

## **The Rushmoor Plan: Development Affecting Public Houses Supplementary Planning Document (SPD)**

### **Consultation Statement**

Regulation 12 Town and Country Planning (Local Development) (England) Regulations 2012

#### **Persons consulted when preparing the supplementary planning document**

The Development Affecting Public Houses SPD was subject to public consultation for a period of 6 weeks between 11<sup>th</sup> February 2015 and 25<sup>th</sup> March 2015. Copies of the draft document and supporting information (namely a Strategic Environmental Assessment Determination and the Statement of Matters and Availability (see Appendix 1)) were made available to view at the following locations during opening hours:

- Rushmoor Borough Council Offices
- Aldershot Library
- Farnborough Library

The SPD and supporting information was also made available to view online at [www.rushmoor.gov.uk/spds](http://www.rushmoor.gov.uk/spds) (see Appendix 2 and Appendix 3).

Representations were invited via post or via email.

#### *Consultation letters and emails*

The Council notified all registered members on the Rushmoor Local Plan consultation database. The database covers a wide range of stakeholders including local residents, businesses, statutory bodies such as English Heritage and civic groups such as the Farnborough Society and Aldershot Civic Society. In total, there are approximately 900 contacts on the database. The majority of members were contacted via email (see Appendix 4) and those without an email address were contacted via post (see Appendix 5).

#### *Documents available on the Council's website*

Copies of the draft SPD and the Strategic Environmental Assessment Determination were made available to view/download on the Council's website at [www.rushmoor.gov.uk/spds](http://www.rushmoor.gov.uk/spds) and <http://www.rushmoor.gov.uk/publichousesspd>.

#### *Press Release*

A press release was published by Rushmoor Borough Council on the 13<sup>th</sup> February 2015 (see Appendix 6) following approval from Cabinet to undertake public consultation. The press release was circulated to the following local newspapers:

- Aldershot News and Mail
- Farnham Herald
- Basingstoke Gazette
- Hampshire Chronicle
- Surrey Advertiser
- Hampshire Independent
- Surrey and Hampshire News

### **Summary of the main issues raised by those persons**

A total of twelve individuals and organisations responded to the draft SPD. The comments made are set out in full in the schedule attached as Appendix 7.

There was general support for the SPD from local civic bodies, community groups and the Campaign for Real Ale, who were keen to see the protection of public houses as assets of community value.

Concerns were expressed by Planning Agents, particularly those representing clients with an interest in public house redevelopment, that the SPD criteria were too exhaustive.

### **How those issues have been addressed in the supplementary planning document**

The Officer comments relating to these concerns and how they have been addressed in the final version of the SPD can be found in Appendix 7.

## Appendix 1 Statement of SPD Matters and Availability

### **The Rushmoor Plan: Draft Development Affecting Public Houses Supplementary Planning Document (SPD)**

#### **Statement of SPD Matters and Availability**

Regulation 12 Town and Country Planning (Local Development) (England) Regulations 2012

Title: Draft Development Affecting Public Houses Supplementary Planning Document

Area Covered: Rushmoor Borough

**Subject Matter:** The Development Affecting Public Houses SPD seeks to introduce further guidance in relation to how we determine planning applications that would result in the loss of a public house.

**Representation Period:** 11 February 2015 – 25 March 2015

Copies of the draft documents and the supporting information are available to view at:

- Rushmoor Borough Council Offices between 8:30am and 5pm Monday to Thursday, and between 8:30am and 4:30pm Friday
- Aldershot Library, 109 High Street, Aldershot, Hampshire GU11 1DQ at the following times:
  - Monday 9.30am - 7pm
  - Tuesday 9.30am - 5pm
  - Wednesday 9.30am - 5pm
  - Thursday 9.30am - 7pm
  - Friday 9.30am - 5pm
  - Saturday 9.30am - 4pm
  - Sunday 10am - 2pm
- Farnborough Library, Pinehurst, Farnborough, GU14 7JZ at the following times:
  - Monday 9.30am - 7pm
  - Tuesday 9.30am - 6pm
  - Wednesday 9.30am - 6pm
  - Thursday 9.30am - 6pm
  - Friday 9.30am - 7pm
  - Saturday 9.30am - 5pm
- Online at [www.rushmoor.gov.uk/spds](http://www.rushmoor.gov.uk/spds)

**Representations to be sent to:**

Planning Policy Team, Rushmoor Borough Council, Council Offices, Farnborough Road, Farnborough, Hants GU14 7JU

Or by email to [plan@rushmoor.gov.uk](mailto:plan@rushmoor.gov.uk)

**Adoption Notification:** If you wish to be notified of the adoption of this SPD, please request this as part of your submissions.

## Appendix 2 Supplementary Planning Document webpage

The screenshot shows a web browser window displaying the Rushmoor Borough Council website. The browser's address bar shows the URL <http://www.rushmoor.gov.uk/spds>. The website header features the council's logo and a navigation menu with items like Home, Your Council, Environment, Planning, Housing and Benefits, Community and Leisure, Business and Licensing, Travel and Parking, Health and Support, Education, and About Rushmoor. A search bar is also present.


The main content area is titled "Supplementary planning documents, development briefs and other advice notes". It includes a sidebar on the left with a "You are in Planning" section and a list of links to various supplementary planning documents, such as "Aldershot town centre - supplementary planning document" and "Draft Farnborough civic quarter masterplan supplementary planning document".

The main text area contains the following information:

- Supplementary planning documents, development briefs and other advice notes**
- Find out more about our supplementary planning documents and development briefs.
- Supplementary planning documents (SPDs) provide policy guidance to supplement the policies and proposals in the Development Plan.
- Development briefs provide information about the constraints and opportunities presented by a particular site.
- Consultations**
  - [Draft Farnborough civic quarter masterplan supplementary planning document](#)
  - [Draft Development affecting public houses - supplementary planning document](#)
- Supplementary planning documents**
  - [Aldershot town centre - supplementary planning document](#)
  - [Aldershot Urban Extension - supplementary planning document](#)
  - [Buildings of local importance supplementary planning document](#)
  - [Car and cycle parking standards - supplementary planning document](#)
  - [Shop front design guide - supplementary planning document](#)
  - [Farnborough town centre - supplementary planning document](#)
  - [Housing density and design - supplementary planning document](#)
  - [Planning obligations and Community Infrastructure Levy \(CIL\) - supplementary planning document](#)
  - [Sustainable design and construction - supplementary planning document](#)
  - [Telecommunications - supplementary planning document](#)
  - [Transport contributions - supplementary planning document](#)

On the right side, there is a "Contacts" section with the email [plan@rushmoor.gov.uk](mailto:plan@rushmoor.gov.uk) and telephone number 01252 398789, and a "Share this page" section with social media icons for Facebook, Twitter, LinkedIn, Google+, Reddit, Tumblr, and Delicious.

# Appendix 3 Draft Development Affecting Public Houses SPD consultation webpage


A A A | Languages | Help using this site | Contact us

Do it online
A-Z

Search

Home
Your Council
Environment
Planning
Housing and Benefits
Community and Leisure
Business and Licensing
Travel and Parking
Health and Support
Education
About Rushmoor

Home > Planning > Planning policies > Supplementary planning documents, development briefs and other advice notes > Draft 'Development affecting public houses' supplementary planning document

## Draft 'Development affecting public houses' supplementary planning document

You are in Planning

Planning policies

Rushmoor Core Strategy

Supplementary planning documents, development briefs and other advice notes

Aldershot town centre - supplementary planning document

Aldershot Urban Extension - supplementary planning document

Buildings of local importance supplementary planning document

Car and cycle parking standards - supplementary planning document

Draft Farnborough civic quarter masterplan supplementary planning document

Shop front design guide supplementary planning document (SPD)

Financial contributions for open space

Farnborough town centre - supplementary planning document

Housing density and design - supplementary planning document

Planning obligations and Community Infrastructure Levy (CIL) supplementary planning document

Sustainable design and

Telecommunications - supplementary planning document

Transport contributions - supplementary planning document

Draft 'Development affecting public houses' supplementary planning document

**We're seeking to provide further guidance about ion to how we determine planning applications that would result in the loss of a public house.**

The recognition of public houses as a community facility in the National Planning Policy Framework (NPPF) means that any policies in the Rushmoor Plan referring to community facilities should also cover the public house use.

Policy CP10 (Infrastructure Provision) of the Core Strategy relates to community facilities and includes the following wording:

"CP10 - Infrastructure Provision

Development will be permitted provided that the following criteria are met:

f. There is no loss or reduction in capacity of existing infrastructure, including community facilities. These will be protected unless:

1. It can be proven that there is no longer term need for the facility, either for its original purpose or for another facility that meets the need of the community; or
2. It is to be re-provided elsewhere to the satisfaction of the Council."

It is considered necessary to provide further guidance about criteria (f)(1) and (f)(2) when looking at the loss of public houses to other uses that are not covered by permitted development rights. In considering criterion (f)(1), this supplementary planning document (SPD) proposes a standard, consistent approach to demonstrating that there is no longer-term need for the facility. In considering criterion (f)(2), this SPD seeks to establish the existing provision of public houses across Rushmoor in respect of their accessibility to local residents.

**Your views on the draft 'development affecting public houses' SPD**

We are consulting on the [Draft development affecting public houses SPD \[1Mb\]](#). You can email or send your comments to our Planning Policy and Conservation team using the contact details on this page.

We need to receive your comments by 5pm on Wednesday 25 March.

**Strategic environmental assessment**

The council, in consultation with the Environment Agency, English Heritage and Natural England, decided that under Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004, a strategic environmental assessment (SEA) was not needed for the 'development affecting public houses' SPD. It was also agreed that a habitats regulations assessment (HRA) was not required.

For details, see the [Strategic environmental assessment/habitats regulations assessment screening determination \[377kb\]](#) document.

A - Z of Council Services

ABCDEFGHIJKLMNOPQRSTUVWXYZ

Related documents

Draft development affecting public houses SPD [1Mb]
 Public houses SEA/HRA screening determination [377kb]

Share this page

Facebook
 Twitter
 LinkedIn
 Google+
 Reddit
 Tumblr
 Delicious

## Appendix 4 Email to consultees

You forwarded this message on 11/02/2015 11:49.

From: Samuel Rimmington  
To: Nick Irvine  
Cc:  
Subject: Rushmoor Plan - Notification of Public Consultation

Message: Reg 12 Statement of Matters and availability Civic Quarter.pdf Reg 12 Statement of Matters and availability public houses.pdf

Dear Sir/Madam,

**Draft 'Farnborough Civic Quarter Masterplan' Supplementary Planning Document (SPD) consultation; and**

**Draft 'Development Affecting Public Houses' SPD consultation**

In October 2011, Rushmoor Borough Council adopted a key planning document known as the Core Strategy. This sets out planning policies that will guide future development in the Borough up to 2027. To help to implement some of these planning policies, the Council has prepared draft guidance for consultation as set out below.

Farnborough Civic Quarter Masterplan SPD

The Farnborough Civic Quarter Masterplan SPD seeks to bring forward the aspirations of the Farnborough Town Centre SPD (adopted 2007) through the delivery of a masterplan for the Civic Quarter encompassing the existing library, leisure centre, police station (now vacant), the community centre and Westmead House. The principal objectives of the masterplan are to:

- Create a mixed-use development that provides a positive contribution to the revitalisation of Farnborough town centre, including the re-provision of existing community uses;
- Deliver a form of development based on the principles of sustainability;
- Provide a framework for a viable and vibrant mixture of land uses suited to a civic quarter;
- Create a strong new identity;
- Encourage quality throughout and suggest a means of achieving some degree of local distinctiveness;
- Improve accessibility and permeability between Farnborough town centre and Farnborough Business Park to capitalise upon potential lunchtime trade.

The SPD also places major emphasis on phasing and implementation to ensure that the vision is deliverable.

Development Affecting Public Houses SPD

The Council is seeking to introduce further guidance in relation to how we determine planning applications that would result in the loss of a public house. The recognition of public houses as a community facility in the National Planning Policy Framework (NPPF) means that any policies within the Rushmoor Plan that refer to community facilities should also cover the public house use.

It is considered necessary to provide further guidance in relation to Policy CP10 (Infrastructure Provision) of the Core Strategy through the introduction of a standard, consistent approach to demonstrating that there is no longer term need for the public house. The SPD also seeks to establish the existing provision of public houses across the Borough in respect of their accessibility to local residents.

Details on where both of the SPDs can be viewed can be found in the attached 'Statement of SPD matters' document.

**A staffed exhibition will be taking place between the hours of 10am and 4pm on Saturday 28 February and Friday 20 March at Princes Mead shopping centre in support of the Farnborough Civic Quarter Masterplan.**

See more about: Samuel Rimmington.

## Appendix 5 Letter to consultees



Council Offices, Farnborough Road,  
Farnborough, Hants. GU14 7JU  
Tel: (01252) 398 333

Website: [www.rushmoor.gov.uk](http://www.rushmoor.gov.uk)

Your reference

Contact: Nick Irvine

Our reference

Telephone: 01252 398739

Email: [plan@rushmoor.gov.uk](mailto:plan@rushmoor.gov.uk)

Date: 10 February 2015

Dear Sir/Madam,

**Draft 'Farnborough Civic Quarter Masterplan' Supplementary Planning Document (SPD) consultation; and**

**Draft 'Development Affecting Public Houses' SPD consultation**

In October 2011, Rushmoor Borough Council adopted a key planning document known as the Core Strategy. This sets out planning policies that will guide future development in the Borough up to 2027. To help to implement some of these planning policies, the Council has prepared draft guidance for consultation as set out below.

### Farnborough Civic Quarter Masterplan SPD

The Farnborough Civic Quarter Masterplan SPD seeks to bring forward the aspirations of the Farnborough Town Centre SPD (adopted 2007) and devise a masterplan for the Civic Quarter encompassing the existing library, leisure centre, police station (now vacant), the community centre and Westmead House. The principal objectives of the masterplan are to:

- Create a mixed-use development that provides a positive contribution to the revitalisation of Farnborough town centre, including the re-provision of existing community uses;
- Deliver a form of development based on the principles of sustainability;
- Provide a framework for a viable and vibrant mixture of land uses suited to a civic quarter;
- Create a strong new identity;
- Encourage quality throughout and suggest a means of achieving some degree of local distinctiveness;
- Improve accessibility and permeability between Farnborough town centre and Farnborough Business Park to capitalise upon potential lunchtime trade.

The SPD also places major emphasis on phasing and implementation to ensure that the vision is deliverable.

### Development Affecting Public Houses SPD

The Council is seeking to introduce further guidance in relation to how we determine planning applications that would result in the loss of a public house. The recognition of public

**Chief Executive Andrew Lloyd • Director of Resources Ian Harrison • Director of Community & Environment David Quirk**

**Email: [customerservices@rushmoor.gov.uk](mailto:customerservices@rushmoor.gov.uk)**

**DX122260 FARNBOROUGH 2**

houses as a community facility in the National Planning Policy Framework (NPPF) means that any policies within the Rushmoor Plan that refer to community facilities should also cover the public house use.

It is considered necessary to provide further guidance in relation to Policy CP10 (Infrastructure Provision) of the Core Strategy through the introduction of a standard, consistent approach to demonstrating that there is no longer term need for the facility. The SPD also seeks to establish the existing provision of public houses across the Borough in respect of their accessibility to local residents.

Details on where both of the SPDs can be viewed can be found in the attached 'Statement of SPD matters' document.

A staffed exhibition will be taking place between the hours of 10am and 4pm on Saturday 28 February and Friday 20 March at Princes Mead shopping centre in support of the Farnborough Civic Quarter Masterplan.

Please send any comments that you may have to Planning Policy at the address at the top of this letter or email them to [plan@rushmoor.gov.uk](mailto:plan@rushmoor.gov.uk) . Comments should be received by 5pm on 25 March 2015.

Yours faithfully,



Nick Irvine  
Senior Planning Officer  
Planning Policy and Conservation



# Appendix 6 Press Release by Rushmoor Borough Council

The screenshot shows the Rushmoor Borough Council website. At the top, there is a navigation menu with links for Home, Your Council, Environment, Planning, Housing and Benefits, Community and Leisure, Business and Licensing, Travel and Parking, Health and Support, Education, and About Rushmoor. A search bar is located in the top right corner. The main content area features a news article titled "Council agrees consultation on improved development protection for public houses", dated 13 Feb 2015. The article text discusses the council's decision to consult on a supplementary planning document (SPD) for public houses, mentioning that there are around 40 public houses in the area and that the council is seeking to introduce greater control. A feedback form is visible at the bottom of the article, asking if the user found what they were looking for. To the right of the article, there are sections for "Related links", "Contacts", and "Share this page". The "Share this page" section includes social media icons for Facebook, Twitter, LinkedIn, Google+, Reddit, Tumblr, and Delicious. At the bottom of the page, there is a section titled "A - Z of Council Services" with a horizontal menu of letters from A to Z.

http://www.rushmoor.gov.uk/article/8224/Council-agrees-consultation... Council agrees consultatio...

RUSHMOOR BOROUGH COUNCIL

Do it online A-Z Enter a keyword Search

Home Your Council Environment Planning Housing and Benefits Community and Leisure Business and Licensing Travel and Parking Health and Support Education About Rushmoor

Home > News > February 2015 > Council agrees consultation on improved development protection for public houses

Media release - issued 13 Feb 2015

## Council agrees consultation on improved development protection for public houses

Rushmoor Borough Council's Cabinet has approved a six-week consultation on a planning document that may lend some protection to pubs under the threat of redevelopment.

The Cabinet, meeting on February 10, agreed to publish for consultation a draft supplementary planning document (SPD), "Development Affecting Public Houses."

There are around 40 public houses in Aldershot and Farnborough, but a number have been lost recently due to redevelopment or switching to a retail use without the need for planning permission, while others lie vacant and boarded up. The council considers that where possible, some form of greater control should be introduced.

Once adopted, the planning document would not mean that all public houses will be saved, but where an alternative use is proposed that requires planning permission, there will be a series of criteria that would have to be met for planning permission to be granted. If those criteria were not met, then it would be possible for the council to refuse planning permission for the proposal.

The recognition of public houses as a community facility is contained in the National Planning Policy Framework (NPPF) which says that there should be no loss or reduction in capacity of existing infrastructure, including community facilities, and that these will be protected unless it can be shown that there is no longer term need for the facility. This would be either for its original purpose, for another facility that meets the need of the community or where the facility is to be re-provided elsewhere to the satisfaction of the council.

The supplementary planning document (SPD) provides further guidance when looking at the loss of public houses to other uses that are not covered by permitted development rights. It proposes a consistent approach to demonstrating that there is no longer-term need for the facility and establishes the current provision of public houses in the borough.

The six week consultation is now on line at our [Draft 'Development affecting public houses' supplementary planning document](#) web page and respondents have until 25 March to comment.

Councillor Roland Dibbs, Rushmoor Borough Council's Cabinet Member for Environment and Service Delivery, said: "Rushmoor's public houses need to be protected where they are economically viable so this planning guidance gives us an opportunity to offer a little more protection when developers buy up sites. I hope that we will get a good response to the consultation."

You are in News

February 2015

- Free information forum for private landlords and letting agents in Rushmoor
- Council welcomes police action against shop selling legal highs
- Opening marks start of new era for Farnborough market
- Take away makes major improvements and scores top marks
- Have your say on the regeneration of Farnborough
- Keep your family safe - make your home smokefree
- A little bit of Italy arrives in Farnborough
- Council agrees design guide for shop fronts
- Council agrees consultation on improved development protection for public houses
- Businesses invited to take free training courses
- Cabinet agrees to look further at two options for Aldershot Lido
- Major improvement needed in food hygiene and health and safety at grocers
- Farnborough market move confirmed
- Funding for community projects in Rushmoor
- Academy of Hard Knocks returns

Related links

- Draft 'Development affecting public houses' supplementary planning document

Contacts

Communications  
communications@rushmoor.gov.uk  
Tel: 01252 398744  
Fax: 01252 524017  
[View full details](#)

Share this page

- Facebook
- Twitter
- LinkedIn
- Google+
- Reddit
- Tumblr
- Delicious

Did you find what you were looking for?

Yes

No

Submit ▶

A - Z of Council Services

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

## Appendix 7 Development Affecting Public Houses Supplementary Planning Document – Consultation Responses and Officer Comments

Respondent	Response	Officer Comment
<p><b>Aldershot Civic Society</b></p>	<p>The Aldershot Civic Society and its members have been concerned for a while about the frightening rate at which our public houses have been lost. Whilst we accept that it could be argued that there are less people using public houses, this does not match the amount of pubs being lost in our area, and unfortunately even successful pub businesses are unable to compete with the financial gain of converting them to supermarkets or residential use.</p> <p>Public Houses give local neighbours and communities a place to meet up, and are general open 7 days a week, daytime and evenings. They are hugely valuable to local people and it is very important to do all we can to make sure they retain their pivotal place in our local communities. It should also be noted that public houses are places of employment, and this should also be considered.</p> <p>This is why the Civic Society joined up with the local CAMRA group and the Aldershot History Society to start a campaign to save our local pubs.</p> <p>The Aldershot Civic Society welcomes and would like it noted that we support the implementation of the “Draft 'Development affecting public houses' supplementary planning document”.</p> <p>We also feel that the document needs to include the living space used for the landlord/landlady and their family. For example in Annex A the accommodation needs to be noted as well as listing the gardens and car park, as we see all too often public houses being split from their living accommodation making it difficult to</p>	<p>Comments noted.</p> <p>Ancillary accommodation has been added to the criteria in Annex A of the document.</p>

Respondent	Response	Officer Comment
	<p>function as a pub with a live in family running it in the future.</p> <p>We look forward to hearing your responses to this consultation, and to a hasty implementation of this planning document.</p>	
<p><b>Campaign for Real Ale (CAMRA)</b></p>	<p>On behalf of the Surrey Hants Borders branch of the Campaign for Real Ale, I would like to respond to the consultation on the Supplementary Planning Document, relating to Development Affecting Public Houses.</p> <p>Firstly I warmly welcoming the proposal and consultation. I believe the protection of public houses in Rushmoor is very important and look to this SPD to set out how applicants should justify their proposals for change of use, conversion or redevelopment of pub sites. In particular criteria are needed for the assessment of applications for development proposals affecting the loss of current or former public houses. Broadly I believe that your proposed document does this, although I do have a number of comments as to how I consider it might be improved.</p> <p>Paragraph 5.1 of the draft recommends that a public house be marketed for 12 months as a public house free of tie and restrictive covenant. However Annex A then refers to a minimum period of 6 months. I am hoping this is simply a drafting error as I would strongly advocate that the 12 month period should be included in the document. Pub sales are generally quite slow so a 6 month attempt to sell is too short. There are examples of other Councils' who require a 12 month period, followed by a further 12 months when the pub has to be marketed as a wider community facility, before housing or other commercial uses are considered. However, I do feel that two years is probably too long to keep a building potentially empty in</p>	<p>Comments noted.</p> <p>Annex A has been amended to reflect paragraph 5.1 i.e. a marketing period of 12 months.</p>

Respondent	Response	Officer Comment
	<p>Rushmoor.</p> <p>In relation to the price it is marketed at I believe this needs to be set by an independent RICS valuer and paid for by vendor and this should be made explicit in the SPD. This will stop disputes about whether it has been marketed at a realistic price, such as recently been the case with Wellingtons, Farnham. Although the inspector dismissed the applicants appeal, there was clearly time and resource expended on this, which could have been avoided if clear guidance had been readily available</p> <p>The SPD should reflect the potential heritage importance of a site. Where statutorily or locally listed development proposals must not have a detrimental impact on the design, character and heritage of the existing premises or the wider streetscape.</p> <p>In Annex B it is stated that the CAMRA Public House Viability Test, or a similar objective evaluation method, has to be employed to assess the viability of the business and the outcomes have to demonstrate that the public house is no longer economically viable. Ideally I would like to see the use of the CAMRA viability test being a pre-requisite. However, if this is not possible I would certainly like to see some opportunity to approve the methodology used, to stop someone making up their own evaluation method, which may not be fit for purpose.</p> <p>In Annex C, I consider the 800m radius proposed to be far too high for a predominantly urban area such as Rushmoor. This is a long way for members of the community to travel and at a time of increasing social isolation and the problems that causes this, is something to protect. Indeed I would suggest that the radius</p>	<p>The SPD requires evidence that the asking price/valuation is appropriate for a trading public house without tie. In the event that an application is presented to the Council for determination, it is likely that marketing information will be provided in support of the change of use. As such, the period of marketing will have already been concluded and there will be little option to influence marketing value. No recommended change.</p> <p>Buildings that are locally/statutorily listed are offered protection by policies outside of the remit of the SPD. The list of public houses included does indicate whether the building is a nationally or locally listed building. No recommended change.</p> <p>Criteria amended to introduce the option to seek approval from CAMRA regarding the proposed viability methodology.</p> <p>800m has been applied as an approx. 10 minute walk time. Having considered the comments, Planning Policy see merit in applying the suggested approach by CAMRA i.e. the developer will be required to demonstrate that there are good walking routes to an alternative facility.</p>

Respondent	Response	Officer Comment
	<p>requirement in omitted altogether. Instead I would suggest the developer be required to demonstrate there are good walking routes to an alternative facility or the good public transport links are available from the closing site to another pub. Good it this context should be taken to mean an opportunity to use public transport after last orders and also enable travel on a Sunday.</p> <p>The SPD correctly makes reference to the relevance of CP10, in relation to Infrastructure Provision. However, it could also usefully also cross reference CP8, related to employment provision. As well as being important community facilities, pubs also play an important role in providing places of employment and this need to be recognised in the Document.</p> <p>Section 7 of the document rightly lists the public houses to which the SPD relates, there is clearly something of a judgement call as to what constitutes a public house, but I have listed below suggested alterations to the list. The provision of pubs is something which is fluid over time, if this SPD had been written 18 months ago the Gloster for example would not have been included. The proposed Wellesley development is likely to include pubs that you would wish to be covered by the policy. I would therefore recommend that a sentence is included along the lines that whilst the list will be updated periodically any new public houses opened in the area will be deemed to also be covered by these policies.</p> <p>Regarding the detail of Section 7 I would suggest the following amendments:</p> <ul style="list-style-type: none"> <li>• Bar One, 51 High Street, Aldershot, GU11 1BH (whilst currently a bar/nightclub historically this has been a public</li> </ul>	<p>The focus of policy CP8 is on introducing employment generated by traditional B-class uses. It is therefore relevant to the issues covered by the SPD.</p> <p>Officers support the introduction of a caveat stating that any new public houses opened in the area will be deemed to also be covered by the SPD requirements.</p> <p>Comments noted. Changes made accordingly. Given the current state of The Lord Campbell building (following a fire), it is unlikely that the pub could be reopened.</p>

Respondent	Response	Officer Comment
	<p>house, the Pegasus)</p> <ul style="list-style-type: none"> <li>• Lord Campbell, 40 Alexandra Road, Aldershot, GU11 1QP (still standing and could be restored)</li> <li>• Popworld, 132-134 Victoria Road, Aldershot, GU11 1JX (until recently this was a Yates' pub)</li> <li>• Willems Park, 7 Wellington Avenue Aldershot GU11 1SQ</li> </ul>	
<p><b>Colin Gibbons – Development Planning Services</b></p>	<p>In its current form, the Draft presents draconian and virtually unworkable requirements for the consideration of a Change of Use (outside PD changes). It seems to demonstrate little practical knowledge of a failing business, particularly when measured against the requirements of Annexes A, B and C which can really only be carried out if the premises are financially viable at the time. The Draft is aimed, therefore, at licensed premises which voluntarily wish to seek a change of use, not under financial duress. However much the community may wish to retain a Pub, if the income is not there to support it (and bear in mind that it is the community itself that must sufficiently use it) it will fail.</p> <p>Furthermore whilst it might be argued that any future closure has had prior knowledge of the requirements, that certainly cannot be said of any premises that were already closed at the time of the Draft. Therefore, it should be made clear that the SPD cannot be applied retrospectively. In such cases, consideration of a Change of Use must be made against the Policies which applied at the time.</p>	<p>The public usage of a public house is not the sole determining factor of a viable business. For example, it may be the case that the premises is poorly managed and would be viable under a different ownership.</p> <p>The SPD will not be applied to applications that have been validated prior to its adoption.</p>
<p><b>English Heritage</b></p>	<p>I confirm by way of this e-mail that English Heritage generally supports the SPD as often the best way to retain the character and significance of historic public houses is to keep them in viable use for their original function. We have no specific comments on the draft SPD.</p>	<p>Comments noted.</p>
<p><b>Environment Agency</b></p>	<p>Thank you for consulting us on the Draft 'Farnborough Civic</p>	<p>Comments noted.</p>

Respondent	Response	Officer Comment
	<p>Quarter Masterplan' Supplementary Planning Document (SPD); and Draft 'Development Affecting Public Houses' SPD.</p> <p>We have no comments to make on either consultation.</p>	
<p><b>Farnborough Street Residents Association</b></p>	<p>FSRA raise no objection to this draft plan. It is important that historical buildings are protected from irreplaceable loss.</p> <p>Any application for change of use or development of a proposed site should be backed up with proof that the site has not been financially viable for 4 years and that the site was marketed to reflect businesses true status. Any building of local or historical importance should be protected.</p> <p>However: Where a public house has been in administration we would like to see the financial proof to cover the period of business for 4 years prior to the business going into administration.</p> <p>Note – The Imperial Arms, Farnborough Street is a Building of Local Importance, this is not noted on the list in Appendix 7.2 and we would like this noted in your deliberations.</p>	<p>Comments noted.</p> <p>Planning Policy consider that 4 years is an excessive amount of time to demonstrate that the business has been unviable. As set out in the SPD, 12 months is considered to be an appropriate period for marketing</p> <p>Buildings of local importance are offered protection by existing policies within the Core Strategy and will seek to be retained in the first instance.</p> <p>The consultation version of the SPD included reference to The Imperial Arms being a Building of Local Importance. This will be included in the adopted version.</p>
<p><b>Gillian Doughty</b></p>	<p>I am pleased to see the council addressing the issue of the future of our public houses in the borough. Too many have been lost recently because breweries are able to make it difficult for landlords/landladies to run them profitably, thus enabling the sale of their assets. These businesses are a community asset, giving a focal point to the areas in which they are situated and aiding the sense of community. Anything which can be done to</p>	<p>Comments noted.</p>

Respondent	Response	Officer Comment
	stop the loss of them is most welcome.	
<b>Gregory Gray Associates on behalf of Inland Homes</b>	<p>Gregory Gray Associates is instructed by Inland Homes to raise strong objection to the consultation draft of the above document. Our client has an interest in the Ham and Blackbird public house, which appears in the list of 'safeguarded' public house sites within the SPD. Our client's objections relate to both the general terms of the document which are in conflict with the policies of the NPPF, and also to the specific inclusion of the Ham and Blackbird in the accompanying list.</p> <p>Conflict with the NPPF Chapter 8 of the NPPF seeks to 'promote healthy communities' and sets out (in para.70) how planning policies should be used 'to deliver the social, recreational and cultural facilities and services the community needs'. The first bullet point of this paragraph confirms that 'community facilities' can indeed include public houses. However, it is the second bullet point of paragraph 70 which is relevant to this proposed SPD since it relates to the loss rather than the provision of community facilities. It states that planning policies and decisions should:</p> <p><u>"Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs".</u> (underlining added)</p> <p>The NPPF therefore, is quite clear that planning policies should only guard against the loss of 'valued' facilities. This clearly requires the application of a test as to the value of the facility and its contribution towards the community's ability to meet its day-to-day needs prior to the application of any policy seeking to guard against its loss.</p>	



Respondent	Response	Officer Comment
	<p>Para. 5.1 of the draft SPD states that “The Council supports the retention of public houses and recognises the social value that they can contribute”. Despite this apparent recognition that not all public houses will have a social value, Section 5 of the draft SPD indicates that the loss of any existing public house will only be justified where it can be proven that there is no longer term need for the facility. No assessment as to whether the public house is a ‘valued’ facility is proposed and accordingly the draft SPD does not accord with the terms of para.70 of the NPPF.</p> <p>Instead, the applicant is required to demonstrate, by means of a 12 month marketing exercise that there is no market interest in the site and that all reasonable efforts have been made to preserve the facility but it has been demonstrated that it is not economic to do so.</p> <p>Marketing does not provide any guide as to the social or community value of a facility and in the absence of such an assessment, the proposed SPD imposes an unreasonable burden upon the applicant.</p> <p>Para.19 of the NPPF confirms that “The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth”. It goes on to state at para. 153 that “Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens of development”.</p>	<p>Officers do not agree with this interpretation of national policy. There is evidently a separate process outside planning legislation that establishes ‘assets of community value’ – i.e. the social value. As a recognised ‘community facility’, policy already exists in the Core Strategy in respect of a need to demonstrate that there is no longer term need for the facility, either for its original purpose or for another facility that meets the needs of the community. This SPD seeks to elaborate on this policy and provide consistency in our approach to determining applications that will result in the loss of a public house. If a pub chooses to close its doors and seek a change of use, we would argue that this is an unnecessary loss unless the reasons for the proposal can be demonstrated by the landlord/owner/licensee.</p> <p>Officers do not agree. Marketing is an established measure that is used within a number of use classes to establish that there is no further demand for the existing use. This is not considered an unreasonable burden.</p> <p>The SPD provides clarity on the approach outlined in adopted local policy, and therefore aid applicants, where it is required to demonstrate that there is no longer term need for a community facility – an unnecessary loss in the context of the NPPF.</p>

Respondent	Response	Officer Comment
	<p>The requirement to market the property for a 12 month period and to demonstrate a lack of economic viability imposes a significant time and financial constraint on future developers and, under the terms of the SPD as currently drafted, would apply to all public houses regardless of whether or not they have any community value. The indiscriminate application of such a policy will ultimately discourage investment in underused sites which are in need of regeneration and which would be better suited for alternative uses.</p> <p>Para. 14 of the NPPF makes clear that in respect of both plan-making and decision-taking, sustainable development should be supported unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.</p> <p>The proposed SPD fails to accord with para. 70 of the NPPF as it includes no test of the value of the facility and also fails to take account of other core planning principles set out in the Framework such as the support for sustainable economic growth and the re-use of previously developed sites. Our client raises strong objection to the fact that it could be adopted as a 'material consideration' in future planning decisions despite this obvious conflict with national policy and without it having been subject to the rigours of independent examination.</p> <p>In assessing criterion F2 of CP10, the Council have chosen to adopt an approach which seeks to establish the existing provision of public houses across the Borough in respect of their accessibility to local residents. This is contained in Section 6 of the draft SPD and requires evidence that alternative public</p>	<p>A marketing period of 12 months is considered reasonable. It is a relatively short time frame in terms of development cycles, and is considered the shortest amount of time required to be certain that the public house does not have a viable future. We would require similar evidence in support of the loss of other uses and this is consistent with approaches elsewhere.</p> <p>The SPD adds clarity to the issues to be considered when the loss of a public house is proposed, and enables the component parts of sustainable development to be weighed fairly and reasonably.</p> <p>Officers do not agree with the assertion that there is an obvious conflict with national policy. The NPPF states that policies should plan positively for the provision and use of community facilities in order to enhance the sustainability of communities. Policy CP10 of the Core Strategy accords with this principle. The SPD provides clarity of the application of policy CP10 in the context of public houses. It is absolutely in keeping with the spirit of the policies in the NPPF.</p>

Respondent	Response	Officer Comment
	<p>houses are within easy walking distance of the public house the subject of any application.</p> <p>It is considered that this is an entirely inappropriate criterion to adopt since it assumes that only a public house can meet the needs of the community and fails to take account of the appropriateness of such facilities and of developing social trends.</p> <p>Public houses can undoubtedly, in certain areas, provide a significant community facility. However the very nature of their use makes them inherently unsuitable to serve various parts of the community (e.g. children) as a result of their opening hours, sale of alcohol, potential to attract anti-social behaviour etc. Other community venues, such as schools, community halls, or leisure centres may be much more appropriate in serving the needs of the wider community.</p> <p>In addition, the requirement for there to be an alternative public house within walking distance is out-moded and fails to take account of changing social interactions resulting from social media and a boom in coffee shops.</p> <p>Objection to the Inclusion of Ham and Blackbird as 'Safeguarded' Site</p> <p>The Ham and Blackbird Public House was closed in March 2014 as the owner (not our client) considered that its continued operation was unviable. Since this time, two planning applications have been submitted for the redevelopment of the site for alternative purposes comprising residential development and the provision of a community venue with associated areas</p>	<p>If the existing, established use is a public house, then it is entirely appropriate to ensure that the loss of such a use would not affect the community's ability to meet its day-to-day needs i.e. the community who choose to drink in public houses. A school would not meet the needs of this section of the community.</p> <p>Again, users of a public house are unlikely to value a coffee shop as an alternative.</p>

Respondent	Response	Officer Comment
	<p>of public open space.</p> <p>The most recent application was consideration by the Council's Planning and Development Committee on 7th January 2015 (ref: 14/00702/FULPP). In respect of the loss of the public house, it concluded "the loss of the public house is considered to be acceptable having regard to the particular circumstances of this case in the light of the guidance provided by the NPPF concerning community facilities, and would not conflict with the requirements of Core Strategy Policy CP10".</p> <p>Since the principle of the loss of the Ham and Blackbird Public House has already been considered by the Local Planning Authority and deemed to be acceptable, it would be totally inappropriate to include it on the list of 'safeguarded' sites. In the eventuality that the SPD is adopted and an alternative scheme is proposed for the site, an unreasonable requirement would be placed on the applicant in order to justify an action already accepted by the LPA.</p> <p>Accordingly, it is requested that the Ham and Blackbird Public House be removed from the list of 'safeguarded' sites contained within Section 7 of the draft SPD.</p> <p>Conclusions  Para. 70 of the NPPF indicates that planning policies should guard against the loss of valued community facilities. The draft SPD does not contain any assessment of the community value of a site and imposes blanket requirements that would apply to all sites currently or formerly in public house use.</p> <p>The requirements are overly onerous and would impose</p>	<p>By its nature, planning policy will change over time. Once adopted, the SPD will provide additional guidance to support CP10 of the Core Strategy.</p> <p>It is proposed to retain the Ham and Blackbird Public House on the list of 'safeguarded' sites until a point when the principle of the use of the land has changed.</p>

Respondent	Response	Officer Comment
	<p>indiscriminating and unjustified restrictions on all new development on public house sites contrary to the objectives and policies of the Framework.</p> <p>In failing to assess the value of an existing facility and in requiring alternative accessible public house provision, the Council is failing to take account of the changing nature of social interactions and how they are increasingly being met through the use of social media and in alternative community venues such as coffee shops and leisure centres.</p> <p>The loss of the Ham and Blackbird has already been deemed acceptable by the LPA and so it should be removed from the list of safeguarded' sites set out within the document.</p> <p>I would be grateful if our client's strong objection could be taken into account and that, if the Council continues with its proposal to provide supplementary planning guidance on this subject, the draft SPD be significantly modified in order to address the concerns outlined above.</p>	
<b>Rodney Roadknight</b>	<p>While I understand the concerns over the closing and changing of Public House's in Aldershot the point has to be noted that there are far too many in this area.</p> <p>People aren't going to them as much as they are becoming expensive and people can buy drinks far cheaply from supermarkets.</p> <p>If they close, i would much rather see them changed into house's or local shops than just be boarded up for years on end.</p>	<p>Comments noted. The SPD seeks to ensure that every opportunity has been made to retain the public house. The loss of the use will be subject to the applicant demonstrating that the public house is no longer viable or valued by the local community.</p>
<b>Roger Deason</b>	<p>A few comments in response to your current consultation.</p> <p>1) The documents lists the period for which the pub is to be offered at a realistic price etc. as 6 months at one point and 12</p>	<p>Comments noted. Change has been made to ensure the document is consistent (i.e. 12 months).</p>



Respondent	Response	Officer Comment
	<p>effect on design, character and heritage of the existing premises and / or locality.</p> <p>All in all though I welcome the concept of a Pubs Protection Policy and think the policy being consulted on is an improvement on where we are now. I hope that you will look at strengthening it as it moves forward to possible adoption.</p>	<p>Comments noted.</p>
<b>vendin@talktalk.net</b>	<p>Marketing has to be with an accessible estate agent. With the Garden Gate, it was a one man band who never returned calls.</p> <p>Pubs may be left empty, but in some cases they are occupied and a retrospective planning application is put in for permitted development.</p> <p>In some cases a pub can be viable with change of landlord.</p>	<p>Comments noted.</p>
<b>Waverley Borough Council</b>	<p>Thank you for consulting Waverley on the above documents. We do not have any comments to make.</p>	<p>Comments noted.</p>