

**App No:** 15/P/02284      **Type:** F      **8 Wk Deadline:** 20/02/2017  
**Appn Type:** Full Application  
**Case Officer:** Hannah Yates  
**Parish:** Onslow      **Ward:** Onslow  
**Agent :** Mrs. Suzanne Scott      **Applicant:** Mr Robin Pearmain  
FoddyConsult Ltd      Linden Homes Guildford and The  
59-60 Thames Street      Cathedral Church of the Holy Spirit  
Windsor      1a Guildford Business Park  
Surrey      Guildford  
SL4 1TX      Surrey  
      GU2 8XG

**Location:** Land at, The Cathedral Church Of The Holy Spirit, Stag Hill, The Chase, Guildford GU2 7UP

**Proposal:** Proposed erection of 134 dwellings (including affordable dwellings) with associated vehicular/pedestrian access arrangements, estate road layout, parking, landscaping, engineering operations and ancillary works (amended plans received 05/12/2016, 24/01/2017, 25/01/2017 and 03/02/2017)

This application has been referred to the Planning Committee because more than 10 letters of objection have been received, contrary to the officer's recommendation. An up-front Committee site visit was undertaken on 05 January and a 'Question and Answer' session with Committee Members was held on 25 January.

#### **Site description.**

The application site, measuring approximately 3.54 hectares is located to the north west of the town centre on land surrounding the Cathedral. The site is split into two main sections, one to the south and west of the Cathedral and the other to the east. The site forms part of the slopes of Stag Hill and comprises open fields, semi-maintained grassland and the 7 existing dwellings used as cathedral staff accommodation in the south-east corner (Cathedral Close). The majority of the application site has an undeveloped open character with a steep topography that slopes up towards the Cathedral. The site contains a number of existing young and mature trees, predominantly located along the application site boundary edges as well as some hedgerows. This includes 5 TPO Oak trees (TPO no.8 of 1993) which are located along the southern boundary of the site adjacent to both Ridgemount and Alresford Road.

The surrounding area is predominantly residential in nature and is surrounded by housing to the east, west and south and the Cathedral to the north. Beyond the Cathedral to the north is the university.

Access to the site is via Alresford Road and Ridgemount which connects to the A3 to the west. Currently direct access onto the site is pedestrian only with the exception of Cathedral Close. The eastern section of the site is also a popular pedestrian route to the Stag Hill campus of the University of Surrey.

The site is within the setting of the Grade II\* Listed Cathedral, and due to its location on

elevated land is also a prominent site being visible from many important viewpoints from the town centre and the wider borough. The site is located in the urban area of Guildford and is designated as open space in accordance with saved policy R5 of the Local Plan. The site is also located within the 400m – 5km buffer zone of the Thames Basin Heaths Special Protection Area.

## **Proposal.**

Proposed erection of 134 dwellings (including affordable dwellings) with associated vehicular / pedestrian access arrangements, estate road layout, parking, landscaping, engineering operations and ancillary works (amended plans received 05/12/2016, 24/01/2017, 25/01/2017 and 03/02/2017).

As noted above, the site is split into two sections, east and west, and the development is proposed to be phased where the west side of the site forms the first phase and the east side of the site forms the second phase.

The western portion of the site can be further split into two distinct parts. In the centre is the new Cathedral Close containing 9 houses and 7 flats to be solely occupied by Cathedral staff. This part of the site has its own vehicular entrance from Alresford Road and contains a cul-de-sac of properties all fronting the internal road. An area of shared amenity space is proposed and land levels vary by a maximum of approximately 8 metres in this section. Furthest west are three separate blocks of flats containing a total of 36 units which are served by parking podiums and communal garden terraces and a separate vehicular access from Alresford Road. This area also contains an area of open amenity space for use by the occupiers and land levels vary by a maximum of approximately 4 metres in this section.

The eastern portion of the site is the largest, containing 82 units (69 houses and 13 flats). This section of the development has one vehicular access point from Ridgemount which is in the same location as the eastern most existing access onto Cathedral Close. From this point the access road winds up the slope, with houses fronting the road on both sides. An area of open space is retained roughly in the centre of this portion of the site. Land levels differ significantly here, varying by a maximum of approximately 17 metres.

## Amendments

Through the process of the application amended plans were sought to address issues that were raised in relation to design, landscaping and impact on neighbouring amenity.

The amended plans received have resulted in the following:

- Reduction in the height and massing of the apartment buildings to the western end of the site (Blocks A and C), creating a more articulated skyline, greater spacing between the buildings and increased communal garden space
- Detailing of the landscape proposals for the southern approach to the Cathedral
- Reduction in the bulk and height of plots 70 - 81 and the relocation of some of the plots to ensure an improved relationship with existing properties on Scholars Walk
- Addition of angles louveres to plots 68 and 69, and increased landscaping between plot 69 and 1 Scholars Walk to mitigate any overlooking and loss of privacy

## The dwelling mix

Houses:

12 x 2-bed (8 affordable)

24 x 3-bed (4 affordable)

33 x 4-bed (all private)

Total = 69

Flats:

21 x 1-bed (12 affordable)

28 x 2-bed (13 affordable)

Total = 49

Cathedral Close (Cathedral staff accommodation):

Houses – 9 (2 x 3-bed, 5 x 4-bed and 2 x 5-bed)

Flats – 7 (6 x 1-bed and 1 x 2-bed)

Total = 16

Breakdown:

Private: 60.4%

Affordable: 27.6%

Cathedral staff: 11.9%

The site density as a whole is 38 dwellings per hectare. Breaking the site down, the western site has a density of 49 dwellings per hectare and the eastern site has a density of 32 dwellings per hectare.

The parking figures

Number of proposed car parking spaces in total: 213

Eastern portion of site: 144 car spaces

Cathedral Close: 29 car spaces

Western flats: 40 car spaces

Number of cycle parking spaces: 202

**EIA development?**

The proposed development is not EIA development as confirmed by a screening opinion issued on 01/09/2015, and as such does not require an Environmental Impact Assessment.

**Community engagement.**

The applicant has submitted a Statement of Community Involvement which outlines the programme of community engagement and public consultation.

A workshop event was organised on 9<sup>th</sup> July 2014 for key stakeholders. Following this, a two day public exhibition was held on 9<sup>th</sup> and 10<sup>th</sup> September 2014 at the Cathedral. The exhibition was well attended with approximately 320 people at the event. A further public briefing meeting was held on 8<sup>th</sup> December 2016 at The Marquee at Guildford Cathedral to update local

residents, the residents' associations and the Parish Council on the revised proposals.

**Relevant planning history.**

<b>Reference:</b>	<b>Description:</b>	<b>Decision Summary:</b>	<b>Appeal:</b>
15/P/00986	Erection of a temporary marquee on the front lawn adjacent to the western entrance of the cathedral.	Approve 03/08/2015	N/A
14/P/01747	Provision of new access ramp and landscape improvements at west end of the cathedral. Removal of existing concrete ramp and provision of new steps and platform lift adjacent to north porch.	Approve 15/04/2015	N/A
14/P/00204	The undertaking of identified site geo-technical investigation works and monitoring by way of creating a number of temporary boreholes, trial pits, sampler holes and a temporary works compound with full ground reinstatement following works.	Approve 08/04/2014	N/A
13/P/01537	The undertaking of identified site geo-technical investigation works and monitoring by way of creating a number of temporary boreholes, trial pits, sampler holes and a temporary works compound with full ground reinstatement following works (amended information received 24/09/13 - revised working hours).	Approve 11/11/2013	N/A
09/P/1567	Erection of six two storey one bedroom dwellings for cathedral staff with associated landscaping and infrastructure works.	Approve 04/03/2010	N/A

Prior to this there have been a number of permissions allowing small scale residential development on the site dating from 1958 to 2004.

**Consultations.**

Historic England: Support the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 129 and 132.

Historic England considers the proposed housing on land south and east of the Cathedral would, in NPPF policy terms cause some harm to the significance of the grade II\* Cathedral. However, we understand that the development is necessary to create an endowment that would

help to secure the long-term financial security of the Cathedral which is a considerable heritage benefit that we think should be weighted accordingly under the exercise required by Paragraph 134 of the NPPF. We have identified further heritage benefits in the landscape enhancements south of the Cathedral, and in the retention/consolidation of the clergy housing. Securing the future of the Cathedral would sustain the building in the use for which it was designed (the optimum viable use), and allow it to continue to deliver its key objectives as a central church for worship and mission.

If your Council is minded to approve this application, we suggest you must be satisfied that the key heritage benefits identified are secured by a legal agreement or some other mechanism. Our support for the scheme relies on this.

[Officer note: The full consultation response from Historic England is appended to this report for information]

Cathedrals Fabric Commission for England (CFCE): Supports the proposal. It is noted that although there will be an impact on the setting of the Cathedral, the CFCE believes that the public benefits outweigh any potential harm. The proposal would protect both axial routes to the Cathedral which come from Edward Maufe's original vision. The status of the Cathedral, as the visible crown of the hill would be retained.

Twentieth Century Society: Raise objection. We have now been supplied with additional material which relates to the viability of the scheme. However, the receipt of this further information has not convinced us that the proposals' effect on the setting of a Grade II\* listed cathedral would cause only limited harm, and would be outweighed by substantial public benefits.

We remain of the opinion that the proposed development would cause substantial and irreversible harm to the exceptional setting of this rare example of a twentieth century English cathedral, and that this harm is not outweighed by the claimed public benefits arising from the proposal. The Society continues to consider that the application should be refused planning permission by your authority, and we urge that the applicant find an alternative solution to raise money for cathedral funds which will have less or no impact on its setting.

[Officer comment: This objection is at odds with the stance taken by Historic England. The impact on the setting of the Cathedral is discussed in detail below]

Highways England: No objection. The proposal is unlikely to result in a material impact on the safe and efficient operation of the A3. However, a Travel Plan is recommended to minimise any potential impacts from the proposal and to reduce trips during the peak travel periods.

[Officer Note: A Travel Plan has been submitted by the applicant and has been approved by the County Highway Authority]

Surrey County Council, County Highway Authority: No objection. Subject to conditions and a S106 agreement to secure contributions towards the upgrading and improvement of a footpath between Scholars Walk and the University and the provision of wayfinding signs.

Surrey County Council, Education Authority: No objection subject to securing mitigation through a S106.

Thames Water: No objection, subject to a condition relating to surface water discharging into the Thames Water system.

Environment Agency: The proposal falls outside our remit as a statutory planning consultee. No comment.

Surrey County Council, Lead Local Flood Authority: No objection, subject to conditions.

Natural England: No objection, provided that the proposals are compliant with the Council's Thames Basin Heath Special Protection Area Avoidance Strategy.

[Officer Note: The proposal is fully compliant with the requirements of the Avoidance Strategy and this will be discussed in greater detail below]

Surrey Wildlife Trust: No objection, subject to conditions. Some concerns raised relating to how the loss of trees will impact on bat activity, how the reptile mitigation strategy will work in practice and the overall impact on biodiversity.

Surrey County Council, County Archaeologist: No objection, subject to a condition which requires the submission of a Scheme of Investigation before works commence.

GBC Environmental Health: No objection.

GBC Parks and Leisure Services: We wish to suggest some changes are made to the proposed development of these dwellings around the Cathedral. We are proposing changes for the following two reasons:

1. the negative effect on views from three of the town's open spaces, two of which are identified within the proposal as having a 'moderate to adverse' significance because of the sensitivity of the locations (Stoke Park and Castle Grounds/Castle Tower)
2. Insufficient detail and size of open space and play provision within the proposed plans for the development.

GBC Recycling and Waste Management Project Officer: No objection to the submitted refuse and recycling strategy.

GBC On-Street Parking Co-ordinator: The proposals are acceptable from Parking Services Perspective.

Guildford Society: The Society note that they do not object to the proposal, but have the following concerns:

- the majority of the application site is Protected Open Space. It is in the public interest that Protected Open Space is preserved and the proposal is contrary to saved Policy R5 [Officer comment: This will be addressed comprehensively in the report below]
- the Council should be satisfied that the overall provision of open space remains adequate for communities in this area
- the proposed level of affordable housing does not meet the current Local Plan requirements. The Council has to decide if the other circumstances of the case are enough to outweigh the reduced affordable housing provision [Officer comment: Viability and a none policy compliant level of affordable housing is addressed fully later in this report]

### **Third party comments.**

111 letters of representation have been received relating to the proposal. These raise the following objections and concerns:

- the development would have a significant impact on the setting of the Cathedral;
- the proposal would reduce the prominence and appeal of the Cathedral;
- overly high density of the proposed housing;
- the housing should be spread more evenly over the site;
- the proposed buildings are too high;
- access to the site is in the wrong location;
- the proposal will increase traffic and congestion in the area, particularly given that consent has recently been granted for the redevelopment of Guildford Park Road car park;
- highway safety concerns;
- the proposed parking provision for the new homes is inadequate;
- the loss of the green space would have a detrimental impact on local wildlife;
- the proposed housing is out of keeping with the scale and character of the area;
- the proposed buildings are of a poor design;
- residential lighting would detract from the Cathedral;
- preserving the Cathedral is more important than the need for additional housing;
- the area suffers from ground movement and ground water problems;
- the proposed houses have very small gardens;
- proposed balconies would be intrusive;
- flooding and drainage concerns
- the mix of housing is not appropriate and are likely to be rented to students [Officer Note: The matter of who resides in the individual market houses is not a material planning consideration];
- impact on the residents of Ridgemount and Scholars Walk due to the height of some of the proposed buildings. As a result, impact on privacy, overlooking, overshadowing and impacts from additional noise and disturbance;
- inadequate sewerage and water services in the area [Officer Note: No objection has been raised by Thames Water];
- loss of views [Officer note: This is not a material planning consideration];
- lack of public transport in the area and trains are already at capacity;
- inadequate pedestrian access;
- the land was gifted to the Cathedral by past Canadian Prime Minister. The use of the land for profit/maintenance is not in keeping with the intention of the gift [Officer note: this is not a material planning consideration];
- loss of hedgerows and trees;
- increased pressure on infrastructure such as healthcare and education;
- the site contains a population of stag beetles [Officer note: No specific evidence of this found during ecological surveys];
- lack of open space in the area, particularly as some would be lost through this proposal;
- the number of dwellings has not been reduced;
- no changes to the access despite the concerns raised;
- lack of parking and
- the Church of England should investigate other means to fund the continued restoration and operation of the Cathedral.

81 letters of representation have been received which raise the following points in support of the application:

- the proposal would be a benefit to the local community;

- the proposal will put the Cathedral on a much more secure financial footing;
- the proposal would provide much needed housing for the borough;
- without the proposal, the Cathedral would be likely to close;
- the development is attractive and sensitive to the Cathedral environment and blends in well with the surrounding area;
- the proposal integrates the Cathedral with its local community;
- the proposal would enhance the Cathedral;
- the proposal will bring much needed affordable housing;
- the proposal would not result in any access issues;
- the proposal is in keeping with Maufe's original designs for the Cathedral;
- there is no on-going support from the State and the Cathedral needs to generate its own funds to support the maintenance of its buildings;
- the Cathedral is currently 'isolated' on Stag Hill and the proposal would help it integrate into the community;
- overall, the proposal is considered to be a relatively modest scheme and
- the application site is seldom used as a recreational area.

### **Planning policies**

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

#### **National Planning Policy Framework (NPPF)**

Core planning principles

Chapter 4. Promoting sustainable transport

Chapter 6. Delivering a wide choice of high quality homes

Chapter 7. Requiring good design

Chapter 8. Promoting healthy communities

Chapter 10. Meeting the challenge of climate change, flooding and coastal change

Chapter 11. Conserving and enhancing the natural environment

Chapter 12. Conserving and enhancing the historic environment

#### **Ministerial Statement 2015**

This is a written statement to parliament which outlines the steps the government are taking to "streamline the planning system, protect the environment, support economic growth and assist locally-led decision making".

#### **National Planning Practice Guidance (PPG)**

#### **South East Plan 2009**

NRM6 Thames Basin Heath Special Protection Area

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

G1	General Standards of Development
G5	Design Code
G6	Planning Benefits
G13	Green Travel Plans

H4	Housing in Urban Areas
H11	Affordable Housing
M6	Provision for Cyclists and Pedestrians
HE4	The Setting of Listed Buildings
HE10	Dev Which Affects the Setting of a CA
NE1	Potential Special Protection Areas
NE4	Species Protection
NE5	Dev. Affecting Trees, Hedges & Woodlands
R2	Recreational Open Space in Large Resid.
R5	Protection of Open Space

### **Supplementary planning documents**

Thames Basin Heaths Special Protection Area Avoidance Strategy  
Sustainable Design and Construction SPD  
Residential Design Guide SPG  
Planning Contributions SPD  
Vehicle Parking Standards SPD  
Community Engagement in Planning

### **Emerging Guildford Borough Local Plan**

The Council is currently preparing a new Local Plan. One round of formal public consultation on the draft Local Plan Strategy and Sites took place over the summer of 2014, followed by a further (Regulation 19) consultation in June-July 2016. Further work is now taking place to consider the comments of the respondents, key statutory organisations and to update evidence base documents where necessary. It is currently proposed to run a targeted consultation in the summer of this year focusing on specific changes to the proposed submission Local Plan.

Policy A15 of the (Regulation 19) consultation last year identifies the application site for a possible housing allocation of approximately 100 homes.

Paragraph 216 of the NPPF states that decision makers may give weight to relevant policies in emerging local plans. However, this depends on (inter alia) the stage of preparation of the emerging plan and the extent to which there are unresolved objections to relevant policies. At this time, the Proposed Submission Local Plan carries little material weight.

#### Evidence base

Guildford Open Space, Sport and Recreation Assessment 2016

#### **Planning considerations.**

The main planning considerations in this case are:

- planning policy context
- the principle of development
- background to application
- the impact on the setting of heritage assets
- financial case
- the design and layout of the proposal and impact on character of the area

- the impact on neighbouring amenity
- living environment for future occupiers
- highway/parking considerations
- Thames Basin Heath Special Protection Area
- impact on trees and vegetation
- impact on ecology
- flooding and drainage
- slope stability and engineering solution
- sustainable design and construction
- other issues
- planning contributions and legal tests
- balancing exercise
- conclusion

### **Planning policy context**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be taken in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area includes the Guildford Local Plan 2003 (as saved) and Policy NRM6 of the South East Plan 2009.

The Development Plan predates the publication of the NPPF and paragraph 212 of the NPPF advises that *“the policies contained in this Framework are material considerations which local planning authorities should take into account from the day of its publication.”*

Where there is conflict between the Development Plan and the NPPF paragraph 215 of the NPPF states that *“weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”* The report will identify areas where there is conflict between the NPPF and the Development Plan.

In the determination of this application it would be appropriate for the Council to give greater weight to its Development Plan policies, in so far as they accord with the NPPF, and give significant weight to other primary material considerations such as the NPPF.

### **The principle of development**

As can be seen in the planning history, the site has previously had planning permission for the erection of additional residential units, the most recent of which was approved in 2010. However, the development now proposed is of a much greater scale, and the policy context has changed significantly and therefore all principle issues need to be reassessed.

The proposed housing development is located within open space, except the existing land within Cathedral Close, and is within the urban area of Guildford. It also falls within the setting of the Grade II\* Cathedral, which is a heritage asset of national importance.

### **Open space**

Saved policy R5 of the Local Plan seeks the protection of open space. However, this policy does not fully comply with the NPPF, being too prescriptive in parts and therefore carries limited weight.

Paragraph 73 of the NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. It can provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure as well as being an important part of the landscape and setting of built development, and an important component in the achievement of sustainable development.

In relation to decision making paragraph 74 of the NPPF goes onto say that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Open space can be broken down into different typologies. For the type and range of open spaces that exist in Guildford these are:

- Allotments
- Amenity Green Space
- Parks and Recreation Grounds (for both sports pitches, fixed space and private sports space)
- Play space (for both younger and older children)
- Natural Green Space
- Education Sites
- Churchyard and Cemetery
- Private space (e.g. paid access sites)
- Fishing lakes and golf courses

The application site (excluding the existing Cathedral Close) is Amenity Green Space. This category includes spaces open to free and spontaneous use by the public, but are not laid out or managed for a specific function such as a park, playing field or recreation ground. This type of space is also not managed as natural or semi-natural habitat. Amenity Green Space can serve a variety of functions dependant on their size, shape and topography.

Due to the steeply sloping nature of the site, the existing open space is not well used for informal recreation activities and currently has two main functions. The main attribute of this area of open space is its visual dimension, particularly in relation to the setting of the Cathedral which is covered fully later on in this report. The other main use is as a pedestrian link through to the University of Surrey.

Guildford Open Space, Sport and Recreation Assessment June 2016 forms part of the evidence base for the emerging Local Plan. Due to the stage of the new Local Plan, it currently holds very limited weight, however it does contain an up to date picture of open space provision in the vicinity of the site. Within Onslow there is a shortfall in some forms of open space, namely park and recreation, allotment and play provision. The other typologies are meeting the

standards.

In relation to Amenity Green Space, Onslow currently contains 10.6 hectares of this type of open space, which equates to 1.1 hectares per 1000 of the population. There are recognised standards for Amenity Green Space, where our Local Plan requires 0.4 hectares per 1000 people and the national standard contained in the Fields in Trust Guidance requires 0.6 hectares per 1000 people. Therefore Onslow is currently well in excess of these minimum requirements.

The application results in the loss of approximately 2.0 hectares of Amenity Green Space. Taking this loss into account, 8.6 hectares of Amenity Green Space remain, which is still considerably above the 5.7 hectares recommended by the Fields in Trust Guidance.

The proposed development would not result in a deficiency of Amenity Green Space within Onslow Ward. Furthermore it would retain the sites function with pedestrian permeability, linking to the town centre. There will also be a significant improvement to the quality of the remaining open space through additional landscaping (discussed further below). Therefore there is no in principle objection to the loss of open space as proposed.

### Housing

Paragraph 49 of the NPPF notes that 'housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'.

It is acknowledged that the Council cannot demonstrate a five-year supply of deliverable housing land and the Annual Monitoring Report published in October 2016 notes that the current quantum of supply is now 2.1 years. Therefore, the relevant policies in the development plan for the supply of housing should not be considered up to date, in accordance with paragraph 49 of the Framework.

The supply of additional units to address an acknowledged need for market and affordable housing would have significant economic and social benefits and would contribute to the Framework's aim to boost the supply of housing.

### Setting of Heritage Assets

This issue is of key importance in relation to this application, and will be considered in detail in the heritage section below.

In relation to the principal issues, the application site is within the setting of the Grade II\* listed Cathedral. Grade II\* buildings are particularly important buildings of more than special interest. Only 5.5% of listed buildings across the country are Grade II\*, meaning the Cathedral is within the top 8% of all listed buildings in England making it a building of national importance. Due to the hilly topography, the site is also visible from four conservations areas (Onslow Village, Town Centre, Millmead and Portsmouth Road and Bridge Street).

Statutory provisions:

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'in

considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

NPPF provisions:

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 paragraph 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'.

Paragraphs 128 - 135 set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

Local Plan provisions:

Saved Local Plan policies HE4 and HE10 both generally comply with the overall aim of the NPPF, and seek to protect the setting of listed buildings and conservation areas, however, they do not contain the same direct reference to the need to balance harm against the public benefit. In this respect they do not carry full weight.

If the application complies with the above policies, there would be no in principle objection in relation to the impact on heritage assets.

### **Background to application**

The Cathedral has provided evidence showing they have significant financial difficulties, where the accounts show there is an increasing underlying deficit and falling unrestricted reserves. This situation has been proven to be unsustainable, and therefore raises serious questions regarding the future of the Cathedral.

To address this concern and secure the long term future of the Cathedral, the Cathedral Chapter wants to deliver two projects, "the Peoples Cathedral" and "Building a Cathedral Quarter".

#### *"The People's Cathedral"*

This project will address the physical defects in the Cathedral building (i.e. asbestos, lighting, access, sound, etc.) and create a building fit for purpose for the 21<sup>st</sup> Century.

The Cathedral is currently undertaking a major project to remove acoustic plaster containing asbestos from the ceilings. This project will also include new lighting and a new sound system within the building, new level access to the west and northeast entrances and new exterior and interior wayfinding and information systems.

#### *"Building a Cathedral Quarter"*

The second key part of Chapter's plan to secure the future of Guildford Cathedral is to implement a masterplan for the site which will create an endowment and reduce the Cathedral's

isolation from the community within Guildford by improving links and promoting activity around the Cathedral.

The first part of this initiative is the proposed sale of some of the land surrounding the Cathedral to Linden Homes. This transaction will provide a significant capital receipt which will underpin the long term financial security of the Cathedral, and will be invested to generate a financial endowment to eliminate the underlying deficit generating an annual surplus. At the outset it should be noted that officers consider this point to potentially be of greatest importance which could amount to a significant public benefit.

The second part of this initiative (what the Cathedral have named phase 2) will include additional improvements to the retained open space on Stag Hill plus new Cathedral offices, new offices for the Diocese of Guildford, new and improved visitor facilities (refectory, shop, etc.) and the attraction of an external user for uses such as arts, music, education, exhibition, etc. The aim of this is to bring the community onto Stag Hill and create improved links to the town centre, the University and the railway station.

What the Cathedral names “phase 2” does not form part of this current application, and whilst it is clearly the desire of the Cathedral’s Chapter, it is not material to this planning application.

### **The impact on the setting of heritage assets**

#### **Description of Heritage Asset**

Guildford Cathedral was designed by Edward Maufe in 1932/3, the building was the result of a competition to design a cathedral for the newly formed diocese of Guildford on land gifted for the building by the Onslow family.

The cathedral is an imposing structure sitting on the crown of Stag Hill, the list description describes the architecture as “Modified gothic style with arts and crafts influences.” Writing in 1932, Sir Edward Maufe said: ‘The idea has been to produce a design, definitely of our own time, yet in the line of the great English Cathedrals; to build anew on tradition, to rely on proportion, mass, volume and line rather than on elaboration and ornament.’ Pevsner Architectural Guide described the building as ‘sweet-tempered, undramatic curvilinear gothic’, and the interior as ‘noble and subtle.’ The exterior is brick with stone dressings, the bricks used in construction were made from clay from the hill on which the building stands.

The foundation stone was laid in 1936 but construction was interrupted by the outbreak of war in 1939. Work began again in 1948, with the nave completed by 1955 and the cathedral finally consecrated in 1961. The diocese struggled to find the finances to complete the cathedral and came up with the “buy a brick” fundraising campaign that ran throughout the 1950s and early 60’s. People were encouraged to buy and sign their names on bricks to be used for construction, more than 200,000 people take part and many local people remember their contribution to the construction of the building.

Today the Cathedral is a visually prominent landmark of Guildford and can be seen for miles around sitting on top of the green verdant mound of Stag Hill. The building has a commanding presence in many views around the town and at night when the floodlit building is seen against the dark cushion of Stag Hill the silhouette is particularly dramatic. It is seen as a single monumental entity on top of a green hill.

The Cathedral Church of the Holy Spirit is one of only three Anglican cathedrals built in England since the 17<sup>th</sup> century.

### Significance

The application does not propose any works to the listed building itself as part of this application so it is the impact on the setting of the listed building that is the key issue in this case. In order to judge any impact we need to understand the importance of the setting to the significance of the grade II\* listed building, and to what degree the setting contributes to the special interest of the cathedral.

The Onslow family had been slowly selling off land to the north west of Guildford since the early 1920's, including land on the lower slopes of Stag Hill, for housing when Lord Onslow gave the newly formed Dioceses of Guildford a rectangular plot of land on the crown of the hill for the new cathedral.

Maufe's original competition design showed two processional routes, one from the west predominately for cars, and a pedestrian route from the south on land that wasn't at the time owned by the diocese but there is no evidence that any further thought had been given to the setting or landscaping of the wider site at this time. The parcels of land identified by Maufe were given to the church in 1936 for vehicular and pedestrian access to the site and further gifts of land to the north, south and east were given in 1942 and 1943. This completed the site until the Cathedral sold off the northern portion to the university in the 1960's. A site plan from 1954, drawn by Maufe, shows not only the lodge buildings on Alresford Road but also, buildings to the south and north of the west end of the Cathedral. The buildings to the south were proposed as housing for the Provost, Precentor and Canon and to the north a building that would house administrative offices and a restaurant. The applicants contend that this points towards the fact that Maufe fully expected to see development on the slopes of Stag Hill.

It is reasonable to conclude that Maufe's design for the wider landscape never went further than the two tree lined processional routes and that the setting of the building has changed over time. However, it does appear that the building was designed to take full advantage of its elevated position and that the tree lined processional routes would have emphasised its commanding presence.

The Council believe that the open setting accentuated by avenues leading the eye to the building contributes to its significance. The buildings visual dominance as a symbol of the new diocese was paramount and the open and uncluttered nature of Stag Hill is an important feature of the site in both long and short views.

### Impact of proposal on significance

The proposal is for the development of 134 dwellings on the eastern and southern slopes of Stag Hill, a combination of flats and houses, which will include housing for Cathedral staff, the Dean and the Bishop. The proposals have been made to the Council jointly by the Cathedral and their development partner, Linden Homes, with an aim of providing an endowment for the Cathedral and to help secure its long term financial future.

As discussed above the open setting of the Cathedral is an important contributor to the significance of the site. The southern and the western approaches are particular sensitive in terms of unimpeded views of the cathedral in a landscape setting. The development proposed

would not impact views from the western approach as the development to the west of the site is largely screened from immediate views of the cathedral by vegetation which would remain.

The impact the proposed development will have on the southern approach and views from the south is more concerning as this part of the site is more sensitive. Two lodges currently frame the entrance and the pathway leads your eyes to the Cathedral sitting isolated at the top of the hill. This view and experience of the Cathedral would be interrupted by the building of the new Cathedral Close. It is acknowledged that a plan by Maufe from the 1950's shows a small amount of development on this slope, however his proposals were situated to the west of the cathedral building and would not have impinged on the view from the southern processional entrance in the same way as the current proposal. Officers have discussed the possibility of moving the development further to the west with the applicants but the Cathedral feel strongly that, together with raising funds for an endowment, the Cathedral want to provide a visible community on Stag Hill and the clergy housing is part of this. The proposed Cathedral Close sits partially within the building line of the Cathedral, cutting into some views, particularly close up views and this will cause harm to the setting of the grade II\* building. To a lesser degree, some concern is raised in this regard in relation to plots 53 and 54 on the eastern portion of the site, which also slightly intersect the building line of the Cathedral.

Landscaping within the development site has been carefully considered, but particularly around the Cathedral Staff accommodation to mitigate the impact identified as much as possible, focusing on the especially important transition between public and the semi-public and private spaces of the clergy gardens.

#### Impact on wider views

Given its position on top of Stag Hill and the topography of Guildford, which sits in a valley, the Cathedral is a visible presence in many areas of the town and is viewed largely in isolation on the green verdant Stag Hill. The Cathedral and its setting can be seen from a number of heritage assets including Guildford Castle, a scheduled ancient monument, the grade II listed Jellico roof gardens and from the town centre conservation area, amongst many others.

The applicants have produced a number of visually verified views that show what the development will look like in the context of the Cathedral initially and then again after 15 years once the planting proposed has been fully established. The proposal does have a clear impact on the longer views but it is difficult to argue that this will cause substantial harm to the significance of this heritage asset. The cathedral will still be seen on top of Stag Hill and the roofs of the new development will blend into the rest of the townscape. The materials are very important in this regard, particularly the roofscapes, being able to break up the massing in the longer views. A detailed materials condition should be included in the event that planning permission was to be granted.

The applicant has indicated they intend to light the site with low level bollard lighting. However, a condition will be added requiring full details of positioning and levels of illumination to ensure the night time silhouette is not materially affected.

#### Conclusion to heritage impact

The Council acknowledge that the proposal will cause less than substantial harm to the setting of the grade II\* listed Cathedral Church of the Holy Spirit in both the short and long views of the site. Due to the impact on the significance already discussed, and how the on site landscaping

provides some mitigation for this harm, the level of harm within the less than substantial bracket given is considerable. This harm must be given considerable importance and weight in the assessment of this application.

However, the Cathedral have provided financial information (which has been assessed by the Council as detailed later in this report) showing that it is in significant need of a large cash injection in order to keep the building operational. Officers understand that Guildford Cathedral is unique amongst English Cathedrals in not having an endowment to support them and the money raised through this scheme would provide an endowment that would help to secure the long term financial future of the Cathedral.

When assessing this application we need to consider paragraph 132 of the NPPF which says, "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." Paragraph 134 is also relevant stating "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

Guildford Cathedral is a grade II\* listed building which puts it in the top 8% of all listed buildings in England. It is therefore of national importance and "great weight" must be given to the buildings conservation. In the view of Officers, the Cathedral have provided clear and convincing justification in the form of the submitted financial and viability information, which shows that the proposed development would provide an endowment that would help sustain the future of the building in the long term. This is an important public benefit, which would help to secure the buildings "optimum viable use". Furthermore, the application also secures improvements to the southern processional route with a formal landscaping scheme with an avenue of trees and improved pathway (outside the red line, but within the blue line). This is considered to form a significant heritage benefit.

The public benefits of the proposal and whether or not they are outweighed by the identified harm, will be discussed in the final section of this report.

### **The financial case**

In order to demonstrate the financial aspects of the case, the applicants have submitted a number of reports which detail the financial position of the Cathedral and assess the financial viability of the proposal. The Council sought to have this information reviewed, and District Valuer Serves (DVS) were appointed. DVS is the specialist property arm of the Valuation Office Agency and they provide independent valuation and property advice to bodies across the public sector. Further to this assessment, Officers sought the input of the Council's Head of Financial Services to specifically review the Cathedral's accounts and projections.

Cathedrals in England are not subsidised and have to fund themselves through endowments, investments, stewardship (collections), donations, grants, gifts and fundraising activities.

Guildford Cathedral costs over £1.5m per annum to run. Unlike many cathedrals in the UK, Guildford Cathedral is relatively young and does not benefit from the security of a portfolio of legacies. As a result it struggles to meet its annual running costs. The Cathedral has consistently run at an annual deficit of £50-£100,000, although in recent years expenditure has increased because of major emergency repair works which included the removal of asbestos.

In 2015 the Cathedral's investments generated a total of £100,000 – approximately 6.6% of the £1.5m annual running costs. At this level the Cathedral runs at a deficit, a situation which now means that it is eating into its capital reserves. The existing financial situation has proven to be unsustainable.

On a Net Present Value basis, the Cathedral states it needs c.£15.1m to cover its on-going annual deficit and fund anticipated repairs over the next 20 years. If this application is approved, the Cathedral will receive a cash sum of approximately £10 million from Linden Homes for the sale of the land plus a further cash sum of approximately £2 million from the Diocese of Guildford from the onward sale of two houses in the new Cathedral Close. However, the aggregate of these two sums will be less than the £15m identified as the NPV of the projected annual deficit plus the estimated cost of repairs over the next 20 years.

#### Are the funds sufficient to underpin the long term financial sustainability of the Cathedral?

There is some debate around the NPV calculation, where this has been reviewed by the Council's Head of Financial Services who has calculated the Cathedral needs £17.2m to cover its on-going annual deficit and fund anticipated repairs over the next 20 years. However, both the Cathedral and the Council have concluded that £10 million (the cash receipt from the developer) will create an endowment that can be invested and the interest received on investment will be used to support the future operation of the cathedral. The financial justification paper shows that the cathedral expect the investment interest to be around £345,000 per annum and the projections in the financial justification paper show that this is enough to cover their operating costs and some capital investment in the fabric of the building. The investment income assumptions seem reasonable for long-term investments. So there is evidence that the level of the endowment will eliminate the Cathedrals operating deficit and cover some of its future capital requirements.

While the level of endowment proposed is likely to remove the operating deficit, it will not cover all of the future capital requirements of the Cathedral. This is confirmed by statements in the Cathedral's financial justification paper, and indeed it is stated that the cash receipt is not intended to cover all the future capital requirements of the Cathedral. This is because only the investment income from the endowment (and not the capital) can be used. There will still be an annual shortfall between projected on-going repair bills and funds available. The Cathedral have explained that this shortfall will continue to be met by a mixture of trust fund applications, special grants, dedicated appeals, gifts and legacies, as it has been in the past as well as the interest received on the endowment created from the sale of the land. The Cathedral also believes that it is likely to be more successful in attracting such funding if it is seen as an active, vibrant and financially sustainable community with good connections to Guildford town centre.

#### Conclusion

From the information provided it is clear that the Cathedral are in a significant financial deficit and would be unsustainable without the interest income generated from a significant capital receipt. The receipt from the land sale will not cover all of their long term future capital costs and it was never intended to do so as explained above.

The financial circumstances of a particular organisation would not normally have any material

weight in the planning decision making process. However, the financial circumstances of Guildford Cathedral are unique among English Cathedrals, and for this reason it has been decided that there are exceptional conditions which weigh in favour of the application. Historic England therefore perceives there to be a genuine public benefit in facilitating the creation of the endowment as proposed as it will maintain a Cathedral presence in Guildford, operating from the listed building. Furthermore, securing new clergy housing in close proximity to the Cathedral is also a benefit as this would greatly assist it in delivering their vision of a new Cathedral quarter.

As securing the endowment is necessary to make the development acceptable in planning terms, it will be necessary to find an appropriate legal mechanism to secure the heritage benefits through the grant of planning consent. This will be through the S106 agreement, as further detailed below.

### **The design and layout of the proposal and the impact on the character of the area**

#### **Design and layout**

On the eastern site, the topography of Stag Hill is such that the development sits around a road that climbs the hill until the land flattens out on the crown where the development opens out onto a green space with houses around its edges. Parking is contained on plot for the majority of the dwellings and the landscape has been softened with planting. The Cathedral Green is focused around an existing mature oak tree, and has a formal setting of houses fronting onto it. This allows views out of the site to be maximised, and retains open space at the top of the slopes to reduce visual impact from distant viewpoints in Guildford.

The Cathedral Close seeks to retain the a sense of enclosure that all traditional cathedral closes have. This is created through the distinction between public and private space through the use of garden walls, hedgerows, natural landscape, and gateways.

The western blocks of flats have been amended through the process of the application. A reduction in height and massing of Blocks A and C by 1 storey has created a more articulated skyline to this portion of the site, which can be appreciated from within the proposed development and from wider views. Increased separation distance between the buildings has reduced the visual impact of the massing. The addition of homes at ground floor level, underneath the podiums, has provided a much more active frontage.

Maufe's design philosophy was "To build anew on tradition, to rely on proportion, mass, volume and line rather than on elaboration and ornament." The proposed houses and flats follow this philosophy with their simple brick and tile forms and unfussy details. The steep roof pitches and the use of brick with stone dressings echo elements of the Cathedrals architecture and the use of tiled roofs and chimneys will help the scheme to blend in with the wider townscape in the longer views of the site. The application proposes lots of detached buildings, to allow spacing inbetween to break up the massing. The facades include a number of "feature" brick panels which add interest, details of these together with all other facing materials will be essential in ensuring the success of the final scheme and will need to be conditioned.

Buildings are predominantly detached to allow visual breaks in the massing and views through to the surrounding Guildford townscape. Detached housing also allows the development to deal with the level changes in an attractive way, as housing staggers up the hill. Split level up-slope and down-slope units have been designed to deal with the level changes from the front to rear

of properties.

The development is served by open space which would be overlooked by the surrounding houses creating natural surveillance.

As detailed by Parks and Leisure Services, the proposed development is not providing the level of open space as required in the Fields in Trust Guidance. The main reason for this goes back to viability issues and the inability of the development to have any further reduction in the number of units proposed. The proposal does however provide approximately 0.34 hectares of open space, and will be surrounded by the retained open space at the cathedral, mitigating the impact of the under provision. The final details of the play equipment and the finish of the open space will be agreed via condition.

The site also proposes a variety of landscaping inclusive of tree and shrub planting, turfing and wild flower planting of amenity space areas giving the development a softer feel. The vast majority of existing tree and hedge planting to the boundaries will be retained.

The site is well connected to the adjacent footpath for pedestrians and cyclists. A boundary treatment plan has been submitted, and the majority of the proposals are acceptable. However, some close boarded fences are proposed in inappropriate and overly prominent locations, therefore it is considered appropriate to condition all boundary treatments/fences to be submitted to and agreed by the LPA.

The layout, scale and appearance of the dwellings, combined with the proposed landscaping and surface treatments are acceptable and will help create a welcoming development with its own sense of place. This is in accordance with policy G5 of the saved local plan and the requirements of the NPPF to achieve visually attractive development that responds to local character and results in inclusive design and a comfortable place to live and visit.

#### Impact on character of the area

One of the core planning principles of the NPPF is that planning should take account of the different roles and character of different areas. The immediately surrounding area predominantly consists of two storey properties, however does have quite a varied character with differing developments surrounding the site, inclusive of the university housing, 80s residential development, and some older properties.

The proposed development will have some impact on the character of the area, containing some flats and larger, 3 storey house types, however this variety is not considered to be a negative impact in this sustainable central location, which already contains some variety in the design and scale of surrounding properties. The development site sits away from the existing properties on Ridgemount and Alresford Road, and therefore the proposed development will not be read directly against each the properties on these streets.

One negative of the proposal is the eastern site and the new Cathedral staff accommodation are inward looking, and do not present active frontages to the surrounding area. This is not ideal in urban design terms however has come about due to the site constraints, and this does provide an element of separation from the existing built form.

Overall, the proposed development is considered to have an acceptable impact on the character of the wider area in accordance with saved Local Plan policies H4 and G5.

## **The impact on neighbouring amenity**

The proposal has the potential to impact on a limited number of properties due to its location adjacent to the Cathedral and existing open space. The properties most likely to be affected are those on Scholars Walk, Ridgemount and Alresford Road.

### **Scholars Walk**

The application site has an adjoining boundary with five properties on Scholars Walk, four of which are the properties most likely to be affected.

#### **- 1 Scholars Walk**

Plot 69 is the closest part of the development to 1 Scholars Walk, and is located to the rear of this dwelling. At its nearest point it is located 7.5 metres from the boundary with this neighbour with 20.7 metres to the dwelling itself. The development is at a higher land level, where the ground level of plot 69 is approximately 2.2 metres above the ground level of 1 Scholars Walk. As the development site is to the north, there will be no direct loss of light from the proposed development.

Plot 69 is not located directly to the rear of no. 1, and is in fact to the west side, being directly to the rear of the side garden boundary of this neighbour. The area immediately to the rear of 1 Scholars Walk is a small car park, deliberately left free of built form to limit the impact on this neighbouring dwelling. Furthermore, the south east facing first floor window has been designed to contain louvers angled away from this property and its garden area, ensuring no direct views from plot 69 towards this dwelling and additional landscaping is proposed between the two properties. These issues in combination ensure no materially harmful impact in relation to overlooking and loss of privacy on 1 Scholars Walk. To ensure the louvers remain as proposed, a condition will be added.

This neighbour has also expressed concerns in relation to being adjacent to the site access, particularly in relation to increased noise and disturbance. The proposed access is in the same location as one of the existing access points for the Cathedral Close, however the access will now serve 82 units. This will clearly result in an increase in vehicular movements, with some increase in noise. However, the existing property at 1 Scholars Walk is over 11 metres from the proposed roadway and a landscaping buffer is proposed in-between. So whilst there will be some increase in noise from the access, this will not cause any material harm to the amenities of this neighbour.

#### **- 2 Scholars Walk**

Plots 70 and 71 are the closest part of the development to 2 Scholars Walk, and are located to the rear of this dwelling. At the nearest point they are located 10.0 metres from the boundary with this neighbour with 22.0 metres to the dwelling itself. The development is at a higher land level, where the ground level of plot 71 is approximately 3.2 metres above the ground level of 2 Scholars Walk. As the development site is to the north, there will be no direct loss of light from the proposed development.

Plots 70 and 71 have modest proportions, having a maximum height of 7.9 metres, reducing the bulk of the development proposed. With the distance between the two, and the existing

boundary screening which is proposed to remain, it is not considered any materially harmful overlooking or loss of privacy will occur.

#### - 12 Scholars Walk

Plots 72 - 75 are the closest part of the development to 12 Scholars Walk, and are located to the side of this dwelling. At the nearest point they are located 12.0 metres from the boundary with this neighbour with 15.0 metres to the dwelling itself. The development is at a higher land level, where the ground level of plot 73 is approximately 2.9 metres above the ground level of 12 Scholars Walk. As the development site is to the north, there will be no direct loss of light from the proposed development.

With the distance between the two, and the existing boundary screening which is proposed to remain and is at the thickest at this point, it is not considered any materially harmful overlooking or loss of privacy will occur.

#### - 14 Scholars Walk

At its closest point the development is located 2.0 metres from the boundary with 14 Scholars Walk with 4.5 metres to the dwelling itself. The proposed development is located to the side of this property and is at a similar land level. Plot 75 avoids a 45 degree line taken from the centre of the nearest rear facing habitable room windows of this neighbouring property, ensuring no materially harmful loss of light. Plot 75 does project approximately 4 metres beyond the rear elevation of 14 Scholars Walk, however, at this point there is a distance of approximately 3 metres from the side elevation of plot 75 to the boundary with no. 14 ensuring there will be no materially harmful overbearing impact.

No windows are proposed in the side elevation of plot 75 ensuring no overlooking or loss of privacy.

#### Ridgemount

The properties fronting Ridgemount on the opposite side of the road to the site face towards the rear gardens of plots 55 – 68. The closest distance between the two is approximately 28 metres. This distance, along with the significant boundary screening ensure no loss of light or loss of privacy.

#### Alresford Road

Again, there is a good separation distance between the properties fronting Alresford Road to the closest block on the application site (approximately 29 metres) and there would be no harm caused to the residents of these properties as a result.

Due to the sites location on the slope, the proposed units will be visible to many existing properties in the area, with a lot of the house types utilising terraces and balconies. However, due to the distances between these units and the existing housing in the surrounding area, it is not considered this would cause any material harm. Furthermore, Guildford generally has a hilly topography, and this relationship would not be uncommon in an urban setting. The application is therefore acceptable in regards to impact on neighbouring amenity, in line with saved policies H4 and G1(3) of the Guildford Borough Local Plan 2003.

### **Living environment for future occupiers**

The application creates an attractive urban living environment with suitably sized internal space, and outlook over landscaped spaces and active street scenes. All of the proposed dwellings would have access to private outdoor space, either in the form of terraces or rear gardens, as well as access to open space throughout and surrounding the site. Some of the gardens are very small in size, however it is considered occupants will have access to satisfactory outdoor amenity space taking into account the site as a whole.

As regards the proposed flats, they would have access to either communal garden terraces or communal open spaces throughout the development. As such, the external and internal amenity of the proposed units would be acceptable.

### **Highway/parking considerations**

Paragraph 32 of the NPPF states that 'all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

As part of the proposal, the applicants have submitted a detailed Transport Assessment and Travel Plan. These have been reviewed by Highways England and the County Highway Authority and additional information has been supplied by the applicant as requested.

### **Access and internal road layout**

Each section of the site (the western flats, the Cathedral Staff accommodation and the eastern section) has its own vehicular access, two from Alresford Road and one from Ridgemount. The site access drawings show appropriate visibility splays in both directions for all three site accesses, in accordance with the relevant design guidance set out in the Manual for Streets.

The creation of the new access points results in some changes to designated on street parking, five spaces are lost and eight are provided elsewhere resulting in a net gain of on street parking provision. GBC Parking Services have not objected to the proposed arrangement, and the replacement spaces will be secured by condition.

There are no vehicular links between each section of the site, although pedestrian interconnectivity is provided between the eastern portion of the site and the Cathedral Staff accommodation. The site remains permeable for pedestrians, with links to the university and town centre.

The internal roads use a mixture of carriageway with separate footpaths and shared surfacing to encourage a slow speed environment. The gradient of the access road, typically 1:15, is within limits acceptable to Surrey County Councils Highways.

The applicant has submitted a Waste Collection Strategy which shows satisfactory space for refuse vehicle manoeuvring and refuse and recycling collection. GBC Operational Services raise no objection to this.

Surrey County Council Highways have requested the following improvements:

- Upgrade the footway between Alresford Road/Benbrick Road and The Chase to a 3m wide shared footway/cycleway with a tarmac finish
- The provision of two pedestrian signs consistent with Guildford's Wayfinding Strategy to the Cathedral and University
- Upgrade Footpath 6 to a 1m wide tarmac finish

These will be secured through both S278 and S106 agreements.

### Sustainable transport

The site is in a highly sustainable location within the established urban area. The local highway network provides footway connections to the wider area, and there are local cycle routes nearby. The site is particularly well located to frequently served bus stops and Guildford railway station. Walking, cycling and public transport uses are genuinely available for local residents to made non-car trips.

The proposed access arrangements and site layout will accommodate pedestrian and cyclist movement to, from and within the site. It is noted that cycle parking would be provided throughout the development in accordance with the Council's standards. To ensure that the opportunities for sustainable travel are taken up in accordance with paragraph 32 of the NPPF, the development will also bring forward a Travel Plan to encourage and facilitate sustainable travel to and from the site. In accordance with SCC guidance, this sets out a package of measures, proposed targets, implementation strategy and monitoring regime. Surrey County Council raise no objection to the Travel Plan which will be secured by condition.

### Highway safety and capacity

The applicant has undertaken a Traffic Impact Assessment which looks at the operational capacity at nearby junctions. Using the TRICS trip generation database, the proposed development is estimated to generate an additional 59 two way vehicular movements in the am peak time (8am – 9am) and 67 two way movements in the pm peak time (5pm – 6pm).

The main junctions that will be used by any future occupiers of the site are the Egerton Road / Ashenden Road / A3 Slip / Holiday Inn Roundabout (western side of A3), the Egerton Road / University of Surrey / A3 Slips / The Chase Roundabout (eastern side of A3) and the Guildford Park Road / Farnham Road Roundabout.

Assessing each junction, the development proposed will result in approximately:

- Roundabout west of the A3 - 0.1% increase in traffic in the morning peak hour and 0.2% in the evening peak hour
- Roundabout east of the A3 - 0.6% in the morning peak and circa 0.8% in the evening peak hour
- Guildford Park Road / Farnham Road Roundabout - 0.5% in the morning peak hour; 0.6% in the evening peak hour

Both the roundabout to the east of the A3 and the Guildford Park Road / Farnham Road

roundabout are already over capacity at peak times, and the proposed development would result in some increased queuing on the approaches of these two junctions.

The Transport Assessment also looked at the immediate junctions on The Chase and Madrid Road assessing:

- The Chase / Benbrick Road / Elmside / St Johns Road;
- The Oval / The Chase (East);
- The Oval / The Chase (West);
- Ridgemount / Ludlow Road / Guildford Park Road / Madrid Road; and
- Guildford Park Road / Guildford Park Avenue.

The assessments results show that these junctions currently operate within capacity and will continue to do so in 2020 without or with the development proposal.

In summary, the impact is unlikely to be noticeable in terms of queuing and delay and safety on local junctions including at the two large Egerton Roundabouts on either side of the A3. Whilst there will be small increases in queuing and delay at the Guildford Park Road / Farnham Road junction, these are below a level that could reasonably be considered to be 'severe'. As a result, both Highways England and the County Highway Authority raise no objections to the proposal on capacity or safety grounds.

#### Parking provision

A total of 213 car parking spaces would be provided for the proposed development, 144 for the eastern portion of the site, 29 for Cathedral Staff and 40 for the western flats. 14 of these spaces are designated for visitor parking. This is in accordance with the Council's Vehicle Parking Standards SPD which specifies a maximum on-site parking requirement of 221 spaces.

The 213 spaces proposed are within this maximum and given the position of the site in a highly sustainable location, with good access to public transport, the level of residential parking is deemed to be acceptable in this instance. Existing on street parking controls on adjacent streets will ensure the prevention of overspill parking.

It is concluded there will be no disruption to the free flow of traffic and there would be no adverse effect on the highway safety. The development will also provide an appropriate level of parking, and therefore complies relevant parts of saved policy G1 of the Local Plan, the Ministerial Statement and NPPF.

#### Thames basin heath special protection area .

The application site is located within the 400 metre to 5 kilometre buffer of the Thames Basin Heaths Special Protection Area (TBHSPA). Natural England advise that new residential development in proximity of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes a net gain of 127 residential units and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site.

The Council has adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy 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. The avoidance strategy envisages that larger sites will generally provide their own SANG solution however given the urban location of this site it would not be possible for the development to provide on-site SANG and no other suitable site has been identified by the applicant for use as SANG. Accordingly it is reasonable in this instance, for the development to contribute to an existing SANG.

The proposed development requires 2.1ha of SANG. At the current time, it is considered Chantry Wood would be the most appropriate SANG to mitigate the development, being within the required catchment of 5km and having ample capacity. It is therefore concluded that, subject to the completion of a legal agreement securing the mitigation set out in the TBHSPA Avoidance Strategy, the development would not compromise the integrity of the TBHSPA.

### **Impact on trees and vegetation**

The application has been submitted with an Arboricultural Implications Report and a subsequent addendum, which makes an assessment of the impacts of the proposed development on 234 individual trees, 24 groups of trees and three hedges growing on or immediately adjacent to this site.

The application proposes the removal of 71 trees (14 of which are category B, the rest of which are C category or below), 7 groups of trees partial removal of 3 groups of trees and two hedgerows.

The report states that no category 'A' trees, no trees subject to a TPO and no veteran or ancient trees of high landscape or biodiversity value are to be removed. The Root Protection Area incursions are relatively minor, and will not cause significant or long-term damage to their root systems or environments. The report concludes that the arboricultural impact of the scheme is of low magnitude, and that the proposed development would not have a significant adverse arboricultural impact on the character and appearance of the local landscape, or on the amenity or biodiversity that the existing trees provide; and accordingly that it complies with national planning policy guidance and with local planning policy.

GBCs Tree Officer raises no in principle objection to the application. Although a number of trees and hedging are to be removed to facilitate the development and the loss of these trees will result in a change in the arboricultural features on the site, it is considered that their removal can be mitigated against with the extensive tree planting scheme that has been proposed.

It is noted that a couple of the proposed dwellings are in close proximity to two of the TPO trees on the southern boundary of the site. Particular care will be required during both the construction phase in order to ensure these trees are in no way harmed. It will be imperative that the necessary protection methodology is followed in accordance with the approved Arboricultural Report and Tree Protection Plan.

The relationship between these trees and the proposed dwellings has been carefully considered. The windows on all affected rear elevations are large, allowing a maximum ingress of natural light and many of the rooms are served by secondary windows. The two trees on the south boundary are relatively high-crowned specimens, thereby enabling penetration of daylight and sunlight beneath the lower limits of their canopies. Furthermore as they are deciduous,

they will not cause significant shading during the winter months when out of leaf. For these reasons, it is not considered they are likely to be shaded to the extent that this will interfere with incoming occupiers' reasonable use or enjoyment of these plots or give rise to post development pressure for the removal of trees.

GBCs Tree Officer has also viewed the Softworks landscape plans and raises no objection to the species mix chosen and the proposed planting size of the trees. Conditions will be added to ensure appropriate tree protection and landscaping implementation and maintenance.

### **Impact on ecology**

The presence of protected species is a material planning consideration, which needs to be addressed prior to any planning permission being granted. The applicant has submitted an Ecological Constraints and Opportunities Assessment, a Reptile Survey Report, a Preliminary Bat Roost Assessment Report and a Bat Roost Survey Report all undertaken in 2014.

The majority of the site comprises semi-improved grassland, with scrub, broadleaved woodland and mature scattered trees to the east and south. The reports identify that the potential constraints to the proposed development are nesting birds, widespread reptile species and roosting bats.

The Reptile Survey provided evidence that part of the site does support widespread reptile species limited to a low population of slow worm. The survey recommends appropriate mitigation in the form of habitat manipulation which involves the encouragement of all reptiles present to disperse to alternative, connected habitat in the presence of a qualified ecologist. The survey also recommends creating better habitat for reptiles.

The two bat surveys found no evidence of bats roosting within any of the buildings on Cathedral Close, and therefore the demolition of these buildings presents no constraint to the proposed development. The Bat Roost Survey Report did find bat activity on the site. This was predominately foraging and commuting behaviour surrounding each of the buildings. The survey also identified common pipistrelles, soprano pipistrelles and brown longeared bats commuting and foraging between the trees in the north and west of the Cathedral land. To the south and east of the site common pipistrelles and soprano pipistrelles were recorded commuting over trees adjacent to the gardens of the Cathedral Close properties.

The submitted surveys identify possible opportunities to enhance the wildlife potential of the site and wider land owned by the Cathedral. With adherence to these recommendations, and adoption of suitable measures, the submitted surveys conclude that the proposed development may be achieved with no sustained adverse impacts to ecological interests.

Surrey Wildlife Trust have stated the submitted surveys provide useful information to assess the potential impact on ecology, and recommend a number of conditions. These relate to the recommended actions from the assessments and surveys submitted and all the biodiversity and ecological enhancements proposed. SWT have also raised concerns relating to how the loss of trees will impact on bat activity, how the reptile mitigation strategy will work in practice and the overall impact on biodiversity. While these issues are acknowledged, it is considered that a condition which requires the applicant to submit a detailed Landscape and Ecological Mitigation and Management Plan prior to any works commencing on site, would allow the applicant to clarify the outstanding matters and provide a plan for the long term management of ecology in the future.

With the addition of these conditions, there is not likely to be any harmful impact to protected species and the proposed mitigation will help to off-set adverse effects to the biodiversity value of the site resulting from the proposed development in accordance with saved Local Plan policy NE4.

### **Flooding and drainage**

The site is located within Flood Zone 1 which comprises land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding. The application has been submitted with a Flood Risk Assessment and a Drainage Strategy.

The reports note that the site is part greenfield and part previously developed land. The underlying geology consists of impermeable London Clay, and therefore it is not appropriate to dispose of any surface water by infiltration. The report also notes the levels of ground water, with the ground on the southern boundary being saturated and boggy. Due to the sites sloping nature and underlying geology, the existing greenfield run off rate is relatively high, and currently there are no measures in place to control this. It is therefore possible there could be some improvement with an appropriately designed drainage strategy.

A fully worked up drainage strategy has yet to be provided, however site assessments have been carried out indicating what type of strategy is likely to be acceptable. The applicant has demonstrated that the site can be drained and has identified areas on both the east and west side of the site where water can be held onsite during exceedance events. The applicant is proposing to discharge offsite as close to greenfield discharge rates as reasonably practical by attenuating flows and realising offsite at a restricted rate. As the same volume of run off is leaving the site, there will be no increase in flood risk to existing properties.

Both Surrey County Council as LLFA and Thames Water raise no objection to this proposal, subject to the addition of conditions. These will be added to ensure appropriate drainage and its maintenance for the lifetime of the development. The development is therefore considered to comply with saved Local Plan policy G1(7).

### **Slope stability and engineering solution**

When dealing with land that may be unstable, the planning system works alongside a number of other regimes. The most relevant of these when assessing this site in particular being Building Regulations, who will seek to ensure that any development is structurally sound. Where land stability could be an issue, developers should seek appropriate technical and environmental expert advice to assess the likely consequences of proposed developments on sites where subsidence, landslides and ground compression is known or suspected.

The application has been submitted with a Phase II Geoenvironmental Report, which includes intrusive site investigation and a supplementary Summary Technical Appraisal addressing site stability and piling. A total of 37 test holes were excavated across the whole site, providing a general coverage and concentrating on the location of proposed construction. This investigation found small amounts of made ground particularly to the south east of the site and London Clay to a significant depth. The south east corner of the site formed part of a farm before being developed with Cathedral Close, and has been subject to some past cut and fill operations.

Slope stability assessments have indicated that the slopes on site are currently only marginally

stable, and there is evidence of some historic / ongoing slope movements (e.g. cracks in steps to cathedral, shear surfaces in clay soils etc.). The proposed development includes a number of retaining walls varying in height. It is proposed to pile the proposed retaining structures and drain the slopes using counterfort drains which will have the effect of increasing the stability of the existing slopes. The cost of this has been accounted for within the submitted financial assessments. Similar remedial measures have been employed on the slopes to the north and east of the Cathedral as part of the developments at the University of Surrey.

There will be two types of piling proposed: Secant Piling, which is interlocking piles forming a continuous wall for hillside stabilisation, and Continuous Flight Auger (CFA) piling, which are individual piles under the buildings. Both forms of piling are integral to ensuring long term stability to Stag Hill generally and to the development in particular. A pre-commencement planning condition will be added requiring the submission of the finalised engineering solution.

### **Sustainable design and construction**

The Council's Sustainable Design and Construction SPD 2011 requires that all dwellings achieve a 10% reduction in carbon emissions from low/zero carbon technologies. The applicant has provided an energy statement with the submission which shows a 10% reduction achieved by a mix of flue-gas heat recovery unit into all units and the installation a total of 48 photovoltaic panels. Concerns are raised with the addition of solar panels on the extremely sensitive roofscape, therefore in this instance it is considered appropriate to add the condition requiring the 10% reduction, so other alternatives can be explored.

### **Other issues**

#### **Archaeology**

The application is supported by a desk based archaeological assessment that reviews all currently available sources to determine the archaeological potential of the site in order to determine whether as yet unrecorded heritage assets will be impacted upon by the proposals.

The report reveals that based largely on the results of a search of the Surrey Heritage Environment Record, that the site is considered to have a generally low archaeological potential.

The Archaeological Officer at Surrey County Council has stated that there are some remaining areas where potential exists for archaeological deposits to be present. It is therefore recommended that further archaeological investigations are carried out. These will be secured by planning condition.

#### **Contaminated land**

A Phase I Desk Study, Site Reconnaissance and Phase II Geo-environmental Report by Leap Environmental Ltd has been submitted by the applicant. The investigation report has found the site to be free from any significant contamination, however, it is important that any imported soil in the proposed garden or landscaped areas shall be chemically certified and determined as 'suitable for use'. Environmental Health have recommended an informative be added to any permission ensuring this will be the case.

### **Viability and Legal Agreement Requirements**

The viability of a scheme is a material planning consideration and the national Planning Practice Guidance makes clear that Local Planning Authorities should not seek planning obligations which make a proposal unviable. It states that:

"In making decisions, the local planning authority will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations.

This is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered in line with the principles in this guidance." (Paragraph: 019 Reference ID: 10-019-20140306, Revision date: 06 03 2014).

The Council's Planning Contributions SPD also acknowledges that the viability of a scheme is a legitimate consideration in determining planning obligation requirements.

The viability of this scheme is unique, as the starting point comes back to the overall aim of the application to create an endowment for the Cathedral. Furthermore, due to the highly sensitive nature of the application site, significant concerns were expressed about keeping the quantum of development at the minimum necessary to reduce the impact on both close and long distance views.

The applicants Viability Appraisal has been independently reviewed by District Valuer Services (DVS) appointed by the Council. The review concludes that the delivery of a policy compliant level of affordable housing (35%) would result in the scheme becoming unviable. This is principally due to costs associated with the public benefits which include the provision of an endowment and new Cathedral staff accommodation. Construction costs are also significantly higher than normal due to the level of engineering required building on the slope. These are all essential components of the development without which development would not be acceptable or deliverable; they are also elements that a traditional residential development would not deliver.

It is therefore accepted that the provision of a policy compliant level of affordable housing cannot be pursued in this particular instance. Accordingly, the Council should prioritise its requirements so as to reach a level of planning obligations that would enable development to take place, the residential units to be delivered along with the heritage and public benefits identified.

#### Legal Agreement Requirements

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

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.

#### *Endowment*

A provision is required to ensure the revenue generated is invested to create an endowment to be used to support the future operation of the Cathedral as stated within the financial justification paper. As described above, this is necessary to make the development acceptable in planning terms, is directly related to the development and of an appropriate scale meeting the required tests.

#### *Affordable Housing*

Policy H11 of the saved Local Plan states that an element of affordable housing will be sought by negotiation with developers on all housing developments of 10 or more dwellings, or residential sites of 0.4Ha or more irrespective of the number of dwellings. At least 30 percent will be sought on any unidentified sites in excess of the above thresholds which may come forward during the plan period. This is expanded upon in the Council's Planning Contributions SPD which requires the development to provide 35 percent of the proposed units as affordable. Policy H11 indicates that, in applying this requirement, regard will be had to a range of factors including site suitability, the need for affordable housing and any other material planning or marketing considerations.

The supply of affordable housing is a key priority for the Council and at present, there is an acute need for such housing in the borough.

The proposal will provide at least 37 affordable units as part of the development. This currently would consist of 12 houses and 25 apartments (mix of one, two and three bed), which equates to 27.6 percent of the total units provided. In terms of tenure mix currently 35 of these are proposed to be shared ownership and 2 (2 bed houses) are proposed to be affordable rented.

The development delivers a less than policy compliant provision of affordable housing. Additional affordable housing would make the development unviable as discussed above.

#### *Cathedral staff accommodation*

The Cathedral staff accommodation will be secured, ensuring the 16 dwellings will be constructed and provided as living accommodation for members of staff of the Cathedral Church of the of the Holy Spirit Guildford.

#### *Thames Basin Heaths Special Protection Area*

The development is required to mitigate the impact on the development on the Thames Basin Heaths Special Protection Area through contributions to SANG and SAMM. Without this contribution 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.

While Regulation 123 of the CIL Regulations seeks to prevent the pooling of financial contributions from planning obligations this relates only to an obligation which "provides for the

funding or provision of relevant infrastructure". In this instance the contributions are required to improve existing SANGs and ensure they are maintained in perpetuity; the SANGs are existing infrastructure which is to be improved to ensure that they have suitable capacity to mitigate the impact of the residential development. Accordingly the contributions are not for the provision of infrastructure and therefore Regulation 123 does not prevent collecting these contributions or having regard to the obligation in decision making. The SAMM contribution does not relate to infrastructure and this also falls outside the scope of Regulation 123.

### *Highway improvements*

The County Highway Authority have requested contributions for the provision of signage for the wayfinding scheme, contributions to upgrade footpath 6 and a monitoring fee for the Travel Plan. These contributions are required in order to promote sustainable travel to and from the site, in an attempt to reduce the use of motor vehicles in and around the town centre. On this basis, the contributions are necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

### *Education*

The development is likely to place additional pressure on school places in the area. Surrey County Council have requested contributions towards early years, primary and secondary school provision. The development should mitigate these impacts.

Surrey County Council as the education authority has provided a list of projects which contributions would be allocated to for both primary and secondary, and these are considered to be reasonable and directly related to the development. However, the contribution requested for early years does not relate to any specific project, and therefore it has not been demonstrated that this element meets the requirements of Regulation 123. As such, this impact is given a low priority and early years contributions are not sought from this development.

### *Parks and recreation*

The application will increase pressure on local sports pitches and this impact should be mitigated. However, in the absence of an identified project it has not been demonstrated that any contributions would meet the requirements of Regulation 123. As such, this impact is given a low priority and playing fields contributions are not sought from this development.

### Heads of Terms

Having regard to all the above, in the event that the application was to be approved the following should be secured by a Planning Obligation:

- a provision is required to ensure the revenue generated is invested to create an endowment to be used to support the future operation of the Cathedral
- at least 37 affordable housing units (at least two of which should be of affordable rented tenure);
- a contribution of £661,490.30 towards SANG and SAMM;
- a contribution of £10,000 for the provision of two pedestrian signs;
- a contribution of £14,000 towards the upgrading of Public Footpath 6;
- a contribution of £6,150 for the monitoring fee for the Travel Plan;
- a contribution of £371,068 towards primary education; and

- a contribution of £412,873 towards secondary education

In addition, the Planning Obligation should include a suitable review mechanism to ensure that an additional viability assessment may be triggered at an appropriate juncture prior to the completion of the development and that if additional profit has been generated, a proportion of the profit should be transferred to the Council to deliver additional affordable housing units.

### **Balancing exercise**

In accordance with section 38 of the Planning and Compulsory Purchase Act 2004 (as amended), it is important to conclude as to whether the proposed development is in accordance with the Development Plan which includes saved policies of the 2003 Local Plan. As identified in the body of the report, there are some conflicts with policies H11, HE5 and R2. These conflicts relate to under provision of affordable housing, less than substantial harm to the setting of the Cathedral and under provision of open space on the site. It can therefore be concluded that the proposed development does not accord with the development plan read as a whole.

Paragraph 14 of the NPPF introduces a presumption in favour of sustainable development. The Council's relevant housing supply policies are out of date and as such this means granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of development, or, there are specific policies in this Framework indicate that development should be restricted. Footnote 9 confirms that this includes, but is not limited to, policies that seek to preserve heritage assets. In this instance, the report identifies less than substantial harm to the Cathedral, a grade II\* heritage assets and accordingly there is no presumption in favour of a grant of planning permission. Instead the benefits of the scheme should be weighed against the harm arising and the proposal should be determined on its own merits.

### **Matters weighing in favour of the grant of planning permission**

#### *Public and heritage benefits*

The PPG states that public benefits could be anything that delivers economic, social or environmental value as described in para 7 of the National Planning Policy Framework. Public benefits should result from the proposed development and they should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Guildford Cathedral is a grade II\* listed building which puts it in the top 8% of all listed buildings in England. It is therefore of national importance and **great weight** must be given to the buildings conservation. In our view, the Cathedral have provided clear and convincing justification in the form of the submitted financial and viability information, which shows that the proposed development would provide an endowment that would help sustain the future of the building in the long term. This is an important public benefit, which would help to secure the buildings "optimum viable use" and would reduce the existing risks to the asset from lack of financing for future operational costs.

The corporate institution of the Cathedral needs to be financially sound, not only for the purposes of maintaining the grade II\* Cathedral as a building of national importance, and also

building as a public asset, playing a very important social role within Guildford. This public benefit is also given **great weight** in the balancing.

The landscaping improvements to the southern processional access form a significant heritage benefit, afforded **significant weight**.

#### *Delivery of additional market and affordable housing*

The provision of 81 market housing units would make a significant contribution towards the Council's need for additional units to meet existing demand. In addition to this, the applicant is also committed to providing at least 37 affordable housing units as part of the scheme, consisting of a mix of flats and houses. There is also a likelihood some of this housing would come forward within five years, which adds to the weighting of this housing provision.

The benefits of delivering the market and affordable housing which would make a notable contribution to the Council's identified housing need and should be given **significant weight** in the balance. The benefit afforded to the affordable housing provision is however, somewhat reduced as the proposal will not deliver a policy compliant level.

#### *Improved connections*

As noted above, the site is a well used connection from the town centre to the University of Surrey. Cyclists currently struggle to pass through the site due to the land levels, and the application proposed improved links for both cyclists and pedestrians. This will be a significant benefit to users and will ultimately improve access from the University to the town centre, especially with the improvements to footpath 6 through the S106. The benefit of the proposal in this regard should be afforded **modest weight** in the balance.

#### Matters that weigh against the grant of planning permission

##### *Harm to heritage assets*

As noted above, both Historic England and the Council's Design and Conservation Officer are of the opinion that housing in this location would cause some harm to the Cathedrals significance as it would no longer be experienced as a monumental building on a lush verdant hilltop to the same degree and thus the way this currently contributes to the Cathedrals aesthetic qualities would be compromised. The Twentieth Century Society attribute substantial harm to this consideration. In line with the Planning (Listed Building and Conservation Area) Act 1990 special regard must be given to preserving the identified heritage assets and their settings and as such **considerable importance and weight** is afforded to this harm.

##### *Poor layout (in places) resulting in a less than optimal living environment for some future occupiers*

The garden area of a number of plots, particularly plots 76, 77, 80, 81, 104, 106 and 106 are very small in size and in some cases constrained in nature by existing trees. Furthermore, plots 57 and 59 are constrained by the TPO trees in the rear gardens which will have an impact on light entering rear windows and the garden area. This will impact on the amenities of future occupiers of the site to a degree and this harm is given **moderate weight**.

##### *Loss of open space*

Notwithstanding the reports conclusion that there is no in principle objection to the loss of open space, it is considered for the purposes of the balancing that **limited weight** should be afforded to its loss.

### Weighing

The Council acknowledges the harm which would result from the scheme. However, there are significant benefits which would arise, particularly regarding the public and heritage benefits and the delivery of housing where the Council does not have a five year housing land supply and where demand for additional units is well documented. In this instance, it is considered that the overall harm which would be caused by the development is demonstrably outweighed by the benefits of the proposal and as such, it is recommended that planning permission be granted.

### Conclusion

The application proposes a phased development comprising 134 residential units on land surrounding Guildford Cathedral. The land is designated as open space, however there is no in principle objection to its loss for the reasons already outlined. The proposal does result in less than substantial harm to the Cathedral and it has also been acknowledged that the layout is somewhat constrained in places, with small gardens at times constrained by boundary trees.

However, there are significant benefits which would arise from the application, particularly regarding the public and heritage benefits and the delivery of market and affordable housing. Furthermore, the design of the buildings proposed is considered to be of a high quality, and overall the proposal creates a welcoming development with its own sense of place.

Subject to the conditions outlined below and a S106 agreement committing to the Heads of Terms noted above, the application is deemed to be acceptable and is recommended for approval.

### RECOMMENDATION:

#### Recommendation 1:

**Defer and delegate to the Director of Planning and Regeneration, and subject to the completion of a suitable planning obligation to secure:**

- a provision is required to ensure the revenue generated is invested to create an endowment to be used to support the future operation of the Cathedral
- a number of affordable housing units;
- a contribution towards SANG and SAMM;
- a contribution for the provision of two pedestrian signs;
- a contribution towards the upgrading of Pubic Footpath 6;
- a contribution for the monitoring of the Travel Plan;
- a contribution towards primary education; and
- a contribution towards secondary education

**The Director of Planning and Regeneration be authorised to APPROVE the application subject to the following conditions:**

**Recommendation 2:**

In the event that a satisfactory planning obligation has not been completed by 15/08/2017, the Director of Planning and Regeneration be authorised to REFUSE the application as it would fail to secure the following:

- a provision is required to ensure the revenue generated is invested to create an endowment to be used to support the future operation of the Cathedral
- a number of affordable housing units;
- a contribution towards SANG and SAMM;
- a contribution for the provision of two pedestrian signs;
- a contribution towards the upgrading of Pubic Footpath 6;
- a contribution for the monitoring of the Travel Plan;
- a contribution towards primary education; and
- a contribution towards secondary education

The final wording of the reasons for refusal will be delegated to the Director of Planning and Regeneration.

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

1. The development hereby permitted shall be begun before the expiration of two 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.

The development hereby approved shall be carried out in accordance with the following approved plans:

<b>Drawing no.</b>	<b>Title</b>	<b>Dated</b>
00710_MP_01 Rev P3	Site Location Plan	05/12/2016
00710_MP_02 Rev P3	Topographic Survey & Red Line	05/12/2016
00710_MP_03 Rev P4	Parking and Cycle Storage Strategy	24/01/2017
00710_MP_04 Rev P4	Proposed Masterplan	24/01/2017
00710_MP_05 Rev P5	Proposed Building Heights	25/01/2017
00710_HT_A_2-1 Rev P3	Affordable House Type 2-1	05/12/2016
00710_HT_A_2-2 Rev P3	Affordable House Type 2-2	05/12/2016
00710_HT_P_2-3b Rev P5	House Type 2-3b	25/01/2017
00710_HT_2.3b_Louvre Details Rev P5	Louvre Details	03/02/2017
00710_HT_A_3-1 Rev P3	Affordable House Type 3-1	05/12/2016
00710_HT_P_2-3 Rev P4	House Type 2-3	24/01/2017
00710_HT_P_3.3 Rev P2	House Type 3-3	09/12/2015
00710_HT_P_3-4 Rev P4	House Type 3-4	24/01/2017
00710_HT_P_3.4b Rev P4	House Type 3-4b	24/01/2017

00710_HT_P_3.6 Rev P2	House Type 3-6	09/12/2015
00710_HT_P_3.6b Rev P2	House Type 3-6b	09/12/2015
00710_HT_P_3.8 Rev P2	House Type 3-8	09/12/2015
00710_HT_P_3.9 Rev P2	House Type 3-9	09/12/2015
00710_HT_P_4.2 Rev P2	House Type 4-2	09/12/2015
00710_HT_P_4.3b Rev P2	House Type 4-3b	09/12/2015
00710_HT_P_4.5 Rev P2	House Type 4-5	09/12/2015
00710_HT_P_4.6 Rev P2	House Type 4-6	09/12/2015
00710_HT_P_4.6b Rev P2	House Type 4-6b	09/12/2015
00710_FB_ABC_01 Rev P3	Flat Block A, B, C - Podium Plans, Street Elevation	05/12/2016
00710_FB_A_01 Rev P3	Flat Block A Plans	05/12/2016
00710_FB_A_02 Rev P3	Flat Block A Elevations	05/12/2016
00710_FB_B_01 Rev P3	Flat Block B Plans	05/12/2016
00710_FB_B_02 Rev P3	Flat Block B Elevations	05/12/2016
00710_FB_C_01 Rev P3	Flat Block B Plans	05/12/2016
00710_FB_C_02 Rev P3	Flat Block C Elevations	05/12/2016
00710_FB_D_01 Rev P3	Flat Block D Plans	05/12/2016
00710_FB_D_02 Rev P3	Flat Block D Elevations	05/12/2016
00710_HT_CC_01 Rev P2	Cathedral Close Housetype 01 Canon	09/12/2015
00710_HT_CC_02 Rev P2	Cathedral Close Housetypes 02 Arch-deacon	09/12/2015
00710_HT_CC_03 Rev P3	Cathedral Close House Type 03 Bishop	05/12/2016
00710_HT_CC_04 Rev P2	Cathedral Close House Type 04 Deanery	09/12/2015
00710_HT_CC_05 Rev P2	Cathedral Close Housetype 05 Canon	09/12/2015
00710_HT_CC_06 Rev P2	Cathedral Close Housetypes 06 Sub-organist/Virger	09/12/2015
00710_FB_CC_01 Rev P3	Cathedral Close Flat Block - Plans & Elevations	05/12/2016

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

2.

3. Before the commencement of development hereby approved, a phasing plan detailing the phased delivery of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter, shall be carried out in accordance with the approved plan.

Reason: To ensure that the development is carried out in accordance with the approved phasing. This is required to be a pre-commencement condition, as the phasing needs to be established prior to development starting on site.

4. Before the commencement of each phase of the development hereby approved details and samples of the proposed external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The

details and samples shall include:

- Bricks
- Cladding materials
- Roof tiles
- Windows (including sections and reveals)
- Balconies (including materials and sections)
- Privacy screens and louvres
- Decorative feature brickwork details (including large scale plans at a minimum of 1:50)

The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the development is satisfactory. This is required to be a pre-commencement condition as the appearance of the development goes to the heart of the permission.

5. Before the commencement of each phase of the development hereby approved, sample panels of the external walls of an appropriate size to be agreed in writing with the local planning authority, showing materials, face bond, pointing and mortar colour (for each of the proposed types across the site), shall be inserted on site, inspected and approved in writing by the local planning authority. The panels shall remain on site until the completion of the development for comparison. The works shall thereafter be carried out in accordance with the approved sample panels.

Reason: In the interest of the character and appearance of the site, within the setting of Guildford Cathedral. This is required to be a pre-commencement condition as the appearance of the development goes to the heart of the permission.

6. Prior to the first occupation of each phase of development, details of all external lighting in the form of an external lighting scheme for the relevant phase shall be submitted to and approved in writing by the local planning authority in writing. Such details shall include location, height, type and direction of light sources, means of controlling light spillage and intensity of illumination. The external lighting scheme as approved shall be installed, maintained and operated in accordance with the approved details. Any lighting, which is so installed, shall thereafter be maintained and operated and shall not be altered other than for routine maintenance that does not involve changing the approved details. No lighting other than those within the approved strategy shall be installed on the site.

Reason: In the interests of visual amenities.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting or amending those Orders with or without modification), no

development within Part 1, Classes A, B, C, D, E and G or within Part 14 Classes A and B shall be carried out on the dwellinghouses hereby permitted or within their curtilage.

Reason: Having regard to the the specific constraints of the site in relation to site levels and visual prominence, the local planning authority wishes to retain control over any future extensions/ alterations and outbuildings at the properties, in order to safeguard the character of the area and the residential amenities of adjoining properties.

8. Details of any external plant to be installed on any of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to any work commencing on the affected units. No further fans, louvers, ducts or other external plant shall be installed without the written prior approval of the Local Planning Authority.

Reason: Having regard to the the specific constraints of the site in relation to visual prominence, the local planning authority wishes to retain control over any future additions of this nature, in order to safeguard the character of the area.

The development hereby approved shall be carried out in accordance with the following approved hard and soft landscaping plans and to the appropriate British Standard:

<b>Drawing No.</b>	<b>Title</b>	<b>Dated</b>
D0241_001 F	Landscape Masterplan Proposal	24/01/2017
D0241_003 B	Hardworks Cathedral Quarter West Site, Phase 1A (1 of 1)	05/12/2016
D0241_004 B	Hardworks Cathedral Close, Phase 1A (1 of 1)	05/12/2016
D0241_005 B	Hardworks Cathedral Quarter East Site, Phase 1B (1 of 3)	05/12/2016
D0241_005 C	Hardworks Cathedral Quarter East Site, Phase 1B (2 of 3)	24/01/2017
D0241_007 C	Hardworks Cathedral Quarter East Site, Phase 1B (3 of 3)	24/01/2017
D0241_008 B	Softworks Cathedral Quarter West Site, Phase 1A (1 of 1)	05/12/2016
D0241_009 B	Softworks Cathedral Close, Phase 1A (1 of 1)	05/12/2016
D0241_010 B	Softworks Cathedral Quarter East Site, Phase 1B (1 of 3)	05/12/2016
D0241_011 C	Softworks Cathedral Quarter East Site, Phase 1B (2 of 3)	24/01/2017
D0241_012 C	Softworks Cathedral Quarter East Site, Phase 1B (3 of 3)	24/01/2017

Prior to the first occupation of the development hereby approved, a scheme of implementation for all landscaping shall be submitted to and agreed in writing by the Local Planning Authority. Prior to the implementation of any landscaping within a phase, samples of the proposed hard

landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be carried out in accordance with the approved landscaping plans, scheme of implementation and samples.

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

9.

10. The hard and soft landscaping of the Southern Approach to the Cathedral shall be completed in accordance with the approved scheme as detailed within plan ref. D0241\_013A - Hardworks and Softworks Southern Approach and the agreed samples prior to the occupation of the 89th unit of the proposed development.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscaping forming a heritage benefit.

11. All planting, seeding or turfing approved shall be carried out in accordance with the scheme of implementation (condition 9). Any trees or plants which, within a period of twenty years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme, unless otherwise agreed in writing by the local planning authority.

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

12. A landscape management plan covering a period of no less than twenty years, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas as detailed on the approved landscaping plans shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation or historical significance.

13. Prior to the commencement of each phase of development, details of existing and proposed finished site levels and finished external surface levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In order to ensure the height of the development is appropriate to the character of the area and in order to safeguard the amenities of the occupiers of neighbouring properties. This is required to be a pre-commencement condition as these details go to the heart of the permission.

14. Notwithstanding the submitted details contained in the boundary treatments plan or the landscaping plans, no development shall take place within a phase of development until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure for the relevant phase have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and shall be maintained in perpetuity.

Reason: To ensure that the external appearance is satisfactory. This is required to be a pre-commencement condition as the boundary treatments are very prominent, and go to the heart of the permission.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than agreed under condition 14 or future like for like replacements, shall be erected or placed anywhere on the site.

Reason: In the interests of visual amenity.

16. The development must accord with the Arboricultural Implications Report prepared by SJA Trees (Ref. SJA air 15222-02) dated October 2015, the Addendum (Ref. SJA air 15222-02-01b) dated November 2016 and the Tree Protection Plan (Ref. SJA TPP 15222-03). There shall be deviation from the approved details unless first agreed in writing with the Local Planning Authority.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

17. Prior to the commencement of each phase of development, inclusive of site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, a person qualified in arboriculture, and approved by the Local Planning Authority, shall be appointed to supervise construction activity occurring on the site. The Arboricultural Supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary to ensure compliance with the approved Arboricultural Implications Report prepared by SJA Trees (Ref. SJA air 15222-02) dated October 2015, the Addendum (Ref. SJA air 15222-02-01b) dated November 2016 and the Tree Protection Plan (Ref. SJA TPP 15222-03)

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality. This is required to be a pre-commencement condition as commencement could have an impact on retained trees.

18. Before any equipment, materials or machinery are brought onto the site for the purposes of each phase of the development, a pre-commencement site meeting between the Tree Officer, Arboricultural Supervisor and Site Manager shall take place to confirm the protection of trees on and adjacent to the site in accordance with approved Arboricultural Implications Report prepared by SJA Trees (Ref. SJA air 15222-02) dated October 2015, the Addendum (Ref. SJA air 15222-02-01b) dated November 2016 and the Tree Protection Plan (Ref. SJA TPP 15222-03). The tree protection shall be positioned as shown on the Tree Protection Plan, before any equipment, materials or machinery are brought onto the site for the purposes of the development. The tree protection shall be retained until the development is completed and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the written consent of the Local Planning Authority. This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of monthly monitoring and compliance by the pre-appointed Arboricultural Supervisor.

Reason: To retain and protect the existing trees which form an important part of the amenity of the locality.

19. Before the commencement of each phase of the development hereby approved, full plans detailing the engineering solution inclusive of piling details and methods to ensure slope stability for that phase shall be submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing.

Reason: In order that the development takes into account the sites geology, and provides an appropriate solution. This is required to be a pre-commencement condition the issue needs to be resolved prior to commencement.

20. Notwithstanding the stated working hours within the Construction Method Statement and Traffic Management Plan, works related to the construction of the development hereby permitted (excluding piling), including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0800 and 1800 Mondays to Fridays and between 0800 am and 13.30 pm Saturdays and at no time on Sundays or Bank or National Holidays. Any piling works related to the construction of the development hereby permitted shall not take place other than between the hours of 0800 and 1800 Mondays to Fridays and at no time on Saturdays, Sundays or Bank or National Holidays

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

21. Prior to the commencement of each phase of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The CEMP shall detail the noise and pollution mitigation measures to be incorporated within the development process

to limit the impact of construction activities on residents and the environment. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To minimise the impact of construction on residents and the environment. This is required to be a pre-commencement condition as it relates to construction.

22. No development shall commence unless and until the on-street parking spaces have been amended in accordance with Drawing No. ITL9119 –GA-005 contained within the On-Street Parking Scheme Technical Note, and thereafter shall be permanently maintained unless otherwise agreed in writing with the local planning authority. This will first require the alteration of the Traffic Regulation Order prior to commencement of the development.

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

23. The development hereby approved shall not be first occupied unless and until the footway between Alresford Road/Benbrick Road and The Chase is upgraded to a 3m wide shared footway/cycleway with a tarmac finish, in accordance with Drawing No. ITL9119-SK-022 Rev A, contained within the Transport Assessment Addendum, and thereafter permanently maintained.

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

24. Prior to the commencement of the development hereby approved, an implementation plan for highway and access works shall be submitted to and agreed in writing by the Local Planning Authority. The details and works shall include:

- the provision of footways, including informal crossing points with dropped kerbs and tactile paving, along Alresford Road and Ridgemount in accordance with Drawing No. ITL9119-GA-001, Rev F and Drawing No. ITL9119-GA-002 contained within the Transport Assessment Addendum
- the proposed vehicular accesses to Alresford Road and with visibility zones in accordance with Drawing No. ITL9119-GA-001 Rev F contained within the Transport Assessment Addendum
- the proposed vehicular access to Ridgemount and visibility zones in accordance with Drawing No. ITL9119-GA-002 contained within the Transport Assessment Addendum
- the closure of the redundant access from the site to Ridgemount in accordance with a scheme to be agreed in writing with the local planning authority

The development shall be undertaken in accordance with the approved implementation plan, and thereafter shall be permanently maintained in

accordance with the approved details, and the visibility zones within the approved access points shall be kept permanently clear of any obstruction over 1m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. This is a predevelopment condition because the implementation plan must be agreed before development takes place so that the proposed works can be completed at the appropriate time.

25. Prior to the occupation of each phase of development, space shall be laid out within the site in accordance with the approved Parking and Cycle Storage Strategy ref. 00710\_MP\_03 Rev P4. The car parking spaces shall allow vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning areas shall be permanently retained exclusively for its designated purpose.

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

26. The approved Construction Method Statement (not including working hours proposed) shall be implemented during the construction of the development and no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15am and 3.15 and 4.00 pm.

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

27. The Travel Plan submitted with the application ref. ITB9119-008B contained within the Transport Assessment Addendum shall be implemented on first occupation of each phase of the development. Thereafter it shall be maintained, developed and monitored to the satisfaction of the Local Planning Authority in accordance with the details contained within the Travel Plan.

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

28. The development hereby approved shall be carried out in accordance with the Waste Collection Strategy ref. JCB/GM/MD/ITB9119-010B TN, and shall operate as such in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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

29. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and

approved in writing by the planning authority. Those details shall include:

- a) A design that satisfies the SuDS Hierarchy
- b) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS
- c) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+Climate change allowance) for storm events, during all stages of the development (Pre, Post and during) as detailed in:  
"SuDS Proforma Stag Hill November 2015"  
"Guildford Cathedral, Guildford, Surrey, Flood Risk Assessment Rev A"  
"Drawing 14283-306 Proposed Drainage Strategy West Scheme Rev C"  
"Drawing 14283-307 Proposed Drainage Strategy East Scheme Rev C" 2
- d) Details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite
- e) Details of how the Sustainable Drainage System will be protected and maintained during the construction of the development
- f) Finalised drawings read for construction to include: a finalised drainage layout detailing the location of SUDs elements, pipe diameters and their respective levels and long and cross sections of each SuDS Element including detail on discharge units
- g) A strategy for the disposal of surface water to the public surface water sewer - this will need to show capacity existing in that network or that it will be made available ahead of discharge (to be agreed by Thames Water)
- h) A management and maintenance plan that details maintenance regimes and responsibilities

Reason: To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site. This is required to be a pre-commencement condition as the drainage details need to be agreed at an early stage of the development, to ensure that they can be implemented as agreed.

30. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System is designed to the technical standards.

31. No development shall commence until a written programme of archaeological work for the whole site including a Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority.

Reason: To allow adequate archaeological investigation before any archaeological remains are disturbed by the approved development.

32. Before the development hereby approved is commenced, a Landscape and

Ecological Mitigation and Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. In particular, the plan shall include information on how the loss of trees will impact on bat activity, further details on the reptile mitigation strategy and how the biodiversity of the site will be maintained and improved. The approved details shall be implemented in accordance with timescales to be agreed in writing by the Local Planning Authority and retained in perpetuity.

Reasons: To increase the ecological value of the site and to ensure the preservation of protected species. This is required to be a pre-commencement condition as these matters need to be agreed and protection put in place, before works begin.

33. The development hereby approved shall be carried out in accordance with the recommended actions in section 4 of the Constraints and Opportunities Report for breeding birds and including the biodiversity enhancements detailed in sub-section 4.4, section 4.3 of the Reptile Report and the Ecological Enhancements detailed in section 4.5 of the Preliminary Bat Roost Assessment Report in accordance with a timetable to be agreed through the Landscape and Ecological Mitigation and Management Plan.

Reason: To mitigate against the loss of existing biodiversity and nature habitats.

34. Notwithstanding the information contained within the submitted energy statement, prior to the commencement of the residential development hereby approved, an revised energy statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and identifying the Target carbon Emissions Rate TER for the site or the development as per Building Regulation requirements (for types of development where there is no TER in Building Regulations, predicted energy usage for that type of development should be used) and how a minimum of 10 per cent reduction in carbon emissions against the TER or predicted energy usage through the use of on site low and zero carbon energy shall be achieved. The approved details shall be implemented prior to the complete occupation of each phase of the development and retained as operational thereafter.

Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with the Council's Sustainable Design and Construction SPD 2011. This is required to be a pre-commencement condition as the design and location of the proposed energy efficiency measures should be considered at an early stage in the process.

35. No development within a phase shall take place until full details of all areas of open space within that phase of development have been submitted to and approved in writing by the Local Planning Authority. Such details shall include layout, surfacing, fencing and details of play equipment as well as future management and timescales for when the development of each area of open

space shall be finished in accordance with the agreed details.

Reason: To ensure satisfactory provision of play space. This is required to be a pre-commencement condition to ensure satisfactory playspace is agreed and provided in a timely manner, ensuring it can be used by the occupants of the proposed development.

36. The louvres on the rear (south east) elevations of plots 68 and 69, shall be installed prior to the occupation of each unit as detailed on submitted plans ref. 00710\_HT\_P\_2.3b Rev P5 and HT-2.3b Rev P5 Louvre Details and shall thereafter be permanently retained as such.

Reason: In the interests of residential amenity and privacy.

37. Prior to the first occupation of plots 101 to 117, the footpath link to land owned by the University of Surrey between plots 101 and 102 shall be constructed as detailed on drawing ref. 00710\_MP\_04 Rev P4 and shall thereafter be permanently retained as such.

Reason: In the interests of pedestrian interconnectivity.

#### **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:
  1. Offering a pre application advice service
  2. 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
  3. Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

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

In this case pre-application advice was sought over a number of years, however a number of key issues remained at the time the application was submitted. Officers have sought to address and overcome these issues throughout the process of the application, specifically by requiring the applicants to provide further financial information in relation to the Cathedral, providing further justification that the proposed development is the minimum necessary to ensure harm to the setting of the listed building is minimised and providing amended plans to improve the

design of a number of units and to improve the impact on the residential amenities of existing neighbouring properties.

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](mailto:buildingcontrol@guildford.gov.uk)

3. **Surrey County Council Lead Local Flood Authority informatives:**

Discharge Rates: The SuDS Manual C753 advises that exposed diameters on discharge plates smaller than a soft drinks can or tennis ball are vulnerable to blockage. The applicant before going straight for a 5l/s discharge rate should investigate the possibility of a lower discharge rate for the 1 in 1 year storm event by checking the diameters. If the discharge plan is part of a closed system with no exposure then smaller discharge plates can be used.

Retaining the 100 year 6 hour storm event: The applicant has stated that Thames Water will not adopt the storage required to accommodate the 100 year 6 hour storm event. The LLFA recommend that waters from this storm event are retained onsite and exceedance flow route plans should demonstrate where these waters will drain to. Safe Access and Egress should be retained.

If there are any further queries please contact the Sustainable Drainage and Consenting team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk)

4. **Surrey County Council Highways informatives:**

Condition 22 shall first require the alteration of the existing Traffic Regulation Order prior to commencement of the development. The alteration of the Traffic Regulation Order is a separate statutory procedure which must be processed at the applicants expense prior to any alterations being made. In the event that the removal of the parking bays is not successful due to unresolved objections the applicant shall submit an alternative scheme to the Local Planning Authority for its approval prior to commencement of the development. Any alternative scheme ( which could include a driveway access arrangement for the central parcel and retaining adjacent existing spaces as shown indicatively on Drawing No. ITB9119-GA-007) shall be implemented prior to commencement of any dwellings to the satisfaction of the Local Planning Authority.

The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-cross-overs-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-cross-overs-or-dropped-kerbs).

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278

agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).

5. **Environmental Health informative:**

Any imported soil in the proposed garden or landscaped areas shall be chemically certified and determined as 'suitable for use'.