

PLANNING COMMITTEE

- * Councillor Fiona White (Chairman)
- * Councillor Colin Cross (Vice-Chairman)

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| * Councillor Jon Askew | * Councillor Liz Hogger |
| * Councillor Christopher Barrass | * Councillor Marsha Moseley |
| * Councillor David Bilbé | * Councillor Ramsey Nagaty |
| Councillor Chris Blow | Councillor Maddy Redpath |
| * Councillor Ruth Brothwell | * Councillor Pauline Searle |
| * Councillor Angela Goodwin | Councillor Paul Spooner |
| * Councillor Angela Gunning | |

*Present

Councillors John Rigg, Tony Rooth, John Redpath, Joss Bigmore and George Potter were also in attendance.

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillors Chris Blow, Maddy Redpath and Paul Spooner. Councillors Deborah Seabrook and Bob McShee attended as substitutes for Councillors Blow and Redpath respectively.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

A non-pecuniary interest was declared by Councillor Deborah Seabrook. Councillor Seabrook declared that she was a member of St Saviour's Church which would be affected by the proposed development, however, she confirmed that it would not affect her objectivity in the consideration of the application.

PL3 ANNOUNCEMENTS

The Chairman stated that on Tuesday 10 January 2023, The Secretary of State in exercise of his powers under Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, hereby directed Guildford Borough Council not to grant permission on application 22/P/01336 without specific authorisation. This direction is issued to enable him to consider whether he should direct under Section 77 of the Town and Country Planning Act 1990 that the application should be referred to him for determination.

This direction does not prevent the Planning Committee from considering the application, forming a view as to the merits of the proposal, resolving to grant subject to a s106 legal agreement or, if so minded, refusing permission.

Given the complexity and importance of this application, the Chairman stated that she had agreed to allow three people to speak in support and three people to speak to object to the application.

The Chairman lastly permitted members of the planning committee to speak for a total of five minutes each in relation to the application.

**PL4 22/P/01336 - LAND BOUNDED BY THE FRIARY CENTRE BUS STATION,
NORTH STREET AND LEPALE ROAD, GUILDFORD, GU1**

Prior to the consideration of the application, the following persons addressed the Committee in accordance with Public Speaking Procedure Rules 3(b):

- Mr John Harrison (to object)
- Mr Richard Mills (on behalf of Guildford Town Centre Conservatives) (to object)
- Mr Alistair Smith (Chair of Guildford Society (to object)
- Mr Jack Nicholson, Land and Development Director, St Edward (in support)
- Mr Marcus Adams, Managing Partner, JTP (in support)
- Mr Bill Stokoe (in support)

The Committee considered the above-mentioned full application for 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.

The Committee received a presentation from the Senior Planning Officer, John Busher. The Committee noted that the development involved the demolition of some existing buildings on the site and the construction of a residential led mixed use scheme, along with the refurbishment of the bus station, the creation of new areas of public realm and the part pedestrianisation of North Street. The Committee noted the supplementary late sheets which summarised a letter received from the government about the holding direction. Because of this, planning officers had changed the recommendations to include the point that the Council would have to wait for the Secretary of State to remove the holding direction before the application could be approved. The late sheets also included a section which assessed the application in terms of its impact on the AONB and AGLV. Finally, there were two small changes to the proposed Heads of Terms which were on page 20 of the agenda. In terms of late representations there were an additional 29 letters of support that had been stopped by the Council's firewall system.

The application site was approx. 2.69 hectares in area and was bound to the south by North Street, to the west by Friary Shopping Centre and to the east by Leapale Road. The site formed part of A5 which was an allocated site in the Local Plan. The site was allocated for a mix of uses and included approx. 400 homes, 41,000 sqm of retail floorspace and 6000 sqm of food and drinking establishments. The allocation envisaged was for a large-scale urban regeneration of the site.

The Committee noted the main planning constraints which affected the site. There were listed buildings immediately surrounding and within the site. All Bar One was a Grade II listed building and currently occupied as a pub and restaurant. A separate listed building consent application for works to that building was also on the agenda for consideration. The proposal was for the mixed-use redevelopment of a large portion of the allocated site. The development included a range of buildings which would be set either side of Woodbridge Road. New frontages would be created to Leapale Road and Commercial Road. The closure of Commercial Road would allow for the pedestrianisation of the existing carriageway to the south and southeast of the Friary Centre. It would also allow for the creation of a new public realm area, Friary Square. Woodbridge Road would remain but in a slightly different alignment and would become a pedestrianised route linking the northern end of Woodbridge Road to North

Street via a new space, The Dial. This would be flanked on the ground floor by a mix of residential properties and commercial units with new commercial units also fronting on to North Street. The proposed pedestrianisation of North Street would run from Leapale Road in the east to the Friary shopping centre in the west.

The existing bus station would be refurbished and included a new north-east access arrangement for buses using the station. All bus services would access the bus station via Woodbridge Road. As a result there would be no access to the station for buses from Commercial Road and North Street with the exception of emergencies. The number of bus stands would also decrease from 22 to 16 and the facilities for waiting passengers would be refurbished and extended southwards as part of the proposal.

The proposed buildings at the southern end of the site which fronted onto North Street were located in a more sensitive environment and therefore were limited to four storeys in height. Moving north within the site, the buildings would be taller and range in maximum height from 6 to 9 storeys towards the middle of the site to the taller buildings at the very northern end of the site which had a maximum height of 13 storeys. The eastern most building fronting onto North Street proposed three storeys of residential apartments above a commercial ground floor. Planning officers considered that the proposed buildings contributed positively to the streetscene along North Street and the new public square that would be formed at the junction to Woodbridge Road.

The tallest building in the scheme would replace the existing Dominion House office building, with the proposal having been reduced in height from 14 storeys to 13 storeys. It was very well articulated and had lower elements. It was recognised by planning officers that this was one of the most contentious elements of the proposal. However, it had been concluded that the taller buildings in this location could be accommodated with a level of 'less than substantial harm' to the setting of nearby listed buildings and the conservation areas that officers considered would be outweighed by the public benefits of the scheme which is the correct test set out in the NPPF, and that they would be acceptable visually to the town and its surroundings. Leapale Road was already characterised by tall bulky buildings which included the Council's multi-storey car park and the telephone exchange building. The curve and slope in the street and the mix of building heights would ensure that on Leapale Road, the proposal would present an attractive public realm frontage. At the site visit, members requested slides which showed the proposal in relation to both the telephone

exchange building on Leapale Road and the House of Fraser store which spanned between North Street and the High Street which was shown.

The existing angled canopy at the bus station would be demolished and replaced with a new larger canopy and would extend into the new Friary Square. The refurbished bus station would include new seating areas, passenger information systems and would be a brighter and more attractive space for passengers.

The lower ground floor of the development would be an underground car park providing parking spaces for residents as well as bike and refuse stores. The proposed mix of one-, two- and three-bedroom properties was considered acceptable by planning officers given the highly sustainable town centre location.

The Committee noted the public realm and landscaping proposals in more detail. In North Street, this included new paving and carriageways as well as new street furniture, landscaping and new facilities for North Street Market. The pedestrianised area would be secured by two barriers at either end which would be operated in much the same way as the High Street and Tunsgate barriers. A new public square would be created in the middle of North Street and face Swan Lane which would be furnished with a water feature, seating and landscaping. It would be an attractive and useful addition to the public realm of the town centre which the applicants refer to as North Street Square. This would complement the other new public realm space, The Dial. This space would be fronted by commercial units and include seating and landscaping. Leapale Road would be widened as part of the scheme which would also benefit from new trees planted in the streetscene. Each residential block would have its own private amenity, courtyards and in some instances a roof garden was also proposed.

The Committee noted that the verified views were taken in close proximity to Dapdune Wharf on the footbridge of the River Wey. Block E was shown in the distance which was the taller marker building and demonstrated the impact upon that view. The Conservation and Urban Design Officers had concluded that the proposal was not harmful to that view. A wireline of the proposed development was also shown which demonstrated the ridge line of the Surrey Hills above the town, the town centre nestled in the valley below that, and the Cathedral. The proposal would also not compete with any of the listed buildings in that view. The Committee asked if it was possible to zoom in on the images as they were small. The Committee noted that the verified views were scientifically produced and reflected how a person would actually view the site and therefore zooming in would be contrary to the process.

In summary, the Committee was reminded that the site formed part of Policy A5 which allocated the site for development which included approximately 400 dwellings and a large quantum much larger than that proposed for this application of commercial floorspace. It was acknowledged that achieving the level of development set out in the allocation would inevitably transform this area of the town centre. Whilst the conclusions reached by Historic England and the Conservation Officer did differ slightly, overall both had concluded that the development proposed would produce a level of harm that was less than substantial. Historic England had concluded that this was at the lower end of the scale and the Council's Conservation Officer concluded it was at the slightly higher end of low to middle. This included harm to the highly graded assets such as Guildford Castle which was Grade I listed and Guildford Cathedral which was Grade II star listed. Harm would also be caused to the setting of a number of Conservation Areas. As harm had been identified to the heritage assets, the decision maker was required to weigh this harm against the public benefits of the proposal. Paragraph 199 of the NPPF set out 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. The more important the asset, the greater the weight should be, irrespective of whether any potential harm amounted to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 stated that any harm to or loss of the significance of a designated heritage asset, from an alteration, destruction or from development should require clear and convincing justification. Paragraph 202 of the NPPF stated that where a development proposal would 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 other proposal including where appropriate, securing its optimum viable use. The harm which had been identified was within the category of less than substantial.

The public benefit balance had been carried out on pages 195 to 200 of the report. The benefits included the provision of both market and affordable dwellings, the removal of a long-term vacant site from a prominent location in a town centre and preventing long term dereliction. The proposal would help to improve the viability, so the vitality and viability of the town centre through the new residential dwellings as well as the commercial units. The proposal included significant areas of new public realm which would be of benefit to residents and visitors to the town alike. The provision of the refurbished bus station, the pedestrianisation of North Street, the economic benefits that the proposal would bring to the town centre both from the commercial units and the additional dwellings. The proposal would result in a biodiversity net gain of 201% and a carbon reduction of 72%. Planning officers had concluded that the public

benefits were wide ranging and would have a positive and transformative impact on the area of the town centre. As such, planning officers were of the opinion that the public benefits flowing from the scheme clearly outweighed the identified heritage harm, even considering the greater impact given to the highest graded assets.

In accordance with the NPPF, the heritage harm was afforded substantial great weight and considerable importance in the planning balance. Harm had also been identified to the amenity of the surrounding residential accommodation, and due to the lack of any formal playing field space or enough children's playspace or a contribution in lieu for both. However, there were numerous benefits of the scheme and planning officers had given substantial weight to the provision of the market housing, the pedestrianisation of North Street, the removal of a large vacant site and preventing long term dereliction, as well as improving and protecting the vitality of the area and the delivery and creation of new public open spaces. Significant weight was afforded to the supply of affordable housing, the economic benefits that would flow from the development, the biodiversity improvements and the energy and sustainability benefits and refurbishment of the bus station.

Planning officers had concluded that the benefits of the proposal would transform this part of the town centre, would be wide ranging, long lasting and benefit a wide spectrum of the community. Taking into account the substantial great weight and considerable importance to the heritage harm, the benefits of the proposal were nevertheless considered to materially and demonstrably outweigh all the harm which had been identified. Planning officers also acknowledged the unresolved objection which had been raised from Surrey County Council as the Highway Authority and the reasons why the local planning authority departed from Surrey's conclusions on the operation of the bus station. As such, planning officers did not agree that the proposal would have any detrimental impact on the operation of the bus network in the town, on highway safety or capacity. Therefore, subject to the conditions in the report, the completion of the Section 106 agreement and the lifting of the Secretary of State holding direction the application was recommended for approval.

The Chairman permitted the following Councillors to speak for three minutes each:

- Councillor John Rigg (Lead Councillor and Portfolio Holder for Regeneration);
- Councillor Tony Rooth;

- Councillor John Redpath;
- Councillor Joss Bigmore and;
- Councillor George Potter

The Senior Planning Officer, John Busher responded to comments made by the public speakers and councillors. In relation to the point made regarding the loss of existing car parking spaces on site, that it would harm the economy of the town centre by reducing the parking provision within it, the Council's parking manager had confirmed that there were 5,142 parking spaces and they believed that any displacement from the parking spaces lost through this application would be more than made up for by the 5000 spaces that already existed. A claim was made that the benefits of the scheme were being exaggerated in the report. In addition that the scheme would reduce pressure on housing being built in the Green Belt which was not the case. Lastly, shared ownership units were defined as affordable housing both in the Local Plan and NPPF.

The Legal Advisor, George MacKenzie confirmed that the Committee needed to determine the merits of the proposal and that the potential viability of an alternative hypothetical scheme was not before the Committee and therefore immaterial in that context. Any harm identified needed to be firmly tied to the Committee's view about this scheme.

The Senior Planning Officer, Peter Luder stated in respect of comments made that open spaces did not have enough sunlight, members were directed to pages 146 and 147 of the report which addressed this particular point. The BRE criteria took the spring equinox, 21 March, as the point at which at least half of a particular space would need to achieve 2 hours of sunlight on that day to appear adequately sunlit. The Friary Square area which was one of the most important amenity spaces proposed would on 21 March have 94% of its area sunlit for two hours. So it was considered to be a very high proportion and North Street Square which was another important space would satisfy the criteria with 57% sunlight and in the middle of summer the whole area would be sunlit.

The Committee noted concerns raised that whilst this area of Guildford needed to be renovated, viability concerns were raised in that few affordable homes were being provided. The scheme also introduced buildings of varying heights, some of which dominated the streetscene.

The Committee noted a query regarding the energy consumption of the scheme and where it would be generated from given there had been no mention of solar panels or sustainable energy sources.

The Committee noted comments that the site was in clear need of redevelopment but that it was vital to ensure that the development was right as it would affect the character of the town for decades. The bus station was an important consideration. Surrey County Council who were the statutory highway authority were objecting to the proposal as well as the bus operators who understood the practicalities of using the bus station. Fewer bays were being provided and the scheme did not allow for an expansion of public transport which was surely a consideration in light of the issues surrounding climate change. In terms of the refurbishment of the bus station, no improved facilities were being provided for passengers or the staff such as toilet provision or a café. It was noted that on the supplementary late sheets the applicant had worked hard to find these facilities, but it should have been integral to the proposals sought for the bus station from the outset. The lack of provision of genuinely affordable housing was also a concern and should have been possible given the large development proposed. 20 one-bedroom shared ownership homes were not considered to adequately meet demand. In addition, the scheme looked cramped, over-developed and out of character. With regard to the validated views, particularly from the town and the castle the development could cause harm to heritage assets.

The Committee noted hopes that the development would take pressure off building homes in the Green Belt. Concern was raised regarding the state of the UK economy and whether the viability of the scheme could proceed. The Committee was also mindful of the NHS facility being offered as part of the scheme which was recognised would be a great asset to the town.

The Senior Planning Officer, John Busher responded to comments made by the Committee. In respect of affordable housing, on page 81 of the agenda, it set out what the policy requirement was in the Local Plan which was set at 40%. However, the policy also stated that where a viability issue could be demonstrated, then a lower provision of affordable housing maybe accepted. Planning officers had concluded that the marginal viability of the scheme had been proven. The energy strategy for the development had also been addressed in the report. Figures on energy consumption were not available however the residential units would be supplied by individual exhaust air heat pumps within each apartment as would the non-residential elements. The commercial floor space would be served by individual air source heat pumps providing heating, hot water and cooling where necessary. Those two measures along with the fabric improvement to the buildings would result in an overall reduction in carbon emissions of 72% which exceeded the target of 20% that was in the Local Plan. The development if approved would not result in the removal of other allocated

sites in the Local Plan and therefore development of allocations inset from the Green Belt would still be pursued on that basis.

The Senior Planning Officer, Peter Luder confirmed that the emerging plan policy H7, required where appropriate that there was a review mechanism at a late stage which would be undertaken prior to the sale or lease of 75% of market homes. An additional point was made about a mid-stage review, but the policy only required this as necessary for large scale developments of 500 homes. A late-stage review was put to the applicants, and they said that it was either a late-stage review or the provision of the 20 one-bed shared ownership units up-front. The Council's viability consultant confirmed that it was fairly unlikely that a high quantity of affordable units would be provided as a result of a late-stage review given the likely direction of values and costs in the future. Therefore, the recommendation was that it was better to opt for the provision of those units in the first phase.

The Highways Consultant, Chris Blarney confirmed that in relation to queries raised in regard to the bus station capacity that three scenarios had been tested within the Transport Assessment. The first was based upon the existing timetable which was 51 buses, then 65 buses then 72 buses. The theoretical capacity was 92 buses per hour. It was accepted therefore that there was scope for growth.

The Committee noted comments that supported the development of this new part of town, and it was felt that it would enhance Guildford's heritage assets. In terms of affordability, it was considered that the development would attract people from London who would bring their money with them to help enhance and bolster Guildford. It was considered that a large number of affordable homes had been approved under other schemes such as Weyside and therefore a high quota of affordable homes was not required as part of this development.

The Committee noted concerns raised regarding the one-way route in and out of the bus station, the lack of parking spaces, particularly for Blue Badge parking holders and the removal of the taxi rank spaces from outside of Marks and Spencer's.

The Committee noted concerns regarding the height of the core building E. Given there were 13 residential blocks and 473 homes, could they not be divided in a more equitable fashion so to avoid the considerable height of 13 storeys overall of that block. In addition, concern was raised regarding the reduction in parking spaces. However, it was also noted that Guildford town had a number of surface car park spaces that could be improved upon overall.

The Committee queried whether S106 monies were allocated towards the provision of park and ride facilities in Guildford as well as CCTV provision for taxi ranks. Toilets were also noted as a necessary provision for members of the public and staff at the bus station. The toilet facilities at The Friary could not be relied upon given it was closed for half of the time in which the buses operated. The quantum of affordable homes was also a concern and clarification was requested on whether a mid-term review could be sought. Lastly, air quality was raised as a concern when considering the highway works construction plan.

In response to points raised by the planning committee, the Senior Planning Officer, John Busher confirmed that the NHS was seriously considering the option of taking up one of the units on Leapale Road as a healthcare facility. The NHS also had the option of taking the financial contribution in lieu of the unit. The disabled car parking spaces would be provided on North Street to the north of Leapale Road. The relocation of the taxi spaces would be a responsibility for other departments within the Council to resolve. In terms of the better facilities at the bus station it was important to recognise that the scheme would not deliver a new bus station, but the applicant was offering to refurbish it. Constraints were in place in terms of the size of the site and its ownership as well. Staff Facilities and the kiosks were within the bus station and outside of the ownership of the applicant. The applicant was keen to try and improve those facilities, but this was only possible to achieve in agreement with the current owners of the building. There was not enough space to provide additional seating for waiting areas or toilets. With regard to concerns raised about the height of block E, other buildings had been kept lower for a reason, because if they were increased in height, they would have an impact upon the views within the town centre. The buildings had all been modelled through the Vu City software. Some taller buildings were inevitable and did not necessarily translate into being harmful for the town as a whole. With regard to the S106 contributions this was being looked at, but CCTV contributions was not something which had been raised by environmental health.

The Senior Planning Officer, Peter Luder clarified that in relation to policy H7 of the emerging new Local Plan a viability review mechanism was secured where there was less than the required standard provision. The review mechanism would reflect two elements; a mid-stage review could be undertaken at a trigger point to be agreed as part of that process. However, the mid-stage review was only triggered in schemes of over 500 units and this scheme fell below that threshold. The applicant was therefore offering two options, either the late-stage review, to be undertaken at the point of in the region of 75% of sale or

lease of the private units, but with nothing provided initially, or the upfront offer of the 20 affordable units without the late-stage review.

Gary Durrant, Senior Specialist Environmental Control confirmed that given part of Commercial Road was going to be removed as part of the development proposal this was a positive in terms of air quality. Impacts would of course be felt by the construction works at an early stage. However, there were a number of conditions which the applicant had to comply with to mitigate construction impact.

The Committee noted the re-iterated concerns raised that the shared ownership units did not provide genuinely affordable homes. The loss of bus bays would also require people having to cross the road to get to the bus station. Difficulties had been identified by Surrey County Council with the proposed arrangements and would in turn reduce the incentive of members of the public to use the bus service which could in turn increase car usage. The high building block E proposed was also considered to be too tall by the design standards of Guildford.

The Committee noted concerns raised that the building could be viewed potentially from the Hogs Back and that no height policies were in place to regulate such developments. The scheme was not considered to be viable owing to the few shared ownership properties proposed as part of the scheme.

Chris Blarney, the Council's Highway Consultant refuted the concern raised that the proposed changes to the bus station would de-incentivise people from using it. The junction at the northern end of the bus station with Leapale Road was looked at in detail as part of the transport assessment. The right turn in for buses would be unopposed as it would have its own green light and had ensured that it would not result in traffic queuing back to Onslow Street. The exit out of the bus station was also improved and resulted in more reliable services particularly in the evening with the dedicated bus lane. A total of £1.5 million was to be contributed towards bus priority measures. Oxford was given as an example which had 13 bus stands and operated a one-way in and one-way out system that was deemed to be successful. The scheme would operate 51 services per hour with the scope to increase to 92 services per hour.

The Council's Viability Consultant, Anthony Lee was invited to comment on the Committee's concerns regarding the viability of the scheme. The Committee noted that local authorities were required to have regard to government best practice on viability. The Council had followed that practice in terms of the approach to scrutinising the inputs to the appraisals including sales value and

importantly costs and had also commented about costs and comparisons. In this case there was a detailed scheme cost plan and best practice dictated that this was reviewed in a forensic manner by a specialist quantity surveyor. The applicant's assessment indicates that there is a deficit as a result of increasing retail space, increasing the sales values and reducing the bill costs. It was worth stressing that with the current bulk and massing of the scheme, including the heights and the open space the scheme was identified as being in deficit. Clearly, the smaller the scheme onsite it would generate less value to pay for the fixed costs of works to the public realm, the bus station and the quality of the building. If the Committee was to refuse this scheme and insist on a scheme with lower heights it would result in a less viable proposal. So the prospect of providing more affordable housing was remote. An assessment had also been undertaken of what would happen in the future for five years' time as well as up to 2031. It was found that the scheme would require 10% compound growth per annum which was growth on growth in the final four years in order to eliminate the deficit and that was to get to a point where the scheme's 100% private housing would be viable. Therefore, the prospects of securing more than 20 affordable units onsite through a review were highly risky. The guarantee of 20 affordable homes was perceived to be the better option by planning officers.

A motion was moved and seconded to approve the application subject to a mid and late-stage viability review, which was lost.

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Ramsey Nagaty	X		
2	Pauline Searle		X	
3	Chris Barrass	X		
4	Angela Goodwin		X	
5	Jon Askew		X	
6	Marsha Moseley		X	
7	Ruth Brothwell	X		
8	David Bilbé		X	
9	Deborah Seabrook	X		
10	Bob McShee	X		
11	Angela Gunning	X		
12	Fiona White		X	
13	Colin Cross	X		
14	Liz Hogger		X	
	TOTALS	7	7	0

A subsequent motion was moved and seconded to refuse the application which was carried.

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Angela Gunning	X		
2	Pauline Searle	X		
3	Deborah Seabrook		X	
4	Fiona White	X		
5	Ruth Brothwell		X	
6	Jon Askew	X		
7	Chris Barrass		X	
8	David Bilbe	X		
9	Ramsey Nagaty		X	
10	Liz Hogger	X		
11	Colin Cross			
12	Bob McShee		X	
13	Angela Goodwin	X		
14	Marsha Moseley	X		
	TOTALS	8	5	0

(Councillor Colin Cross left the meeting for the second vote owing to feeling unwell).

The Committee considered that the application would lead to an increase in bus journey times, a reduction in the number of bus stands and the bus station had

not been proven to be accessible to all. The proposal was also found would result in less than substantial harm to significant heritage assets and the public benefits of the scheme would not outweigh the harm caused by the proposal. Owing to the scheme's height, scale, massing and cramped layout, the application represented a form of over-development that was out of character with the surrounding area. The amount of affordable housing provided as part of the scheme was considered to be too little and the applicant had failed to demonstrate how the provision of additional affordable homes was not viable. The site would also affect the Thames Basin Heath Special Protection Area (TBHSPA) owing to the absence of a completed planning obligation.

In conclusion, having taken account of the representations received in relation to the application, the Committee

RESOLVED to refuse application 22/P/01336 for the following reasons:

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.

See Decision notice for informatives: [22 P 01336-DECISION NOTICE-1760498.pdf \(guildford.gov.uk\)](https://www.guildford.gov.uk/Document/Download.aspx?DocumentID=1760498)

**PL5 22/P/01337 - LAND BOUNDED BY THE FRIARY CENTRE BUS STATION,
NORTH STREET AND LEPALE ROAD, GUILDFORD, GU1**

The Committee noted that given that application 22/P/01336 had been refused that they were minded to delegate the decision to planning officers to refuse the above-mentioned Listed Building Consent application 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 Commercial Road and part of Woodbridge Road, Guildford.

A motion was moved and seconded to delegate the decision to planning officers which was carried. A show of hands instead of a recorded vote was cast 8:5.

In conclusion, having taken account of the representations received in relation to this application, planning officers under delegated powers, refused application 22/P/01337 for the following reasons:

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.

Informatives:

1. This decision relates expressly to drawings 0001 REV P1; 0012 REV P1; 0008 REV P1 and 0010 REV P1.

The meeting finished at 10.55 am

Signed

Date

Chairman