

Statement for Public Inquiry
Amanda Mullarkey
On behalf of Guildford Residents Associations



APP/Y3615/W/20/3260509

Redevelopment of the site to provide a 10-storey building plus two basement levels, for use as shop (A1), financial and professional services (A2), restaurant and cafe (A3), drinking establishment (A4), office (B1a), nightclub, casino (sui generis), assembly and leisure (D2 - including cinema, concert hall, and bingo hall) and student living accommodation (sui generis), ancillary cycle and refuse storage; landscaping and incidental works following demolition of all existing buildings.

1-5 The Quadrant, Bridge Street and The Casino Nightclub, Onslow Street, Guildford, GU1 4SQ

Guildford Residents Association represents about 30 Residents Associations and Parish Councils in the Borough. We play a positive role seeking to ensure Guildford develops as an innovative, forward-looking community while cherishing its rich historical and green heritage.

We consider it is highly relevant to this application that Guildford is set in a gap in the Surrey Hills AONB. Views into and out of the downs matter as reflected in the NPPF and in policy dating back as far as the Hobhouse Report of 1947. Townscape views are also important as described in the Local Plan, Landscape Character Assessment and Views SPD. Blocky buildings are to be avoided such that it is possible to appreciate the rise and fall of the land through the form of development.

The Guildford Residents Association (GRA) considers that this site is well suited to an above-ground night club for Guildford *if* well designed with safe evacuation as part of an integrated scheme. However, we oppose the current application.

It is a large overbearing over-high development, which is out of character and scale with its surroundings.

- It does not reflect the distinctive local character of the area in which it is set (Saved Policy D1) or respect the existing scale, height, proportions and materials of the surrounding environment (Saved Policy G5). It would be taller than the extant consent.
- It is out of harmony with the nearby listed Rodborough building (saved policy D3 and HE4) and the character and appearance of the Conservation Area (saved policy HE7). GRA supports Historic England's letter with their concerns about the height of the proposed building in a Conservation Area and its impact on the listed Rodborough building which would be dwarfed, affecting its setting.
- It impacts unfavourably on the Bedford Wharf site. It would be desirable for this site to be developed in a way that integrates with that scheme. It is counter to Saved Policy G11 that views to and from the Wey Corridor should be protected.

- Buildings in proximity to the High Street that need enhancing, should be developed in harmony with Guildford's history and character, albeit in a different style and representing another era. The development should meet the NPPF requirement to be designed to be sympathetic to the local character and history including the surrounding built environment and landscape setting.
- The building with its height and bulk will create a presence in both near and far views in a way that would be detrimental to Guildford's landscape character. The glass box and panels will be prominent in views, including from AONB. AONB, like National Park, is the highest landscape status and views from the designation are a consideration.
- Over-high and bulky buildings, which have no lasting character or merit, render Guildford a less desirable town for newcomers, established residents, businesses, those passing through and for prospective visitors.
- The application suggests the station development, which includes a 10-storey element, creates a precedent relevant to this site. We dispute this. Unlike the station scheme, this application is in a Conservation Area and should make a positive contribution to its character and appearance. Also, we draw attention to the fact that the Station development, which has a large housing element, was assessed at a time when Guildford did not have a 5-year housing supply or up to date Local Plan. The Station scheme was, therefore, judged on the basis of a strong presumption in favour unless demonstrably harmful to sustainable development. By contrast, we now have an approved Local Plan against which this application can be judged. One of the reasons for making regrettable Green Belt allocations in the Local Plan was to avoid pressure for over-development in the town centre, while of course making efficient use of land. The approved Local Plan makes notably generous provision for student housing in its housing number and a very significant quantity of student accommodation is being built in practice, including at Guildford College and along Walnut Tree Close. There is no justification for an oversized building that would be harmful to character in this location.

The development would cause excessive light pollution affecting townscape and views.

- The extensive use of glass on the top two floors and in high level panels will cause light pollution. The effect of this light on views is of real concern. Additionally, the outside terraces would be illuminated. It is relevant that the applicant is explicitly seeking flexibility regarding all uses apart from the student accommodation element. This means the top two floors and terraces could be night club or a variety of other uses with significant lighting and night-time use. Although, of course, permission applies to land not people, it is relevant that the applicant has a track record of putting up prominent, including flashing, lighting on the current night club building without consent, requiring enforcement and reducing confidence in reliance on use of conditions.

There is insufficient circulation space around the building to provide an acceptable transition between the minimum required ground floor level of 32.76m AOD and the lower surrounding land noting issues with various door thresholds.

- Pavement space at the pedestrian crossing needs to be greater to provide safe access and enable passing between night club users (potentially both people queuing and coming outside from the basement to smoke) and other pedestrians.

Greater space around the building is required for safety, amenity and air quality (convective looping under the overhang of nitrous oxides and particulates from queuing traffic).

- With the exception of the SE corner, the land around the building is considerably lower (up to c1m) than the 32.76m AOD slab height required by the Environment Agency and the Flood Risk Assessment. Currently various doors are shown as either c0.9m below flood level or accessed by raised areas, extending the footprint into the flood plain. Significant extra exterior circulation space will be required to ensure all doors are above the required minimum threshold level and to achieve a smooth and user-friendly gradient between 32.76m AOD thresholds and ground levels outside. This needs to be done in a way that does not impede pavement users or various customers and that complies with accessibility requirements.

The double basement included in the proposed development is a flood risk and the development does not provide safe exit for those using upper floors.

We consider that flood risk is an important issue for this site and far from resolved. Indeed, far from planning frustrating a developer as suggested, we are concerned that there is a risk of the planning system failing future users of this site such that there is a risk of a serious disaster, as with failings at Grenfell. The extant consent was prior to the 2007 floods which resulted in a radical overhaul of flood planning policies and guidance, as subsequently incorporated in the NPPF and supplementary guidance. Policy was strengthened further in the wake of more recent flood events. A new double leisure basement in zone 3b flood plain would not be expected to be permitted today and when the Environment Agency conceded redevelopment on current footprint in 3b floodplain in Guildford, they cannot have foreseen a new double basement with highly vulnerable users being built afresh now.

- The site has high flood risk (zone 3). When the river last flooded in 2013, the waters rose before warnings were issued even though monitoring was supposedly in place. It is a flashy catchment. The grave consequences of flooding, with possible loss of life, are greatly increased by the proposed use of the double basement for a range of possible leisure uses, including night club, and the fact many people to be evacuated from the top two floors are likely to have been drinking.



- Much reliance is placed on ground floor finished floor levels of 32.76m AOD. This was described in the Flood Risk Assessment as a conservative estimate. The model was too unstable to be able to derive flood levels for a 1 in 100, plus climate change at 70%, annual probability event. River flooding to be expected from a 1 in 100, plus climate change at 35%, annual probability event would be a depth of .95m flowing at .51m per second.
- We ask the Inspector to satisfy himself that the proposed minimum slab level is met. The land drops by about a metre from one end of the building to the other. Only in the very south east corner is the land at 32.76m AOD. Various floors and doors are at different levels and inconsistent.

- A double basement should only be included in this development if it is designed to flood (like the Bedford Road Car Park) and has a flood compatible use - unlike casino/dance functions (associated with drinking) or bingo (associated with an older demographic). In addition to river flooding, the site is in an area of medium to high groundwater risk. A water-tight double basement will significantly reduce ground water storage capacity and exacerbate flood risk elsewhere. There is also high surface water risk along that road. The risk if flooding from these sources in combination is real. In the 2013 flooding, surface water ran down the High Street like a river contributing to flooding at the bottom. Yet this was only a flood event of modest magnitude compared with what is to be expected.
- We do not consider that the proposals satisfy Local Plan Policy 4 on flood risk.

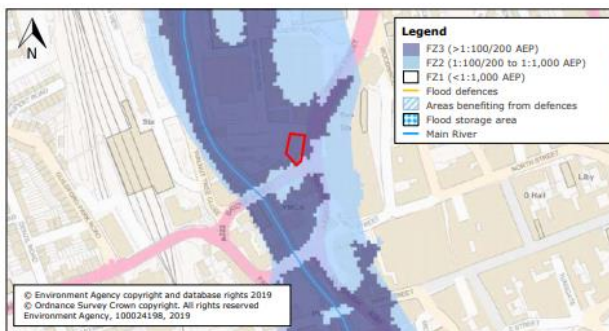


Figure 2: Flood Map for Planning
(Source: gov.uk website)

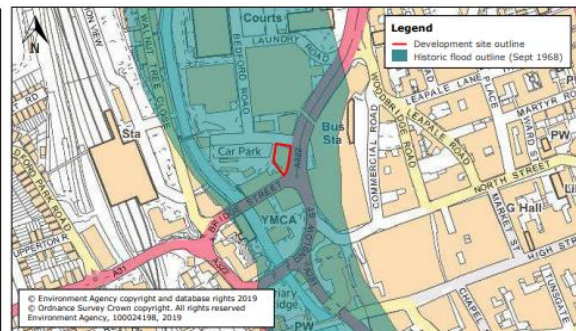


Figure 4: Environment Agency Historical Flood Map
(Source: gov.uk website)

In more detail:

- P4.2a) The vulnerability of the proposed use is not appropriate for the level of flood risk on the site. Drinking establishments, night clubs, casinos, dance venues and student accommodation are 'more vulnerable' uses ill-suited to flood zone 3.
- P4.2b) The proposal passes neither the sequential nor exception test. The sequential test shows many alternative sites for student accommodation on land less vulnerable to flooding. The proposed exit route would be into an area of flood risk and that flooded in 1968. It would involve wading through flood water.
- P4.2c) The double basement would increase flood risk elsewhere and the proposal does not provide safe egress.
- P4.2e) The flood evacuation plan is not appropriate. It proposes tenants, staff and visitors leave the site via the south east corner. However, the students and visitors to the upper leisure uses have separate entrances on the other side of the building where flood risk is higher. It is not clear that they will have internal access to the retail units on the ground floor. The retail units may be closed at night. There has been some improvement to the evacuation route proposals in the amended drawings, but it is still very unclear how access would work, including for all occupants, and what the floor levels would be. There are inconsistencies both internally and externally.
- P4.3) There will be an increase in vulnerability. In spite of tanks, the construction of a basement and accesses would reduce floodwater storage overall rather than facilitating flood water storage. The scheme introduces residential accommodation

for students to flood zone 3. Various entrances, including the upper leisure entrances, are significantly lower than 32.76m.

- In view of the flood risk and potential vulnerability, we find the proposed flexibility as to where various uses are located in the building (apart from student accommodation) to be unacceptable. If the basements are given a use class that potentially includes all the uses in the application title (including drinking establishment, nightclub, casino, cinema, concert hall, and bingo) this will put users at risk in event of a flood. Many of these uses are associated with serving of alcohol and with visitors unfamiliar with their surroundings, which increases vulnerability.

The flexibility sought as to which use takes place where in the building, apart from floors for student accommodation, is inappropriate given the various impacts and consequences of uses.

- We are concerned at the wide-ranging “use categories” being sought and lack of clarity over which parts of the building could be used for which purpose over time. This concern extends beyond flood vulnerability. For example, could the area currently shown as an extensive active “retail” frontage in practice be used for a prominent slot machine gaming arcade? The applicant has some machines in a small unit on the current site. Could financial services include on site access to money for drinking and gambling? Some of the possible basement uses would require more space for queuing and for people to come outside to smoke than others. Some uses would generate more light and noise on the roof top terrace than others.

The mix of uses proposed is incompatible with student accommodation.

- We are deeply troubled that combining night club/casino use with student accommodation is inappropriate. It also places young people at risk of getting drawn into addictive behaviour patterns. The student accommodation is itself inadequate in space, layout and communal facilities and should be provided elsewhere on the ample development sites allocated elsewhere with lower flood risk.

We ask you to dismiss this appeal.

On behalf of Guildford Residents Association