

**17TH JANUARY 2023**

**KEY DECISION? NO**

**UPDATE ON PLANNING POLICY MATTERS**

**SUMMARY AND RECOMMENDATIONS:**

The Levelling Up and Regeneration Bill (LURB) has now passed to the House of Lords and is likely to become law in the early part of 2023. The Council has an obligation to review its Local Plan by April 2024 and this needs to take account of the Council's declaration of a Climate Emergency and the development of the Hampshire Local Transport Plan (LTP4). However, given the significance of the LURB it is wise to wait until this act has become an act and guidance is available. So it is likely the review will not be completed until around September 2023.

During this transitional period the Civic Quarter Planning Application has been developed with the principles of sustainable development which is well located in centrally accessible locations, has high density, is mixed use and which aims through its master planning to make activity travel and public transport journeys the modes of choice not only for the development itself but also for existing land uses nearby and adopting the 15 minute neighbourhood concept. This is in accordance with the yet to be adopted LTP4. In order to facilitate support for the Civic Quarter in principle in October 2022 Hampshire County Council adopted a local policy for Farnborough and is seeking reassurance that Rushmoor Borough Council supports that policy and the principles of rebalancing land use planning towards decarbonisation and place making rather than the functional imperative of movement of cars.

The Council can provide this reassurance and help meet its shared commitment to addressing the Climate Emergency by expressing its policy support and reviewing its Car and Cycle Parking Standards SPD.

**Recommendation(s)**

1. Note the timescales for review of the Rushmoor Local Plan and commit to support the principles of LTP4 in the development of a future Local Plan
2. Support the principle of reallocating road space in order to enable development of the Farnborough Civic Quarter Masterplan and the policy adopted by Hampshire County Council
3. The Local Plan Strategic Housing Group undertakes a reviews of RBC's Car and Cycle Parking Standards SPD to reflect the priorities of LTP4, the lessons from the development of the major Town Centre Regeneration Schemes in Rushmoor and developments in mobility that are underway.

## **1. INTRODUCTION**

- 1.1. The purpose of this report is to update the Cabinet on four areas of planning policy, to seek support for the policy adopted by Hampshire County Council to facilitate the Civic Quarter application and to recommend that the Car and Cycle Parking Standards Supplementary Planning Document (SPD) is reviewed taking into account the principles of the emerging Hampshire Local Transport Plan (LTP4), lessons from town centre regeneration and developments in mobility.

## **2. BACKGROUND**

### **Levelling Up and Regeneration Bill (LURB)**

- 2.1. There have been a number of updates on the LURB in the past months, most notably the letter issued by Michael Gove to MPs on 5<sup>th</sup> December 2022. The letter sets out the key changes to the planning system which are proposed to be introduced through the LURB and commits the Government to consultation on a number of these issues and on a revised National Planning Policy Framework (NPPF).
- 2.2. Michael Gove's letter covered a number of areas of planning including housing need for local plans, design codes, the 'soundness' test, five year housing land supply, national development management policies, the Infrastructure Levy, and the duty to cooperate requirement. There will be some key changes for new local plans, the implication of which is set out below in the Local Plan section. There will also be some financial implications for the Council arising from the changes to planning fees, changes to council tax for empty properties and the Infrastructure Levy. The new planning fees and changes to council tax are likely to provide additional income for the Council but the extent of this is still unknown. At this stage it is unknown how the revenue to support infrastructure delivery under the Infrastructure Levy will differ from the current S106 system.
- 2.3. The LURB has completed its journey through the House of Commons and is now moving through the House of Lords. Provided that there are no further delays, the Bill is expected to reach royal ascension in the first half of 2023 and supplementary guidance and secondary legislation will then follow. In the meantime the Government launched a consultation on a revised NPPF on 22 December 2022 with a closing date for consultation responses of 2 March 2023.

### **Local Plan**

- 2.4. The Rushmoor Local Plan was adopted in April 2019. There is a requirement to review Local Plans every five years and so the Local Plan must be reviewed by April 2024. This review will conclude whether a new Local Plan must be prepared for Rushmoor. Without prejudicing the outcome of such a review, it is likely that the review will conclude a new Local Plan will need to

be prepared for Rushmoor due to existing changes to the NPPF since the original 2012 version and the changes which will come forward as a result of the LURB and revised NPPF.

- 2.5. While the Rushmoor Local Plan is in relative terms up to date, it should be noted that quite apart from the impacts arising from the LURB there has been substantial change in the policy environment since its adoption. Perhaps most significant is the increased emphasis on Climate Change. This applies across a swathe of policy areas including through the legislative changes gradually being implemented from the Environment Act 2022. Transport planning has also undergone a seismic change and new Local Transport Plans are requiring transformational change which will have significant land use implications and need alignment of policy with Local Plans.
- 2.6. The Council has been waiting to understand the impacts of the changes to the planning system coming through the LURB before completing a review of the current Local Plan and beginning preparation of a new Local Plan. The impacts of and timescales for the new planning system are now clearer following the publication of the revised NPPF consultation. Even if work on the new Local Plan starts this year, it is unlikely that the new Local Plan would be adopted until 2026 due to the need to gather evidence and undertake consultation and examination in public. Therefore, it will still be a number of years before the changes to the policy environment will be reflected in Local Plan policies.

#### **Local Transport Plan (LTP4)**

- 2.7. Hampshire County Council (HCC) has a statutory requirement to have a Local Transport Plan (LTP) which sets out its vision for future transport and travel infrastructure. The existing Local Transport Plan (LTP3) was developed in 2011 and is no longer relevant to today's challenges and opportunities. Over the last two years HCC have been developing a new Local Transport Plan (LTP4) which sets out the transport vision for 2050. The draft LTP4 was consulted on between April and June of last year (2022). The County Council are awaiting publication of Government guidance on LTPs before formally adopting the plan but anticipate formal adoption being recommended in the Summer of 2023.
- 2.8. The two guiding principles of the LTP4 are to significantly reduce dependency on the private car and to provide a transport system that promotes high quality, prosperous places and puts people first. Compared with the LTP3, LTP4 proposes transformational change which shifts away from planning for vehicles towards planning for people and places. It also focuses on meeting national priorities to decarbonise the transport system, reducing reliance of private car travel, supporting sustainable economic development regeneration and promoting active lifestyles.
- 2.9. The principles set out in LTP4 support the Council's declaration of a Climate Emergency and commitment to address carbon reduction in both its own activities and across the Borough.

- 2.10. There is therefore a need to align transport planning (a HCC function) with land use planning (a Rushmoor function). The LTP4 will be a key evidence document for the preparation of a new Local Plan for Rushmoor which will reflect the principals of reducing dependency on the private car and providing a transport system that promotes high quality, prosperous places and puts people first. Of significance for the local plan is the underpinning evidence base which has identified that in order to achieve carbon neutrality and be compliant with the Climate Change Act 2008 not only do all private vehicles need to convert to be electric but there will also need to be a level of traffic reduction of circa 10% (from pre-covid traffic levels). In practice this means the LTP4 is likely to be supportive of sustainable development which is well located in centrally accessible locations, has high density, is mixed use and which aims through its master planning to make activity travel and public transport journeys the modes of choice not only for the development itself but also for existing land uses nearby.
- 2.11. As set out above, the preparation of a new Local Plan is on hold pending the publication of the LURB and its supporting guidance and we are awaiting the next stages of the LTP4 to establish its final form. The Council can therefore only at this stage commit itself to supporting the principles of LTP4 as far as the new Local Plan is concerned. However in the interim, it is proposed that the Council reviews its Car and Cycle Parking Standards SPD to see to reflect the priorities of LTP4, the lessons from the development of the major Town Centre Regeneration Schemes in Rushmoor and developments in mobility that are underway.
- 2.12. The Local plan will also need to have regard to new guidance released by the DfT <https://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development>. This also places a significant emphasis on integrating land use and transport planning and demonstrating compliance with carbon pathway reductions leading to carbon neutrality by 2050.

### **Local Cycling and Walking Infrastructure Plan (LCWIP)**

- 2.13. The LCWIP for Rushmoor is being prepared by Hampshire County Council (HCC) and charity Sustrans in partnership with Rushmoor. The LCWIP is a strategic approach to identifying walking and cycling improvements required at a local level. It enables a long-term approach to developing walking and cycling networks and will increase the number of trips made on foot or by cycle.
- 2.14. The draft LCWIP was prepared through work with a variety of stakeholders and then consulted on between July and September 2022. Building on the feedback received during the consultation, there has been ongoing work to prioritise the improvements and develop a phased programme for future investment. The prioritisation exercise has identified the top 10 cycles route sections and core walking zone routes for improvement. The top 10 cycle route sections are made up of 6 sections in Farnborough, 1 section in North

Camp and 3 sections in Aldershot. The top 10 core walking zone routes are made up of 6 routes in Aldershot and 4 routes in Farnborough.

- 2.15. The final LCWIP will take account of the consultation feedback and incorporates the prioritisation of cycle and walking routes. It anticipated that the final LCWIP will be adopted in early 2023. It will then form the evidence for the spending of existing funds, bidding for additional funds to improve walking and cycling infrastructure and future requests for contributions from s106 where related to relevant developments in the Borough.

### **Rushmoor Climate Strategy 2020-2030**

- 2.16. The Rushmoor Climate Change Strategy 2020-2030 sets out the borough council's vision for addressing the challenges and opportunities presented by climate change. The strategy is underpinned by four principles, including the ambition that "the built environment and infrastructure reflect sustainability whilst enabling prosperity".
- 2.17. The strategy notes the function that the borough council plates in leading, facilitating, enabling and delivering activities to tackle climate change as well as the importance of the strategy as a framework for aligning the council's activities on climate change.

## **3. DETAILS OF THE PROPOSAL**

### **General**

- 3.1. It is proposed that the Council reviews its Car and Cycle Parking Standards SPD in light of the priorities of LTP4 and the principles developed in developing the Town Centre regeneration in the Borough.
- 3.2. HCC are preparing the LTP4 which was consulted on in 2022. The Plan proposes transformation changes which shift away from planning for vehicles towards planning for people and places, in particular one of the guiding principles is to significantly reduce dependency on the private car. As detailed above, the preparation of the Local Plan is currently on hold and therefore a review of the SPD provides the opportunity to see how far the priorities of LTP4 can be implemented locally in advance of the new Local Plan.
- 3.3. The development of Union Yard and Civic Quarter Schemes have shown how the approach to mobility is developing and changing. In particular it has highlighted the potential for Car Clubs and the potential for shared use of parking space in sustainable locations. This means that for large town centre schemes a more nuanced approach than simple car parking ratios may be the more appropriate approach and that achieving effective land use and off street parking management will be essential to the regeneration of the Town Centres.
- 3.4. In particular in considering the implications of the Civic Quarter scheme Hampshire County Council on 3 October 2022 agreed a report on Transport

Proposals Supporting Economic Development in Farnborough. This report established local policy view in advance of LTP4 which supports the proposed changes to the transport network. This is without prejudice to the detailed development management consideration of specific proposals. It recognised that the intensification of Town Centre uses and greater mixture of land uses aligns well with the decarbonisation agenda.

- 3.5. The historic approach to both A roads which frame Farnborough Town Centre and which form part of the strategic road network, has been to operate and manage the roads with the dominant functional imperative being about facilitating the movement of vehicles. As a result, these roads are not attractive or comfortable to cross on foot or by cycle except at some of the higher quality subway crossing points. The Masterplan proposals are aiming to better connect the town centre with its immediate residential catchment area and to improve the attractiveness of sustainable access options. Of particular note are the junction changes proposed on both A roads. These effectively reallocate road space currently used by vehicles to create new public realm, better development plots or to support other modes of transport. In practice this means reducing capacity for vehicles and giving it over to active modes or regeneration schemes and as such it marks a significant shift in planning and transport policy.
- 3.6. The County Council agreed the following Policy Principle which rebalances transport priorities:

“The County Council supports the principle of reallocating road space in order to enable development of the Farnborough Civic Quarter Masterplan, subject to the conditions of support outlined in the main body of this report.”
- 3.7. In light of the significance of this policy shift the County Council is seeking reassurance that the policy base and practices of both authorities align and that the Borough is committed to discharging its functions such as land use planning and off-street parking operations and practices applying a similar rebalancing principle and approach.
- 3.8. In the development of the Civic Quarter schemes detailed modelling has taken place on the appropriate charging for residential permits. Therefore, in tandem with the development of the SPD and in accordance with work that will be required if the Civic Quarter Scheme is approved a review of the appropriate charging regime for the Town Centres and Farnborough in particular should be undertaken to align the Council’s aspirations for regeneration and parking and ensure that the detailed modelling on which the scheme is based is not undermined. For awareness, the modelling is consistent with the emerging LTP4 as it is predicated upon a modal shift being achieved to active travel and public transport which allows the vehicle capacity of the key junctions to be reduced without detrimental impact on congestion levels.
- 3.9. A review of the SPD will also enable the LCWIP to be taken into account which seeks to increase the number of people walking and cycling in Rushmoor (and, conversely, reduce the number of people relying on a

private car for all journeys). An SPD cannot create new policy however officers are satisfied that there is sufficient policy basis to make the exercise worthwhile. It will not need to go through an examination process, so an update of the SPD can be done much quicker than a Local Plan.

- 3.10. The proposal will affect the whole Borough as it sets the car and cycle parking requirements for all new development.

### **Alternative Options**

- 3.11. The Council could choose not to support the local policy adopted by Hampshire County Council with regards to Farnborough Town Centre. However in these circumstances there would not be a basis for the support of the proposals by the County Council.
- 3.12. The other alternative option is not to review the Car and Cycle Parking Standards SPD. This was rejected because it would not allow for any alignment between LTP4 and local planning policy in advance of the preparation of a new local plan and is intrinsic to supporting the policy change for Farnborough Town Centre.

### **Consultation**

- 3.13. No consultation on this report has been undertaken. However, if it is decided that an update to the SPD is required, consultation will be undertaken including formal consultation in line with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

## **4. IMPLICATIONS (of proposed course of action)**

### **Risks**

- 4.1. There are not considered to be any risks from supporting the policy change proposed by Hampshire County Council. However if the report were not agreed it would have implications for determining the Civic Quarter Planning Application.

### **Legal Implications**

- 4.2. There are no legal implications of the review. If it is decided that an update to the SPD is required, officers will ensure that the legal requirements for preparation of an SPD under the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) are met.

### **Financial and Resource Implications**

- 4.3. There are no finance or resource implications as the review will be done within existing officer capacity. When the Local Plan review moves forward a separate report detailing what will be the significant implications of that work will be presented to Cabinet

## **Equalities Impact Implications**

- 4.4. There are not considered to be any equalities impact implications of the review. However, if it is decided that an update to the SPD is required, officers will consider whether an equalities impact assessment is necessary.

## **Other**

- 4.5. There are not considered to be any other implications.

## **5. CONCLUSIONS**

- 5.1. The policy environment is undergoing a generational shift particularly due to climate change. Unfortunately the changes to governing frameworks have been slowed by political events and the time it takes to develop and consult on legislation. During this period it is important to reflect the Council's priorities as far as possible in reviewing its policy and practices. The Civic Quarter Planning Application has provided an opportunity to develop a major regeneration scheme taking account of the key principles of future policy.
- 5.2. Rushmoor Borough Council has declared a Climate Emergency and has supported the development of the Civic Quarter application applying the principles outlined in this report to reflect that ambition. Cabinet and members have been engaged in discussion on the principles underlying the application and have been supportive.
- 5.3. By setting a clear direction and undertaking work that is possible at the present time the Council can move forward with the agenda to which it is committed while awaiting legislation to enable the wider review of the Local Plan.

## **BACKGROUND DOCUMENTS:**

Transport Proposals Supporting Economic Development in Farnborough (HCC, October 2022)

[Transport Proposals Supporting Economic Development in Farnborough-2022-10-03-ELMTES Decision Day \(hants.gov.uk\)](#)

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