



## **PRESS RELEASE**

### **Bellerby Foodstore Planning Permission Faces Judicial Review from Two Directions**

*Guildford, Wednesday 13th March 2013:* Two applications are now underway for a Judicial Review of the grant of planning permission by Guildford Borough Council (GBC) for a foodstore on the Bellerby Theatre site, a location owned by GBC and previously earmarked for much-needed housing.

Guildford Vision Group (GVG) is one of the applicants. It believes that GBC, amongst other things, has incorrectly applied a crucial planning test – the ‘sequential’ test. In layman’s terms, the assessment of the planning application by the planning officers has to determine that more appropriate sites for town centre uses, taken in sequence, do not already exist, such as the redevelopment planned for North St and The Friary.

The other party seeking a Review on similar grounds is Hermes, the major UK institutional investor and current owner of the Friary. Rather mystifyingly, Hermes has so far not been involved in the North St Scheme developer selection organised by GBC, notwithstanding that Hermes owns the majority of the land and has been a long term major investor in the town. This is one possible reason behind its decision to sell its Guildford interests to PRUPIM, the property arm of the Prudential.

Other grounds for a Review include poor assessment of conservation and environmental aspects.

“We do not take the Judicial Review step lightly”, says John Rigg, chairman of GVG. “More in sorrow, in fact. It all comes down to the lack of a sensible, professional masterplan for the town. Where is the logic in a traffic-busy, trolley format foodstore outside the main retail envelope of the town centre and, indeed, just outside the extended primary retail area anticipated by the North St development?”

Three other leading community groups also challenged the planning decision, asking the Secretary of State to call in the scheme. One was The Guildford Society. “We support GVG’s Judicial Review request,” says Michael Jeffery, chairman. “The Bellerby site should be retained solely for housing, as originally planned.”

The previously agreed housing role for the Bellerby site delivered 75 affordable housing units against the 18 provided under the new scheme. GVG believes the site could accommodate up to 250 homes if it were given over entirely to housing. The newly approved scheme manages just 48 homes in total.

GVG is pro-growth and supports plans to develop both North St and the Bellerby site, provided the development is in the context of a masterplan that looks at the broader picture, especially the traffic implications.

A good masterplan will deliver a finer Guildford. If Guildford is to flourish well into the 21<sup>st</sup> century, the importance of a beautiful town, and of people over cars, has to be acknowledged, with much improved public space for the community, arts and entertainment, as well as for attractions such as the established street markets.

For further information, contact: Yvanka Wilkinson, Vision for Guildford Ltd on 07767 251040

**Ends**

### ***Notes for Editors***

With proper masterplanning, the Friary 2 & North St development provide a much more logical and appropriate location for any additional town centre foodstore. National planning guidance, law and regulation actively encourage prime retail outlets to come together in a logical grouping, and dictate directly against the fragmentation a trolley-based foodstore on Bellerby would represent.

In making the 'sequential test' argument, GVG's Review application points out that GBC began to promote development of North St well ahead of its decision to grant the foodstore permission on the Council-owned site. The North St scheme includes a potential 50% increase in the town's principal retail floorspace. The possible 60,000 sq m additional space includes an already approved 25,000 sq m extension of The Friary Centre (Friary 2).

The planning regime also requires a joined-up approach to all aspects of town life. Thus the need exists in Guildford for the North St and Bellerby schemes to be considered on a broader canvas – accessibility, transportation and community space being but some elements. There is land around Bedford Rd where retail planning permission already exists. The Solum scheme at the railway station needs to be included when assessing the impact on the wider traffic and transportation options.

The Bellerby site should be retained for its original purpose as set out in the current Local Plan - much needed housing, a lack of which GBC's own research is always revealing.

The Bellerby foodstore plan has also uncovered some disturbing aspects of governance around major planning decisions. This is another reason to pursue the Judicial Review option – it allows a well-qualified third party assessment of the planning processes at GBC. The documentary trail suggests there are important areas to examine, including what decisions are left to officers and at what point should matters be examined by elected councillors?

There are issues of conflicting interest. How well does GBC separate its responsibilities as local planning authority from its expectations as landowner and developer?

These important governance principles, and other similar aspects, should come further under the microscope as plans for the much bigger North St scheme progress. What is effective community consultation? The Bellerby application received almost 50% more objections than supportive submissions. Objections from the three adjoining wards were over double those in favour. Many of those listed as supportive submissions were qualified and queried the adverse traffic implications. Yet councillors, at their 6<sup>th</sup> November 2012 meeting, appeared to give little weight to these.

GBC's approach to major planning and public consultation has been called into question only last year after it published both its Interim Town Centre Framework and the North St Development & Design Brief. Opinions by two leading planning QCs indicated that if GBC were to adopt these two key planning documents, it would be in danger of flouting both UK & EU law, as well as its own constitution. This latter aspect was concerned with how adequately GBC had consulted with the community and other key stakeholders. The new Council Leadership formally abandoned both documents but inherited the flawed Bellerby strategy that it is pressing ahead with.



Bad planning costs. With the demise of these two major documents, one of which was a replacement for an unlamented predecessor, GBC has racked up significant time and costs – as yet unscrutinised publicly - for wholly insignificant results.

The history of major planning projects in the town centre over the last 20-30 years is not a happy one. Bold transport planning has been absent. Congestion has grown apace. There is little great new architecture to enjoy and celebrate. The river has been completely ignored, with buildings turning their backs on it, and considerable adjoining space in the town centre taken up by surface car parks.

A fuller explanation of the planning background to the Judicial Review request can be found at [www.guildfordvisiongroup.com/timeline](http://www.guildfordvisiongroup.com/timeline)

For further information, contact: Yvonka Wilkinson, Vision for Guildford Ltd on 07767 251040