



The Planning Inspectorate

---

# **Report to Rushmoor Borough Council**

**by Louise Gibbons MRTPI BA (Hons)**

**an Inspector appointed by the Secretary of State**

**Date: 14 January 2019**

---

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Rushmoor Local Plan**

The Plan was submitted for examination on 2 February 2018

The examination hearings were held on 9-10 May and 16 and 18 May of 2018

File Ref: PINS/P1750/429/7

## Abbreviations used in this report

ANG	Air Navigation Boundary
APPB	Airport Planning Policy Boundary
APF	Aviation Policy Framework
CAA	Civil Aviation Authority
CIL	Community Infrastructure Levy
DtC	Duty to Co-operate
FEA	Functional Economic Area
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
LDS	Local Development Scheme
LEP	Local Economic Partnership
LIES	Locally Important Employment Sites
LP	Local Plan
MHCLG	Ministry of Housing, Communities and Local Government
MM	Main Modification
NPPF	National Planning Policy Framework
NHTM	North Hampshire Transport Model
OAN	Objectively Assessed need
ONS	Office for National Statistics
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
PSZ	Public Safety Zone
SA	Sustainability Appraisal
SANG	Suitable Alternative Natural Green Space
SAC	Special Area of Conservation
SCI	Statement of Community Involvement
SEP	Strategic Economic Plan
SES	Strategic Employment Sites
SHELAA	Strategic Housing and Economic Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SuDS	Sustainable Drainage Systems
TBHSPA	Thames Basin Heaths Special Protection Area
UPC	Un-attributable Population Change
WMS	Written Ministerial Statement

## **Non-Technical Summary**

This report concludes that the Rushmoor Local Plan (LP) provides an appropriate basis for the planning of the Borough, provided that a number of main modifications (MMs) are made to it. Rushmoor Borough Council has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared a schedule of the proposed modifications and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. In some cases I have amended their detailed wording and/or added consequential modifications where necessary. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Ensuring the Spatial Strategy is positively prepared;
- Ensuring that the Local Plan reflects up to date evidence for housing supply;
- Modifying employment policies so that they are effective;
- Amending the Town Centre policies so that they are positively prepared and consistent with national policy;
- Modifying housing and local needs policies so that they are effective and consistent with national policy;
- Ensuring that the policies for the historic, built and natural environment are positively prepared;
- Modifying the policies for Farnborough Airport so that they are effective; and
- Amending infrastructure and site allocations policies so that they reflect up to date evidence and are consistent with national policy.

## Introduction

1. This report contains my assessment of the Rushmoor Local Plan (LP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2012 (paragraph 182) makes it clear that in order to be sound a Local Plan should be positively prepared, justified, effective and consistent with national policy. The revised National Planning Policy Framework was published in July 2018. It includes a transitional arrangement in paragraph 214 whereby, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Unless stated otherwise, references in this report are to the 2012 NPPF. Likewise where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Rushmoor Local Plan, submitted in February 2018 is the basis for my examination. It is the same document as was published for consultation in June 2017.

## Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications (MMs) necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1, MM2, MM3** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs and carried out sustainability appraisal of them. The MMs schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report.

## Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted

policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the Policies Map as set out in the Proposed Changes to the Policies Map.

6. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. These further changes to the policies map were published for consultation alongside the MMs as Appendix 1a, 1b and 1c Policies Map Modifications.
7. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Proposed Changes to the Policies Map and the further changes published alongside the MMs.

## **Assessment of Duty to Co-operate**

8. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
9. The Council has been proactive in this respect. From 2014 the Council developed a framework for focussing on strategic cross boundary matters. A number of meetings were held between different authorities to discuss these matters both at officer level and through a Joint Members Liaison Group.
10. Key outcomes include an agreed Housing Market Area with Surrey Heath Borough Council and Hart District Council, the production of a joint Strategic Housing Market Assessment (SHMA) and Employment Land Review, and delivery of shared Strategic Alternative Natural Greenspace (SANG) to provide mitigation for the impact of housing on the Thames Basin Heaths Special Protection Area (TBHSPA).
11. Mechanisms for engagement are strong with joint consideration of key planning matters including the delivery of housing and employment within the Housing Market Area. A Statement of Common Ground (CD/01/08, Appendix 7) between the three HMA authorities sets out the aim of meeting housing needs within the HMA. The Statement of Common Ground contains commitments from the other authorities in terms of unmet need. The authorities are in agreement over the Functional Economic Area, and there are no outstanding objections from other neighbouring authorities in terms of the delivery of housing.
12. The Duty to Co-operate Statement (CD/01/08) demonstrates further co-operation on a range of matters such as the natural environment with involvement from Natural England and continuous engagement with adjoining authorities and other advisory members of the Thames Basin Heaths Special Protection Area Joint Strategic Partnership Board. Joint working with Hampshire and Surrey County Councils has taken place in relation to mitigation of potential transport impacts with additional

engagement around the development of the North Hampshire Transport Model (NHTM). There has been effective involvement in the Plan from Historic England, the Environment Agency, and infrastructure providers.

13. Overall, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

## **Consultation**

14. The Statement of Community Involvement (SCI) (CD/01/07) establishes minimum requirements for consultation. The Nepali community have a very strong connection with Rushmoor through the British Army, and many have settled in the area. The Council used a wide range of methods to consult with the Nepali community including British Forces Broadcasting, holding a meeting with the Greater Rushmoor Nepali Leader at the time the LP was being developed, and using Everest, which is a Nepali magazine with national coverage.
15. The Council's Consultation Statement (CD/01/06) includes a note of the meeting with the Nepali Leader, and the concerns discussed. The Consultation Statement indicates how the Council gave local organisations and individuals a chance to be involved and make representations on the LP. A number of other bodies representing ethnic groups in the area were also contacted. Overall I am satisfied that the Council took sufficient steps to involve the Nepali community in the LP process. Moreover that the SCI has been complied with as required by section 19(3) of the 2004 Act.

## **Assessment of Soundness**

### **Background**

16. Once adopted it is intended that the LP will replace the Core Strategy (2011) and the saved policies from the Rushmoor Local Plan Review (2000). Replacement of the individual saved Local Plan and Core Strategy Policies is set out in Section 16 of the LP.

### **Main Issues**

17. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified nine main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

### **Issue 1 – Whether the spatial strategy is the most appropriate having regard to all reasonable alternatives and the evidence base.**

#### *The Spatial Strategy*

18. The Borough is small, generally urban and densely populated. It consists of the two main settlements of Aldershot and Farnborough which have built up areas that adjoin each other. The spatial strategy for Rushmoor set out in

Policy SS2 is mainly focused on the regeneration and redevelopment of existing sites within the towns of Aldershot and Farnborough. With the exception of the major development of Wellesley which is former military land, and some land at Blandford House and Malta Barracks, the majority of development will take place on existing town centre sites within the defined urban area. The Borough's ability to grow is very restricted by a number of factors including European and national nature designations such as the Thames Basin Heaths Special Protection Area (TBHSPA) some of which is within the Borough, areas at risk of significant flooding, and the Public Safety Zone for Farnborough Airport.

19. The Council has assessed a number of employment sites in considering whether sites could be allocated for residential development. These sites were assessed in respect of their role, function and contribution to the Borough's employment land supply. This has resulted in changes to some boundaries of existing employment sites and allocation of former employment land which would contribute about 800 homes to the supply. The release of additional employment land would have an effect on the supply of employment land particularly around Farnborough Airport and the loss of businesses elsewhere in the Borough. The options around existing employment land have been fully explored, and the approach to selecting sites for redevelopment or retaining in employment uses is justified. Other policies in the LP should ensure that economic growth will not be negatively affected.
20. In addition, the Council assessed a number of sites outside the defined urban areas. One of the sites has been allocated for housing. The other sites were identified as not being suitable for residential development either due to being isolated or difficult to access, land in active uses including sport and recreation and Ministry of Defence land amongst other things. SS2 identifies that new development will be directed to the urban areas, this is justified by the careful consideration of all potential sites for development, and the assessment of reasonable alternatives. The key role of development on previously developed land within the area was not made explicit within the plan, and this is rectified by **MM5**. **MM1** clarifies that the consideration of the LP is based on the 2012 NPPF.
21. Aldershot is identified as a 'Step Up Town' in the Enterprise M3 Local Economic Partnership (LEP) Strategic Economic Plan (SEP). This indicates Aldershot is an area facing significant challenges which require considerable investment and redevelopment in the town centre. Funding for schemes in the Town Centre is available to support the objectives of the LEP. Farnborough is a 'Growth Town' and is performing well, and it is seen by the LEP as fundamental to the economic growth of the area. To be effective the explanation of this in Section 3 should make clear the implications of the towns being identified within the two different categories, and this is set out in **MM3**.
22. The strategy and accompanying policies of the LP are designed to improve the vitality and viability of Aldershot overall, and it would complement the role of Farnborough. There is no detailed evidence to indicate that the effect of the policies for Farnborough would be to cause a worsening of the

position in Aldershot. The LP is positively prepared as it recognises the changing function of the two town centres, particularly in Aldershot.

23. The apportionment of residential development between Farnborough and Aldershot is realistic and reflects the findings of the Strategic Housing and Economic Land Availability Assessment (SHELAA) (CD/02/5a) that identifies sites that are deliverable and developable over the plan period. An increased range of facilities in both towns, development through a number of allocated sites, coupled with the delivery of regeneration schemes by the Council in Aldershot represents a balanced and sensible approach. The strategy is therefore justified. Monitoring will allow the Council to assess if any changes to the strategy are required, which would then be a matter for a review of the LP.
24. The Sustainability Appraisal (SA) 2017 (CD/01/04a) assesses three options for the spatial strategy of Rushmoor. The options included consideration of rolling forward expected yields on sites considered in 2015, which would have resulted in a shortfall against the OAN. Whilst this would have delivered some housing, it would not have delivered community and other benefits including infrastructure requirements. A second option included an assessment of delivering on additional de-allocated employment sites.
25. The selected option in the SA identifies an increase in capacity on urban sites, and the allocated site within the countryside. It is based on updated housing capacity information, and work undertaken in relation to the Functional Economic Area (FEA). It would support the increased level of residential development which is closely related to the town centres of Aldershot and Farnborough.

#### *Thames Basin Heaths Special Protection Area (TBHSPA)*

26. The Habitat Regulations Assessment (HRA) (CD/01/05) identifies elements of the Plan that have the potential to cause an adverse effect on areas designated for their special habitats. It assesses a number of SPAs and Special Areas of Conservation (SAC) both alone and in combination with other known plans or projects.
27. It follows the stages of HRA with evidence gathering, assessing likely significant effects, conservation objectives of each protected site, and then proposes mitigation for any adverse effects. Appropriate Assessment has been carried out. I am satisfied that the HRA adequately addresses the full range of potential impacts on the Plan, and that its findings have been taken into account.
28. The whole of the Borough is within 5 kilometres of the TBHSPA. The TBHSPA is a mix of heath, scrub and woodland which supports important bird species. Negative impacts of residential development on the TBHSPA include visitors and pets causing disturbance. A measure to mitigate the effect of development includes the provision of SANG. These are areas where visitors and dog walkers are encouraged to visit instead of the TBHSPA. When existing SANG capacity accessible to existing and future



residents of the Borough is set against the total identified capacity for homes there is still a need to provide SANG for approximately 2,910 homes.

29. Capacity of three existing SANG sites used by the Borough has been exhausted through permitted or committed residential development within the HMA. However, a memorandum of agreement with Hart District Council in 2017 sets out the principles that governs the support that HDC will give to Rushmoor to access to SANG capacity for approximately 1,500 dwellings. Although the memorandum is not legally binding, I am satisfied that with the history of joint working between the Councils in the HMA it is reasonable to assume that the SANG in Hart would be available to Rushmoor residents. This leaves a remaining requirement for approximately 1,410 dwellings.
30. Policy SP10 of the LP sets out that a SANG would be provided as part of the site allocation at Blandford House and Malta Barracks. The SANG has full planning permission. Some of this area will be used by residents of the development although there is spare capacity for approximately 500 homes. **MM58** clarifies that the provision of the SANG is required to mitigate the impact of the development specifically on the TBHSPA.
31. In addition, the Council also took the formal decision to close Southwood Golf Course within the Borough, and use it as an additional SANG site. This will be available sometime in mid-2019 and is estimated to be capable of providing capacity for around 2,500 homes.
32. The east part of the golf course has a public right of way, and is generally more accessible to the public than the western portion. The capacity of the site will need to take account of people who already use the east part of the site for activities associated with a SANG such as dog walking and horse riding. The changes needed to make the site useable as a SANG would be limited. Natural England considers the site is suitable and I agree with this position.
33. The decision to use the site as a SANG was undertaken outside of this examination, and the work to change the site into a SANG has already begun. Whilst the opportunity to play golf here would be lost the site would still provide recreational benefits so that the negative impacts would be somewhat limited. Although the site is not allocated within the LP it is within the control and ownership of the Council, and I am satisfied this will be sufficient to ensure the site will be made available.
34. Natural England is satisfied that an adequate amount of SANG has been identified to support the delivery of housing within the Borough. In order to ensure that the links between the provision of housing and delivery of SANG are justified and effective, **MM11** and a consequential change through **MM12** are necessary. Policy NE1 also sets out that evidence based alternative mitigation strategies may be appropriate if agreed with Natural England.
35. I conclude that sufficient and suitable SANG would be delivered in a timely fashion such that it would not prevent housing development from coming

forward within the area, and the spatial strategy would be effective in this regard.

*Overall conclusion on the Spatial Strategy*

36. Overall the SA has sufficiently evaluated the reasonable alternatives and is suitably comprehensive, satisfactory and legally compliant. Subject to the recommended MMs, the spatial strategy is the most appropriate having regard to all reasonable alternatives and the evidence base.

**Issue 2 – Is the housing requirement justified and deliverable and has it been calculated in accordance with national policy and guidance, and whether the Council will be able to demonstrate a five year supply of housing land on adoption of the Plan**

***Objectively Assessed Housing Need (OAN)***

*Demographic starting point*

37. The demographic starting point identified in the SHMA is for 785 dwellings a year informed by the 2012 population projections and the 2012 household projections with the starting point for Rushmoor being 280 dwellings per annum. A review of updated data including new household projections for 2014 was published in 2017 after the SHMA was completed (CD/02/01c). This tested a number of alternative scenarios including a partial return to the trend of household formation rates, whilst taking into account the most recent projections.
38. Un-attributable Population Change (UPC) is an adjustment made by the Office for National Statistics (ONS) for discrepancies between census data and annual monitoring data. Other sources such as the patient register indicate that the figures for Rushmoor could potentially be higher. However, the SHMA also includes some sensitivity testing around UPC with the figure for Rushmoor similar to the demographic starting point. There was no detailed evidence to suggest that the patient register as it relates to Rushmoor is an accurate source of data, and it does not have the status of other official population statistics. Therefore this would not be a practical alternative to the demographic starting point. The SHMA approach to UPC is reasonable with regards to Rushmoor, and population growth in the Borough has not been under-estimated.
39. The SHMA acknowledges that to some extent there has been a suppression of household formation rates in the area but that this is a delayed element rather than a permanent suppression of formation rates in the longer term. In terms of Rushmoor, the figures within the SHMA review are either below or within 10 dwellings of the demographic starting point. The review points out a number of concerns in respect of returning in full to household formation in 2008. The SHMA also acknowledges that there may be an effect in terms of the TBHSPA limiting some population growth, although there is no detailed evidence to suggest the scale of impact or what particular impact there would be on Rushmoor's demographic starting point. There is also no evidence that the example of another authority where a

significant adjustment has been made for household formation rates is comparable to the situation for this Plan.

### *Market signals*

40. The SHMA considers a range of market signals including house prices, rents, sales, overcrowding, homelessness and affordability. The affordability ratios for Rushmoor as set out in the SHMA comparing median house prices to median earnings indicate that house prices are seven times workplace earnings. The SHMA recommends an affordability uplift of 15% over and above the demographic starting point for the HMA; this is based on the need to incorporate concealed households. Other information suggests that the situation within the Borough is broadly equivalent to South East England as a whole. A number of Inspectors have selected figures that provide for an uplift based on affordability indicators generating uplifts of between 20 and 30% in the South East. However, whilst the uplift set out in the SHMA is below some alternative figures elsewhere, this would still have a significant positive impact on affordability within the Borough.

### *Housing requirements and employment growth*

41. Original forecasts for jobs growth within the HMA varied significantly and this highlights the uncertainty associated with long term employment forecasts. In terms of employment growth, the SHMA nevertheless adopts a mid-point in the range of possible job scenarios with 1,200 jobs per annum growth for the HMA. This takes into account the economic growth potential within the area and an expectation of some increase in household formation rates to ensure that there would be an adequate resident labour force. The chosen scenario reasonably takes into account both historic trends and the different forecasts. The scenario of 1,200 jobs per annum would equate to the need to provide between 1,195 and 1,254 extra homes per annum to deliver the associated labour force requirements.
42. The SHMA also addresses the potential effect of London migration within the HMA on the basis of past trends. Modelling in the SHMA incorporates a level of net in-migration including from London. The overall net in-migration over and above the 2012 projections is driven by the forecast growth in employment. No further uplift is required given that these factors have already been taken into account in order to maintain the balance of net commuting.
43. There is now evidence that jobs growth within the overall HMA will be lower than forecast (CD/02/01d). There was a stall in employment during 2015 and 2016 although which was mainly due to a loss of jobs in Surrey Heath, with a smaller proportion in Hart District. However, there was no corresponding fall in employment in Rushmoor. There is also no evidence that this would have a significant effect on the housing need in Rushmoor. The LP nevertheless recognises that any significant change to the economic context may warrant an early review of the plan or specific policies.

### *Affordable Housing Need*

44. The SHMA follows the approach for affordable housing need set out in the 2012 PPG. In addition, further work was undertaken on the need and demand for subsidised home ownership and intermediate housing. The HMA has a need for 970 affordable homes, with Rushmoor's need at 380 homes per annum. Whilst the Core Strategy (RBC/002a) included a requirement to provide 35% of dwellings as affordable, the LP proposes 30% on sites of 11 or more, and within the town centres the percentage is set at 20%. I acknowledge that the need for affordable homes is higher in Rushmoor than the other authorities in the HMA. However, factors such as the larger stock of affordable homes and a greater rented sector are partly responsible for this.
45. The Economic Viability Study (CD/02/04a) demonstrates that the figures in the LP are realistic and will not affect the deliverability of affordable housing overall within the Borough. The SHMA provides a reasonable evidential basis for the assessment of affordable housing needs in Rushmoor.

### *The OAN for the Borough*

46. The SHMA has considered a range of housing market signals, and under the 2012 Planning Practice Guidance (PPG) there is no prescription on what level of uplift should be applied. The OAN for the overall HMA set out in the SHMA is 1,200 homes split between the three authorities. Rushmoor's OAN figure is 436 dwellings per annum which equates to a total of 7,850 homes over the LP period from 2014 to 2032. The OAN takes into account affordability, economic growth and London migration, and this represents a significant increase for both the HMA and Rushmoor in particular over and above the demographic starting point. Whilst some components of the demographic starting point and the OAN are challenged for Rushmoor, they are based on a sensible set of assumptions which have been suitably sensitivity tested including where updated data has been produced.
47. Hart District Council and Surrey Heath Borough Council are at different stages in the plan making process. It is understood that there may be a shortfall of housing supply in the Surrey Heath area. The Statement of Common Ground refers to Surrey Heath assessing opportunities to reduce any shortfall. Any shortfall in Surrey Heath's ability to meet its OAN has yet to be examined so that Rushmoor is not in a position to respond to this possibility.
48. The Council has nevertheless confirmed with the authorities within the HMA that it can meet its portion of OAN of 436 homes per annum with a degree of flexibility. The three Councils within the HMA are in agreement that Rushmoor is meeting its share of the OAN for the HMA and there is no known unmet need. The Council has demonstrated a positive and proactive approach to delivering growth and maximising delivery in Rushmoor as far as is possible.

### *Overall conclusion on housing need*

49. I am satisfied that the approach within the SHMA to the demographic starting point, particularly as it relates to Rushmoor, is appropriate. The approach to OAN taken in the overall SHMA area through considering economic growth and affordable housing provision is sensible and recognises the need to uplift in response to market signals. The policies in the LP would be unlikely to meet the need for affordable housing in full. However, increasing the overall housing requirement to reflect this would be unrealistic in terms of delivery especially given the existing housing targets. The housing need figure is required to meet economic needs and aspirations of growth within the Borough, reflecting its position within the FEA, the Enterprise M3 area, and the HMA. It will help to significantly increase affordability in an area which exhibits higher levels of affordable housing need within the HMA.
50. The expectation in the NPPF is that objectively assessed need should be met in full. The housing requirement should therefore reflect the OAN. As such, it is justified, and has been calculated in accordance with national policy and guidance.

### *Five Year Supply of Housing Land*

51. The housing requirement set out in the LP for Rushmoor is 7,850 homes over the plan period. A theoretical capacity of around 8,900 homes is identified. The overall numbers of new dwellings are set out in Policy SS2 of the LP. The policy refers to providing 'at least' 7,850 of homes over the plan period to 2032, and is consistent with national policy in terms of seeking to meet housing needs.
52. Section 6 of the LP provides further details on the allocation and delivery of specific sites. In order to reflect the latest position on site capacity contained within the SHELAA (CD/02/02a), **MM8**, **MM9** and **MM10** are needed to amend the information in Section 6 of the LP (Meeting Housing Needs). These incorporate potential capacity changes, changes to sites with planning permission, and the numbers of homes built since 2014, and are required for effectiveness.
53. The figures have been updated to alter the windfall allowance from 450 to 420 homes over the plan period. The windfall allowance is set out in the SHELAA. Sites above 5 dwellings or more have been identified. Therefore, the allowance only considers sites smaller than those with potential for 5 dwellings. The estimation of windfall sites is based on the delivery of sites of under 5 homes between 2008 and 2017 amounting to 10% of homes delivered. The latest monitoring information from 2017 shows a figure of 79 homes which indicates that delivery on these sites should continue to provide a reliable source of supply. The proposed windfall allowance equates to 30 dwellings per year, with the overall amount excluding sites which have recent planning permission. There is compelling evidence to include a windfall allowance in the 5 year supply consistent with the approach set out in paragraph 48 of the NPPF.

54. **MM9** also includes the changes to the capacity of individual sites. Sites have also been removed from the calculation where there are doubts about delivery within the plan period. The majority of homes expected to come forward are on allocated sites. The housing trajectory contained in Section 15 of the LP as the Housing Trajectory and Graph should be amended through **MM131** and **MM132** to reflect the latest position on housing delivery.
55. With the MMs, the LP demonstrates how the identified capacity of 8,900 homes can be delivered across the plan period. The theoretical capacity provides a significant buffer to accommodate potentially slow delivery at a single large site, and for the longer term town centre regeneration sites. The theoretical capacity is therefore a robust approach in the context of Rushmoor's specific characteristics.
56. There is no history of persistent under-delivery within the Borough set against previous plan targets. These were 310 homes per annum in the Rushmoor Local Plan Review and 374 homes per annum in the Core Strategy. With respect to the Local Plan, the requirement for 436 homes per annum has not been met since 2014 which is the start of the LP period. However, given this is over a short period it is not sufficient to represent a persistent state. The provision of 436 homes per annum represents a significant step change in the provision of housing, particularly against the figures in the Core Strategy. The application of a 5% buffer is appropriate in the context of Rushmoor and would be consistent with national policy.
57. In accordance with the PPG the aim is to deal with any undersupply in the first five years where possible, and work with other authorities under the Duty to Co-operate when this cannot be done. The undersupply in dwellings since 2014 equates to a total of 472 homes. In this case, the Council is proposing to deal with the undersupply by means of the Liverpool method which means spreading the undersupply over the whole plan period, resulting in a total of 468 homes per annum over the 15 year period. A significant proportion of the homes within the Borough will come forward on a single site which will deliver 3,850 homes over the plan period. A number of allocations also include phases which will come forward in the medium or long term; this is due to the majority being redevelopment or regeneration sites. There is no evidence that adjoining authorities are in a position to absorb further housing in the short-term. In these circumstances the use of the Liverpool method is appropriate and justified.
58. The five year housing requirement incorporates the undersupply figure. The Council's assumptions on demonstrating a five year supply of housing land are robust and there is a healthy 7.9 years supply.
59. There is no Housing Implementation Strategy to accompany the LP. Therefore **MM11** is required to refer to the production of a Housing Implementation Strategy with detail on what will be monitored and managed, and how actions would be implemented to secure delivery of housing. Monitoring will also ensure that any additional sites that become available will be incorporated into the supply of housing land.

*Overall conclusion on housing supply*

60. Taking into account the above including the recommended MMs, provision is likely to meet the identified need for housing over the plan period and the Council would be able to demonstrate a five year housing land supply upon adoption of the LP.

**Issue 3 – Will the Plan ensure that the aspirations for economic growth and jobs will be delivered? Are the employment policies justified, deliverable and consistent with national policy?**

61. The Employment Land Review Update 2016 (CD/02/03a) concludes that across the FEA the balance between forecasts for employment requirements up to 2023, and the overall supply of office and industrial space, is tight. In terms of Rushmoor, and its role within the Enterprise M3 area, there is justification for identifying sites which will ensure the delivery of jobs and growth within the area. A number of the sites are remaining parcels of land on previously allocated sites or regeneration schemes that have yet to commence. The approach to employment sites will provide a framework to protect and enhance a realistic portfolio of sites in the Borough. The sites will contribute particularly to the number of B-use class jobs within the FEA.
62. The Council has introduced Strategic Employment Sites (SES) that fulfil a strategic function across the FEA. The sites either reflect the LEP's priorities or support core sectors for the wider area economy. The Council are supporting this through the implementation of an Article 4 Direction. **MM128** is necessary to provide further explanation on this in the interests of effectiveness. Policy PC1 supports the strategy for economic growth and investment in the area. It is in line with the spatial strategy and is positively prepared.
63. Policy PC2 relates to the designation of the SES. Its main focus is the protection of these sites that are to be safeguarded against loss of B (Business) use classes. However, it allows a measure of flexibility for small scale non-B class uses to complement the existing uses on the site. The policy is justified and would provide significant support for the employment growth aspirations of the Borough and for the wider FEA.
64. Locally Important Employment Sites (LIES) serve the local economy of Rushmoor. Policy PC3 relates to the LIES and sets out that non-B use classes will be permitted subject to a number of criteria. There is a much more flexible approach to LIES than the strategic sites. The Policy is consistent with paragraph 22 of the NPPF. It would assist in an appropriate balance between economic growth and allowing other uses to assist in retaining the vitality and viability in each LIES. However, in order for the Policy to be effective **MM106** provides clarity that criterion c) must be met, but that d) and e) are alternatives. The Policy is sound subject to this main modification.

*Employment site allocations*

65. Policy PC4 relates to the Farnborough Business Park which is the Borough's flagship office site. The Policy is positive towards proposals for office development. However, the site is also affected by a number of heritage assets including Listed Buildings associated with the history of Farnborough Airport. An amendment to Policy PC4 is necessary to reflect the significance of the wind tunnels on the site through **MM107**.
66. Cody Technology Park is situated in the countryside on land between Fleet and Farnborough. In order for the site to be considered in a consistent manner as other development proposals within the countryside, the criterion in Policy PC5 relating to the gap between the two settlements should be removed through **MM108**. Criterion c) of Policy NE5 of the LP already provides guidance on this matter.
67. Policy PC7 relates to Hawley Lane South as a new employment site. The land is within the ownership of the Council. The access to the site would be widened to accommodate the new uses, and new accommodation would be found for the very small number of uses currently operating from the site. Initial preparatory work has been undertaken. The site is close to other employment areas, and would be deliverable. The allocation is justified, and is sound.
68. Policy PC8 supports the Council's objectives of improving training and skills within the area. However, criterion a) relating to improvements to educational establishments overlaps with Policy IN1 relating to infrastructure, and is therefore not necessary. It is removed through **MM109**.

*Overall conclusion on employment development*

69. Subject to the MM, the policies in the Plan in relation to the employment development needs of the Borough are deliverable, justified and will be effective in supporting economic growth aspirations of the LP.

**Issue 4 – Are the policies for Aldershot and Farnborough Town Centres and North Camp District Centre justified, deliverable and consistent with national policy**

*Aldershot Town Centre*

70. The focus for Aldershot Town Centre is to allocate key sites for redevelopment or conversion. Policy SP1 sets out the principles for the Town Centre. Modifications to Policy SP1 are required to ensure that it will be effective in prioritising the Galleries and Union Street East, and in identifying key activities such as enhancing Aldershot's market and emphasising environmental improvements through **MM17**. **MM16** is a consequential change in terms of environmental schemes, and also confirms the importance of The Galleries (SP1.4) and Union Street East (SP1.5) allocations as key sites for the Town Centre.



### *Farnborough Town Centre*

71. Policy SP2 sets out the principles for the Town Centre including that it should be a focus for a mix of uses that builds on the investment that has already been made in Farnborough. The strategy incorporates the evening economy, housing and transport improvements among other things, and is justified in the context of the town's role as a 'Growth Town'. However, to ensure that the policy will be effective in dealing with the wide range of town centre issues, and to be consistent with national policy, Policy SP2 should be amended through **MM33** which adds a criterion relating to the retention and enhancement of Farnborough's market.

### *North Camp District Centre*

72. North Camp District Centre plays an important role in providing for the needs of residents within the southern part of the Borough. The area includes some specialist shops although it has a limited range of comparison goods. The strategy is focused on maintaining or enhancing the vitality and viability of the District Centre, and supporting retention of existing uses. Policy SP3 is sound as it acknowledges the particular characteristics of this Centre.

### *Primary and Secondary Shopping Frontages*

73. Policies SP1.1, SP1.2, SP2.1, SP2.2, SP3.1 and SP3.2 relate to the primary and secondary shopping frontages in Aldershot, Farnborough and North Camp respectively. In order to avoid duplication with Policy DE1, the requirements and accompanying explanation relating to appearance and amenity of nearby residential properties are removed in the policies through **MM21, MM23, MM36, MM38 and MM42**. Necessary consequential changes to the supporting text are set out in **MM20, MM22, MM35, MM37, MM41, and MM44**.
74. The Council acknowledges that the retail environment of Aldershot is particularly challenging. In order to reflect this and to introduce further flexibility in defining the percentages of non-A1 (retail) uses classes within the Wellington Centre, Union Street East and Wellington Street, **MM21** is required to Policy SP1.1 which provides a consistent 30% threshold for A1 uses and provides further explanation on circumstances where viability will be taken into account. **MM18** provides necessary clarification on marketing requirements and this is needed for the policy to be justified. In general terms, the application of 12 months marketing is reasonable as this can start before a property becomes vacant, and is acceptable for all LP policies where marketing is a consideration. **MM19** is necessary to add a new explanatory paragraph that provides confirmation of how the policy would apply in the short term to Wellington Street as the A1 threshold is currently breached.
75. Policies SP2.1 and SP2.2 relate to Farnborough's primary and secondary shopping frontages. In order for the LP to be consistent with national policy, and with the policies for Aldershot Town Centre, it is necessary for the policies to refer to viability as well as vitality. This is reflected in **MM36**

and **MM38**. **MM34** is necessary for effectiveness and to ensure that the correct shopping frontage is identified.

76. Policy SP3.2 deals with the secondary shopping frontage in North Camp District Centre. **MM45** is needed to incorporate viability as a consideration in planning applications to be consistent within national policy. In order to reflect the limited capacity for additional retail floorspace and the role of the District Centre, **MM45** also removes the threshold of 50% for non-A1 (retail) units, with a consequential change to the supporting justification through **MM43**.

*Overall conclusions on retail*

77. The LP approach to its Town and District Centres is based on a realistic assessment of what can be delivered in terms of the over-arching principles for each centre, and has an appropriately flexible approach to primary and secondary shopping frontages where necessary. Subject to the MM the policies are consistent with national policy.

**Issue 5 – Whether the Plan will be effective in delivering the appropriate types of housing to meet the needs of the area**

*Need for specialist accommodation*

78. Policy LN1 seeks to deliver a balanced mix of housing within the Borough. Amongst other things it sets targets for percentage of dwellings to be built to meet the requirement of the Building Regulations M4(2) and for self-build and/or custom built houses.
79. In respect of criterion e) and accessible and adaptable standards, this sets out that a target of 15% of market dwellings should be built to meet the requirements of Building Regulations M4(2). In accordance with the Planning Practice Guidance, the assessment of need includes sources of data which demonstrate there will be a significant increase in the numbers of people with mobility problems in the Borough by 2031, 108% up from 2011. The SHMA also sets out that the number of people in the HMA with a long term health problem or disability will increase by 45% up to 2023. The evidence supports the need and is sufficient to justify the inclusion of a criterion in this respect. The Economic Viability Study (CD/02/04a) tests this and considers the average cost per dwelling. The study addresses the average over access costs for flats and houses, and concludes that there is only a minor impact on viability. As the requirement is limited to 15% of dwellings to meet the standard, this would not have an impact on overall scheme viability. The criterion also incorporates a requirement for the site to be suitable for this, and additionally criterion d) requires consideration of site specific viability. On this basis criterion e) is justified.
80. In terms of criterion f) of the policy relating to self-build, this sets out a target percentage. The Economic Viability Study indicates that the provision of these types of plots on larger sites would be neutral in terms of viability. The Council's register of self-build homes has a number of entries that require planning permission before 2021. Self-build plots are already permitted as part of the Blandford House/Malta Barracks allocation, subject

to the completion of a legal agreement. Based on local evidence, the target of 5% is realistic and achievable. The explanatory text sets out that 12 months would be the minimum time period for plots to be developed. This introduces flexibility to the policy.

81. **MM96** is necessary within the Policy to set out that the SHMA or any subsequent update should be used in considering local need, this is needed to ensure effectiveness of the policy over the plan period. **MM95** is required to the explanation of Policy LN1 to ensure it refers to a target and not a minimum in order to ensure consistency with the Policy.
82. Policy LN2 deals with affordable housing provision. This requires a minimum of affordable homes to be provided on sites above 11 homes. The Economic Viability Study indicates that the application of the different percentages is justified. In any event, the policy recognises that site viability will be considered on all sites in the first instance and it is consistent with national policy in this regard. The separate threshold for the Town Centres set at 20% is realistic based on viability evidence but it will also make a reasonable contribution to affordable housing. In order for the policy to be justified, additional wording relating to site specific circumstances is added to the explanation through **MM98**. The consideration of Vacant Building Credit has been added to the explanatory text through **MM97** to ensure consistency with the PPG.
83. Policy LN4 relates to the provision of specialist and supported accommodation. The evidence of the SHMA suggested a requirement for specialist accommodation to meet the needs of the older population. In terms of reasonableness, Policy LN4 is unsound as it was based on a requirement to demonstrate a local need. However, this need has already been established. Accordingly, **MM100** is necessary for the policy to be sound by removing this requirement.
84. The SHMA acknowledges that overcrowding in Nepali households is common. There is no detailed evidence to suggest that the use of other sources of data from the Nepali Centre or the National Health Service would be more accurate than the official statistics or that it would result in the need for separate housing requirements. Redundancies in service personnel may result in a proportion of people applying for affordable housing. Nevertheless, the Council is seeking to provide a mix of types of homes for its communities. **MM94** is necessary to explain how the Council's Housing and Homeless Strategy helps to provide other forms of access to housing for different groups including Armed Forces leavers and the Nepali population. Subject to the recommended MMs the policies of the LP including LN1, LN2 and LN4 are sufficient to provide housing for these groups without the need for specific policies.

#### *Other local needs policies*

85. There are a number of smaller neighbourhood facilities which provide a mix of uses for day to day needs of local residents that is dealt within Policy LN6. In order for the policy to be consistent in its approach to A1 (retail) uses and viability in the LP, **MM102** is required to refer to marketing and

viability. This requirement is not overly onerous in respect of the start of the 12 month marketing period, and is consistent with other policies in the plan. **MM101** also provides further explanation on this, and incorporates amendments as a result of the changes to Policy DE1.

86. The LP retail policies are supported by Policy LN7 that deals with retail impact assessments. This sets a threshold for requiring an assessment that is lower than that within the NPPF. The policy is based on evidence in the Rushmoor Retail, Leisure and Town Centres Study, 2015 (CD/05/01 and CD/05/02). The study is based on reasonable assumptions, and is consistent with the approach in the PPG for establishing local circumstances. On this basis, the policy is justified in its approach towards the thresholds in the Town and District Centres.
87. Policy LN8 deals with development that may result in the loss of a public house. The requirements within the policy relating to marketing and viability are more onerous than other policies in the LP where viability is a consideration. The policy should therefore be amended through **MM105** to remove the detailed criteria and replaced with wording relating to effective marketing for A4 use. Necessary consequential changes to the explanation are set out in **MM104**. In order for the policy to be effective **MM103** removes a paragraph in relation to permitted development as this is out of date.

#### *Gypsy and Travellers*

88. The LP is accompanied by a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (CD/02/07) with the requirement for a single pitch identified for the period up to 2017 although the need arose from a family that identified a requirement for a pitch in a rural area and included Guildford within the requirement. There are no existing sites for Gypsy and Travellers within the Borough in terms of permanent accommodation.
89. The Assessment also identified the need for a temporary or transit site for no more than five pitches but the Plan does not make provision for this. Other permanent and transit sites are located within Guildford and Waverley close to the Borough boundary, and arrangements for joint working on transit sites exist with Basingstoke and Deane and Hart councils. The Accommodation Assessment also indicates that transit needs would be met more practically as part of the wider area where other sites do exist.
90. Although the document dates from 2012, other more recent evidence from the Council suggests that the position on permanent and transit sites has not changed. Some short term unauthorised encampments have been recorded but these vary each year with the numbers generally low. No sites have been put forward in the Council's call for sites, and no planning applications have been received for pitches since 2012. Caravan counts going back to 2015 have not recorded any in Rushmoor. It is an agreed position with adjoining authorities that there are no outstanding needs from elsewhere in relation to Gypsy and Travellers. There is therefore no current compelling evidence of need for a transit site or pitch.

91. I therefore consider that Rushmoor is a Borough where a criteria based policy would be justified and consistent with the Planning Policy for Traveller Sites document (2015). Policy LN3 is unsound as it is based on demonstrating a local need. In terms of reasonableness, the policy should not be overly onerous. Accordingly, **MM99** is necessary for the policy to be sound as it would make it more positive.

#### *Travelling Showpeople*

92. The Borough does have an established Travelling Showpeople population with existing yards. Updated evidence in 2015 supported a need to provide additional space for Travelling Showpeople. The LP therefore makes provision for this. Two sites are allocated comprising of an extension to an existing site in a car park in North Camp in Policy LN3.1, and a new site at Hawley Lane South in Policy LN3.2. Both of these sites are in the Council's ownership, and are suitable and deliverable within the Plan period. Subject to the recommended MMs the policies for Gypsy and Travellers and Travelling Showpeople are reasonable and justified.

#### *Overall conclusions on housing needs*

93. Subject to the recommended MMs the policies in the Plan will be effective in delivering the appropriate type of housing to meet the needs of the area.

### **Issue 6 – Whether the Plan makes appropriate provision for the built, historic and natural environment**

#### *Historic environment*

94. The Council acknowledges the importance of the historic environment and there are a number of policies to support this. However, neither the Vision nor Strategic Objectives of the Plan refer to the historic environment. **MM5** to the LP vision is needed to demonstrate the role that the Borough's historic and environmental assets play in promoting local identity. **MM7** updates Strategic Objective I to include 'historic' in the wording to ensure this is a fundamental objective of the Plan.
95. Policy HE1 sets out the overall approach to the historic environment. **MM76** is required to the Policy so that it is consistent with national policy, and in particular how the assessment of proposals would be undertaken and the balance of heritage assets and public benefits would be carried out. In order for the policy to be effective **MM76** also provides details on how a decision maker should react to specific proposals dealing with Listed Buildings and non-designated heritage assets. In order for the policy to be justified and effective, further explanation and the latest position on Listed Buildings and Buildings of Local Importance should be set out in the text through **MM69, MM70, MM71, MM72, MM73, MM74** and **MM75**. **MM124** updates the monitoring table in respect of these changes. **MM129** and **MM130** assist with definitions and are necessary for effectiveness. **MM71** is updated to provide for the correct definition of secular.
96. Policy HE2 deals with demolition or partial demolition of a heritage asset. The balance of this loss with public benefits was not included within the

Policy. **MM78** to Policy HE2 and **MM77** are required so that the policy is consistent with national policy and justified.

97. Policy HE3 relates to Conservation Areas, and the policy as worded is justified. However, the explanation needs to provide clarification as to the role of character appraisals and management plans in **MM79**. This is necessary to support the Council's positive and proactive approach to the historic environment.
98. To ensure consistency with national policy, Policy HE4 dealing with archaeology needs modifications. **MM81** incorporates references to scheduled monuments and field evaluation within the policy, and to incorporate the public benefits test. **MM80** is a consequential change to the accompanying text to provide clarity over what is meant by field evaluation.

#### *Climate change*

99. The SA objectives refer to improving efficiency, reducing waste and greenhouse and air pollution with ensuring that air quality improves. They also refer to managing and mitigating impacts of climate change. One of the strategic objectives of the Plan is to reduce the area's contribution to the causes of climate change and to minimise its impacts on the Borough. A number of policies seek to improve sustainability of new built development as well as mitigating the impacts of climate change. Of particular relevance in this respect are Policy SP4 as well as IN1, IN2, DE1, DE4, DE10, NE2, NE6 and NE7. However, **MM82** is necessary in the explanation to justify the Council's overall approach towards climate change and explains how criterion b) of Policy DE1 relating to the use of renewable energy will be considered. The Plan as a whole gives suitable importance to this issue.

#### *Design*

100. As submitted Policy DE1<sup>1</sup> would not be effective in seeking to secure a good standard of amenity for all existing and future occupants of land and buildings. The policy should also be sufficiently flexible towards all types of development, where circumstances may mean that not all of the criteria in DE1 would necessarily apply. **MM83** addresses this and also how a decision maker should react to proposals which could affect proposed, existing and adjacent users, without the need for repetition of these aims within the shopping frontage policies.
101. Policy DE2 deals with residential internal space standards. Viability evidence indicates that space standards can be accommodated from a viability viewpoint. Local evidence on standards suggests that developments are meeting this voluntarily although this could not always be guaranteed. The policy is therefore reasonable in its approach and consistent with national policy in this regard. In order for the policy to be justified **MM84** clarifies

---

<sup>1</sup> Policy D1 corrected to Policy DE1.

that the policy applies to proposals for C3 (residential) uses. This will allow flexibility for circumstances where the proposed use class is not C3.

102. Policy DE3 concerning residential amenity space standards is justified based on the evidence subject to **MM85** that introduces flexibility to the requirement to provide equivalent internal living space where it is not possible to provide external space. Policy DE4 relates to sustainable water use. In order for the policy to be effective **MM86** is necessary to ensure that any future standards can be applied.
103. In order to avoid repetition with Policy DE1 and to be effective, the bullets in Policy DE5 have been removed in **MM87**. This MM will allow the policy to be effective as it now simply relates to any proposals that would involve the net loss of residential dwellings rather than specifying other potential forms of development that are already covered within other policies of the LP.
104. Policy DE6 deals with new provision of open space, sport and recreation and also the loss of such facilities. **MM91** is necessary to ensure that the policy is consistent with paragraph 74 of the NPPF, referring to the need for an assessment to demonstrate open space is surplus to requirements. **MM89** is a consequential change, and clarifies the baseline evidence for supporting any assessment. The explanation is also amended by **MM88** to confirm that allotments are open space and how this links to the Policies Map. The classification of allotments as such is justified. **MM90** is needed to update play space age ranges and correct the number of sites required per 1,000 head of population.
105. Policy DE8 relates to indoor sport and recreation facilities. For the policy to be effective and justified when considering the potential loss of facilities **MM93** is required to enable the decision maker to assess these types of proposals. **MM92** is a necessary consequential change which sets out the Council's expectations in terms of evidence of viability and need.
106. Policy DE10 deals with all forms of pollution, and the wording is justified. However, air quality monitoring for air pollution within European protected sites is needed, and in order to be consistent with the findings of the Habitats Regulation Assessment (HRA) and to be effective, **MM125** is required to change the monitoring indicator in this regard.

#### *Natural Environment*

107. Policy NE1 sets out the basis for considering new development that has the potential to affect the TBHSPA. Subject to **MM111** relating to the exceptional circumstances of development within 400m of the SPA boundary, the policy is justified and sound. Changes to the explanation in **MM110** are necessary to reflect the involvement of Natural England in applications for new development, and to clarify that an 'appropriate assessment' is required if development is not screened out as having an effect on the SPA.
108. Policy NE2 relates to the provision of Green Infrastructure and the explanation should clarify how 'appropriate' contributions will be assessed

in **MM112**. To support the effectiveness of the Policy, the explanation requires changes through **MM114** and **MM113**.

109. In order for Policy NE4 to be consistent with national policy, **MM116** changes the wording as applying to 'priority' rather than 'key' habitat types. **MM115** explains the latest position on natural capital value in the explanatory text, and is necessary to justify the approach to green infrastructure.
110. Policy NE6 deals with fluvial flood risk. Modifications to the Policy are required to ensure that it is consistent with national policy. **MM119** sets out how development in areas at risk of flooding will be permitted, including the use of the sequential and exception tests, and the expectations in relation to Flood Zone 3b and the flood plain. Consequential changes to the explanation are set out in **MM117** and **MM118**. **MM120** sets out the latest position in the explanation in relation to surface water flooding within the Borough. **MM121** confirms the responsibilities of the Lead Local Flood Authorities, and emphasises the effect of surface water flooding within the Borough.
111. Policy NE8 relates to Sustainable Drainage Systems (SuDS). The policy is not sufficiently flexible to allow a variety of SuDS techniques to be used if necessary. **MM122** is therefore required to ensure this flexibility and to be sound.
112. Policy NE9 deals with flood risk at Farnborough Airport. In order for the Policy to be effective in relation to mitigating the effect of airport pollutants through surface water runoff, **MM123** is required.

#### *Overall conclusion*

113. Subject to the MMs recommended, the policies for the historic, built and natural environment make appropriate provision for these requirements and are justified.

#### **Issue 7 – Whether the policies for Farnborough Airport are justified, consistent with national policy and whether they will be effective**

114. Farnborough Airport is a dedicated business aviation airport, and it is home to the biennial Farnborough International Airshow and the Air and Rail Accidents Investigation Branch. There is a planning permission and legal agreement of 2010 which establishes a maximum annual number of air traffic movements relating to the civilian business aviation function, and also establishes the baseline for the policies in the LP.
115. The policies relating to the airport within the Airport Planning Policy Boundary (APPB) aim to ensure that a framework is in place to assess any proposed changes to the pattern, nature and/or number of business aviation movements above the 2010 permission. Any proposals should not result in a noise or safety environment which is any worse than the 2010 permission regime. Policy SP4 sets out the overarching requirements for any proposals including a set of criteria against which development would only be permitted if it meets these.



116. The first criteria relates to a demonstration of need in respect of any proposals to change the permitted regime. This approach is justified, without the need to be prescriptive about what that need might be. It is consistent with the approach in national policy to balancing economic benefits against all other considerations.
117. Monitoring is undertaken on aircraft noise, air quality and flight movements at the airport as a requirement of the 2010 permission. **MM47** sets this out in the accompanying text and is necessary for clarity. **MM49** to the explanation is necessary to refer to aircraft weight as being one of the factors with implications for noise and third party risk, and to be consistent with Policy SP4. **MM48** is a change to clarify how the weight of an aircraft would be defined.
118. Subject to the MMs, Policy SP4 is consistent with national policy including the NPPF, and the Airport Aviation Policy Framework (APF) 2013 in providing a framework for the consideration of the benefits and costs of business aviation at the airport in respect of any future planning applications for the civilian business aviation use.

#### *International Conference and Exhibition Centre*

119. The use of the Airport for the International Airshow also includes the provision of exhibition and associated event space within the APPB. Policy SP4 restricts development to supporting business aviation and associated airport related uses. In 2018, a permanent exhibition building was opened primarily to support the Airshow, although planning conditions attached to that permission also allow for other non-airshow events on a limited basis. **MM2** is necessary to recognise this position and to set out the importance of this site within the SEP as an economic and tourism asset to the area. **MM46** is needed to explain that supplementary proposals would be considered against policies in the LP. Subject to these modifications, the approach to focusing on supporting business aviation in Policy SP4 is sound.

#### *Types of Flying*

120. Policy SP4.1 deals with the types of flying and defines what appropriate types of flying are, and what would not be permitted. The policy is justified and reinforces the position defined by the 2010 planning permission.

#### *Noise*

121. Policy SP4.2 deals with noise and flying at Bank Holidays and weekends. The benchmark is set in criterion b). Noise guidance relating to land use planning is contained in the NPPF, the APF and the Noise Policy Statement for England (NPSE) 2010.
122. Air Navigation Guidance (ANG) 2017 is statutory guidance for the Civil Aviation Authority (CAA) on environmental objectives relating to the CAA's air navigation functions. It does refer to local government's role in land use planning which includes properly assessing noise impacts. However, it does not state that local authorities should follow the same approach to noise as set out in the ANG, or that they should be subject to CAA formal guidance

or airspace design. The responsibility of Noise Preferential Routes can rest with local authorities, although in this case it sits with the Airport owner. The proposal for Airspace Change made by the Airport owner also lies outside land use policy considerations as it is determined by the CAA.

123. The evidence on which the LP policy is based includes CD/06/03 relating to possible policy mechanisms for controlling noise at Farnborough Airport. This evidence makes reasonable assumptions and takes into account how the airport operates in respect of noise, and the steps the owner has already taken to reduce potential noise disturbance. It recommends that aircraft movement limits and noise budget contours should be kept as the central basis for the control of airport noise.
124. There is an agreed noise contour budget for the Airport. The policy would allow this to be remodelled on receipt of any planning application relevant to Policy SP4, to account for changes in modelling software or operational procedures with other parameters remaining much the same, and thereby setting a new noise contour budget. However, importantly the principle of an upper noise limit is also established.
125. In terms of whether 'Other Aviation Activity' should be included in noise considerations and Policy SP4.2, these uses include diplomatic flights, flying club and Airshow traffic. **MM46** is necessary to define these uses. The consideration of risk in terms of safety does include these other uses to inform risk contours. However, these are uses that are lawful and previously established, operating outside the planning permission which relates solely to the civilian business operation. The other uses therefore fall outside of planning control including LP policy. Policy SP4.2 is therefore justified in its purpose of dealing with planning applications for business aviation.
126. The policy is consistent with the approaches set out in national guidance including promotion of good health and good quality of life through the effective management of noise in the context of sustainable development. The policy adopts a reasonable and proportionate approach to noise considerations that will arise for any relevant planning application.

### *Safety*

127. Policy SP4.4 relates to safety, again in relation to any proposal to change the business aviation permission. The policy uses risk contours rather than referring directly to Public Safety Zones (PSZ) as these are not specifically designed to inform decisions in the planning application process for significant change at the Airport. There is a review of the PSZ being undertaken by the Government but the results of this are not yet known.
128. The use of risk contours is clearly explained, and the use of the PSZ as a 'rough proxy' for risk contours established in the 2010 permission remains a robust approach based on the evidence. In general terms, the approach to safety and the planning regime for the Airport has been consistent for a significant period of time. It is consistent with planning decisions and based on evidence relating to safety (CD/06/01) and it is justified.

129. The lack of transparency in the modelling process relating to safety risk was a matter considered by the 2010 appeal Inspector, particularly in relation to commercially sensitive data, and this has not been resolved. However, this does not necessarily result in the policy as worded being ineffectual. Access to the use of alternative sources of data, particularly surrounding crash rates is not possible. Any specific reference to having to provide commercially sensitive data in this respect would not be effective or deliverable.
130. There was no evidence to suggest that Policy SP4.4 would not achieve the aim of any safety consequences of proposals being properly assessed and no worse than those found to be acceptable as a result of the 2010 permission. The policy requires an independent risk assessment to be submitted with any planning application, and this would ensure that the relevant safety matters are considered subject to **MM50** which is necessary to clarify in the explanation that this should relate to the risk contours, and sets out the parameters for the risk assessment.

*Overall conclusion on Farnborough Airport*

131. Subject to the recommended MM, the policies for Farnborough Airport are justified and consistent with national policy.

**Issue 8 – Whether the infrastructure policies are justified and whether they will be effective**

132. The improvement and protection of existing infrastructure and community facilities is needed to ensure that the planned growth in the LP is sustainable. Policy IN1 provides the framework to protect against loss of public and community facilities and to address needs arising from new development. The Policy makes direct reference to the Infrastructure Plan (CD/04/02) which sets out infrastructure requirements as a living document throughout the plan period, and **MM63** is necessary to acknowledge the nature of the Infrastructure Plan. To ensure that the relevant types of infrastructure are covered, **MM59** adds primary care services and SANG to the explanation where it describes the types of infrastructure covered.
133. Other policies including DE6, DE7 and DE8 make provision for sport and recreation. Specific site allocations (SP2.3, SP6, SP7, SP8 and SP10) refer to the provision of infrastructure arising from those sites. The large site at Wellesley (Policy SP5) provides for significant infrastructure. The importance of the links between the Infrastructure Plan and Policy SP5 is clarified through **MM63** and this is necessary for effectiveness.
134. The Council has not yet introduced the Community Infrastructure Levy (CIL). Until CIL is introduced the Council will continue to rely on planning obligations to secure infrastructure. In order to ensure the plan is positively prepared, **MM68** is necessary to explain the role of the Council in dealing with planning obligations and pooled contributions including SANG, supported by changes through **MM60, MM61** and **MM62**. **MM64** is a necessary consequential change.

135. **MM62** is also required as it clarifies the Council's position on viability, and it is therefore needed for effectiveness. The approach to viability is further explained through **MM14** in the accompanying text for the Spatial Strategy, which sets out the Council will seek an open book viability assessment, and commission an independent review of the assessments. This provides a more transparent approach which would be available to those who are interested in relevant planning applications, and is justified.

#### *Critical infrastructure*

136. Three of the site allocations (SP10, SP5 and SP1.4) would be likely to have a significant impact on gas infrastructure within the Borough. In addition, extensions or reinforcement proposals are unlikely to be developed by the gas provider in advance of developer requests via the formal connections process. There is some spare capacity within the existing Waste Water Treatment Works for the area. However, this is limited. It is necessary to ensure that applicants enter into early dialogue with Thames Water and the Environment Agency in relation to sewage treatment and capacity, and the gas provider.
137. The change to Policy IN1 in MM68 sets out expectations for early dialogue with relevant infrastructure providers and will ensure that significant impacts are considered early in the process. Necessary consequential changes are set out in **MM65** and **MM66**. In order for the policy to be effective, **MM67** is necessary to provide an explanation of how the decision maker should approach proposals where there is a potential loss or reduction in the capacity of an existing service or facility.

#### *Overall conclusion on Infrastructure*

138. Subject to these MMs the LP is reasonable in terms of infrastructure provision and it will be effective in bringing forward early dialogue to ensure potential issues are raised early in the planning process. It will ensure that the development is not unnecessarily delayed, and is therefore sound.

#### **Issue 9 – Whether the site allocations are appropriate and whether they will be effective**

139. A number of the site allocation policies including Town Centre allocations referred to 'working with partners' to bring forward development proposals with little indication of how a planning application would be determined. To provide clarity to the decision maker and how they should react to a proposal, a number MMs are needed to these policies. Modifications are required through **MM26, MM31, MM40, MM53,** and **MM58** and also **MM24**. These modifications assist the effectiveness of the relevant policies, and are necessary.

#### *Wellesley (SP5)*

140. This site allocation is for the Aldershot urban extension known as Wellesley. The policy seeks to deliver a significant proportion of the Borough's housing numbers. This site is on surplus military land of 150 hectares, and has been available since 2001. Outline planning permission was granted in 2014, and

it is already being built out against a delivery plan for the planned duration of the scheme until 2032. The permission includes 3,850 new homes, and a number of site requirements which are reasonable and proportionate with a Section 106 agreement that includes provision for affordable homes, transport improvements and other infrastructure.

141. The anticipated delivery rates for the homes are challenging, with significant amounts being planned to be delivered between April 2020 and March 2032. The area is already subdivided, and each area is programmed for delivery either by the same housebuilder with different brands or by separate builders. This is a realistic and appropriate approach to such a scheme. The major infrastructure to each zone is provided by the developer commissioned to oversee the development, which contributes significantly to a more prompt delivery of individual zones. Some development has been completed or is nearing completion including the building of a primary school necessary for the development. The scheme also makes sufficient provision for SANG to support the development, ensuring that residential development is not delayed. Quarterly and annual reports are submitted to the Council providing updates of completions.
142. There was no evidence presented to the examination to suggest that the build out rates are not achievable. Whilst the Council's estimates of annual delivery on the site are ambitious, ultimately on the basis of considering the positive factors of delivery set out above, the development is reasonably likely to achieve the delivery rates. The theoretical capacity built in to the overall housing requirement does account for any slowdown in build out rates. Its contribution to the overall housing numbers and knock on effects of assisting in the regeneration of Aldershot are of significance, and its allocation is justified.
143. In order to ensure that once it has been completed the new Local Neighbourhood Centre at Wellesley forms part of the retail hierarchy, and to ensure consistency with other retail centres, **MM15** is required to Policy SS2, as well as a consequential change to the accompanying text in **MM13**.
144. In order to ensure that consideration of development within the Wellesley site where this may affect historic assets within Policy SP5 is consistent with Policy HE1, **MM51** is required in stating that development should conserve and enhance the relevant conservation areas and their settings.

#### *The Galleries (SP1.4)*

145. This site allocation includes a multi-storey car park and the Arcade, as well as The Galleries shopping centre which is now closed. This allocation is a significant part of Aldershot Town Centre, and it would make a considerable contribution to residential development as well as other town centre uses. It is a phased scheme and the phasing is reasonable and represents a realistic approach to the development of the site. There is the opportunity to develop a gateway site into the town centre when arriving from the east, which would be acceptable in this area. This could be in the form of a change in building heights with the potential for a taller building to be constructed, as provided for within the policy. It is necessary to amend the

explanation through **MM25** to provide clarity on what may be appropriate in terms of building lines and heights. Other policies within the Plan such as DE1 would provide additional guidance for the decision maker in determining planning applications for taller buildings, and therefore no further changes are necessary. **MM26** is also needed to reflect the need for smaller dwelling units within the Town Centre as this is identified as a particular requirement within the SHMA.

*Union Street East (SP1.5)*

146. This is another large site within Aldershot Town Centre with the potential for redevelopment and refurbishment providing residential development and other uses. The policy is sound subject to **MM27** which reflects the latest understanding on the potential capacity of the site, and that there is a focus on bringing forward active town centre uses, this is necessary for effectiveness. The approach to the capacity of the site is realistic, and although viability is a consideration for the development of the site, there is no evidence that this would prevent a suitable scheme from coming forward at the proposed capacity.

147. 'Active town centre uses' are defined in the Glossary in **MM127** as a consequential change to Policies SP1.4 and SP1.5. This is necessary in order for these policies to be effective.

*Hippodrome House (SP1.6)*

148. This is another Aldershot Town Centre site which has the potential to provide both residential accommodation and town centre uses. The Council acknowledges that the site can be brought forward either through redevelopment or refurbishment. **MM30** and **MM29** are therefore necessary to reflect this within the policy to make it effective. The modification to the policy is also needed to set out the latest position with regards to potential capacity, and to remove references to the scale of development, as the policy already acknowledges it as a prominent gateway site. **MM28** confirms the position regarding landownership and its subsequent effect on the buildings to be covered by the site allocation.

*Aldershot Railway Station and surrounds (SP1.8)*

149. The proposed redevelopment for land at Aldershot Railway Station is set out in Policy SP1.8. This allocation seeks to improve the area surrounding the entrance to the train station. Alternative access, and possibly decking the existing car park following demolition of Penmark and Progress House, may not be a viable and workable alternative, and would not necessarily meet the objectives of the policy.

150. There is no detailed evidence to indicate that the allocation of the site and its requirements would have a negative effect on traffic movement to and from the station and on bus provision. The allocation is justified, and the Policy will be effective in delivering its objectives subject to **MM32** to clarify that the re-provision, not relocation, of the bus station is being sought.

*Farnborough Civic Quarter (SP2.3)*

151. This site is located close to the town centre and is home to a number of civic facilities. It is intended to be comprehensively redeveloped and it would make a significant contribution to the town centre principles of Policy SP2. Given the importance of the site and the number of likely stakeholders involved in the redevelopment of this site, additional wording to the explanation of Policy SP2.3 is added through **MM39** to ensure that redevelopment of the site is delivered working in partnership with these stakeholders.

*Meudon House/117 Pinehurst (SP7)*

152. The site is in two separate ownerships and is unlikely to be brought forward as a single comprehensive development. Policy SP7 therefore should be sufficiently flexible to provide for the site coming forward as two parcels of land, and **MM53** is therefore necessary. MM53 also sets out the latest figures on site capacity.

*Aldershot Military Town (SP9)*

153. Aldershot Military Town is home to the Aldershot Garrison which includes personnel accommodation, training facilities and land, administrative offices, workshops and stores as well as a number of sports facilities. In order to acknowledge the potential implications of operational and defence requirements within the area covered by Policy SP9, additional wording on how the policy requirements of the LP will be addressed, and to provide further explanation of bullet (i) of the Policy **MM54**, is needed. In order to be effective and justified the policy needs to set out that development within the area will be supported subject to certain criterion, and the first part of the paragraph is amended accordingly in **MM55**.

*Blandford House and Malta Barracks (SP10)*

154. This site is allocated for residential development and accompanying infrastructure. It is a key element of the delivery of SANG within the Borough. In order to represent the most up to date position in capacity, the housing number is adjusted from 150 to 165 homes in **MM56** and **MM58**. The wording in relation to SANG has also been made clearer in MM58. To ensure consistency between Policy SP9 and Policy HE2 of the LP, the wording in relation to demolition of Buildings of Local Importance in the accompanying text has been removed in **MM57**.

*Conclusions on site allocations*

155. Subject to the recommended MMs, the site allocations are appropriate and would be effective in supporting the spatial strategy and also the objectives for the Town centres.

## **Other Matters**

### *Health and well-being*

156. The policies within the Plan will contribute to the overall health and well-being of the residents and employees within the Borough. However, the role of health and well-being as being a key challenge was not recognised in the LP. This is rectified through **MM4** and is amended following the consultation on the MMs to incorporate the latest data on health issues from 2018 within the Borough.
157. I have considered whether Bovis Units, the application of the Gigahertz scale or energy grids could be used in measuring or monitoring the effects of the LP or in determining room sizes or the effect of trees on the quality of life of residents in the Borough. There is no national guidance or support for these methods. The monitoring of the LP is robust and there is no evidential support for an alternative approach. The LP requirements in terms of room sizes and the natural environment will contribute to the positive health and well-being of the residents of the Borough. It is therefore not necessary to include references to these other measures to make the plan sound.

## **Public Sector Equality Duty**

158. In arriving at my conclusions on the issues I have had regard to the Public Sector Equality Duty contained in the Equality Act 2010 and the Council's Equality Impact Assessment (CD/01/09). In particular in relation to the protected characteristics of older people, gypsies and travellers and those with disabilities, the policies will have a generally positive impact.

## **Assessment of Legal Compliance**

159. My examination of the legal compliance of the Plan is summarised below. The LP complies with all relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

### *Habitat Regulations Assessment*

160. The HRA including Appropriate Assessment sets out that the Plan may have some negative impacts but mitigation is secured through the plan and through the Council's approach to the provision of SANG in particular.

### *Sustainability Appraisal*

161. Sustainability Appraisal has been carried out on the LP and the MMs, and has been adequate.

### *Local Development Scheme*

162. The LP has been prepared in accordance with the Council's Local Development Scheme.



*Statement of Community Involvement*

163. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement.

**Overall Conclusion and Recommendation**

164. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

165. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix, the Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Louise Gibbons*

Inspector

**This report is accompanied by an Appendix containing the Main Modifications.**