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Woking
GU21 6HR

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Refusal of planning permission: 21/P/02333

Date of Decision: 03/04/2023

Proposal: Demolition of existing Cathedral Close dwellings and erection of 124 no. residential units (including affordable housing) with associated engineering works, access, landscaping, parking and ancillary works.

Location: Land South and East of The Cathedral Church Of The Holy Spirit, Stag Hill, The Chase, Guildford, GU2 7UP

For: The Cathedral Church of the Holy Spirit, Guildford and Vivid Housing Ltd c/o Age

The above application is hereby refused for the following reason(s):

1. The proposed development would harm the setting of heritage assets due to the resulting harm to the significance of the:
 - a) close setting - from the intrusion and loss of separation by the built development into the eastern meadow, the visual prominence of the apartment blocks and roofscapes, the intensification of development on undeveloped parkland and encroachment of dwellings into the western processional route; and
 - b) wider setting - encroachment of the built form into the 'green collar', that forms the foreground to the landmark silhouette in the townscape

The proposal would result in:

- i) less than substantial harm (middle of the spectrum) to the Cathedral Church of the Holy Spirit to appreciate the open spaces, monumental scale, topography, visibility, contrast with loss of the green foreground and loss of sky gap;
- ii) less than substantial harm (at the lowest end of that spectrum) to the two lodges to the south to appreciate the symmetrical arrangement in views from the south;
- iii) less than substantial harm (at the lowest end of that spectrum) to the Guildford

Castle from the visual distraction and loss of the expansive town vista when looking towards Guildford Castle from the eastern meadows.

Special regard is given to the need to preserve heritage assets as required by Section 66 of the Planning (Listed Building and Conservation Area) Act 1990. Whilst public benefit would result from the development, including the provision of new housing and affordable housing, the endowment to the Cathedral resulting from the sale proceeds of the site and wider tree planting, this does not outweigh the harm to the significance of the heritage assets. The proposal would therefore be contrary to Policies D3 and A15(3) of the Local Plan: Strategy and Sites (2019), Policy D18 of the Guildford Borough Local Plan: Development Management Policies (2022) as well as Chapter 16 of the NPPF (2021).

2. The proposed development due to the design approach, layout and appearance fails to take the opportunities available to respect the context and identity of the surrounding areas and the very special quality of the parkland around the Cathedral and the way it functions, shaped by the quality of the landscape and views in and out of the site. The proposals do not achieve the exceptional and innovative design quality required to respond to the sensitive setting of the Grade II* Cathedral nor reinforces locally distinctive patterns of development, which would raise the standard of design more generally in the area. The scale and site layout has been predominantly dictated by the quantum of development, resulting in the introduction of a visually prominent development from the surrounding roads, townscape and Cathedral parkland with little relatable expression of locally reflective character or a positive identity through the interpretation of local vernacular patterns of development, or sympathetic contemporary design. By virtue of this and the:
 - a) isolated location, style and appearance of the clergy housing, given their functional relationship;
 - b) contrasting typologies of housing at the top of the Eastern Slopes, would not integrate well, thereby affected the hierarchy of streets;
 - c) lack of a sense of arrival from the top of the central steps between the apartment blocks into the grounds around the Cathedral;
 - d) the form, profile and rigid large block based apartment buildings;
 - e) projecting balconies facing Ridgemount;
 - f) single level gardens on the Western Parcel creates the need for larger retaining wall features;
 - g) form, profile, setting, sectional relationship would not relate to Alresford Road;
 - h) wayfinding and understanding of the parkland setting would be limited from Alresford Road;
 - i) visibility of the westernmost houses on the Western Parcel from the western processional route;
 - j) conflict between private and public thresholds where gardens and terraces have an aspect onto public open space;
 - k) broad palette of four bricks; and
 - l) Opportunities for informal car parking on the wide roads and verges;

This development would not establish an attractive, locally resonant sense of

place within its own right or as a community on the slopes of the Cathedral.

The submitted Design and Access Statement and Addendum does not provide a sufficient explanation of principles that could inform the design and layout including the work undertaken in the Landscape and Visual Appraisal (LVA) (December 2022). This absence of an appreciation of the analysis or interpretation of local architectural style, character, landscape, views or context setting fails to produce a design response adequate for this nationally important setting and parkland, that would provide a strong and positive response given what is so special and unique about this site and its hilltop location. The applicant has failed to take the opportunities identified during the Design Review process to improve the design quality of this proposal. This would be contrary to policies D1 and A15 of the Guildford Borough Local Plan: strategy and sites (2019), Policy D4 of the Guildford Borough Local Plan (2022), Landscape Character Assessment (2007) the NPPF (2021) and the National Design Guide (2019).

3. The built form on the southern side of the Eastern Meadows would have a residual, adverse effects on the outward, south eastern view from viewpoint 15 in the Guildford Town Centre Views SPD and a Major adverse effect for visual receptor V11 (Stag Hill), as identified in the Landscape and Visual Appraisal (LVA) (December 2022). Furthermore, the proposed housing would compromise this unique and secluded area of open space as their courtyard gardens would open out onto the meadow. The proposals would have a harmful impact on the ability to enjoy and appreciate the landscape character and visual amenity from this elevated location which provides a vantage point over the town centre and would be compromised by the domestication and privatisation, further reducing its accessible as an area of public open space. This would fail to comply with the objectives of policies S3 and D1(4) of the Guildford Borough Local Plan: strategy and sites (2019), policy D4(3) of the Guildford Borough Local Plan: Development Management Policies (2022), Guildford Town Centre Views SPD (2019), Landscape Character Assessment (2007) the NPPF (2021) and the National Design Guide (2019).
4. The site lies within the 400m to 5km zone of the Thames Basin Heaths Special Protection Area (TBHSPA). In the absence of a completed planning obligation, the Local Planning Authority is not satisfied that there will be no likely significant effect on the Special Protection Area and is unable to satisfy itself that this proposal, either alone or in combination with other development, would not have an adverse effect on the integrity of the Special Protection Area and the relevant Site of Special Scientific Interest (SSSI). As such, the development would be contrary to the objectives of Policy P5 of the Guildford Borough Local Plan: Strategy and Sites, 2019 and with saved Policy NRM6 of the South-East Plan 2009. For the same reasons, the development would fail to meet the requirements of Regulation 63 of The Conservation of Habitats and Species Regulations 2017 as amended, and as the development does not meet the requirements of Regulation 64 the Local Planning Authority must refuse to grant planning

permission.

5. In the absence of a completed planning obligation the development fails to mitigate its impact on infrastructure provision. This includes the following:
- provision of 31 affordable homes in accordance with Council's approved tenure split;
 - provision of 13 homes for occupation as staff accommodation by the Cathedral;
 - A contribution towards SANG mitigation in accordance with the Thames Basin Heaths SPA Avoidance Strategy 2017;
 - A contribution towards SAMM in accordance with the Thames Basin Heaths SPA Avoidance Strategy 2017;
 - A contribution of £70,000 towards an improved pedestrian crossing at The Chase/St Johns;
 - A contribution of £40,000 towards mitigating traffic on local residential roads;
 - A contribution of £35,000 towards the improvement of two bus stops within the vicinity of the site;
 - A contribution of £7,000 towards speed survey studies within the vicinity of the site;
 - £14,000 towards the upgrading, improvement and/or potential re-routing of Footpath 6 from Scholars Walk to the University site;
 - £6,150 for the monitoring of the Travel Plan;
 - Implementation of two Electric Vehicle Car Club spaces;
 - To offer to each household of each residential unit free membership of the Car Club for two years;
 - A contribution of £130,632 to support sustainable travel choices, to the Yorkie's Bridge section of the Sustainable Movement Corridor (SMC);
 - A contribution to early years, primary and secondary education;
 - A contribution for additional floor space at primary care facilities;
 - A contribution to policing infrastructure;
 - Provision and maintenance of public open spaces for the lifetime of the development;
 - A contribution to off-site playing fields/sport provision;
 - A contribution to off-site play space provision; and
 - Implementation of new tree planting along the approaches to the Cathedral.

Accordingly, the proposal is contrary to Policies P5, H2, ID1 and ID3 of the Guildford Borough Local Plan: Strategy and Sites (2019), saved Policy NRM6 of the South-East Plan (2009), Policy ID6 of the Guildford Borough Local Plan: Development Management Policies (2022); the Council's Planning Contributions SPD (2017) and the NPPF (2021).

Informatives:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

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

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

In this case pre-application advice was sought and provided which addressed initial issues, the application has been submitted taking into account some although not all of the advice that was given. Further issues were identified during the consultation stage and determination process of the application. Officers have worked with the applicant to overcome as many of these matters as possible. However, there continue to remain significant concerns that after careful consideration and assessments by specialist consultants have not been overcome.

Please read the Important Notes attached.



Claire Upton-Brown
Executive Head - Planning Development

Important Notes

The applicant is recommended to retain this decision notice in a safe place or with the title deed of the property.

Appeals to the Secretary of State

General

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 (as amended).

You, or an agent acting on your behalf, can appeal if you were the person who made the application. Appeals are dealt with by the Planning Inspectorate, an executive agency of the Department for Communities and Local Government. Its primary function is to determine appeals on behalf of the Secretary of State.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

Planning Permission

If you want to appeal against the refusal of this application or against condition(s) attached to this approval, then you must do so within 6 months of the date of this decision notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the Council's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

If either the Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Borough Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).