

A1 WA/2017/2028  
Crest Nicholson Regeneration Ltd &  
Sainsbury's Supermarkets  
01/11/2017

Listed Building Consent for the demolition of the attached Redgrave Theatre, conversion of Brightwell House to form 2 restaurant units. Works to include single/two storey extensions to the north and west (containing additional ground floor restaurant space, kitchen areas, stores, toilets, staircase and plant room and first floor kitchens, stores, staff wc and plant room). Works to existing house to include reinstatement of 3 original hipped roofs and rooflight to the north elevation and hipped roofs over the existing bay windows and reinstatement of the glazed canopy in the southern elevation. Reinstatement of original chimneys, internal fireplaces and staircase. Partial unblocking of a first floor window on the west elevation. Removal of later partition walls and ground floor toilet; new openings through to first floor extension, installation of servery. Some blocking in of existing internal openings. Demolition of boundary walls, toilet block and cottage at Brightwells House, Brightwells Road, Farnham GU9 7SB

Committee: Joint Planning Committee  
Meeting Date: 17/01/2017

Public Notice: Was Public Notice required and posted: Y  
Grid Reference: E: 484231 N: 146954

Town: Farnham  
Ward: Farnham Moor Park  
Case Officer: Ruth Dovey  
Expiry Date: 26/12/2017  
Time Extended Date: 19/01/2018  
Neighbour Notification Expiry Date: 08/12/2017

**RECOMMENDATION**

That, subject to conditions, Listed Building consent be GRANTED

## Introduction

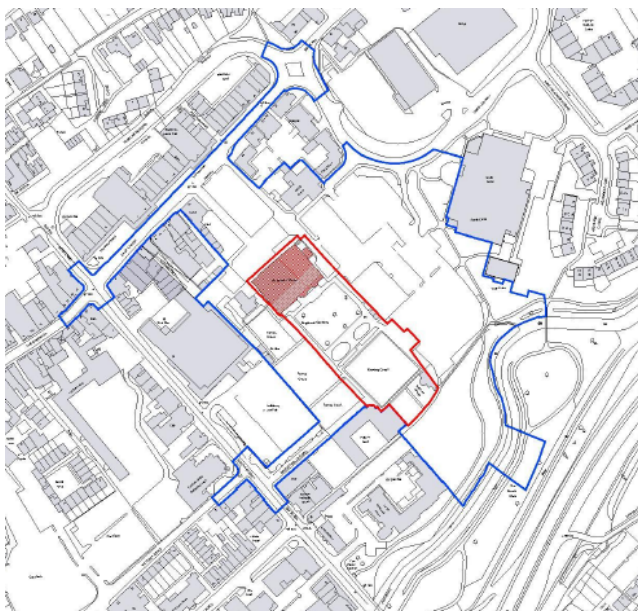
The application has been brought before the Joint Planning Committee at the request of the Local Member and due to the application's strategic importance to the Borough.

This report is concerned solely with Listed Building Consent issues regarding Brightwell House and the demolition of other associated structures and buildings.

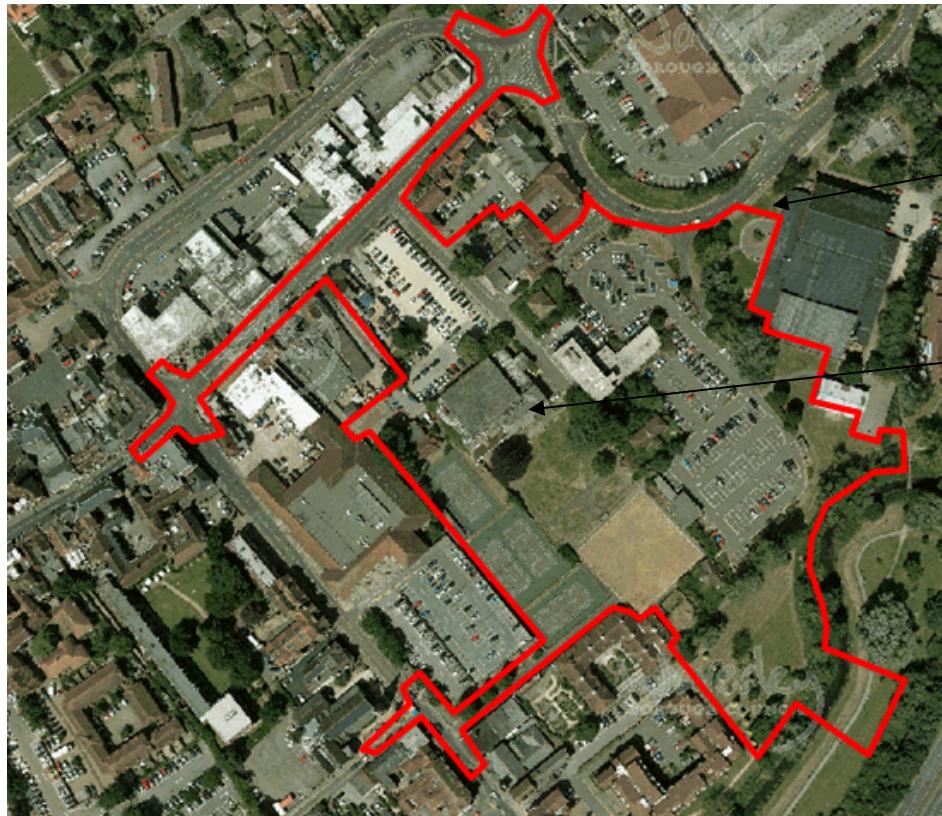
This is an application for Listed Building Consent. However, it follows a previous Listed Building Consent, based on an identical proposal, granted under WA/2016/0456, which expires on 27/01/2018. This 2016 application was, in turn, a revision to a previous listed building consent application ref. no. WA/2014/1926.

The whole site is pending redevelopment (this listed building consent application is part of the redevelopment works). Planning permission for the associated East St redevelopment was granted on 07/08/2012 (ref. no. WA/2012/0912 and a Section 73 follow-up application WA/2016/0268) and this permission has been implemented and is therefore extant. Matters relating to the loss of the theatre use and the proposed new use of Brightwell House along with the redevelopment scheme as a whole were considered under this approved and implemented permission and are not matters for consideration under this Listed Building Consent which is only for the physical alterations to the Listed Building.

## Location Plan



## Aerial Photograph of Site



Red line denotes site area of East St redevelopment scheme

Brightwell House

## Site Description

The wider development site extends to 3.95ha and contains a variety of buildings and land uses. Many of the buildings are vacant and boarded up and some have been demolished pending the site's redevelopment. The site comprises the development area known as East Street or Brightwell where planning permission has been granted for an extensive mixed use redevelopment scheme (WA/2012/0912 and WA/2016/0268).

This application relates to one area of the redevelopment site, Brightwell House and associated buildings. Brightwell House is a two-storey Grade II Listed Building located outside the Farnham Conservation Area, built between 1792 and 1795. It was listed in 1972. The Redgrave Theatre was built in the early 1970s as a modern, flat roofed, addition to Brightwell House. The theatre closed in the late 1990s and has been disused for over ten years.

Along the north east and south west boundaries of the application site are the remains of the former brick garden wall and a single storey cottage building associated with the original use of Brightwell House.

Neither the garden walls nor the cottage are specifically listed, but as they are located within the curtilage of the Listed Building (Brightwell House) and pre-date 1948, they are covered by the Brightwell House listing.

Brightwell House, the Redgrave Theatre and Brightwell Cottage are all in a dilapidated condition internally and externally. All of these buildings have been boarded up for security reasons.

### Proposal

Listed Building Consent is sought for extensions and alterations to the listed Brightwell House to form 2 restaurant units following the demolition of the rear extension (which formerly housed the Redgrave Theatre), the old garden walls, the toilet block and Brightwell Cottage.

The proposed extensions and alterations to the original Brightwell House building would comprise a contemporary single / two-storey extension containing additional ground floor restaurant space, kitchen areas, stores, toilets, staircase and plant room and first floor kitchens, stores, staff wc and plant room.

The proposed extensions would extend off the north and west elevations, creating a 'wrap-around' extension. The extensions would have external materials of timber cladding, timber columns, full height glass, exposed timber rafters and louvres and bronze metal fascia to surround. The roof of the extension would overhang to allow for a useable outdoor seating area for the restaurant and would have a sedum surface.

To enable the restaurant use, it is also proposed to remove some existing walls, create new openings, provide new partition walls, install a lift at ground and first floor level and remove some modern doors.

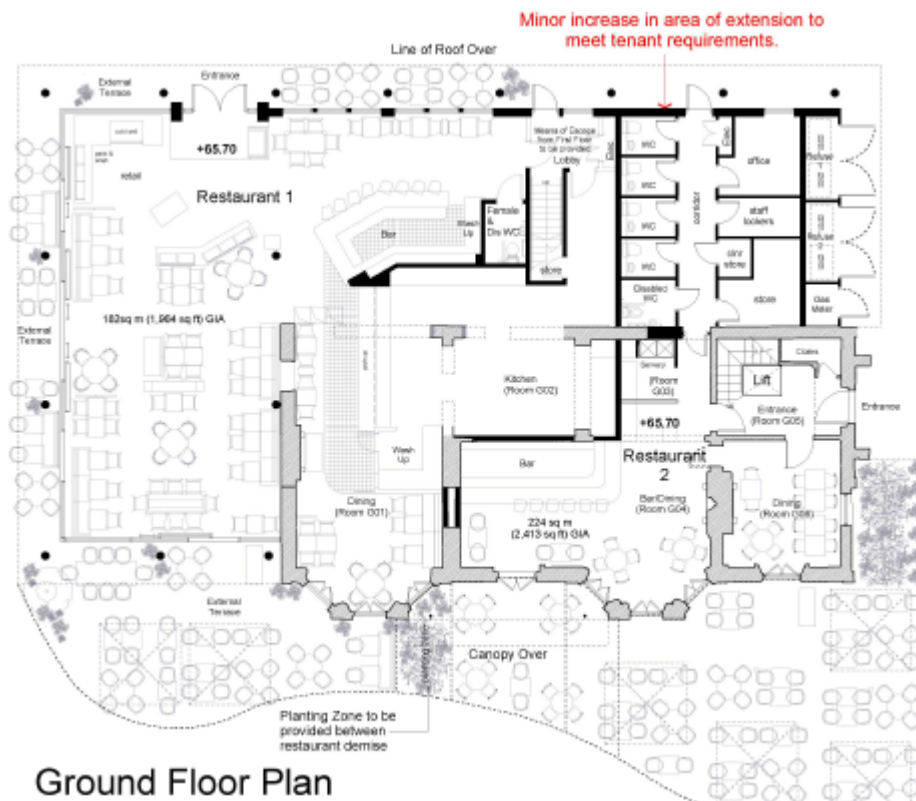
The proposal also includes the following restoration / reinstatement of historic features and alterations:

- Reinstatement of 3 no. original hipped roofs and rooflight to the north elevation,
- Reinstatement of hipped roofs over the existing bay windows and reinstatement of the glazed canopy in the southern elevation,
- Reinstatement of original chimneys, internal fireplaces and staircase,
- Partial unblocking of a first floor window on the west elevation,

- Removal of later partition walls and ground floor toilet; new openings through to first floor extension, installation of servery. Some blocking in of existing internal openings,
- Retention of the existing basement / cellar and upgrading of access hatch, ladder and ventilation,
- Replacement of roof tiles with new slate roof tiles

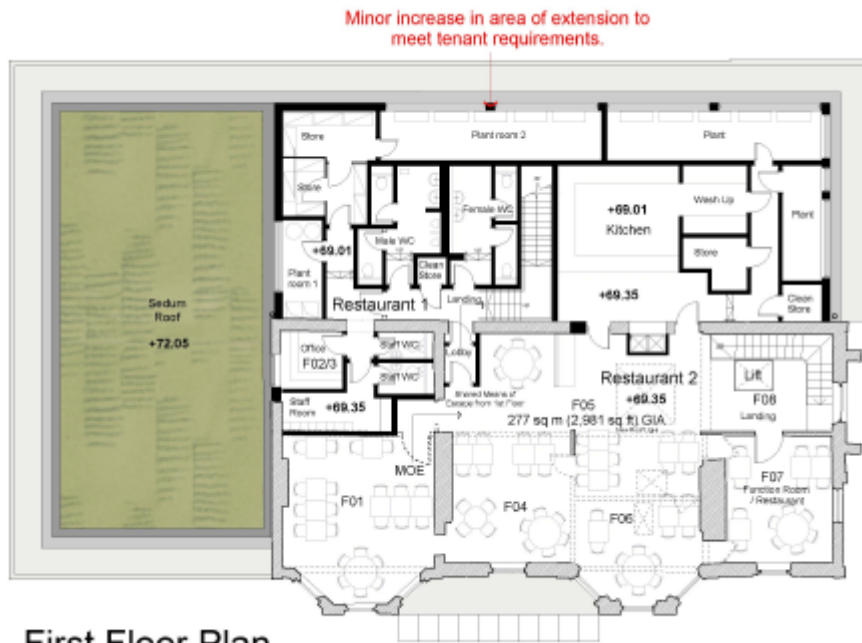
The proposal is identical to Listed Building application reference WA/2016/0456 which was an amendment to Listed Building Consent reference WA/2014/1926.

### Proposed Ground Floor Plan

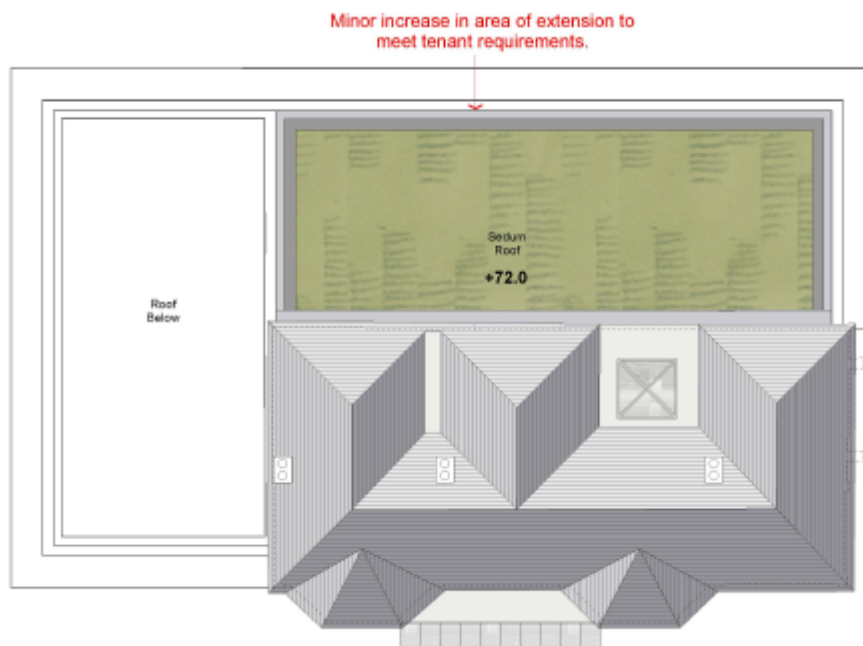


Ground Floor Plan

## Proposed First Floor Plan



## Proposed Roof Plan

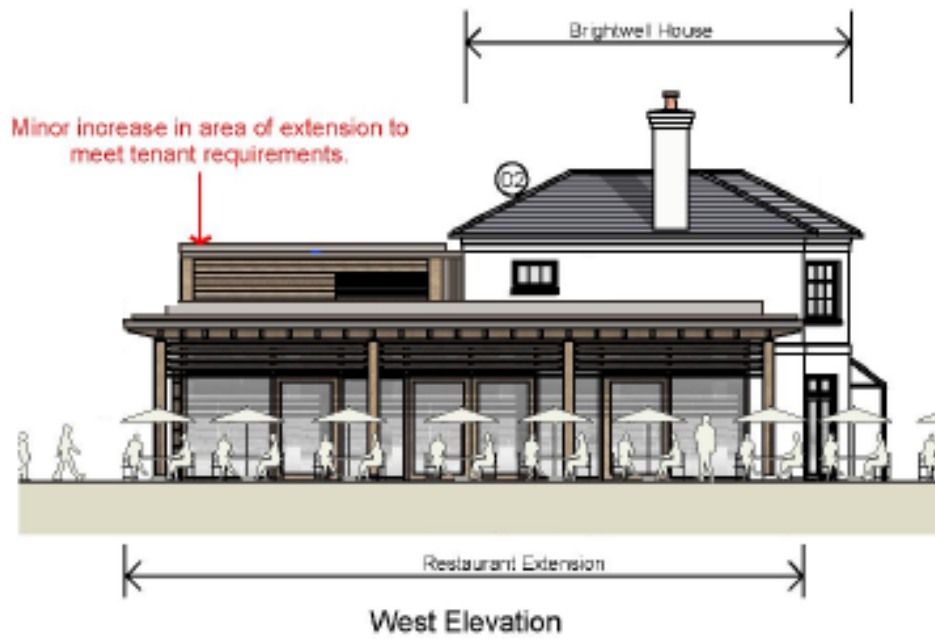
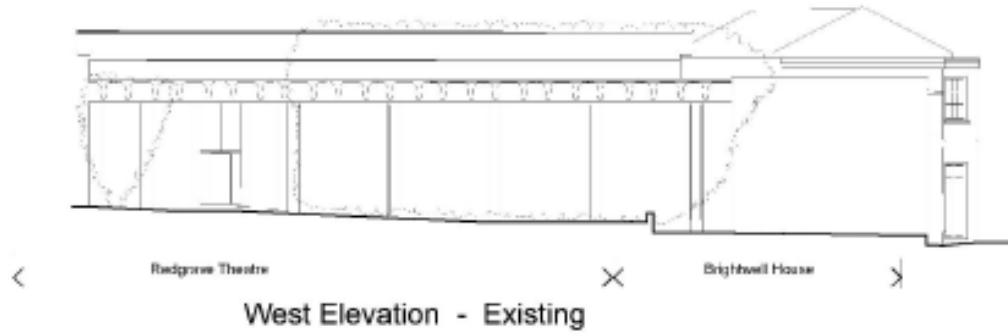




Existing and proposed south elevation

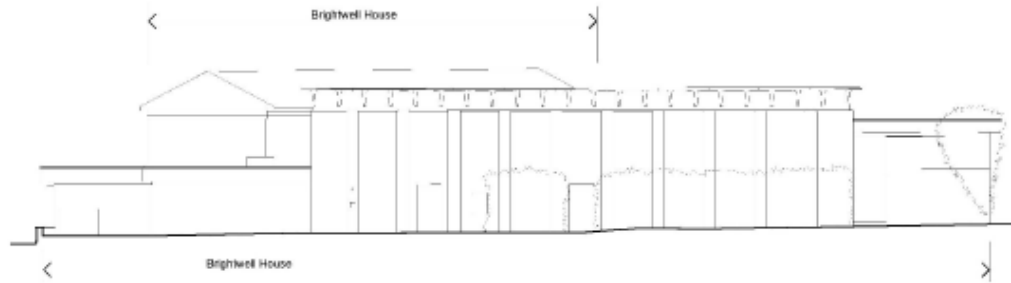


Existing and proposed west elevation

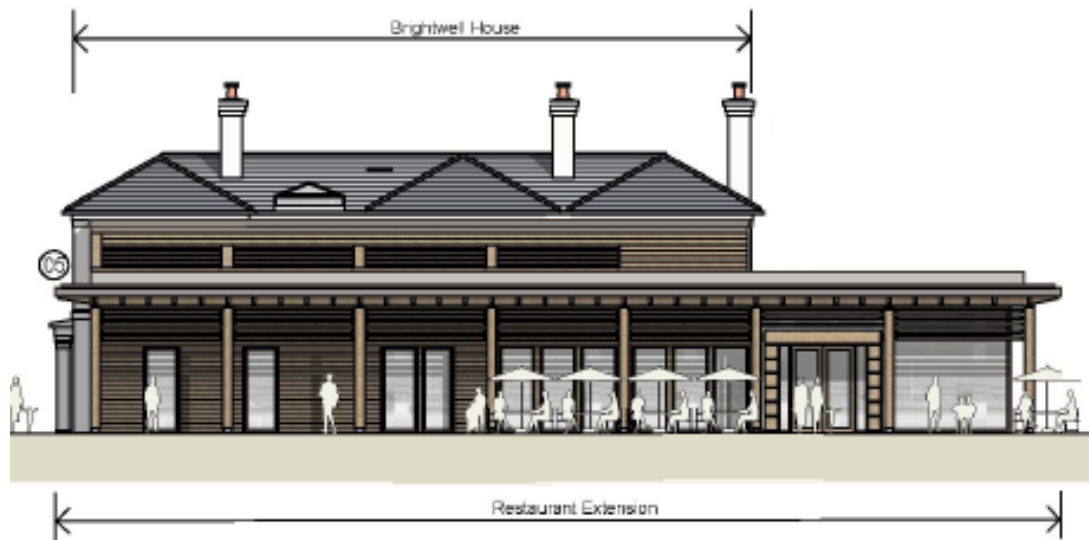




Existing and proposed north elevation

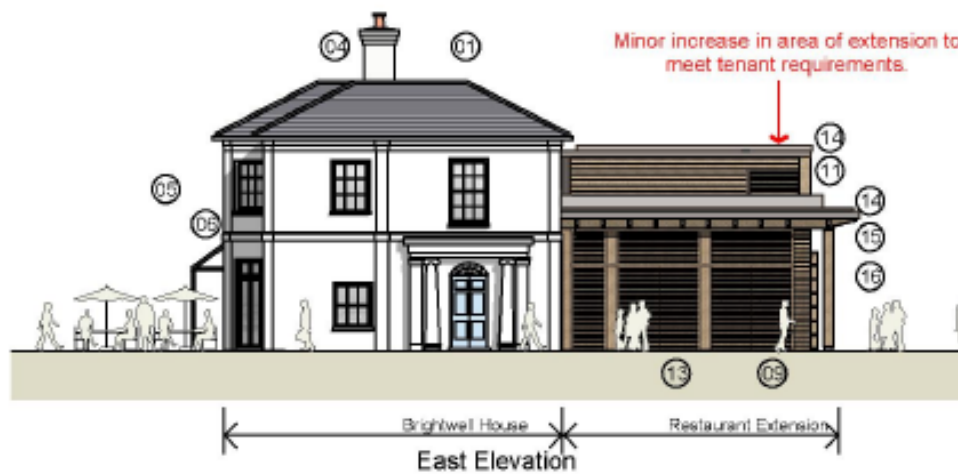
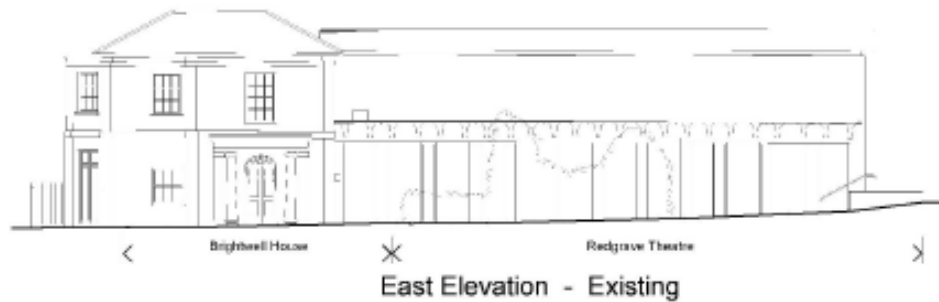


North Elevation - Existing



North Elevation

## Existing and proposed east elevation



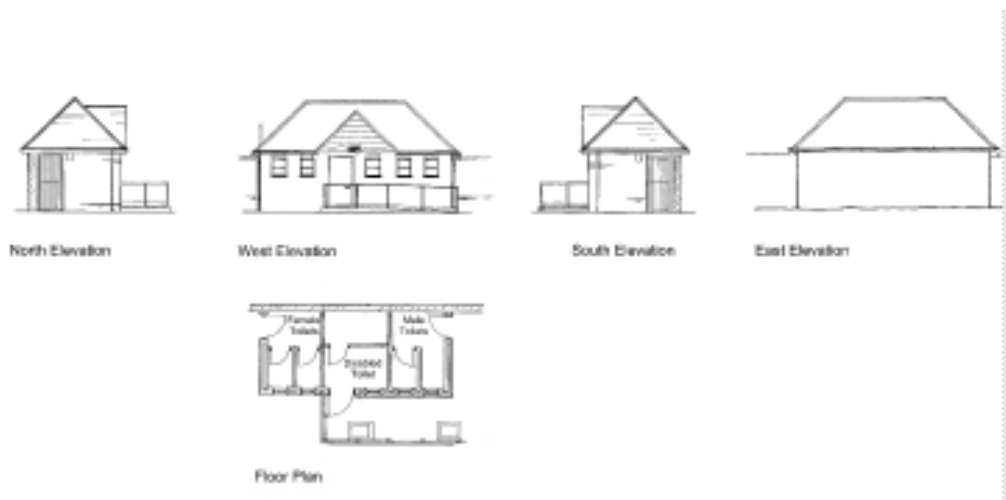
The theatre was added to Brightwell House circa 1970 and comprises a large flat roof brick extension, which is proposed to be demolished.

## Demolition Plan

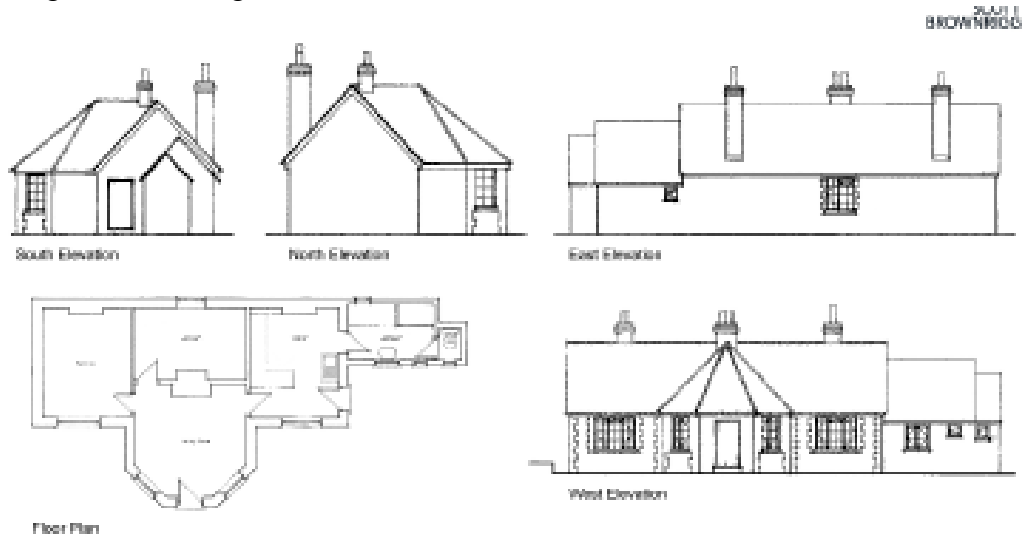


As can be seen from the plan above, the proposal also includes the demolition of the former garden walls, toilet block and Brightwell Cottage.

## Toilet Block



## Brightwell Cottage



Proposed site plan in context with extant planning permission WA/2016/0268.



## Relevant Planning History

There is an extensive history to this site, the most relevant of which is as follows:

Reference	Proposal	Decision
WA/2016/0456	Application under Section 19 (Listed Building Consent) to vary Condition 6 of WA/2014/1926 (approved plan numbers) to allow a variation to the extensions and alterations hereby permitted.	Consent granted 04/07/2016
WA/2016/0268	Application under S73 for the variation of Condition 3 (Plans) and removal of Condition 61 (Sustainability Statement) and Condition 60 (Combined Heat and Power Scheme) of WA/2012/0912 (East St Redevelopment) to allow 106 sq m increase in size of extension to Brightwell House, realignment of rear of Building D21, removal of Gostrey Centre community use from Building D20 resulting in space to be occupied by Use Classes A1/A3 Retail/Food and Drink, internal alterations and amendment to landscaping scheme; revision to heating strategy, omitting energy centre and changes to comply with current Building Regulations and other regulation requirements with subsequent revisions to Sustainability Statement; amendment to affordable housing provision to provide 100% shared ownership flats. This application is accompanied by an Addendum to the Environmental Statement (as amplified by emails and plans received 21/03/2016 and 01/06/2016 in relation to flood risk and as amended by email and viability information received 06/05/2016 in relation to the proposed affordable housing mix).	Full permission 09/09/2017 (Implemented – extant)
WA/2014/1926	Listed Building Consent for the demolition of the attached Redgrave Theatre, conversion of Brightwell House to form 2 no. restaurant units.	Consent Granted 28/01/2015

	<p>Works to include 2 single/two storey extensions to the north and west (containing additional ground floor restaurant space, kitchen areas, stores, toilets, staircase and plant room and first floor kitchen, stores, staff WC and plant room). Works to existing house to include reinstatement of 3 no. original hipped roofs over the existing bay windows and reinstatement of the glazed canopy in the southern elevation. Reinstatement of original chimneys, internal fireplaces and staircase. Partial unblocking of a first floor window on the west elevation. Removal of later partition walls and ground floor toilet; new openings through to first floor extension, installation of servery. Some blocking of boundary walls, toilet block and cottage at Brightwell House.</p>	
WA/2012/0912	<p>Application for a new planning permission to replace extant permission WA/2008/0279 (time extension). Mixed-use redevelopment comprising: 9,814 sq m of retail, restaurant and cafe-bar accommodation (Use Classes A1, A3 &amp; A4, including the change of use of Brightwell House and Marlborough Head); 239 residential units (Class C3); a multi-screen cinema (Class D2); multi-storey, surface and basement car parks providing a total of 426 spaces; associated highway and access works; provision of infrastructure and landscaping; replacement facility for the existing 'Gostrey Centre'; demolition and clearance of the site. This application is accompanied by a supplementary Environmental Statement (as</p>	<p>Full permission – subject to Section 106 Agreement - 07/08/2012 (Implemented - extant)</p>

	amplified by letter dated 04/07/2012).	
WA/2012/0553	Certificate of Lawfulness under Section 192 for the proposed development of Unit D20-R-01 in accordance with planning permission WA/2008/0279 and the use of Unit D20-R-01 for Use Class A1 (retail), with an in-store café of up to 223 sq m for use by visiting members of the public and use of an external area shown on drawing 13512-D20-001_B for seating associated with the cafe.	Certificate of Lawfulness granted 17/05/2012
WA/2012/0052	Construction of new shopfronts	Full permission 09/03/2012
WA/2011/1215	Listed Building Consent for demolition of the attached Redgrave Theatre, conversion of Brightwell House to form 2 no. restaurant units. Works to include single/two storey extensions to the north and west (containing additional ground floor restaurant space, kitchen areas, stores, toilets, staircase and plant room and first floor kitchens, stores, staff wc and plant room). Works to existing house to include reinstatement of 3no. original hipped roofs and rooflight to the north elevation and hipped roofs over the existing bay windows and reinstatement of the glazed canopy in the southern elevation. Reinstatement of original chimneys, internal fireplaces and staircase. Partial unblocking of a first floor window on the west elevation. Removal of later partition walls and ground floor toilet; new openings through to first floor extension, installation of servery. Some blocking in of existing internal openings. Demolition of boundary walls, toilet block and cottage (as amplified by email dated 13/09/2011).	Listed Building Consent Granted 13/09/2011 (Not implemented - expired)



WA/2010/0372	Variation of Condition 37 of planning permission WA/2008/0279 to omit the requirement for and provision of a temporary construction access from A31, but alternatively to require temporary construction access details and provision from alternative route.	Refused 08/06/2010
WA/2008/0280	Application for Listed Building Consent for the demolition of the attached Redgrave Theatre. Conversion of Brightwell House to form 2 no. restaurant units. Works to include single/two storey extensions to the north and west (containing additional ground floor restaurant space, kitchen areas, stores, toilets, staircase and plant room and first floor kitchens, stores, staff wc and plant room). Works to existing house to include reinstatement of 3 no. original hipped roofs and rooflight to the north elevation and hipped roofs over the existing bay windows and reinstatement of glazed canopy in the southern elevation. Reinstatement of original chimneys and other internal works. Demolition of boundary walls, toilet block, bowling pavilion and cottage. (As amended by plans and documents received 15/08/2008).	Listed Building Consent Granted 09/10/2008 (Not Implemented – expired)
WA/2008/0279	Mixed-use redevelopment comprising: 9,814 sq m of retail, restaurant and cafe-bar accommodation (Use Classes A1, A3 & A4, including the change of use of Brightwell House and Marlborough Head); 239 residential units (Class C3); a multi-screen cinema (Class D2); multi-storey, surface and basement car parks providing a total of 426 spaces; associated highway and access works; provision of infrastructure and landscaping;	Full Permission 06/08/2009 (Not Implemented – expired)

	replacement facility for the existing 'Gostrey Centre'; demolition and clearance of the site. (as amended by plans and documents received 20/8/08).	
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### Planning Policy Constraints

- Developed area of Farnham
- Built Up Area Boundary (Farnham Neighbourhood Plan)
- Countryside beyond the Green Belt (River Wey and its south bank)
- Public Footpaths Nos. 170 and parts of Nos.169 and 171
- Potentially contaminated land
- Flood Zones 2 and 3 (southern part of site)
- Listed Building Grade II (Brightwell House)
- Building of Local Merit (Brightwell Cottage)
- Listed curtilage walls and structures
- Within 20m of river bank
- Conservation Area (nearby)
- Gas Pipe Line (non-hazardous)
- Central Shopping Area (East Street frontage)
- Development within Town Centre
- Pedestrian Improvement Area in East Street
- East Street Opportunity Area
- Shared Pedestrian and Cycle Routes (Borelli Walk)
- Site and Area of High Archaeological Potential (adjacent)
- Area of Strategic Visual Importance (River Wey and its south bank)
- AQMA Buffer Zone
- Wealden Heaths I SPA 5km buffer zone
- Thames Basin Heath SPA 5km buffer zone
- Section 106 Agreement – WA/2008/0279 and amended under WA/2012/0912.

### Development Plan Policies and Proposals

Saved Policies of the Waverley Borough Local Plan 2002: HE1, HE3, HE4 and HE5.

Draft Local Plan Part 1 Strategic Policies and Sites 2017 Policies: HA1.

Farnham Neighbourhood Plan 2017 Policies: FNP1.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. In line with paragraph 215 due weight may only be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The report will identify the appropriate weight to be given to the Waverley Borough Local Plan 2002.

The Council is currently in the process of replacing the adopted 2002 Local Plan with a new two part document. At the examination in June/July 2017 the Inspector indicated that modifications will need to be made to the Plan for it to be found sound and invited the Council to submit a list of these proposed modifications. The Council's Executive Committee has endorsed the modifications to be submitted to the Inspector and the public consultation has now closed. All representations on the proposed modifications will be taken into account by the Inspector before he issues his written report. It is considered that substantial weight can now be given to the policies where no modifications are proposed and significant weight can be given to those policies where modifications are proposed.

Other guidance:

- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Farnham Conservation Area Appraisal SPD (2005)
- Farnham Design Statement (2010) (Central Area)

Consultations and Town Council Comments

Farnham Town Council	This application is part of the main East St development project and it is imperative that the bridge is built before any works begin. As with the previously approved Listed Building Consent application, Farnham Town Council has no objections to the works, subject to the formation of the bridge to serve the development. No works should take place separately to the main development.
Historic England	Has confirmed it does not wish to offer any comments.

## Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2014” the application was advertised in the newspaper on 17/11/2017 site notices were displayed around the site and neighbour notification letters were sent on 03/11/2017.

Four letters of representation have been submitted in support of the application as follows:

- This proposal will ensure the re-use of Brightwells and that the structure gets maintained and is safeguarded from further deterioration.
- The development will bring this historic building and the area of Farnham in which it is located back to life.
- The new facilities proposed are needed in Farnham.

259 letters of representation, including letters from the Farnham Society, The Farnham Theatre Association, the Theatres Trust, The Farnham Trust and Preserving Farnham’s Heritage have been submitted, raising objection to the application. These are summarised as follows:

- The proposal is contrary to Policy HE3, HE9, HE6 and HE10 of the Local Plan 2002 and paragraph 17 and 70 of the NPPF.
- The theatre should not be demolished but should be refurbished to act as a focal point for the regeneration of the eastern part of Farnham contributing to tourism, leisure and employment. Theatres can make a major contribution to the vitality of a town.
- The theatre is a community asset and should remain for the benefit of the community and there is a theatre group willing to run it.
- More restaurants are not needed in Farnham.
- The garden wall and gardener’s house must remain as they are essential to the setting of Brightwell House.
- The design of the extension is not in keeping with the historic building to which it would attach and would not represent an improvement on the existing Redgrave Theatre.
- The application should be opposed unless the service bridge is made a prior requirement, as previously.
- There has been no consultation with the Theatre Trust or the Farnham Theatre Association or Performers Together.

- The scale, proportions, design and materials for the extension are poor and disrespectful to the listed building.
- The house has been deliberately neglected by its owners.
- Conditions should be attached with respect to the bridge for temporary access, the bat house and that demolition shall not be undertaken until a contract for carrying out the works on the main planning permission has been awarded.
- No assessment has been made regarding the impact of the loss of the theatre on the community.
- The Brightwells development would exacerbate traffic levels in East St.
- The whole development may damage the characterful streets on the western side of the town and the proposed buildings that are part of the redevelopment scheme would dwarf Brightwell House.
- The proposal would result in the demolition of the only purpose made professional theatre in Farnham. The Farnham Maltings (where it is contended that theatre productions could take place) is of a fundamentally different design.
- A theatre would provide work opportunities and learning experiences to enhance students studies at Farnham University's Creative Arts.
- The loss of the open space around Brightwells would be unacceptable.
- The development should provide a combined cinema and performing arts space which would provide a community focal point.
- The redevelopment proposals as a whole do not retain Brightwell Gardens or enhance the setting of Brightwell House.
- The curtilage walls and the Gardeners Cottage are part of the Grade II listed building and its setting. Brightwell public pleasure gardens are undeveloped and the walls of Gardener's Cottage intact. The Grounds are capable of being repaired and maintained for a use compatible with its special architectural and historic interest.

### Submissions in support

In support of the application the applicant has made the following points:

- The extension of the building respects the scale of the listed building and will continue to be of a high quality contemporary design which reflects the quality of detail seen on the listed building.
- The proposals create a vibrant and contemporary interior within the new restaurant extension.
- The proposal would preserve and enhance the character and appearance of the area in accordance with the NPPF and Policy HE8 of the adopted Local Plan.

- The proposals have had regard to the desirability of preserving the building and its setting and any features of special architectural or historic interest which it possesses.

### Determining Issues

Planning history and principle of development  
Impact on listed building and designated heritage asset  
Conditions  
Town Council and third party representations

### Planning Considerations

#### Planning history and principle of development

The principle of the proposed works and demolition has been established by the Listed Building Consent reference WA/2014/1926 and amended by WA/2016/0456, which is extant until 27<sup>th</sup> January 2018. The current proposal is identical to that previously consented scheme. It is a highly material planning consideration that there is an existing Listed Building Consent which could be implemented on site. Members are advised that it would be inappropriate and unreasonable to revisit the principle of the entire development.

The test for Members is whether, having regard to any changes in policy or site circumstances, the current proposal remains acceptable.

- Policy

Since the approval of listed building consent WA/2016/0456, the Draft Local Plan has progressed. Policies in this document that are not proposed to be modified can be accorded substantial weight. Policy HA1 (a non-modified policy) relates to the protection of heritage assets. The Farnham Neighbourhood Plan has also been made and can therefore be given full weight. Policy FNP1 seeks, amongst other things, to ensure that development protects and enhances heritage assets and their setting. Both HA1 and FNP1 reflect the objectives contained in the listed building policies in the 2002 Local Plan and the NPPF. There are, therefore, no significant material changes in policy approach in relation to the consideration of development on heritage assets since the approval of WA/2016/0456.

- Site circumstances

With regard to any changes in site circumstances since the granting of the 2016 consent, the site and immediate site surroundings have largely remained

un-altered. However, Members should note that part of the garden wall which is sought to be demolished under the current scheme has already been partly demolished for health and safety reasons. In addition, the wider East Street mixed-use planning permission under WA/2012/0912 is extant and has been implemented. These changes had both occurred at the time of WA/2016/0456, the current amended Listed Building Consent for the site.

#### Impact on listed building and designated heritage asset

Section 16 of the Planning (Listed Buildings and Conservations Areas) Act 1990 states that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 128 of the NPPF states that ‘Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to 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 129 of the NPPF states that ‘Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

The NPPF defines ‘significance’ as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

Paragraphs 131 states that, ‘in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness’.



Paragraph 132 states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building should be exceptional'.

Paragraph 133 states that 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

The NPPG 2014 provides guidance under the Section titled 'Conserving and Enhancing the Historic Environment'. Whilst not a policy document, it does provide further general advice to policies in the NPPF.

Policies HE1, HE3, HE4 and HE5 of the Local Plan 2002 state that development should preserve or enhance the character and setting of Listed Buildings.

In assessing the application, Officers have had particular regard to the specialist advice of the Councils' Historic Buildings Officer.

The significance of the Brightwell House is that it is a locally important example of a substantial 19th century house built in a semi rural location. It

gives historic context to the development of the eastern side of Farnham. The historic qualities of the house and garden have been compromised by the construction of the Redgrave Theatre and surrounding development.

Officers consider the physical form of the existing theatre, which was added to Brightwell House in the early 1970s, is un-sympathetic and makes little aesthetic or architectural contribution to the setting of Brightwell House. The scale of this element further dominates the listed building.

The Redgrave Theatre is attached to the heritage asset (Brightwell House), but it is not a part that contributes to its national interest or significance. Therefore, it would not be reasonable, from a heritage perspective, to prevent the demolition of the theatre. In fact, the demolition of the theatre would allow Brightwell House to be enhanced and brought back into use through sensitive alterations and extensions. Officers therefore raise no objection to the demolition of this element of the building.

The internal works proposed to the designated heritage asset respect the existing layout with the retention of a number of principal internal walls. Officers are satisfied that the repairs and internal works would preserve the special character of the Listed Building. Conditions seeking further details of precise methods and detailing of the internal works are recommended to be included by Officers, in the event consent is granted.

The proposed re-instatement of some of the original features (rear hipped roof structures, front hipped roof structures, chimneys and front glazed canopy) to the Listed Building are considered to enhance the building's setting. The re-roofing with new slate roof tiles would further enhance the building's appearance, setting and make a significant contribution toward securing the long-term future of the building.

The proposed extensions would project from two elevations of Brightwell House, with a contemporary design approach. The height and scale of a majority of the proposed extensions are considered to respect the Listed Building and would allow the main building to be enhanced in comparison to the existing situation. The combination of the materials to be used, design, overhanging roof and position set back from front elevation allows the Listed Building to remain the dominant feature, particularly when viewed from the south side.

However, as a result of the extension spanning the full width of the north elevation of Brightwell House, the east elevation of the proposed extension would sit close to the eastern flank entrance with Brightwell House. As a result, this part of the extension appears to compete with the main entrance to

Brightwell House. As a result of this element of the extension, the proposal is considered to cause less than substantial harm to the significance of the designated heritage asset and the special architectural interest would not be preserved. Great weight is attached to the less than substantial harm and, as such, there is a presumption against granting consent.

In accordance with paragraph 134 of the NPPF 2012, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The proposal would secure a sustainable long term future for Brightwell House, by enhancing its historic fabric and bringing it back into a financially secure and active use, as well as becoming a focal point that would strongly contribute to the regeneration of this area, which would enhance public social life for residents within the Borough.

The proposal would also provide valuable economic benefits, as it would provide employment in the area and attract visitor footfall, both during and beyond normal shopping hours, to the town centre.

Therefore, whilst the harm overall to the significance of the designated heritage asset would be less than substantial, Officers consider that the significant public benefits afforded by the proposal would outweigh the less than substantial harm caused to the significance of the heritage asset to justify the granting of Listed Building Consent. It is highly material to Members' decision that this conclusion reflects that reached by the Council on this proposal in relation to Listed Building Consent application WA/2016/0456 which was an amendment of WA/2014/1926. In Officers view there are no sustainable grounds to support reaching a different conclusion on the current application.

### Conditions

The changes in circumstance in relation to policy outlined in this report do not warrant any additional conditions to be added to the Listed Building Consent over the conditions that were applied to the extant Listed Building Consent WA/2016/0456 (amendment to WA/2014/1926). However, the applicants have requested a change in the wording of Condition 3 for the purposes of this new consent. The wording of condition 3 on WA/2016/0456 is as follows:

The demolition hereby permitted shall not be undertaken before a contract between the applicant and the Borough Council for the carrying out of the works of the redevelopment of the site has been entered into and planning permission has been granted for the

redevelopment for which the agreement provides. A copy of this contract shall be submitted to the Planning Authority for verification before any works commence.

The applicants request the following wording instead:

The demolition hereby permitted shall not be undertaken before a ~~contract~~ *development agreement* between the applicant and the Borough Council for the carrying out of the works of the redevelopment of the site has been ~~awarded~~ *entered into* and planning permission has been granted for the redevelopment for which the agreement provides. A copy of development agreement shall be submitted to the Planning Authority for verification before any works commence.

The reason for the condition upon WA/2016/0456 was to ensure that the demolition to the Listed Building does not take place before the Local Planning Authority is satisfied that the redevelopment of the site will take place (which is justification for the less than substantial harm identified) in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies HE3 and HE5 of the Waverley Borough Local Plan 2002.

The applicants have explained their reasons for requesting a re-wording of the condition. They advise that the applicant, Crest Nicholson Regeneration Ltd, is the organisation responsible for the delivery of the East Street regeneration scheme in its entirety, which this Listed Building Consent is part of, and there is no single contract for all works that will be entered into. Instead, there will be a number of smaller separate contracts for individual elements of the scheme, and as such, submitting one single contract of works to cover all works is not suitable.

The applicants are of the view that entering into a “development agreement” with the Council is sufficient security that the East Street scheme will be built and upholds the reason as to why the condition was included in the first instance.

Officers are of the view that the suggested revised wording of the condition provides a sufficient safeguard that the demolition cannot happen before the Council have assurance that the redevelopment proposals will take place. Officers also suggest further changes to the Condition to remove reference to the need for planning permission to have been granted as there is an extant and implemented planning permission for the redevelopment works of which this proposal forms a part (WA/2016/0268). The recommended revised wording is therefore as follows:

The demolition hereby permitted shall not be undertaken before a development agreement between the applicant and the Borough Council for the carrying out of the works of the redevelopment of the site has been completed. A copy of this development agreement shall be submitted to the Local Planning Authority and this shall provide evidence that the development shall be constructed in accordance with planning permission ref. no. WA/2016/0268.

### Farnham Town Council and third party representations

All of the issues and concerns raised by the Town Council and the third parties have been carefully considered by Officers. The relevant Listed Building issues and changes in circumstances and/or policy have been assessed in the above report. The acceptability of the East Street redevelopment scheme has already been established by the implemented and extant WA/2016/0268 permission and the extant Listed Building Consent WA/2016/0456. The wider East Street mixed-use scheme under the extant planning permission is not required to be re-assessed under the current application. There have been no material changes in circumstances since the previous grant of the Listed Building Consent to justify taking a different view on the current application.

A number of third party representations have objected to the loss of the theatre as a facility. The loss of the theatre use cannot be taken into account under the current application which is concerned with an assessment under the Planning (Listed Buildings and Conservation Areas) Act 1990. Notwithstanding this, the principle of the loss of the theatre as a use was fully accepted under the implemented and extant planning permission WA/2016/0268.

Some of the letters of representation, including the letter from Farnham Town Council, state that the construction bridge should be constructed prior to any development works being undertaken that form part of this Listed Building Consent application. This is required to be constructed as part of the wider planning permission.

### Conclusion

The principle of the proposed works and demolition has been established by the previous consents WA/2016/0456 and WA/2014/1926, which are highly material considerations in the determination of this application. The scheme is identical to that approved under reference WA/2016/0456.

The above assessment, which takes into account relevant local and national planning policy, concludes that there has not been any change in circumstances to warrant making a different decision on this current application compared with the Listed Building Consent WA/2016/0456.

Officers have concluded that as a result of its overall width, the proposal would result in less than substantial harm to Brightwell House. However, the proposal would secure a sustainable long term future for Brightwell House and provide significant economic and social public benefits to the residents of Waverley.

It is therefore considered that the less than substantial harm caused to the designated heritage asset and its setting would be clearly outweighed by the benefits of the scheme. Although considerable importance and weight must be given to the desirability of preserving the Listed Building and its setting, Listed Building Consent is justified in the present case, for the reasons given in this report.

### **Recommendation**

That consent be GRANTED subject to the following conditions:

1. Condition  
Before the relevant work begins, detailed plans and information in respect of the following shall be submitted to and approved in writing by the Planning Authority. The work shall be carried out in full in accordance with such approved details:
  - (a) joinery at a scale of 1:5
  - (b) sections through roof ridge, hips, valleys, eaves & verges at a scale of 1:5
  - (c) internal drainage routes, noting all necessary cutting, chasing and other alteration to historic fabric at a scale of 1:5
  - (d) samples of external materials and surface finishes..
  - (e) schedule of all doors, windows, joinery, fireplaces, decorative plasterwork and other architectural features that are to be altered, relocated, concealed or removed, fully describing the work proposed.

#### Reason

To ensure that special regard is paid to the interests of protecting the special character and architectural integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies HE3 and HE5 of the

Waverley Borough Local Plan 2002 and Policy FNP1 of the Farnham Neighbourhood Plan.

2. Condition

Before any work begins details of the following steps in relation to the retained portion of Brightwell House shall have been submitted to and approved in writing by the Planning Authority and then undertaken to secure the safety and stability of that part of the building to be retained. Such steps to relate to:

- (a) strengthening any wall or vertical surface
- (b) support for any floor, roof or horizontal surface, and
- (c) provision of protection for the building against the weather

Reason

To ensure that special regard is paid to the interests of protecting the special character and architectural integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies HE3 and HE5 of the Waverley Borough Local Plan 2002 and Policy FNP1 of the Farnham Neighbourhood Plan.

3. Condition

The demolition hereby permitted shall not be undertaken before a development agreement between the applicant and the Borough Council for the carrying out of the works of the redevelopment of the site has been completed. A copy of this development agreement shall be submitted to the Local Planning Authority and this shall provide evidence that the development shall be constructed in accordance with planning permission ref. no. WA/2016/0268.

Reason

To ensure that special regard is paid to the interests of protecting the special character and architectural integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies HE3 and HE5 of the Waverley Borough Local Plan 2002 and Policy FNP1 of the Farnham Neighbourhood Plan.

4. Condition

Before any work begins, a building record and analysis of the basement / cellar shall be made by a suitably qualified person approved by the Local Planning Authority. A copy of the information shall be offered for deposit with Farnham Museum or The Surrey History Centre.



#### Reason

To ensure that special regard is paid to the interests of protecting the special character and architectural integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies HE3 and HE5 of the Waverley Borough Local Plan 2002 and Policy FNP1 of the Farnham Neighbourhood Plan.

#### 5. Condition

Before any works begins, a specification for the protection and future maintenance of the basement / cellar shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures must thereafter be fully implemented. They must cover the structural protection of the basement / cellar during adjacent ground works, the permanent protection of surviving cellar doors, provision of ventilation to the basement / cellar, the installation of access for future access for inspection and maintenance.

#### Reason

To ensure that special regard is paid to the interests of protecting the special character and architectural integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies HE3 and HE5 of the Waverley Borough Local Plan 2002 and Policy FNP1 of the Farnham Neighbourhood Plan.

#### 6. Condition

The plan numbers to which this permission relates are Site location plan TPN-MP-071, TPN-D12-001 01, TPN-D12-004 01, TPN-D12-007A, TPN-D12-050 01, TPN-D12-052 01 and TPN-D12-053 01, TPN-D12-054, TPN-D12-055, TPN-D12-056, TPN-D12-057, TPN-D12-003, TPN-D12-002A, TPN-D12-010A, TPN-D12-12, TPN-D12-013, TPN-D12-014, TPN-D12-051A Survey information plan TPN-MP-071. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

#### Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy FNP1 of the Farnham Neighbourhood Plan.

