

# Judgement day for East Street protesters

BATTLE lines were drawn this week on the eve of a landmark High Court challenge against Waverley Borough Council's long-delayed '£130 million' Brightwells regeneration scheme on land south of East Street in Farnham.

A preliminary hearing will take place in London next Tuesday (January 31) to determine whether or not five Farnham residents have the legal standing to challenge Waverley's decision to again revise its contract with construction partner Crest Nicholson last May.

The claimants - Waverley councillors Andy MacLeod (independent) and John Williamson (Farnham Residents), David Wylde, Celia and Richard Sandars - state they are merely exercising their democratic right to challenge their local authority in the High Court.

However, Waverley and its development partner Crest Nicholson dispute this and on Tuesday will attempt to thwart their bid for a judicial review without need for a costly full hearing.

If the claimants triumph, the High Court's ruling would overturn the council's decision to award a raft of concessions to the benefit of the developer last May - including the relocation of the Brightwells Gostrey Centre to the Farnham Memorial Hall - and would likely result in Waverley taking the scheme back to square one and re-running the tendering process.

Conversely, if the judicial review claim is dismissed, be it next week or following a full hearing later this year, Crest's project manager Bruce McArthur told *The Herald* this week that construction of the main scheme, beginning with the temporary A31 construction access bridge over the River Wey, would commence "within three months".

Mr McArthur added the commercial element of the scheme - including 31 shop, restaurant and cafe units and a six-screen 'Reel' cinema - would hope to open to the

public within 18 months, followed by 239 apartments, including 72 'affordable' shared ownership homes, six months later.

This raises the prospect that after a decade and a half of delays the Brightwells regeneration scheme could, if Crest and Waverley get their way, finally open for business as early as late 2018.

But whatever the outcome next week, both parties will have the opportunity to appeal the High Court's decision, which - with a current waiting time at the appeal court of around a year - would entail another lengthy delay.

Papers released ahead of the judicial review also revealed this week that Waverley and Crest now estimate the total cost of constructing Brightwells at "£108 million plus VAT" - or £129.6m in total. This mirrors the final cost of The Atrium in Camberley, a similar mixed-use development also constructed by Crest in 2008.

It is believed Surrey County Council has agreed to invest around £30m in the commercial element of the scheme, with the remaining funding to be arranged by Crest Nicholson.

Waverley will receive a capital payment of £3.19m from the developer for the long-term leasehold interest on its land - down from the £20m land value originally estimated when the scheme was first tendered in 2002 - and will also benefit from a "significant package of rev-

enue income gains" including a share of the commercial rental income.

Waverley will retain the freehold of the scheme with Surrey County Council being awarded a 150-year lease on the commercial element.

Ahead of the make-or-break hearing, Crest project director Mr McArthur and Waverley leader Julia Potts led members of the Farnham Chamber of Commerce on a tour of the Brightwells site last week, followed by a question-and-answer session at Borellis wine bar.

Chamber members, which cover all manner of businesses and charities in the town, heaped praise on the scheme's design and particularly the "desperately needed" provision of a six-screen cinema, shops "for young people" and restaurants.

However, this was countered with near-unanimous criticism for Brightwells' perceived shortage of parking spaces - in particular its provision of just one parking space per apartment, and reliance on a 'park and stride' car park at 'Riverside 1' that requires people to walk 600 metres from their car door to the cinema.

Members also expressed concerns over the scheme's impact on Farnham's already-congested road network and associated air pollution, which regularly exceeds levels deemed safe by the EU.

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Crest Nicholson project director Bruce McArthur and Waverley Borough Council leader Julia Potts lead members of the Farnham Chamber of Commerce on a tour of the Brightwells site

## Crest defends scheme

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Responding, Mr McArthur said the part-pedestrianisation of East Street and scrapping of the one-way system in Woolmead Road would remove a lot of the current "panic" at The Royal Deer crossroads, which he added would ideally be remodelled as an "all way" junction, removing much of the current railings and raised kerbs.

He also stated his belief that the net increase of traffic in Farnham would be negligible as "there are equal numbers of people driving out for those facilities that we're bringing in", and that the scheme would "balance" Farnham by offering a counterpoint to Lion and Lamb Yard at the western end of town.

As for the perceived lack of parking spaces, he said "the clever people" will park at Riverside 1 - where Waverley leader Miss Potts confirmed the council now intends to make 198 temporary spaces permanent - and walk the 600m to avoid the "stress" of searching for spaces in the town centre.

"I don't think we would have people like Reel and M&S signed up if there was a perception that we were under-providing in car parking," continued Mr McArthur.

"People's parking behaviour is very much about what suits their pocket, what suits their convenience, what suits their general lifestyle. But what will happen is that the behaviours will bed down over town, and the parking provision will probably be appropriate."

He conceded that most households have two cars, but pointed to reports in the national press that patterns of car ownership are changing and more and more young people, especially those living in busy urban centres and commuter towns such as Farnham, are jettisoning cars in favour of other forms of transport.

"If you look around the South East, there are so many towns struggling with traffic, it's not just Farnham," added Mr McArthur. "What people have to do is to start thinking about there is another way, do I want to drive for 10 minutes or walk for 10 minutes?"

"He added the 14-year delay since Crest was awarded the tender to redevelop the 'East Street area of opportunity' in 2003 "is not a long period" for a scheme of this size, and claimed that it is testament to the "resilience" of the scheme that it is still on the table all these years later.

Pointing to an iPetition

that has mustered almost 2,000 signatures in support of Crest's scheme over the past six months, he said this was a sign that people are growing increasingly frustrated by the actions of Brightwells objectors.

The judicial review claimants claimed their own "groundswell" of support this week, however, having raised hundreds of thousands of pounds in a public appeal to cover their legal fees.

Alan Gavaghan, president of planning watchdog the Farnham Society and a fervent supporter of the judicial review group, told *The Herald* ahead of the hearing: "We think this is probably the biggest episode in the history of Farnham for many years.

"There is an enormous groundswell, and to hit the sort of figure that we did in the short time we did gives a very strong indication that there's a lot of people out there really steaming about what has been happening.

"Waverley keep pushing out this idea that we're totally against development of East Street. That's not so, we've never been against the development of East Street and in fact we're quite keen. It urgently needs redeveloping, not 14 years of mucking around."