policy consideration. The marketing strategy which was before the Inspector has not changed. The main changes are that there has been some updating of the marketing carried out and additional information on the marketing carried out alongside the main marketing for alternative uses.

This is a summary of the points in the Inspector's report, full copy provided in Appendix 1:

- para 7 - active and comprehensive marketing required under the policy applies to both current and alternative suitable B class employment uses and other employment generating uses
- para 9 - 'All Enquiries' approach provides the assumption that the site is available for alternative uses, which would include other B class and employment generating uses
- para 10 – comprehensive marketing test focused on the extant planning permission for office use, compared to the marketing for alternative uses is not of the same standard so not comprehensive and active
- para 13 – loss of employment land in a SES and affects the availability of employment land

The main planning considerations in this case are:

- the principle of development
- the need for student accommodation and the impact on housing supply
- the impact on the character and the appearance of the area of the area
- the level of parking and the impact on highway safety
- the quality of the residential environment created
- the impact on Heritage Assets
- the impact on air quality
- the impact on the Thames Basin Heaths Special Protection Area
- legal agreement

The principle of development

The application site comprises part of Guildford Business Park which is designated as a Strategic Employment Site (SES) by the LPSS. Policy E3(9) of the LPSS makes clear that Strategic Employment Sites are to be protected for the purposes for which they were designated, which for Guildford Business Park, is for the provision of B1(a) and B1(b) uses. Land and floorspace within the Strategic Employment Sites are to be protected and the loss of land within these protected sites is to be strongly resisted. The loss of land and floorspace can only be supported by policy E3(10) if evidence is provided of active and comprehensive marketing of the site for a period at least two years. Policy E3(11) states that this should also include consideration of alternative B class uses and other employment generating uses and the policy also notes that ancillary and complementary uses should also be considered. Policy E3(14) allows for redevelopment or change of use to a non-employment use only where the land or premises are unsuitably located in terms of its impact on the environment, levels of traffic movement, its accessibility to public transport and its link with the infrastructure, and its impact on the amenity of the area or adjoining occupiers. This is not relevant in this case as the site is a SES.

Therefore, development involving the loss of employment land may accord with Policy E3 only where the requirements of E3(10), E3(11) and E3(14) have been satisfied. Even where they are met, this would not mean overall accordance with the policy. That is a planning judgment to be reached in the round. Consequently, even a development which satisfies the criteria in E3(10) and E3(11) may nevertheless be in conflict with the policy as a whole, by virtue of the protection afforded to employment land under E3(9) for B1(a) and B1(b) uses and the support for ancillary uses in E3(15).

The proposal would not result in the loss of existing floorspace as the land is being used as a car park. The ability of the site to deliver employment floorspace is demonstrated by the extant planning applications and 2012 planning permission which is included in the Council's Employment Land Needs Assessment as this is an implemented planning permission. It should however be noted that the extant planning permissions are unlikely to be the only option to potentially providing commercial floorspace on this site and the lack of any existing building potentially make this a flexible site capable of delivering a range of different types of development, suitable for the business park. The site is described as a pre-let/pre-sale as it is effectively an off plan building and requires a long-term commitment from the prospective owner/occupier often years ahead of occupation.

The applicant appears to accept that a marketing exercise for the site is required and has submitted a number of documents that they have advised comprises their 'Test of Marketing'. This details the steps that have been taken to market the site and the extant permissions, highlights the completion for office floorspace in the area and reviews the property market for office accommodation in this location. Following the issue of the appeal decision for 19/P/00407, the applicant was invited to submit additional information, they submitted a document called 'Alternative Use Enquiries.' The Council instructed Kingstons a local commercial property agent to independently review the marketing information submitted, this is a summary of their conclusions on the marketing information:

- the site has been marketed for 5 years
- Marketing carried out: brochure; 400 commercial agents contacted; boards; sponsorship of breakfast club; website; targeted approaches and 'all enquiries approach' for leasehold and freehold
- rental quoted of mid-£30 per sq. foot is consistent with the market in Guildford
- two firms have been instructed

In some instances, the marketing was for the whole of the business park and other buildings. So was not specific to plot 5 and marketing events involving other buildings were used to promote Plot 5 as a linked proposition.

In the 'Alternative Use Enquiries', 12 enquiries were generated after March 2019 (previous marketing details were seen by the Inspector). This includes enquiries from:

offices - use B1(a), now E(g)

medical - use D1, now E(e)

educational institutions – use D1, now F1(a)

pharmaceutical purposes and laboratory- use B1(c), now E(g)

Therefore, the marketing approach did generate enquiries from other employment generating uses.

It is clear from the information provided that the marketing of the extant planning permission on a pre-let basis appears to be comprehensive. This was agreed by the Inspector in the appeal and by Kingstons in their review.

However, the Inspector and the Council were unsatisfied on the previous application (19/P/00407) on the active and comprehensive marketing for other B class and employment generating uses.

The 'all enquiries' approach adopted has been judged to be a reasonable one by Kingstons for this pre-let site, as it suggests that alternative uses would also be considered. They attribute the absence of offers as being the result of "the nature of pre-let", as opposed to the manner in which the land comprising the site could have been marketed (i.e. not as a pre-let) which would have overcome this difficulty. Arguably, an 'all enquiries' marketing campaign which focuses heavily on pre-let is simply not comprehensive enough. Nevertheless, the outcome in the 'Alternative Use Enquiries' document for this marketing strategy, has resulted in interest from alternative uses and is acknowledged as a high number of enquiries by Kingstons.

The 'all enquiries' approach commenced in 2017 alongside marketing on a pre-let basis specifically targeting office occupiers which had been in progress since 2015. The Inspector specifically identified in, para 10:

"Notwithstanding this, the evidence put forward appears to focus on marketing the site for development of the extant planning permission for office use, which in this regard is comprehensive. The site being available for other uses as part of an 'All Enquiries' approach is not consistent in the evidence, in particular within the published marketing material. As such, on the evidence presented, the marketing undertaken in respect of alternative uses appears to lack prominence and consistency and therefore falls short of being regarded as adequate as part of a comprehensive and active exercise."

The test of marketing provided does not address this matter. The marketing for the office use has not been carried out to the same level of consistency as for the non-office uses. The only additional information are details of the alternative use enquiries. The applicant has maintained a generalised approach using the 'all enquiries' model and with no change in their marketing strategy to address this short-coming. Therefore, it is not possible to come to a different conclusion than the Inspector that there has not been a comprehensive and active marketing exercise for the alternative B class and employment generating uses in accordance with Policy E3. Moreover, there seems to be much less detail provided in respect of how the leasehold and

freehold has been marketed to secure employment floorspace that is not limited to the extant planning permissions currently available on the site.

The evidence of interest in alternative uses demonstrates that there is some prospect of this pre-let/pre-buy site coming forward for non-office uses that could generate employment. Given the 'all enquiries' approach has been carried out using a different approach to the office use, there may be market demand for other B class and employment generating uses as the economy recovers from the pandemic. However, at this time the marketing test provided does not justify loss of employment land from the SES.

Policy E3(9) seeks to protect the SES, and not just floorspace within the site and the land within these sites. As the application site, has the potential to offer different development opportunities for employment generating uses that may not be suitable to the large-scale floorplates of the other buildings on the site. The ability of the site to provide additional employment floorspace elsewhere on this site is not considered sufficient justification to outweigh the policy conflict identified above.

Having regard to all of the above it is considered that the loss of employment land on this SES would be contrary to Policy E3 of the LPSS and the objectives of section 6 of the NPPF. The development would fail to protect the integrity of this Strategic Employment Site and would reduce the capacity and adaptability of the Boroughs Employment Land Supply.

While this development is considered to be unacceptable due to the lack of sufficient justification in accordance with policy E3(11), this recommendation is based on the information available and that which has been submitted by the applicant. Each application must be considered on its merits and this decision should not be seen as setting a precedent for non B1(a) and B1(b) uses in this SES, or for non-employment related development on this site, or on other allocated employment sites. Each application must be considered on the strength of the information submitted at the time and viewed against the criteria set out in Policy E3 of the Local Plan. Even if the policies E3(10) and (11) were deemed to have been satisfied this alone is not enough to satisfy policy E3(9) which is a planning judgement and will be addressed in the planning balance against other relevant material considerations.

The need for student accommodation and the impact on housing supply

Guildford is home to a number of higher and further education establishments. These include The University of Surrey, The University of Law, Guildford College, The Academy of Contemporary Music and the Guildford School of Acting. Of these the University of Surrey is by far the most significant in terms of generating demand for student accommodation.

It is accepted that there is demand for student accommodation in Guildford, however there are a number of accommodation options currently available, these are summarised in Table 1 below. There have also been a number of other applications for student accommodation some of which are consented and under construction. This is summarised in the Table 2.

Table 1

University of Surrey		
Site:	Bed spaces	Notes
Stag Hill Campus, Stag Hill, Guildford	3,042	Predominantly en-suite cluster rooms with shared cooking facilities
Manor Park Campus, Egerton Road, Guildford	2,315*	Predominantly en-suite cluster rooms with shared cooking facilities
Hazel Farm, Cumberland Avenue, Guildford	349	Predominantly en-suite cluster rooms with shared cooking facilities
Sub total	5,706	
Private / Third Party		
Site:	Bed spaces	Notes
Scape, Walnut Tree Close, Guildford	141	Includes a mix of en-suite cluster rooms and studios
The YMCA, Bridge Street, Guildford	112	Includes catered en-suite cluster rooms. Is available to students as well as other occupants for short / medium term tenancies.
Sub total	233	
Total_5,939_		

*as of September 2020

Table 2

Planning Permissions			
Ref:	Site:	Bed spaces	Status / Notes
19/P/0053 5	Land at Guildford College, Lido Road, Guildford	533	Under construction
19/P/0026 7	Kernel Court (Scape 2), Walnut Tree Close, Guildford	403	Under construction
18/P/0222 6	Bishops Nissan, Walnut Tree Close, Guildford	361	Under construction
18/P/0239 1	1 & 2 Ash Grove, Guildford	88	Granted, not yet commenced
20/P/0146	Just Tyres, Walnut	99	Under construction

0	Tree Close, Guildford		
Sub total		1,484	
Current Applications			
Ref:	Site:	Bed spaces	Status
21/P/00291	1 & 2, Ash Grove, Guildford	12	Decision pending
Sub Total		12	
Site Allocations			
Ref:	Site:	Bed spaces	Status
Policy A18	Land at Guildford College, Lido Road, Guildford	≈ 200*	Planning Permission Granted (17/P/00509)
Policy A34	The University of Law	≈ 112	
Sub total		312	
Total		1,608	

*not included in total to avoid double counting

As can be seen from Table 1 there are currently a range of accommodation options available for students in Guildford and the University of Surrey has undertaken significant investment in new student accommodation at its Manor Park campus. When combined with the additional development underway as set out in Table 2 this provides for a total 7,535 bed spaces (excluding 21/P/00291 for 12 bed spaces), with further proposals for additional accommodation at application and pre-application stage.

The Council's Strategic Housing Market Assessment (SHMA) and Addendum report identifies that the number of full-time students at the University of Surrey expected to grow over the next ten years and this is reflected in the Council's Objectively Assessed Need (OAN) for housing.

Policy H1 states that purpose-built student accommodation will be encouraged on campus locations where appropriate and sets an expectation that approximately 60% of full time Guildford based University of Surrey students are to be provided accommodation on campus. Of the 40% of students that are not expected to be provided accommodation on site, some may seek private purpose-built student accommodation close to campus while others may seek alternative types of accommodation. Many students, through personal choice, may prefer to live in shared houses in the town or to live with family or friends in the area. The SHMA indicates that only 50-60% of full time students would seek purpose built accommodation as a first choice and the impact of students seeking shared houses is reflected in the Council's OAN.

The provision of additional student accommodation does have the potential to allow students currently residing in shared houses to access purpose built accommodation. This has the potential to free-up general housing stock for families and other occupants although this is only true in so far as these students living in shared houses due to lack of alternatives as opposed to personal choice. The potential to free-up some general housing stock nevertheless means the student accommodation proposed is capable of contributing to housing supply. However, the Council is able to demonstrate a five-year housing land supply with an appropriate buffer. This supply is currently assessed as 7.34 years based on most recent evidence.

It must also be noted that, like with many areas of society, universities and further education have been significantly impacted by the current COVID-19 pandemic which has reduced on campus student numbers and this is especially true for the University of Surrey, which has a relatively high proportion of overseas students. As is noted above, there is a significant quantum of student accommodation due to be delivered in the next 12-24 months and it remains to be seen whether there will be sufficient remaining demand to fill these developments.

There may be some demand for additional purpose-built student accommodation, although there is not a pressing or urgent need such that it should weigh heavily in favour of a grant of planning permission. Likewise, while the proposal would make a small contribution to boosting housing supply as the Council is able to demonstrate a five year housing land supply with an appropriate buffer and again this should not weight heavily in favour of development and does not trigger the requirement to apply the 'tilted balance'. Given the Council has an up to date Local Plan and a deliverable supply of housing there is no evidence to suggest that the development would reduce the pressure for development in the Green Belt.

For these reasons, and especially given the unique circumstances of the pandemic, at most moderate weight should be attributed to the benefits arising from the provision of student accommodation.

The impact on the character and the appearance of the area of the area

The application site forms part of Guildford Business Park, which is an edge of town commercial estate comprising large office buildings with internal access roads and landscaping. The application site forms part of the site in the south east corner of the site which currently provides surface and decked car parking. While the site is located on the main access road, views of the site from outside the site are limited to those from the access and on longer approaches along the A323. The Business Park is adjoined on both sites by commercial estates and the closest residential areas are well separated from the site by the A3 and other major roads.

The development proposed would comprise of a large detached building that would be comparable in scale to the commercial buildings on this site and of those on the adjoining sites. The proposed building would be designed to stand alone from the other commercial buildings on the Business Park; while the scale of the building would be similar, the external detailing would be distinctly different and the appearance of the building would assist in differentiating this building from the surrounding commercial development.

While the design of the building would be very different to that of the distinctive buildings which front the A25, this is considered to be appropriate given the position within the site and that the development will be of a different use to the other buildings on the site and in the surrounding area. When viewed within the site, the development would read as a standalone building, but would be of a high quality of design that would sit well alongside the more defined character of the frontage building. From outside the site, views of the building would be limited, and the development would have very little impact on the character or the appearance of the wider area.

The development is considered to be of a good quality design that would integrate well with its immediate surroundings and would have very little impact on the character of the appearance of the wider area. Accordingly, the development is considered to comply with the objectives of Policy D1 of the LPSS and the objectives of 12 of the NPPF.

The level of parking and the impact on highway safety

The application site would be accessed from the internal estate road of the Business Park which links to the public highway at the junction of the A25 and the A3. Other than a limited amount of parking for disabled persons and areas for servicing the development includes no parking for the occupants of the development. Accordingly, the development is likely to result in very few vehicle movements to the site and, in fact, is likely to be less than the current use of the site as a car park or for the extant scheme which is for office accommodation. The County Highway Authority have also confirmed it has no objection to the development on highway safety or capacity grounds.

The application site currently provides car parking which is used by the other units at the Business Park and includes approximately eight car parking spaces. The site does however have permission for redevelopment for an office use, and parking for that unit, and the loss of this parking to serve the wider site has previously been considered to be acceptable. There is no reason to suggest that the development would prejudice the retention of a suitable level of car parking on the site and the County Highway Authority has raised no objection to the proposals on these grounds.

While not part of this application, the applicant is also proposing a new bridge over the railway to link the proposed student accommodation with the University. If implemented this would create a convenient and direct route between the Business Park and the University and would encourage walking and cycling as this route would be much quicker than by car or public transport. In the absence of the proposed bridge, students would be required to exit the Business Park towards the A25 and either turn right to access the town via Walnut Tree Close or turn left to access the University via Ash Grove. While both are safe and secure routes, they are far less direct than would be the case with the proposed bridge and would be less likely to encourage walking and cycling as a first choice means of transport.

The bridge proposed is therefore necessary to ensure that this development makes the most of the opportunities available for promoting sustainable modes of transport. There is currently no mechanism in place to secure the delivery of the bridge, or to ensure it will be open, maintained and available for the lifetime of this development. As well as an undertaking from the applicant, it is likely this would require undertakings from Network Rail and the University of Surrey, and there is no evidence to suggest that this is fully deliverable.

In the absence of a suitable mechanism to secure the delivery of the bridge, the development would conflict with Policy ID3 of the LPSS and would conflict with the objectives of section 9 of the NPPF.

The quality of the residential environment created

The application site is currently part of Guildford Business Park and generally comprises car parking associated with the business use of the wider site. Notwithstanding the above, the site is within the urban area, close to the University and residential areas, and the principle of residential development should not be discounted. It is however essential that any residential development creates its own sense of place and should not become a small, isolated, disconnected, residential enclave in a large site that is otherwise commercial.

The location of the site assists this objective and would allow for a clear demarcation between the student accommodation uses and the Business Park site. The site access would be before the secure gate to access the business park and the layout and the landscaping scheme shows how the areas could be differentiated to accommodate the different uses. Residents of the student accommodation would have their own defined areas of private space and while these are relatively limited, the site is in very close proximity to the University which includes large areas of open spaces and various amenities for students. This would be accessed by the proposed bridge and this is essential in ensuring that the student accommodation feel connected to the University, rather than a disconnected accommodation block on a remote Business Park.

The development proposes 360 student bed spaces which are generally provided in the form of cluster rooms but also includes 69 studio apartments. All rooms would have large external facing windows and would benefit from reasonable natural light and ventilation as well as preserving the privacy of the future occupants of the units. The building includes a small area of shared space within the central courtyard of the building. The shared facilities within the building are good and appear to be of reasonable quality. Outdoor amenity space would be provided in the form of the central courtyard and while this area is relatively small, combined with the internal shared facilities, would provide a reasonable quality living environment from the proposed future residents. The development is also in very close proximity to the University campus which has large areas of informal open space. Good access to this campus and outdoor space is essential.

A number of the rooms within the buildings would overlook the train track and the site is also in close proximity to the elevated section of the A3 and the A25 and accordingly the site is in a relatively hostile location in respect of noise. It is therefore necessary for the bedrooms within the development to be insulated from this noise, and where required, provided with means of mechanical ventilation. This could have been secured by a planning condition in the event that permission was to be granted.

It is therefore considered that, while the development would generally provide a reasonable quality of student accommodation, it is essential that the proposed bridge link to the University is provided such that the development does not become an isolated residential development on an otherwise commercial site. There is currently no mechanism in place to secure the delivery of the bridge and it cannot be determined with any great degree of certainty that the bridge could / would be delivered in the event that planning permission was to be granted.

In the absence of a suitable mechanism to secure the proposed bridge, the application would deliver an isolated form of residential development which would fail to adequately integrate with its surroundings. For this reason, the development would conflict with policies H1 and D1 of the LPSS as well as sections 8 and 12 of the NPPF.

The impact on Heritage Assets

The application site is located approximately 1km north of Guildford Cathedral, The Cathedral Church of the Holy Spirit (Grade II* Listed) and the proposed development would have a limited presence in views from the north looking towards the Cathedral.

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 12 of the National Planning Policy Framework at para 129 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. Paras 131-135 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.

The elevated position and its gothic style and central tower create a landmark feature of the town. Also, of value is the wooded context and skyline provided by the many mature trees on and around Stag Hill, which provide an attractive backdrop to the town and setting to buildings including the cathedral and the university campus.

In this instance, the development proposed is a significant distance from the Heritage Assets. The views study SPD recognises that large scale development at Guildford Business Park is more prominent in the winter appearing to merge with the university buildings which further detracts from views of the cathedral at Stag Hill. The Business Park forms part of the wider setting of the Cathedral given the views available of the Cathedral from long range views including approaches along the A322. The building would, however, not extend above the line of existing buildings, including those on the University site, and it is not considered that the development would impact on the setting of the Cathedral on these views.

No material harm to the designated heritage asset has been identified and having due regard to Section(s) 66 of the (Listed Building and Conservation Area) Act 1990 and therefore this duty need not be considered further in the assessment of this application.

The impact on air quality

The applicant has not submitted any air quality assessment. The Council's Environmental Health Officer is satisfied that the proposal are unlikely to lead to any exceedances of the relevant Air Quality Objectives at this location. Consequently, no mitigation measures are required and there would not be any detrimental impact on future occupiers of the development.

The student accommodation will be car free with limited (8 only) spaces for staff and disabled drivers. The transport statement Table 5.2 shows that the proposed student accommodation has the potential to generate a total of 94 two-way person movements of which 16 movements would be vehicular during the AM peak period. During the PM peak period, the proposed student accommodation could generate approximately 125 two-way person movements of which 12 would be vehicular. The majority of movements would be on foot by pedestrians and proposed improvement to accessibility would ensure that the development would not have a detrimental impact on local air quality.

The scale of the proposal would mean that the impact of the construction and demolition phase would be greater, such as dust nuisance. Therefore, to ensure that adjoining uses and occupants would not be harmed, the environmental management at the construction stage would be appropriate and could be secured by condition had the application been supported.

Sustainable design and construction

The NPPF emphasises the need to plan proactively for climate change and new developments are required to meet the requirements of paragraphs 150 through climate change adaption, provision of green infrastructure and reduction of greenhouse gas emissions. Paragraph 153 then states new development should comply with local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Policy D2 of the LPSS is the Council's policy requires new development to take sustainable design and construction principles into account, including by adapting to climate change, and reducing carbon emissions. The Council has adopted the Climate Change, Sustainable Design, Construction and Energy SPD in December 2020. This carries full weight in decision making. This application was submitted after April 2019, therefore, compliance with policy D2 is required.

The information about energy provision is acceptable and is the only element of compliance with Policy D2 that can be ascertained, however, is incomplete without the details on the commercial elements.

The applicant has submitted an Energy Statement, Sustainability Statement and Overheating Analysis however, none of these makes reference to policy D2 (it only refers to the 2011 SPD now superseded). The full application was submitted after the adoption of the LPSS in April 2019, therefore, has to comply with the requirements.

Energy

CHP

The scheme falls within a District Heat Priority Area so should consider (C)CHP distribution networks as a primary source of energy. However, the system should be capable of expanding to connect with other networks and heat sources in the future (also set out in 4.5.36). There has been minimal investigation of heat networks nearby as it simply says they could not find the heat map. There is no acknowledgement that the adjacent Stag Hill Campus has a heat network either and whether a connection to Stag Hill is feasible or not given the intervening railway line. However, policy D2 (para. 4.5.36) does allow for building level systems under the definition of heat network, and they are proposing a building level low carbon heat network to supply hot water, excluding heating. Therefore, this partially meets the requirement.

20% carbon reduction

This would be a gas free scheme, so would gradually decarbonise along with the grid until it becomes zero carbon in the future. This would be very significant, and this approach is strongly supported. The sustainability statements states "No gas boilers or CHP units will be specified thus avoiding any negative effects on local air quality due to onsite combustion." However, the energy statement suggests that the non-residential uses would use gas and the residential use would be gas free (table p. 32), this requires clarification.

Setting aside the matters of gas, these are the positive aspects:

- The building achieves a carbon reduction of 26%.
- The use of air source heat pumps (ASHP) for hot water is positive.
- Space heating for the student residential units would be direct electric so would decarbonise to zero carbon overtime.
- The appraisal of technology options is thorough and accurate they have chosen appropriate

options, not just the easiest options.

D2 does not specify technologies so this is acceptable. This approach may be acceptable subject to clarification on the use of gas fired boilers for the non-residential spaces.

Energy hierarchy

- Under the energy hierarchy, the scheme should follow a fabric first approach, reducing emissions as far as possible through design and fabric before moving on to low carbon energy. The Energy Statement follows the 2011 SPD and they have sought to achieve BREEAM 'very good', and the sustainability statement indicates that they could achieve 'excellent'. The difficulty is in comparing the information provided with the requirements of policy D2 asks for. In this case, if the application were to be approved it would be reasonable to request them to achieve BREEAM 'excellent', which the information provided does indicate would be possible, through proof of certification. Whilst this would not accord with policy D2 the energy strategy would respond to some of the objectives of the energy hierarchy.

However, in the absence of any explanation of why the carbon saving through fabric is only circa 5% and would be seemingly quite low. A condition for a proof of certification to achieve BREEAM 'excellent' would not address this fundamental aspect of the energy hierarchy approach adopted by the Council. If this is the best fabric possible, the energy statement should explain why and this has not been explained.

In the absence of this information it is not possible to confirm that the carbon reduction has followed the energy hierarchy.

Sustainability statement

The sustainability statement refers back to the 2011 SPD, it does not refer to policy D2.

Materials and waste

The information states that the BRE Green Guide to Specification would be used to select materials. However, they do not commit to using materials with low embodied carbon/a low environmental impact. It should state which Green Guide ratings would be achieved or favoured.

Regarding waste, they rely on achieving BREEAM 'very good'. However, under policy D2 details of how the waste hierarchy would be implemented and how resource efficiency would be achieved. The SPD would allow BREEAM 'excellent' in lieu of this information, although they are not proposing that. They state that a Site Waste Management Plan would be implemented and this would be acceptable so could be secured by condition.

There is no information about other types of waste that are likely to arise from the development or how it would be reused, recycled or otherwise diverted from landfill in line with the waste hierarchy, wherever possible.

Landform, layout, building orientation, massing and landscaping

It states that "The architectural design will be optimised to reduce energy use and CO2 emissions..." and provides options such as "Optimising orientation and layout for solar gain and natural daylighting". However, the design is now set so this information should be available at this stage. Again, it devolves this work to the achievement of BREEAM 'very good', which is not acceptable in lieu of information.

Water

Water efficiency achieves the required standard for dwellings of 110 litres per person per day, even though this scheme is non-residential under building regulations and would not be caught by the requirement.

Sustainable lifestyles

The sustainable transport side is strong with good links to buses, trains, a bridge to the campus and 180 secure cycle spaces. The bridge to the campus would encourage walking more widely so brings a broad benefit for climate change mitigation.

There is an absence of details for encouraging energy efficiency from occupants. Again, it is not possible to know whether the policy has been met until the applicant makes clear what measures it intends to implement.

Climate Change Adaptation

Overheating is a key climate change risk in the South East Region and development proposals must include adaptations that reduce this risk, especially where modelling shows that overheating is likely. A CIBSE TM:52 Overheating Analysis has been undertaken, which is an appropriate response to climate change adaptation. It finds no overheating risk. There are positive measures for severe rainfall (e.g. brown roof, attenuation tanks).

The proposal has not provided sufficient details to be satisfied that it would meet the requirements of policy D2 of the LPSS and the Climate Change, Sustainable Design, Construction and Energy SPD and paragraph 153 of the NPPF and a reason for refusal is justified.

The impact on the Thames Basin Heaths Special Protection Area

The application site is located within the 400m to 5km 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 360 (a mix of single and studio) student bed spaces 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 which provides a framework by which applicants can provide or contribute to Suitable Alternative Natural Green Space (SANGS) within the borough which along with contributions to Strategic Access Management and Monitoring (SAMM) can mitigate the impact of development. Contributions are based on the expected occupancy of the development however the strategy advises that applications for student accommodation should be determined on a case by case basis.

Student accommodation does not impact on the SPA in the same way as traditional residential housing. Natural England has advised that 65% of visitors to the SPA visit to walk dogs and 75% of visitors arrive by private car. Given that students are very unlikely to have dogs or have access to private cars Natural England have advised it is appropriate to reduce the contributions required to SANG and SAMM.

In the absence of a completed planning obligation to secure SANG and SAMM contributions it is not possible to conclude that the development would not harm the integrity of the TBH SPA and therefore would not meet the objectives of the TBHSPA Avoidance Strategy, Policy P5 of the LPSS and Policy NRM6 of the South East Plan 2009. For the same reasons the development fails to meet the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

In regards to the potential impact of air pollution on the Thames Basin Heaths SPA and Thursley, Ash, Pirbright & Chobham SAC; air pollution modelling has not been provided, in the submitted Air Quality Assessment.

The student accommodation in itself is unlikely to lead to a significant increase in vehicle movements. Therefore, the potential impact of air pollution on the Thames Basin Heaths SPA and Thursley, Ash, Pirbright & Chobham SAC is likely to experience very limited impact and an air pollution assessment is not required to assess whether the proposal would have an impact on the nearby designated sites.

Planning contributions and legal tests

The three tests set out in Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 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.

Regulation 123 of CIL Regulations states that a planning obligation may not constitute a reason for granting planning permission where the obligation provides for the funding or provision of an infrastructure project or type of infrastructure and five or more separate planning obligations for the funding or provision of that project or type of infrastructure have been entered into.

As the application has been deemed to be inappropriate for a number of reasons, the applicant has not been invited to enter into a legal agreement. However, had the application been acceptable, the following would have been negotiated. The applicant has confirmed that they intend to submit a unilateral undertaking to prove their commitment to delivering the required mitigation and the infrastructure. At this time, this is not signed and executed, to secure the mitigation.

Thames Basin Heaths Special Protection Area

The development is required to mitigate its impact on the TBH SPA in accordance with the TBH SPA Avoidance Strategy SPD and the Planning Contributions SPD. Without this contribution, and as already set out elsewhere in the report, the development would be unacceptable in planning terms and would fail to meet the requirements of the Habitat Regulations. The contribution is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Sustainable travel improvements

The Local Planning Authority would have sought a contribution towards Real Time Passenger Information System to be provided within the building foyer to encourage future occupiers to use the bus service and be an even more attractive option. It would also give residents who do not own a way to travel around the town. The contribution would meet with the aims and objectives of policy ID3 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 and is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Travel Plan

The Local Planning Authority would have sought a contribution towards monitoring of the travel plan required. Monitoring is an essential part of any sustainable initiative process. It enables the County Highway Authority to see whether the sustainable initiatives have been successful, review the progress towards your objectives and targets, and to update the way forward as necessary. The contribution would meet with the aims and objectives of policy ID3 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 and is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Occupation restriction

The Local Planning Authority would have sought to manage the occupation of the bedspaces to students in full time education at an institution within the Borough of Guildford. This would ensure that the bed spaces are occupied to meet the identified housing need. The contribution would meet with the aims and objectives of policy H1 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 and is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Conclusion/Planning Balance

The key assessment that has to be carried out in the first instance is the loss of land from this Strategic Employment Site (SES), based on the information submitted by the applicant and other material consideration the loss would be contrary to Policy E3 of the Guildford Local Plan: Strategy and Sites 2015-34, and there is a fundamental need to maintain Strategic Employment sites over the plan period to ensure that Guildford can compete with other towns to provide high quality employment floorspace, resulting in economic harm.

Policy E3(11) has not been satisfied as the marketing strategy for alternative suitable B class employment use and other employment generating use is not active and comprehensive.

Even if policy E3(11) had been satisfied the benefits would have to outweigh the inherent harm from the loss of employment land and this is a planning balance. The benefits are set out below.

Harm has also been identified at the proposals do not comply with the requirement of policy D2, so there would be environmental harm.

While the development would deliver additional student accommodation, and assist in the delivery of new homes, that accommodation would not be located on campus, which is the location where such development is supported under policy H1 of the Local Plan. The benefits of delivering such housing is considered to be **modest** and does not outweigh the conflict with the development plan. Moreover, without a suitable mechanism to secure the proposed bridge to the University, the development would result in an unconnected and isolated residential development in a commercial site and would not make the best use of opportunities to use suitable modes of

transport. The new bridge would be mitigation needed for the proposed residential use and would not otherwise be required so would have some wider public benefits would not be realised and afforded **limited** weight.

Only limited additional information (post appeal decision) has been provided and the 'Alternative Use Enquiries' document and 'all enquiries strategy' does not amount to an active and comprehensive marketing for other B class and employment generating uses despite the 'Kingstons' December 2020 marketing review. Also, the enquires does show that there is some interest and that interest should be further explored.

Other considerations that weight against a grant of planning permission are that the government has introduced Class E which is intended to be flexible commercial space and enable mixed use that complement each other. This option has not been explored through the marketing since the Town and Country Planning (Use Classes) Order 1987 was amended under The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 on 01.09.2020.

The impact of the COVID-19 pandemic on many aspects of life and the economy could be far reaching. The repercussions would have an impact on the site as a whole and as there is no building on this site, no lost revenue is being incurred. The Business Park needs to be looked at holistically and regardless of the decision on Plot 5, may well continue to have on-going difficulties getting occupants in response to the changing demands for employment space. Although, at this time it is not possible to make a judgement on the long term effects of the pandemic and how this may have affected their ability to effectively market the Site, and certainly the likelihood of offers being received. The short term effects may be relevant to considering the weight to be attributed to the outcome of the marketing exercise. However, the long term impacts of the pandemic can be afforded limited weight at this time.

When read as a whole, the proposal conflicts with the Development Plan and accordingly does not benefit from the presumption in favour of sustainable development. Planning decisions should be made in accordance with the development plan, unless significant material considerations indicate otherwise, and accordingly it is recommended that planning permission is refused.