



Mr. Robert Steele
Savills Guildford
244-246 High Street
Guildford
GU1 3JF

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

Refusal of planning permission: 22/P/01336

Date of Decision: 13/01/2023

Proposal: A mixed use redevelopment on a site bounded by North Street, Leapale Road and including Commercial Road and part of Woodbridge Road, Guildford comprising:

- Demolition of existing buildings;
- A new bus interchange with new access junction arrangement, new canopy, waiting facilities, a hard and soft landscaped pedestrian public area and hardstanding;
- Erection of buildings ranging from 4 to 13 storeys comprising the following uses: residential dwellings with associated car parking, hard and soft landscaped communal areas, ancillary cycle storage, residents gym, concierge and management office (Use Class C3); flexible non-residential floor space (Class E) together with;
- Hard and soft landscaped areas to form pedestrianised streets and public spaces;
- Associated vehicular access, servicing arrangements, plant, highway works (including alterations to North Street, Leapale Road and Commercial Road; and junctions at Leapale Road / North Street; Leapale Road / Commercial Road / Woodbridge Rd) and associated infrastructure;
- The stopping up of adopted highway (including Commercial Road and Woodbridge Road);
- Alterations to a Listed Building (17 North Street) including the exposure to part of the flank elevation and party wall works.

Location: Land bounded by the Friary Centre Bus Station, North Street and Leapale Road, Guildford, GU1

For: Mr. Robert Packham
St Edward Homes Ltd c/o Agent

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

1. The proposed development would lead to an increase in bus journey times, particularly those arriving from the south and the west, specifically all bus services travelling into Guildford along the A281, A3100, A31 and from the University of Surrey / Royal Surrey County Hospital, resulting in increased passenger delays

- and reduced customer satisfaction levels. Despite the emergency access route provided from the south via North Street, it has not been demonstrated that the proposed entrance and exit to the bus station would provide satisfactory levels of operational efficiency and resilience. This would be contrary to Policies ID3 and A5 of the Local Plan: Strategy and Sites, 2019. The failure of which would result in increased passenger delays and reduced customer satisfaction levels. The combination of which will limit efficient and effective bus operations supporting sustainable development, and passenger growth which is contrary to the targets of Surrey County Council's (SCC) Bus Service Improvement Plan (2021) and Local Transport Plan 4 (2021), the DfT Bus Back Better- National Bus Strategy for England (2021), and the National Planning Policy Framework.
2. The proposed development would result in a reduction in the number of bus stands and layover spaces, and it has not been satisfactorily demonstrated that this reduction can accommodate the planned future growth, which is contrary to Policies ID3, A5, A25, A26 and A35 of the Local Plan: Strategy and Sites, 2019, the targets of Surrey County Council's Bus Service Improvement Plan (2021) and Local Transport Plan (LTP4), the DfT Bus Back Better- National Bus Strategy for England (2021) and the National Planning Policy Framework.
 3. It has not been demonstrated that the proposed bus station is accessible for all users. The failure of which would be prejudicial to vulnerable users and would lead to reduced customer satisfaction levels. The combination of which will limit efficient and effective bus operations supporting sustainable development, and passenger growth which is contrary to Policies ID3 and D1 of the Local Plan: Strategy and Sites, 2019, the targets of Surrey County Council's Bus Service Improvement Plan (2021) and Local Transport Plan 4 (2021), the DfT Bus Back Better- National Bus Strategy for England (2021) and the National Planning Policy Framework.
 4. The proposal would result in less than substantial harm (low to mid end of this scale) to surrounding designated heritage assets as detailed in the Committee Report. In this case, the identified public benefits of the proposal would not outweigh the heritage harm which would be caused. The proposal would therefore be contrary to Policy D3 of the Local Plan: Strategy and Sites, 2019; Policy D16 of the Guildford Borough (Submission) Local Plan: Development Management Policies (incorporating the Inspector's main modifications), 2022 as well as Chapter 16 of the National Planning Policy Framework.
 5. Due to its height, scale, massing and cramped layout, the proposed development would represent an overdevelopment of the application site. As a result, the proposal would fail to reflect the distinct local character of the area and fails to respond to and reinforce locally distinct patterns of development. The development would therefore be an incongruous and harmful addition to the townscape and surrounding area. The proposal is therefore contrary to Policies D1 and A5 (site allocation) of the Local Plan: Strategy and Sites, 2019; Policy D4 of the Guildford Borough (Submission) Local Plan: Development Management Policies (incorporating the Inspector's main modifications), 2022, Policy G5 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07), as well as the relevant guidance within the National Planning Policy Framework.

6. The applicant has failed to satisfactorily demonstrate that providing a greater quantum of affordable housing would not be economically viable. The proposal is therefore contrary to Policy H2 of the Local Plan: Strategy and Sites, 2019, as well as the relevant guidance within the National Planning Policy Framework.
7. The site lies within the 400m to 5km zone of the Thames Basin Heaths Special Protection Area (TBHSPA). In the absence of a completed planning obligation, the Local Planning Authority is not satisfied that there will be no likely significant effect on the Special Protection Area and is unable to satisfy itself that this proposal, either alone or in combination with other development, would not have an adverse effect on the integrity of the Special Protection Area and the relevant Site of Special Scientific Interest (SSSI). As such, the development would be contrary to the objectives of saved Policy NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07), Policy P5 of the Guildford Borough Local Plan: Strategy and Sites, 2019 and with saved Policy NRM6 of the South-East Plan 2009. For the same reasons, the development would fail to meet the requirements of Regulation 63 of The Conservation of Habitats and Species Regulations 2017 as amended, and as the development does not meet the requirements of Regulation 64 the Local Planning Authority must refuse to grant planning permission.
8. In the absence of a completed planning obligation the development fails to mitigate its impact on infrastructure provision. This includes the following:
 - provision of a unit within the scheme which may be used by the NHS as a health or medical care facility or in lieu of this a primary healthcare contribution;
 - education contribution;
 - police contribution;
 - contribution towards the off-site provision of children's playspace;
 - management and future maintenance of all open space (private and public) and the public realm within the site (with the exception of the North Street pedestrianisation);
 - that all areas of public realm remain publicly accessible twenty-four hours per day except for identified reasons, in perpetuity where they replace the width and alignment of Woodbridge Road and Commercial Road, and for the lifetime of the development in all other locations;
 - contribution towards bus service priority improvements;
 - the provision of a minimum of three car club vehicles for a minimum of five years; £50 worth of free travel for car club vehicles for each residential unit and three year's free membership of the car club for all initial occupants of the residential units;
 - provide each dwelling with a combined cycle/bus voucher of £250, at a total cost of £118,250;
 - SANG (Suitable Alternative Natural Green Space) and SAMM (Strategic Access Management and Monitoring) contributions;
 - that the bus station improvements (as approved through this application), North Street Square, North Street pedestrianisation and Friary Square to be commenced as part of phase one of the development and completed in full prior to occupation of an agreed number of dwellings within phase one,

- or by a date to be agreed, whichever is the sooner;
- that the applicant must undertake an early-stage viability review if the scheme does not commence within 18 months of the full grant of planning permission. The applicant will cover the Council's costs of independently assessing the review;
- the provision of the maximum viable number and type of affordable housing in accordance with Policy H2 of the Guildford Borough Local Plan: Strategy and Sites, 2019;
- securing a late-stage viability review;
- the completion of the remaining public realm works within set timescales to be agreed;
- allowing bus emergency access to the bus station through the new Friary Square (subject to a clarification of what circumstances will constitute an 'emergency'); and
- the applicant shall use reasonable endeavours to provide improved staff and customer facilities at the existing commercial kiosks and staff accommodation at the northern end of the bus station.
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- Accordingly, the proposal is contrary to policies P5, H2, ID1 and ID3 of the Guildford Borough Local Plan: Strategy and Sites, 2019; saved policy NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07), saved policy NRM6 of the South-East Plan 2009, policy ID6 of the Guildford Borough (Submission) Local Plan: Development Management Policies (incorporating the Inspector's main modifications), 2022; the Council's Planning Contributions SPD 2017 and the NPPF.

Informatives:

1. This decision relates expressly to drawing(s)

Site Location Plan	1653-JTP-ES-RF-DR-A-000 1	P1
Demolition Site Sections (5 sheets)	1 of 5: 01653-JTP-ES-XX-DR-A-00 08 2 of 5: 01653-JTP-ES-XX-DR-A-00 09 3 of 5: 01653-JTP-ES-XX-DR-A-00 10 4 of 5: 01653-JTP-ES-XX-DR-A-00 11 5 of 5: 01653-JTP-ES-UG-DR-A-0 012	P1

Proposed Elevation Plans (12 sheets)	1 of 12: 01653-JTP-BA-ZZ-DR-A-05 00 2 of 12: 01653-JTP-BB-ZZ-DR-A-05 01 3 of 12: 01653-JTP-BB-ZZ-DR-A-05 02 4 of 12: 01653-JTP-BC-ZZ-DR-A-05 03 5 of 12: 01653-JTP-BC-ZZ-DR-A-05 04 6 of 12: 01653-JTP-BC-ZZ-DR-A-05 05 7 of 12: 01653-JTP-BD-ZZ-DR-A-05 06 8 of 12: 01653-JTP-BD-ZZ-DR-A-05 07 9 of 12: 01653-JTP-BD-ZZ-DR-A-05 08 10 of 12: 01653-JTP-BD-ZZ-DR-A-05 09 11 of 12: 01653-JTP-BE-ZZ-DR-A-05 10 12 of 12: 01653-JTP-BE-ZZ-DR-A-05 11	P2
Proposed Site Plans (various levels) (16 sheets)	1 of 16: 01653-JTP-MP-LG-DR-A-0 200 2 of 16: 01653-JTP-MP-UG-DR-A-0 201 3 of 16: 01653-JTP-MP-01-DR-A-02 02 4 of 16: 01653-JTP-MP-02-DR-A-02 03 5 of 16: 01653-JTP-MP-03-DR-A-02 04	P2

	6 of 16: 01653-JTP-MP-04-DR-A-02 05 7 of 16: 01653-JTP-MP-05-DR-A-02 06 8 of 16: 01653-JTP-MP-06-DR-A-02 07 9 of 16: 01653-JTP-MP-07-DR-A-02 08 10 of 16: 01653-JTP-MP-08-DR-A-02 09 11 of 16: 01653-JTP-MP-09-DR-A-02 10 12 of 16: 01653-JTP-MP-10-DR-A-02 11 13 of 16: 01653-JTP-MP-11-DR-A-02 12 14 of 16: 01653-JTP-MP-12-DR-A-02 13 15 of 16: 01653-JTP-MP-13-DR-A-02 14 16 of 16: 01653-JTP-MP-RF-DR-A-0 215	
Proposed Roof Plan	01653-JTP-MP-RF-DR-A-0 101	P2
Ground Floor Demolition Plan (bus station)	19602-SBR-ZZ-00-DR-A-02 100	A
Existing and Proposed Elevation Plans (bus station)	19602-SBR-ZZ-ZZ-DR-A-11 100	A
Proposed Ground Floor Plan (bus station)	19602-SBR-ZZ-00-DR-A-10 100	A
Proposed Roof Plan (bus station)	19602-SBR-ZZ-RF-DR-A-1 0101	A
Proposed Block Plan (various levels) (41 sheets)	1 of 41: 01653-JTP-BA-GF-DR-A-03 00	P2
	2 of 41: 01653-JTP-BA-ZZ-DR-A-03	P2

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3 of 41:
01653-JTP-BB-UG-DR-A-0305

P2

4 of 41:
01653-JTP-BB-01-DR-A-0306

P2

5 of 41:
01653-JTP-BB-02-DR-A-0307

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6 of 41:
01653-JTP-BB-03-DR-A-0308

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7 of 41:
01653-JTP-BB-04-DR-A-0309

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8 of 41:
01653-JTP-BB-05-DR-A-0310

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01653-JTP-BB-06-DR-A-0311

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01653-JTP-BB-07-DR-A-0312

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01653-JTP-BC-UG-DR-A-0310

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01653-JTP-BC-01-DR-A-0311

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01653-JTP-BC-02-DR-A-0312

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01653-JTP-BC-03-DR-A-0313

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01653-JTP-BC-04-DR-A-0314

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01653-JTP-BC-05-DR-A-0315

P2

17 of 41:
01653-JTP-BC-06-DR-A-0316

P2

18 of 41:
01653-JTP-BC-07-DR-A-0317

P2

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01653-JTP-BC-08-DR-A-03 18	
20 of 41: 01653-JTP-BC-09-DR-A-03 19	P2
21 of 41: 01653-JTP-BC-RF-DR-A-03 20	P2
22 of 41: 01653-JTP-BD-LG-DR-A-03 21	P2
23 of 41: 01653-JTP-BD-UG-DR-A-0 322	P2
24 of 41: 01653-JTP-BD-01-DR-A-03 23	P2
25 of 41: 01653-JTP-BD-02-DR-A-03 24	P2
26 of 41: 01653-JTP-BD-03-DR-A-03 25	P2
27 of 41: 01653-JTP-BD-04-DR-A-03 26	P2
28 of 41: 01653-JTP-BD-05-DR-A-03 27	P2
29 of 41: 01653-JTP-BD-06-DR-A-03 28	P2
30 of 41: 01653-JTP-BD-07-DR-A-03 29	P2
31 of 41: 01653-JTP-BD-08-DR-A-03 30	P2
32 of 41: 01653-JTP-BD-09-DR-A-03 31	P2
33 of 41: 01653-JTP-BD-10-DR-A-03 32	P2
34 of 41: 01653-JTP-BE-00-DR-A-03 38	P2
35 of 41: 01653-JTP-BE-ZZ-DR-A-03 39	P2

	36 of 41: 01653-JTP-BE-ZZ-DR-A-03 40	P2
	37 of 41: 01653-JTP-BE-ZZ-DR-A-03 41	P2
	38 of 41: 01653-JTP-BE-ZZ-DR-A-03 42	P2
	39 of 41: 01653-JTP-BE-ZZ-DR-A-03 43	P2
	40 of 41: 01653-JTP-BE-ZZ-DR-A-03 44	P2
	41 of 41: 01653-JTP-BE-RP-DR-A-03 45	P2
Masterplan – Proposed Site Sections (with Adjoining elevations of neighbouring buildings - see street scenes North Street and Leapale Road) (4 sheets)	1 of 4: 01653-JTP-MP-ZZ-DR-A-04 00 2 of 4: 01653-JTP-MP-ZZ-DR-A-04 01 3 of 4: 01653-JTP-MP-ZZ-DR-A-04 02 4 of 4: 01653-JTP-MP-ZZ-DR-A-04 03	P2
Combined coloured masterplan layout		A
Existing Elevations Plans	1 of 4: 01653-JTP-ES-XX-DR-A-00 04 2 of 4: 01653-JTP-ES-XX-DR-A-00 05 3 of 4: 01653-JTP-ES-XX-DR-A-00 06 4 of 4: 01653-JTP-ES-XX-DR-A-00 07	P1
Existing Topographical Survey (Levels)	01653-JTP-ES-RF-DR-A-00 02	P1

Existing Site Sections	01653-JTP-ES-XX-DR-A-0003 01653-JTP-ES-XX-DR-A-0004 01653-JTP-ES-XX-DR-A-0005 01653-JTP-ES-XX-DR-A-0006 01653-JTP-ES-XX-DR-A-0007	P1
Landscape Masterplan (All Levels)	1599-020A	A
Site Levels Strategy Plan (2 sheets)	01653-JTP-MP-RF-DR-A-0102 01653-JTP-MP-RF-DR-A-0103	P2
Proposed Bus Station Arrangement (Accessibility Assessment)	19-T110-82	C
Existing VS Proposed Bus Station Arrangement	19-T110-121	A

2. 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 and the application was submitted generally in accordance with that advice. However, further issues were identified during the consultation stage of the application. Officers have worked with the applicant in an attempt to overcome

these issues. However, the proposal is still deemed to be unacceptable and as such, the application was refused without further amendments.

Please read the Important Notes attached.

A handwritten signature in black ink, appearing to read 'G. MacInnes', followed by a horizontal line.

Gilian MacInnes
Interim Head of Planning

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).