This application has been referred to the Planning Committee as the applicant is a borough Councillor.

Site description

The site is located in the Guildford urban area within the Town Centre Conservation Area. The building is grade II listed and is sited on a plot which displays a sharp fall in height from west to east. This means that the building presents three storeys to Quarry Street and four storeys to the rear facing Millbrook, meaning it is prominent in both streetscenes. Although the building is currently vacant, its last use was as an office.

Quarry Street comprises a mixture of buildings and uses, with generally commercial / offices / retail at ground floor level with office or residential on the levels above. There have been a number of applications in recent months for similar changes of use. These have been supported.

The building is also located within the 400 metre to five kilometre buffer of the Thames Basin Heath Special Protection Area (TBHSPA).

Proposal

Change of use of office building to form nine individual flats, together with alterations to fenestration, addition of two dormer windows and provision of new refuse and cycle store, following demolition of existing single storey rear extension.

Relevant planning history

13/P/01049 - Change of use from offices to two residential dwellings. Approved.

13/P/01050 - Listed Building Consent for change of use from offices to two residential dwellings together with internal alterations including new staircase, internal partitions and repairs and refurbishments. Approved.
14/P/01520 - Listed Building Consent for change of use from offices to nine individual flats, together with internal alterations and modifications to existing fenestration and creation of new refuse and cycle store, following demolition of existing single storey extension. This application is reported elsewhere in this agenda.

A number of listed building applications have been submitted in the 1990's and before this there are a number of applications dating to the 1980's and 1960's.

**Consultations**

**County Highway Authority:** The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

**Guildford Society:** The Society objects to the application.

- no objection in principle to the conversion of this property into flats
- concerned about the arrangements for the disposal of refuse which appear to be inadequate [Officer Note: The proposed storage and disposal of refuse has been considered by the Executive Head of Environment, who notes that given the site specific circumstances, the refuse storage and disposal arrangements set out by the applicant are acceptable];
- possible inadequacy of light to certain rooms which are proposed for use as bedrooms; and
- the Society considers that conversion of the property to nine flats may be too many and suggest a lower number of units might be considered.

**Executive Head of Environment (Operational Services):** The arrangements for the storage and collection of refuse shown on the proposed plans are deemed to be acceptable.

**Planning policies**

The following policies are relevant to the determination of this application.

**National Planning Policy Framework (NPPF)**
Chapter 6 - Delivering a wide choice of high quality homes
Chapter 12 - Conserving and enhancing the historic environment

The Habitats Regulations
DCLG Circular 06/2005
"Managing Natura 2000 sites"

**South East Plan 2009**

**Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):**
G1 General Standards of Development
G5 Design Code
HE1 Proposals Which Affect Listed Buildings
HE2 Changes of Use of Listed Buildings
HE7 New Development in Conservation Areas
H4 Housing in Urban Areas
Planning considerations

The main planning considerations in this case are:

- the principle of development
- the impact of the development on the character of the conservation area and the listed building
- the impact on amenity
- parking considerations
- refuse
- impact on Thames Basin Heaths Special Protection Area
- S.106 requirements
- legal agreement requirements
- sustainability requirements

The principle of development

The NPPF states that Local Planning Authorities ‘should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate’. In terms of the Local Plan, there are no objections in principle to a change of use from commercial to residential, again subject to an assessment of the loss of the existing office accommodation.

The use of the existing building currently falls under use class B1 (offices). It is acknowledged that the proposal would therefore result in the loss of the existing office accommodation on the site. It should be noted that the Local Planning Authority approved the conversion of this building into a dwelling in 2013, through application 13/P/01049. That application has been implemented and as part of the assessment the loss of the office use was fully considered and was deemed to be acceptable. Given this and the guidance contained in the NPPF, the proposal is deemed to be acceptable in principle and no objection is raised regarding the loss of the office accommodation.

The impact of the development on the character of the conservation area and the listed building

Although the property is grade II listed, the original interior of the building has been largely removed by previous occupiers and therefore, there is little historical or architectural detailing inside which needs to be protected. The main significance of the building is its external appearance and its integration within the conservation area.
Externally, the proposal includes a number of minor alterations and additions to the building. On the front elevation, two additional dormer windows are proposed which would exactly match the size and design of the existing dormer windows on the front elevation. The proposed dormer windows would balance the roof of the building and would not result in any harm to either the listed building or the conservation area.

A variety of fenestration changes are proposed to both the front and rear elevations. The existing rear elevation comprises a wide variety of styles and sizes which produces an elevation which appears slightly haphazard. The proposal would result in a more symmetrical, balanced appearance. In addition, the existing single glazing is also to be replaced with 12mm slimlite double glazed units, which the Council's Conservation Officer raises no objection to.

A number of internal alterations are proposed which include the removal of modern stud walls, and the rear staircase, which is also not original to the building. This would be replaced with a new central staircase inside the front door, which would lead from the lower floor to the upper levels. The existing staircase from the lower ground floor to the basement would be retained. The Council's Conservation Officer has reviewed the application and is satisfied that the internal works would not have a material impact on the significance of the listed building and as such no objections have been raised to the proposal.

The building has a large terraced garden area, which runs from the rear of the building down to Millbrook. The proposed plans show that no changes are proposed to this area. Also to the rear an existing single storey flat roof addition, which is unsympathetic to the building would be demolished. This is a positive element of the proposal. This area would then be used for bicycle storage.

Overall, the external changes proposed to the building would improve its character and appearance and would enhance the conservation area. As the building has little historical or architectural quality internally, the proposed changes to the inside of the property would not result in any harm to its significance. The objections received which note that the proposal represents an overdevelopment of the building have been noted. However, from a listed building and conservation perspective, the proposal results in no harm to the significance of the building or the character of the surrounding area and therefore, there is no justifiable reason to object to the provision of nine flats in these circumstances.

As such, the proposal is deemed to be compliant with policies G5, HE1, HE2 and HE7 of the saved Local Plan and chapter 12 of the NPPF.

The impact on amenity

Although the use of the building as nine apartments would mean that the premises is occupied on a 24 hour basis (as opposed to an office), this would not in itself result in any material impact on the amenity of neighbouring properties.

The proposal does involve the modification of some existing windows, however, these changes would not result in any loss of amenity to neighbouring properties. While views of surrounding buildings can be gained from some of the existing windows, particularly those in the side elevations, these would not result in any material loss of privacy, over and above the present situation.

In terms of the amenity for future occupants, an objection has been received which notes that some of the bedrooms would have poor levels of light. With the exception of the bedrooms on the lower ground floor, all bedrooms would have access to either a front, rear
or side facing window. It is considered that these bedrooms would have an adequate access to natural light. The bedrooms on the lower ground floor would have access to a covered light well, which are located on Quarry Street. One of the lower ground floor bedrooms would also have a window which faces onto the passage way between 14 and 15 Quarry Street. While it is acknowledged that these two bedrooms may be relatively dark, they would gain some natural light from the light wells. In addition, all of the flats are of generous proportions and would offer an acceptable level of amenity for future residents. Therefore, the Local Planning Authority would not be able to sustain a reason for refusal on these grounds.

While the majority of the apartments would not have direct access to their own private outdoor amenity area, the existing garden area would be retained as part of the proposal and would be made available for the use of future residents. This garden area is large in size and would provide an adequate amenity space for the occupiers of the building.

The proposal would be compliant with policy G1(3) of the saved Local Plan as well as the amenity considerations of policy H4.

Parking considerations

The application site is located within the town centre parking boundary. The proposal does not include any on-site parking, however, this is not dissimilar to other properties along Quarry Street and there are several public car parks in close proximity.

In addition, the site is located in a highly sustainable location close to bus routes which run through the town centre and both Guildford railway stations. Quarry Street is also a short walk to the High Street which contains a variety of services and facilities.

It is noted that the County Highway Authority has not raised any objections to the proposal. Given this and the sustainable location of the site, the lack of on-site parking is considered to be acceptable in this instance.

Refuse

As part of the proposal, a new refuse store would be provided in the covered alleyway between 14 and 15 Quarry Street. This refuse area would not be visible from either Millbrook or Quarry Street and as such, it would not have any impact on the conservation area.

The refuse store includes three 'cupboards' which would be used communally by all nine apartments. As there is no level access from the site onto Quarry Street, normal wheelie bins cannot be used, so the applicant has proposed 23 litre caddies for food waste and sacks for recycling and refuse. While a third party objection has been received regarding the refuse store, the Council's Executive Head of Environment notes that neither the future residents or Council staff would be able to manage wheelie bins given the steps and slope up to Quarry Street. On this basis, it has been confirmed that the use of sacks and caddies would be acceptable in the circumstances.

As such, no objection is raised to the proposal in this regard.

Impact on Thames Basin Heaths Special Protection Area

The proposed development may adversely impact the TBHSPA. The Council’s adopted TBHSPA Avoidance Strategy 2009-2014 requires a SANG contribution of £33,096.26 and an Access Management contribution of £5,608.36 to avoid any adverse impact.
The (SANG) avoidance site cannot be confirmed at this time and the land owner will be informed of its location at the time of, or following payment. A planning obligation is required in accordance with the terms of the Strategy.

Subject to the agreement of the S.106, the proposal would comply with the terms of the Thames Basin Heaths Avoidance Strategy.

S106 requirements

In accordance with the Council's Planning Contributions SPD, the following S106 requirements are sought.

- SPA:

As discussed above, a SANG contribution of £33,096.26 and an SPA access management and monitoring contribution of £5,608.36 is required. This is compliant with the terms of the Thames Basin Heaths Avoidance Strategy.

- Recreational open space provision:

As the site is unable to accommodate the open space requirements set out in Local Plan policy R3, the Council will accept a commuted payment to improve open space in the area of the development in lieu of physical provision.

In accordance with the Planning Contributions SPD, a contribution of £14,674.69 is required for recreational open space provision.

- Education:

The proposed development is in an area where there is pressure on school places. There is provision in the NPPF to ensure that there will be sufficient infrastructure as an element of sustainable development.

The following education contributions are required; £4,942 for primary schools, which will be allocated to Queen Eleanor’s Church of England School which is undergoing permanent expansion to cope with demand for places and £5,792 for secondary schools.

Legal agreement requirements

The three tests as set out in Regulation 122(2) require S106 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.

As the application proposes the provision of nine new residential units, in order for the development to be acceptable in planning terms, a S.106 agreement is required as part of any subsequent planning approval to secure a financial contribution towards a SANG, in line with the Guildford Borough Council TBHSPA Avoidance Strategy 2009-2014 (February 2010). This strategy has been formally adopted by the Council. In line with this strategy and the requirements of Regulation 61 of the Habitats Regulations, a S.106 agreement is required to ensure that the additional residential units proposed by this development will not have any likely significant effect on the TBHSPA. The level of financial contribution sought is required to be in line with the specific tariffs set out in the adopted Avoidance Strategy which
relate to the number of residential units and number of bedrooms proposed. As such, the requirement for the S.106 agreement meets the three tests set out above and is acceptable in planning terms.

A S.106 is also required to secure a financial contribution towards recreational open space provision (in the form of formal playing fields and play space) within the locality of the application site, in line with policies G6 and R3 of the saved Local Plan and the adopted Planning Contributions SPD (2011). The required financial contribution (based on the tariffs set out in the Planning Contributions SPD) is set out above.

The S.106 also needs to secure a financial contribution towards the provision of primary and secondary education, in line with the adopted Planning Contributions SPD (2011) and Surrey County Council's education policy. The required financial contribution (based on the tariffs provided by Surrey County Council) have been noted above.

As such, for the reasons noted above, the requirement for the S.106 agreement meets the three tests set out above and with a S.106 agreement in place, the proposed development is acceptable in planning terms.

Sustainable development


Given that the proposal involves the change of use of an existing building from an office to residential, it is not considered reasonable to require the development to achieve Code Level 3 or the ten percent reduction in carbon emissions requirement in this instance.

Conclusion

The conversion of the existing building into nine apartments would not result in any harm to either the significance of the listed building or the character and appearance of the conservation area. It could be said that the external alterations to the building would actually improve its appearance in the streetscene, from Millbrook in particular, and would therefore enhance the conservation area.

The proposal would not result in any harm to the amenity of neighbouring properties and the apartments would have an adequate level of internal and external amenity. Although no on-site parking is proposed, given the highly sustainable location of the site, this is deemed to be acceptable.

The proposal is therefore compliant with the relevant policies of the saved Local Plan and the NPPF.
RECOMMENDATION:

Subject to a Section 106 Agreement securing

- a SANGS contribution;
- an Access Management and Monitoring Contribution (in accordance with the SPA Avoidance Strategy);
- an education contribution
- a recreational open space contribution

the application be:

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
   
   **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 16962161; 16962011; 16962010; 16962020; 16962111B; 16962210C; 16962160A; 16962163A; 16962220A and 16962162A received on 12.08.14.
   
   **Reason:** To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

Informatives:

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Guildford Borough Council takes a positive and proactive approach to development proposals focused on looking for solutions. We work with applicants in a positive and proactive manner by:
   
   - offering a pre-application advice service
   - updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

   In this instance the applicant entered into pre application discussion and submitted the scheme that was agreed. No further changes were sought throughout the application process.

2. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk