

**WA/2024/00461** – Change of use from social club (Sui Generis) to restaurant and public house (Sui Generis); erection of extensions and creation of first floor terrace with associated works following demolition of existing modern extension (as amended by drawings received 08 May and 03 June 2024). at FARNHAM LIBERAL CLUB SOUTH STREET SOCIAL CLUB 46 SOUTH STREET FARNHAM GU9 7RP

Applicant: Springmark Ltd  
Parish: Farnham  
Ward: Farnham Castle  
Grid Reference: E: 484220  
N: 146820  
Case Officer: Alistair de Joux  
Neighbour Notification Expiry Date: 01/04/2024  
Expiry Date/Extended Expiry Date: 02/05/2024

Committee Meeting Date: Planning Committee 10/07/2024

RECOMMENDATION That, subject to conditions, permission be GRANTED

## 1. Site Description

The subject building is located in the south-eastern part of the Town Centre at the junction of South Street and Brightwells Road, and within the Farnham Town Centre Conservation Area. To the rear of the building there is a Building of Local Merit, at the Jubilee Arch, and a public community garden. Beyond that Falkner Court is a two-storey residential building with accommodation also in the roofspace. The Methodist Church is adjacent on the southern side of the application site, while three red brick buildings ranging from two to four storeys in height (including roof space accommodation), are located on the opposite side of South Street, between the junctions with Victoria Road and Union Road. The Grade II listed United Reform Church is on the northern junction of Victoria Road, within 40m of the application site.

Outside the Conservation Area and on the opposite side of Brightwells Road there is a single storey brick carparking building and exterior car parking adjacent to South Street, which services a Sainsburys supermarket 75 m to the north-west, and four storey flats to the east of carpark also on Brightwells Road, 30m to the north-east for the application site.

## 2. Proposal

The proposal is for a change of use from a social club to restaurant and public house, and the erection of a part single-, part two-storey extension, including a first floor terrace following demolition of existing modern extension.

The proposals would provide customer seating and bathroom facilities at both levels within the existing building and in the new extension, a ground floor kitchen at the rear and outdoor seating on the first floor terrace.

Amended drawings were submitted and were consulted on during the course of the application. The key external changes are to the Brightwells Road frontage, where the modern extension would be demolished and the new extension erected in its place. The amended drawings incorporate

- a more distinct separation between the rear corner of the original building and the extension, which has been provided by recessing a door immediately adjacent to the rear corner of the original building and setting the first floor element in from the line of the flank wall. This allows the edge of the catslide roof to remain visible along its full length.
- Amended ground floor windows facing Brightwells Road and an off-set oriel window above the recessed side door.
- Amended design of the rear of the two storey element, with a new chimney as shown in the originally submitted drawings now deleted.
- Amended boundary treatment for the street frontage and rear edges of the proposed roof terrace.

Internally, while the drawings originally submitted for the application proposed a relocation of the staircase, this has now reverted to its original position.

### 3. Relevant Planning History

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
WA/1990/0947	Application for Listed Building Consent for internal alterations.	Consent granted, 26/08/1990.

### 4. Relevant Planning Constraints

Grade II Listed Building  
 Conservation Area  
 Developed Area of Farnham (Town Centre)  
 Central Shopping Area  
 Area of High Archaeological Potential  
 AQMA Buffer Zone  
 Wealden Heaths I SPA 5km Buffer Zone  
 Thames Basin Heaths SPA 5km Buffer Zone  
 Section 106  
 Public Footpath (No. 85)

Farnham Neighbourhood Plan:  
 Conservation Area  
 Within Farnham Town Centre Boundary  
 Built Up Area Boundary

### 5. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018): SP1, SP2, ST1, EE1, TCS1, TD1, HA1, NE1, NE3, CC1, CC2;

- Waverley Borough Local Plan (Part 2): Site Allocations and Development Management Policies (adopted March 2023): DM1, DM2, DM4, DM5, DM6, DM7, DM9, DM20, DM21, DM22, DM27, and DM28;
- Farnham Neighbourhood Plan 2013-2032: FNP1, FNP2, FNP9, FNP13, FNP23, FNP30, FNP31, FNP32.

Other guidance:

- The National Planning Policy Framework 2021 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Residential Extensions Supplementary Planning Document 2010 (SPD)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- Farnham Design Statement (2010)
- National Design Guide (2019)
- Climate Change and Sustainability Supplementary Planning Document (October 2022)

## 6. Consultations and Town Council Comments

Farnham Town Council	No objection
WBC Environmental Health	No objection
WBC Heritage	No objection
SCC Highways	Further comments expected

## 7. Representations

11 letters were received that raise objections on the following grounds:

- The proposed use will result in odour and noise, which will be detrimental for nearby residents, the Methodist Church, and members of the public using the adjacent Victoria Garden.
- It would be good to see repairs to this Lutyens building and the continued use of the building. However, the amount of additional space to be added with this application is very substantial and would seem to overshadow the original.
- The provision of bins is inadequate.
- Not enough has been done to delineate the existing cat side roof from new extensions.
- The balustrade proposed for the terrace is visually disruptive. The use of steel balustrading creates strong horizontal geometry which is visually confusing.
- Rainwater disposal does not appear to have been considered practically.
- A proposed elevation drawing notes 'Grey Slate to match existing'. The existing cat slide roof does not have real slate but substandard fibre tiles. To add these tiles on new roofs in a more prominent position will not be acceptable. Changing roof design to Hips would also reduce impact of these new roofs.
- Proposed first floor will be poorly lit with no overhead or flank windows to cover the middle section. This design requires over-dependence on an artificial light source.
- Farnham (Building Preservation) Trust sponsored a condition survey some years ago which highlighted urgent repairs being needed. Our Trust would dearly love to see this building restored sympathetically using appropriate

methods and materials and for the original form, much of which has been lost over the years, to be brought back as much as possible. There could be an increase in disturbance to neighbouring properties with noise and smells due to the intensification of use. Generally we feel that the proposed extensions are too bulky and could lead to overlooking and overbearing to adjacent properties. The extensions detract from the adjacent Falkner Jubilee Arch which should be the dominant feature and also detracts from the catslide roof. We oppose any application that detracts from these architectural features.

Some of the objectors have withdrawn their objections on earlier iterations of the scheme but continue to object on grounds of noise, odour and disturbance.

## **Planning Considerations**

### **8. Principle of development**

The application describes both the existing (social club) and proposed restaurant and public house as *sui generis* uses. However as restaurants are a Class E use and only the public house use being *sui generis*, this would be more properly described as a mix of use.

Any external impacts are not anticipated to be any greater than for the previous use as a social club, and there is therefore no objection to the principle of the proposed change of use.

### **9. Impacts on the significance of heritage assets**

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications which affect Listed Buildings, Local Planning Authorities must 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. Section 72 of same act requires that, for applications within Conservation Areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 203 of the NPPF sets out that:

*In determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

The acceptability in principle of the proposals in heritage terms are therefore dependent to the extent that they contribute positively to the above criteria.

Policy HA1 of the Local Plan (Part 1) 2018 outlines that the Council will ensure that the significance of heritage assets are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment.

Policy DM20 of the Local Plan (Part 2) 2023 (LPP2) sets out that development affecting Statutory Listed Buildings should preserve or enhance the buildings, their settings, and any features that they have that are of special architectural or historic interest.

LPP2 Policy DM21 sets out criteria to ensure that development preserves or enhances the character of Conservation Areas. Those that are relevant to this proposal are:

- a) retaining buildings and other features that make a significant contribution to the character of the Conservation Area;
- b) ensuring that design of development within or adjoining Conservation Areas is of high quality that responds appropriately to the character of the area and surrounding buildings;
- c) protects open spaces and views important to the character and setting of the area; and
- d) has regard to the cumulative harm of similar proposals within a conservation area.

Proposals which would cause substantial harm to the heritage asset will not be permitted unless it can be demonstrated that the substantial public benefits gained would outweigh the loss of or harm to the heritage asset.

Policy FNP2 of the Farnham Neighbourhood Plan also sets criteria to ensure that development preserves or enhances the character of Conservation Areas. Those that are relevant to this proposal are:

- a) is designed to a high quality and preserves and enhances the character of the conservation area and its setting;
- b) retains buildings and other features which make a significant contribution to the character of the conservation area;
- c) protects open spaces and views important to the character and setting of the area; and
- g) Does not lead to substantial harm to or total loss of significance of a designated heritage asset.

Significance of heritage assets:

The Farnham Liberal Club is a 2 storey building, the front is composed of cross-windows in a field of the dark red and very thin bricks laid in stretcher bond, with alternating triangular and segmental moulded brick courses making pediments over the first-floor windows. Designed in 1894, it is one of Sir Edwin Lutyens earliest works and his first in the Queen Anne style, at a time when his designs were still very Surrey Vernacular. The left-hand flank is of unrelieved purple-brown three inch brick, this elevation was presumably expected to be concealed by continuous development along South Street. The interior of the building has been significantly altered internally.

The Jubilee Arch was built for Queen Victoria's Jubilee in 1897 to the design of Harold Falkner, his first outside commission. It is a symmetrical structure in dark and light red brick, about 5.5m high. The middle bay with segmental arch slightly projects. It was the former entrance to the swimming baths which is now a community garden. It is the landmark feature along Brightwells Road.

The Farnham Town Centre Conservation Area's significance lies in its history as a successful market town for which its profitable hop trade is evident through the 18th century architecture. It was then significantly altered by a group of local Arts and crafts architects in the early 20th century. The town has a defined street pattern of a linear layout with main frontages and the yards and alleys to the rear, with distinctive undulating roofscapes (such as the hop kilns). South Street was set out in 1869 as New Road, connecting The Borough to the railway station. This was the first major change to the medieval street pattern. By 1900 it had become the civic street of the town, with public buildings and institutions as well as nonconformist churches.

The existing extensions at the rear of the building do not contribute to the significance of the listed building or the character and appearance of the conservation area, therefore the principle of their demolition / alteration is acceptable. As a result of the listed building's unrelieved elevation Brightwells Road and the Jubilee Arch being the landmark feature, a modest scheme is the most appropriate.

A revised scheme has been submitted following an identification of harm to the heritage assets. This includes the retention of the staircase in its original location, removal of the flue and alterations to the extensions. The proposed extensions have been reduced in height and the design altered this helps reduce its bulk. The oriel window and other features on the north elevation adds interest to the elevation without dominating the street scene and jubilee arch. Therefore, no harm to the heritage assets is identified and the character and appearance of the conservation area will be preserved.

#### 10. Design and impact on visual amenity

The computer generated images (CGIs) that were submitted for the amended scheme show a hedge around the perimeter of the outdoor terrace, which is intended to screen patrons in views from Brightwells Road, nearby flats, and the Victoria Garden. While it has been suggested that details of maintenance and irrigation could be provided by way of a condition, this is unlikely to be a satisfactory solution to long term maintenance and contribution to visual amenity. It is therefore recommended that details of alternative screening shall be provided as part of details to be provided of exterior works and materials.

Subject to the above and to the conditions recommended in respect to external materials and finishes, the proposal would be in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy DM4 of the Local Plan (Part 2) 2023 and Farnham Neighbourhood Plan Policies FNP1 and FNP2.

#### 11. Economic benefits

The proposals would bring an unused listed building back into use with significant economic benefits. As such, the proposals are in accordance with policies EE1 and TSC1 of the Local Plan (Part 1) 2018. In addition, they would support the criteria in parts a) and b) of NPPF paragraphs 202 noted earlier in this report, by providing the

listed building with a viable uses consistent with its conservation and making a positive contribution to the economic vitality of Farnham.

## 12. Impact on residential amenity

The proposed development is approximately 25m at its closest point to residential development at Falkner Court, and 30m from flats on the opposite side of Brightwells Road. Impacts on residential amenity have been considered by the Councils' Environmental Health Officer, who has no objection subject to a conditions limiting noise levels and requiring details of the means of odour control to be submitted and approved. It is also recommended that hours of use of the outdoor terrace be limited by condition. Subject to these conditions, the residential amenity of neighbouring properties would be protected, in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy DM5 of the Local Plan (Part 2) 2023 and Policy FNP1 of the Farnham Neighbourhood Plan 2017.

## 13. Biodiversity and compliance with Habitat Regulations 2017

A biodiversity checklist was submitted with the application, which notes signs of recent occupation by bats, with no evidence of current activity. A condition is recommended to require that no disturbance of the roof space in the original building and of relevant external features until a bat survey has been undertaken and any mitigation required has been submitted to and approved in writing by the local planning authority, in accordance with Policy NE1 of the Local Pan (Part 1), Policy DM1 of the Local Plan (Part 2) and Paragraphs 179 and 180 of the NPPF 2023.

## 14. Highways and servicing

The SCC Highways Officer requested that door positions be amended to avoid opening over a footpath. It is noted that the proposed new side door is recessed with minimal projection of the opening door beyond the recess.

## 15. Climate Change and Sustainability

Policy CC1 of the Local Plan (Part 1) 2018 seeks to support development which contributes to mitigating and adapting to the impacts of climate change, including measures that use renewable and low carbon energy supply systems. LPP1 Policy CC2 seeks to promote sustainable patterns of development and reduce the level of greenhouse gas emissions. LPP2 Policy DM2 seeks to maximise energy efficiency and reduce carbon emissions through its design, structure, orientation and positioning, landscaping and relevant technology. The Council's Climate Change and Sustainability SPD (October 2022) is also relevant.

While there is currently no insulation in the roof space of the original building, the submitted Building Report provides for this to be installed. A condition is recommended to show how the extended building will be constructed to the best possible energy and emission standards, with details of the insulation ratings to be provided for the roof insulation and any other measures to improve the sustainability in building fabric terms of the original part of the building. It is considered that this is a proportionate approach given the requirement to retain the historic fabric of the original building, which will contribute to achieving the requirements LPP1 Policies CC1 and CC2, and LPP2 Policy DM2.

## 16. Conclusion

The proposal will bring an important listed building back into a viable use and allow for significant repair work that is needed to prevent further deterioration of this important heritage asset. In accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the local planning authority has had special regard to the desirability of preserving the building, its setting, and its features of special architectural and historic interest which it possesses. Special attention has also been given to the desirability of preserving / enhancing the character / appearance of the Conservation Areas , in accordance with Section 72 of same act. The planning balance assessment therefore concludes that the proposal is in accordance with the Development Plan and the above requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 and as such, the recommendation is as follows:

### Recommendation

That permission be GRANTED subject to the following conditions:

1. Condition:

The plan numbers to which this permission relates are

FL23-2110-050 - Site Location Plan  
FL23-2110-060 rev. G - Proposed Site Plan  
FL23-2110-065 rev. G - Proposed Site Plan (Coloured)  
FL23-2110-067 rev. C - Refuse Strategy  
FL23-2110-100 rev. L - Proposed Street Scenes  
FL23-2110-105 rev. M - Proposed Floor Plans  
FL23-2110-110 rev. S - Proposed Elevations  
FL23-2110-115 rev. P - Proposed Building Sections  
FL23-2110-120 rev. E - AC Route

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 Policy TD1 of the Local Plan (Part 1) 2018 and Policies DM1 and DM4 of the Local Plan (Part 2) 2023.

2. Condition:

Prior to commencement of works to the listed building, drawings to a scale not smaller than 1:10 fully describing the following details must be submitted to and approved in writing by the local planning authority:



a) New and/or replacement windows and external doors, to show:

- decorative and protective finishes;
- cross section of frame, transom, mullions, glazing bars, etc;
- formation of openings including reveals, heads, sills, arches, lintels, etc;
- method of opening; and
- method of glazing.

b) Roof details, including sections through:

- roof ridge
- hips
- valleys
- verges
- eaves

The approved works must not be executed other than in complete accordance with these approved details.

Reason:

In the interest of the character and amenity of the area in accordance with enhance the Conservation Area and surrounding townscape in accordance with Policies TD1 and HA1 of the Waverley Borough Local Plan (Part 1) 2018, Policies DM20, DM21 and DM22 of the Waverley Borough Local Plan (Part 2) 2023, Policies FNP2 and FNP9 of the Farnham Neighbourhood Plan 2017 and the National Planning Policy Framework 2023.

3. Condition:

Prior to commencement samples or specifications of external materials and surface finishes must be approved in writing by the Local Planning Authority. This should include a specification of brickwork and including material, colour, texture, face bond, jointing / pointing profile; details of terrace screens; and details of rainwater goods (including gutters, down pipes and hopperheads) and external soil pipes which shall be of cast iron / cast aluminium. The works must not be executed other than in complete accordance with these approved details.

Reason:

In the interest of the character and amenity of the area in accordance with enhance the Conservation Area and surrounding townscape in accordance with Policies TD1 and HA1 of the Waverley Borough Local Plan (Part 1) 2018, Policies DM20, DM21 and DM22 of the Waverley Borough Local Plan (Part 2) 2023, Policies FNP2 and FNP9 of the Farnham Neighbourhood Plan 2017 and the National Planning Policy Framework 2023.

4. Condition:

All building works, finishes, and making-good, both internal and external, shall match the relevant existing work in respect of method, detail, and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Where new materials are to be used externally, the colour match shall make allowance for future weathering

Reason:

In the interest of the character and amenity of the area in accordance with enhance the Conservation Area and surrounding townscape in accordance with Policies TD1 and HA1 of the Waverley Borough Local Plan (Part 1) 2018, Policies DM20, DM21 and DM22 of the Waverley Borough Local Plan (Part 2) 2023, Policies FNP2 and FNP9 of the Farnham Neighbourhood Plan 2017 and the National Planning Policy Framework 2023.

5. Condition:

No externally mounted plant, machinery and equipment shall be sited or mounted on the outside of the building unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interest of the character and amenity of the area in accordance with enhance the Conservation Area and surrounding townscape in accordance with Policies TD1 and HA1 of the Waverley Borough Local Plan (Part 1) 2018, Policies DM20, DM21 and DM22 of the Waverley Borough Local Plan (Part 2) 2023, Policies FNP2 and FNP9 of the Farnham Neighbourhood Plan 2017 and the National Planning Policy Framework 2023.

6. Condition:

No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for: a) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work and use of noise mitigation barrier(s). b) the parking of vehicles of site operatives and visitors c) loading and unloading of plant and materials. d) measures to control the emission of dust and dirt during construction. e) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason:

To ensure that the nearby properties do not suffer a loss of amenity by reason of noise, dust and vibration from construction/demolition works, in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy DM5 of the Local Plan (Part 2) 2023 and Policy FNP1 of the Farnham Neighbourhood Plan 2017.

7. Condition:

No above ground development shall commence (excluding site clearance and demolition) until a scheme of climate change and sustainability measures has been submitted to and approved in writing by the Local Planning Authority. The

scheme shall have regard for the content of the Council's Climate Change and Sustainability SPD (2022), and include details of insulation and any other relevant measures to be provided in the original building, the highest practicable standard of sustainable construction for the extension, and low-carbon heating sources for any outdoor heating. The approved scheme shall be implemented prior to first occupation of the development and thereafter retained.

Reason:

In the interests of achieving a high standard of sustainability in accordance with Policies CC1 and CC2 of the Local Plan (Part 1) 2018, Policy DM2 of the Local Plan (Part 2) 2023 and the Council's Climate change and Sustainability SPD (2022).

8. Condition:

Notwithstanding the approved layout plan, further details of cycle storage and access to refuse bins for occupiers and refuse collection operators, together with details of the external appearance and materials for any external store areas, shall be submitted to and approved by the local planning authority. The approved details shall be fully installed before the approved extension is first brought into use.

Reason:

In order that the development provides appropriate facilities, does not prejudice highway safety nor cause inconvenience occupiers of the development and / or to other highway and public footpath users, and maintains the appearance and historic importance of the building and the conservation area, in accordance with Policies ST1, TD1 and HA1 of the Waverley Borough Local Plan (Part 1) 2018, Policies DM20, DM21 and DM22 of the Waverley Borough Local Plan (Part 2) 2023, Policies FNP1, FNP2 and FNP9 of the Farnham Neighbourhood Plan and the National Planning Policy Framework 2023.

9. Condition:

The proposed use shall not commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

i) A Noise Management Plan to ensure the rating level of noise emitted from any proposed externally mounted plant, machinery and equipment and from the outdoor terrace does not exceed the prevailing background sound level, when measured in accordance with British Standard BS4142:2014 at any adjoining or nearby sensitive premises.

ii) An Odour Management Plan, setting out cleaning, maintenance, and filter replacement policies according to the proposed system. The Plan should include a written recording system to record and demonstrate when all such work is carried out.

The approved Noise Management Plan and Odour Management Plan shall be complied with for the duration of the approved.

Reason:

To protect the amenities of nearby residential occupiers, in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy DM5 of the Local Plan (Part 2) 2023 and Policy FNP1 of the Farnham Neighbourhood Plan 2017.

10. Condition:

The outdoor terrace shall not be open to customers outside the following hours:

Monday to Thursday (excluding bank holidays) - 7 a.m. and 10 p.m.;  
Friday and Saturday (excluding bank holidays) - 7 a.m. to 11 p.m.; and  
Sunday and Bank Holidays 8 a.m. to 10 p.m.

Reason:

To protect the amenities of nearby residential occupiers, in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy DM5 of the Local Plan (Part 2) 2023 and Policy FNP1 of the Farnham Neighbourhood Plan 2017.

11. Condition:

No works may be undertaken within the roof space or any other external features that may indicate use by protected wildlife until a survey of the relevant parts of the building has been undertaken and any mitigation required has been submitted to an approved in writing by the local planning authority. Any mitigation required shall be provided and retained in accordance with the approved details.

Reason:

To ensure that any protected wildlife at the site is not compromised by the development, in accordance with Policy NE1 of the Local Plan (Part 1), Policy DM1 of the Local Plan (Part 2) and Paragraphs 179 and 180 of the NPPF 2023

**Informatives:**

1. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents during the demolition and/or construction phases of the development. The applicant should follow the guidance provided in the Construction Code of Practice for Small Developments in Waverley.
2. The granting of any permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Service on 01483 523393.
3. This planning permission should be read in conjunction with the decision notice for listed building consent ref. WA/2024/00462.

The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of Paragraph 38 of the National Planning Policy Framework 2023.