



Historic England

Mr John Busher
Guildford Borough Council
Millmead House
Millmead
GUILDFORD
Surrey
GU2 4BB

Direct Dial: 0207 973 3627

Our ref: P01445905

21 December 2021

Dear Mr Busher

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**DEBENHAMS, MILLBROOK, GUILDFORD, GU1 3UU
Application No. 21/P/02232**

Thank you for your letter of 10 November 2021 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

Historic England objects to this application on heritage grounds because it fails to fulfil the requirements of paragraphs 194, 195, 197, 200 and 206 of the National Planning Policy Framework (NPPF). We recommend that the application is refused consent.

Our advice focuses on our statutory remit and where we consider there is the potential for the greatest level harm to heritage assets. This includes the highly graded assets of St Mary's Church (Grade I) and St Nicholas Church (Grade II*), as well as the Town Centre and Millmead and Portsmouth Road Conservation Areas.

We consider the level of harm to the churches to be at the upper end of less than substantial, under the terms of the NPPF, and at a mid-level within that range for the conservation areas. There is also some harm to Guildford Castle (grade I and a Scheduled Monument) and Holy Trinity Church (grade I listed).

While we have concentrated on specific assets, your Council will also need to consider the impacts of the development on all heritage assets that are affected, both individually, and cumulatively, across the historic environment as a whole, taking into account the large number of heritage assets which the proposal would affect.

In addition, we consider that the Townscape, Visual Impacts and Built Heritage



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

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Assessment (TVIBHA) is flawed due to its conclusions that impacts on heritage assets are either beneficial or neutral. These conclusions are based on a methodology that assesses the perceived quality of the townscape surrounding the asset rather than assessing how setting contributes to significance of the heritage asset or the ability to appreciate its significance. We therefore think that significance has not been adequately assessed to the standard required by paragraph 194 of the NPPF.

Historic England Advice

Significance

Overview of historic townscape

Guildford nestles between two hills at a crossing point on the River Wey. Its dynamic topography is an important characteristic of the town, instrumental in shaping its historical development and how the various streets were laid out. This topography also results in a variety of dramatic views and vistas, both within the town and also out to the surrounding landscape.

The town originated as a commercial and defensive centre along the route to London. A fort (in the Castle's current location) and the steep approach from the east provided the basis for the Saxon "new town" laid out in the 10th century above the floodplain of the river. This became the nucleus for Guildford's famous sloping cobbled High Street. The town's three churches - St Mary's, Holy Trinity and St Nicholas - were all founded at this time, though St Mary's is the only one with surviving Saxon fabric.

This hilly topography has been exploited over the centuries, and significant buildings, such as the Castle and the Cathedral, command imposing positions on the high ground overlooking the town. Lying between these is the historic town and its historic roofscape. This comprises a number of conservation areas and listed buildings.

Conservation Areas

The Site is located within the Millmead and Portsmouth Road Conservation Area and borders the boundary of the Guildford Town Centre and the Wey and Godalming Navigation Conservation Areas. Bridge Road Conservation is also close by to the north.

The conservation areas are significant for the quality of the historic townscape. This is represented by generally low scale, a variety of building styles and ages, a relatively intact historic street pattern and the highly characterful close rhythm and tight urban grain which reflects the town's early origins in the medieval period and its subsequent development over several centuries.

Where the conservation areas adjoin the river, their character becomes more



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industrial, illustrating the Victorian and early 20th Century commercial and industrial growth of Guildford. Along the waterfront, warehouse type buildings, generally three and four storeys in height, provide an attractive edge. Similarly, the sinuous line of the River Wey, a nineteenth century navigational route, allows glimpsed views into the town on approaches from Godalming, along today's well used public tow path.

Churches

The three highly graded town churches are significant buildings in Guildford's historic townscape. Their tall towers are key focal points designed to make the churches prominent buildings in the town and to call parishioners to worship.

While the buildings and spaces within the surrounding conservation areas post-date the churches, they nevertheless contribute to their significance by providing them with an historic context, closely related to their development, and Guildford over the ages.

St Mary's Church (Grade 1)

St Mary's Church (grade I listed) represents the very beginnings of the settlement of Guildford and is the earliest extant building in the town, with parts of the tower dating from the Saxon period. The significance of St Mary's lies in its: historic value as part of the Saxon town and the long history of it thereafter including royal associations; its communal values as a place of worship and; the aesthetic values in the many phased church, which remains undoubtedly a handsome building contributing positively to the townscape.

The church also derives significance from its setting on the hill overlooking the town. Its churchyard provides a verdant, landscaped surroundings for the church. The small grassed area to the south provides a quiet and secluded environment, which is remarkably unaffected by the busy approach road to Guildford or the activity along Quarry Street. This is partly because surrounding buildings do not visually intrude or overlook the space greatly.

St Nicolas Church (Grade II)*

St Nicolas is known as the lower town church, with Holy Trinity being the upper town counterpart. A medieval church replaced an earlier Saxon building on the site. However, all that survives from that period is the 15th century Loseley Chapel as the church was substantially re-built to designs by Teulon (executed by Ewan Christian) in the 1870's.

Its historic and aesthetic values lie in its multi phases and its Gothic Revival design by a nationally important Victorian architect. The open, verdant riverside setting, along with the generally low scale of the buildings surrounding it, also contribute to its





significance and its prominence. Its tall tower and scale contrasts sharply with that of the surrounding historic townscape and its physical prominence is especially notable in views down the High Street and along the river.

Guildford Castle, Scheduled Monument and Grade I listed

Originally the site of a Saxon fort, which was replaced by a Norman castle built by William the Conqueror, or one of his barons, shortly after the Conquest. Such castles, acted as garrison forts during offensive military operations, as strongholds, and, in many cases, as palaces or aristocratic residences and the centre of local or royal administration. Motte castles usually have defensible positions on hilltops and overlooking important route ways, river crossings and harbours.

The views that these positions provided were fundamental to their strategic and tactical functions of keeping watch, controlling travel routes, garrisoning troops and providing secure storage. A castle was also the personal possession of the Lord and helped exert his ownership and dominance over the surrounding territory.

The castle sits within delightful gardens, famous for their vibrant floral displays, and along with the castle are a key visitor attraction.

Views

The ensuing dramatic topography means there are a number of important long views in which you can appreciate the richness of Guildford's historic townscape and the way the High Street and the Mount, key routes through the town, dissect this long linear settlement.

Key views include looking south down the High Street where it is possible to appreciate the picturesque qualities of an attractive historic town situated in a verdant valley setting. Equally important are views of the High Street from the Mount. Here the full drama of Guildford's topography also unfolds in a reverse sequence of the previously described view. In this view the prominence of St Nicolas in the street scene is readily apparent.

Other key views include those from the motte of the Castle from which it is possible to appreciate the way in which the Castle was built on the high point for the town for defensive purposes, intentionally designed to guard the crossing point of the river and to dominate the town which grew up around it.

Modern development has in some cases eroded the quality of Guildford's surviving historic townscape. The highly disruptive impact the residential "towers" of Bishops Court and Mounts Court have is easily seen. However, generally, and especially in key views along the Mount, the High Street and from the Castle, modern development



does not have an especially prominent role in these views and thus is not hugely harmful to an appreciation of Guildford's origins important historic townscape.

Impact

The proposal is to redevelop the former Debenhams Site to deliver a mixed-use scheme comprising two new buildings; one 9 storeys in height and the other 8 storeys. Town Centre uses would be located at ground floor with residential above. It is also proposed to create a new square, river promenade, residential street and pocket park for public amenity. A new small pavilion for retail or café purposes would be provided in the new square.

The site is a sensitive location as it is located within a prominent and highly visible location at the confluence of a number of conservation areas and within the setting of a large number of heritage assets, some very highly graded.

The proposed development as a result of its massing, height and design would introduce a dramatic change in the prevailing building height of the surrounding townscape. The applicant has produced a comprehensive series of verified views (42 in total) set out in the Townscape, Visual Impacts and Built Heritage Assessment (TVIBHA). This document highlights that there are a large number of views where the two buildings would have a high degree of visibility.

Impact on Churches

A number of the viewpoints illustrate where the new buildings would block views of the towers of Guildford's town churches causing harm to the appreciation and understanding of the medieval origins of the town and its historic townscape. In other views the development competes in scale with the churches, thereby diminishing the ability to appreciate their intended landmark design against a clear sky.

This is illustrated in views 12, 13, 18, 23, 26, 35 and 40 where the development competes with the prominence of the church of St Nicolas and therefore causes harm to its significance. In view 9 the proposal interferes with appreciation of the silhouette and prominence of St Mary's Church 's against a clear sky.

In view 10 'From the Castle Motte, looking north west', the development also blocks views of the tower of St Nicolas Church and competes in scale with that of St Mary's Church. In view 25, 'Portsmouth Road' the development blocks views of Holy Trinity Church at the top of the High Street.

No views are provided in the assessment of looking out towards the development from St Mary's churchyard. However, from a site visit it is clear that the new buildings would be completely overbearing and dominating in views from here. This would cause harm



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to the significance of the church by disrupting the understanding of its historic relationship with the medieval town as well as competing with the church's intended prominence.

In addition, it is proposed that the elevation of Block B is to be designed with a series of balconies which would directly overlook the church and its relatively secluded churchyard. This would cause harm to the significance of the church and its associated churchyard as a contemplative and spiritual space.

Impact on Conservation Areas and Historic Townscape

The development appears in a number of views as an overbearing and dominating presence amongst the historic buildings in the conservation areas. The proposals would therefore harm how Guildford's historic townscape is currently experienced by competing visually with the generally low scale and distinctive silhouettes of the rooflines. It would also cause disruption to the human scale which has largely persisted in the development of the town.

A particularly harmful view of this impact is illustrated by view 10 'From the Castle Motte, looking north west'. Here the development is particularly prominent and out of scale amongst the predominantly low scale historic buildings and their varied roofscape. Its prominence and scale when looking out from Castle Motte also causes harm to the understanding and appreciation of the historic status and important defensive function of the Castle.

The development also appears out of keeping with the surrounding townscape in view 16 from Castle Cliff Gardens and in view 17 from the bandstand, interfering with the attractive roofscape of the historic buildings in Quarry Street.

In views, 21 and 31, which are taken from within the vicinity of the A281, the development is shown to be out of scale with the surrounding townscape and dominating the views on this principal approach to the town. While we appreciate that the current Debenhams is also of a very different scale to the surrounding townscape, its relatively low rise and curving form, following the alignment of the road, means is not overly dominating.

Therefore, from this direction, currently a sense of entering an historic town is still appreciated. On the east side, there are glimpses up to the historic buildings in Quarry Street, views of the brick retaining walls to St Mary's churchyard followed by the sinuous line of Mill Lane with its cobbled surface leading enticingly into the old town, St Mary's Church and the Castle. On the west side, the 17th century Town Mill is the main focal point. The new development will be the most prominent buildings on this approach and will harm the appreciation of entering an historic town.



Impact on Topography and landscape setting

The development also causes disruption to the appreciation of the dramatic topography of the town, and how development historically was laid out in response to this. For instance, in view 42 High Street/Quarry Street, Block A appears as a strange projection above the low rise historic High Street buildings that descend down the hill. In views 30, 40 it interferes with an appreciation of the town's landscape setting by blocking views of parts of the wooded hills that surround the town.

Policy

As the application would affect conservation areas and the setting of listed buildings, the statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (s.72, 1990 Act) and to have special regard to the desirability of preserving the setting of listed buildings (s.16, 62, 1990 Act) must be taken into account by your authority when forming a view about the likely acceptability of a proposal.

The National Planning Policy Framework (NPPF) sets out the Government's objectives for sustainable development. In determining applications, Local Planning Authorities (LPAs) should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance (paragraph 194).

Applicants should describe the significance of any heritage assets affected by the development, including any contributions made by their setting (NPPF 194). Note that this paragraph, and the associated Planning Practice Guidance, makes it clear that assessment will be of the contribution that the setting makes to the significance of the asset; not of the quality of the setting itself.

This is an important distinction that can greatly affect the outcome of setting assessments. Historic England's guidance 'The Setting of Heritage Assets' (GPA3: Good Practice Advice in Planning Note 3) provides detailed guidance on how to assess the effect of development in the setting of heritage assets in compliance with the NPPF.

When considering proposals which might affect the significance of designated heritage assets, decision makers are required by the NPPF to minimise or avoid the conflict between the proposals and the conservation of the heritage asset (paragraph 195).

LPAs must give great weight to heritage asset's conservation (and the more important the asset, the greater the weight should be). They should also be satisfied that any harm is clearly and convincingly justified and outweighed by the delivery of public



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benefits (Paragraphs 199-202).

Paragraph 206 of the NPPF requires LPAs to look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. The same paragraph states that proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

We refer the local authority to the case law arising from the Court of Appeal's judgment in *Barnwell Manor Wind Energy Ltd v E Northants DC*, English Heritage, National Trust & SSCLG [2014] EWCA Civ 137. This emphasises that in enacting section 66(1) of the Listed Buildings Act, the desirability of preserving the settings of listed buildings should be given 'considerable importance and weight' when the decision taker carries out the balancing exercise, thus properly reflecting the statutory presumption that preservation is desirable. This is the case whether the harm is 'substantial' (and thus engages paragraph 201 of the NPPF) or is 'less than substantial' (engaging paragraph 202).

The Historic Environment Forum recently commissioned Heritage Counts research states that reusing rather than demolishing buildings generally delivers more sustainable environmental impacts when whole life carbon emissions are considered (<https://historicengland.org.uk/content/heritage-counts/pub/2019/hc2019-re-use-recycle-to-reduce-carbon/>).

Historic England's 'The Setting of Heritage Assets' (GPA3: Good Practice Advice in Planning Note 3) states at Para 39 that 'Options for reducing the harm arising from development may include the repositioning of a development or its elements, changes to its design, the creation of effective long-term visual or acoustic screening, or management measures secured by planning conditions or legal agreements.

For some developments affecting setting, the design of a development may not be capable of sufficient adjustment to avoid or significantly reduce the harm, for example where impacts are caused by fundamental issues such as the proximity, location, scale, prominence, or noisiness of a development.'

Guildford Town Centre Views SPD 2019 identifies historic legacy landmark buildings and highlights the positive effect they have on informing the historic development of the town, enhancing views and skylines, and as features and focal points on views and vistas within Guildford's historic form and landscape setting. It highlights that important landmarks need to be protected. These include Guildford Castle, Treadwheel Crane, St. Mary's Church Tower, Trinity Church Tower and St. Nicolas' Church Tower.

Position



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Historic England acknowledges that this is a very sustainable location for new development, which utilises a brownfield site and offers opportunities to create improved access to the riverside and new public realm.

However, we consider that the proposal, because of its height and massing, will cause harm to the significance of a large number of heritage asset in the town centre. We have focused our advice on a specific number of assets where we consider the proposal will cause the greatest harm.

Your Council will also need to assess the cumulative effect of the proposal across the historic environment as a whole, given the extent of the development and the large number of assets that would be affected.

We think that the most harm would be caused to St Mary's and St Nicholas' Churches and that the level of harm would be at the upper end of less than substantial, in the terms of the NPPF. There would also be harm to the Town Centre and Millmead and Portsmouth Road Conservation Areas, at a mid- level within the less than substantial range. There is also some less than substantial harm to Guildford Castle and to Holy Trinity Church.

We do not think the harm caused by the proposal can be minimised or avoided without substantial change through a significant reduction in the heights of the buildings.

In addition, while we appreciate that the existing Debenhams represents fairly standard commercial architecture of the period, we do not think it causes a high level of harm to heritage assets in the way this proposal would do.

We think that reusing and adapting the existing building could be a less harmful and a more sustainable approach. We realise that due to the large floor plates of the building, residential uses may not be appropriate. However, the existing building could be repurposed for new commercial or 'experience/ recreational/entertainment' type uses along with a modest increase in height to provide some new residential units.

If wholesale redevelopment is your preferred approach, we recommend that it should be guided by a Town Centre Master Plan. If carefully handled there is a genuine opportunity to create an exciting and innovative new piece of architecture on this important town centre site that avoids harmful impacts to the significance of heritage assets and is compliant with the national and local planning policy.

Recommendation

Historic England objects to the application on heritage grounds. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 194, 195, 197, 200 and 206 and should therefore be refused consent.





Historic England

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account in determining the application. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Please contact me if we can be of further assistance.

Yours sincerely

Alma Howell

Alma Howell

Inspector of Historic Buildings and Areas

E-mail: Alma.Howell@HistoricEngland.org.uk

cc: Louise Blaxall - Conservation Officer



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