

28 May 2019

REPORT NO. EPSH1927

KEY DECISION? YES

## REVOCATION OF FOUR SUPPLEMENTARY PLANNING DOCUMENTS

### SUMMARY AND RECOMMENDATIONS:

Following the adoption of the Rushmoor Local Plan in February 2019, approval is sought to revoke four Supplementary Planning Documents (SPDs) that are now out of date.

**It is recommended that Cabinet, in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, revoke the following supplementary planning documents with effect from Monday 10 June 2019:**

- **Aldershot Urban Extension SPD (Adopted 2009)**
- **Housing Density and Design SPD (Adopted 2006)**
- **Sustainable Design and Construction SPD (Adopted 2006)**
- **Telecommunications SPD (Adopted 2006)**

### 1. INTRODUCTION

- 1.1. This report summarises the reasons why four Supplementary Planning Documents should be revoked following the adoption of the Rushmoor Local Plan.
- 1.2. This is a key decision, because the revocation of the Supplementary Planning Documents affects all parts of the Borough.

### 2. BACKGROUND

- 2.1. The Rushmoor Local Plan was adopted on the 21st February 2019 to guide the location, scale and type of future development in Rushmoor Borough up to 2032 and provide detailed development management policies to be used in determining planning applications. The Local Plan has replaced the Core Strategy (adopted 2011) and saved policies from the Rushmoor Local Plan Review (adopted in 2000).
- 2.2. There are currently twelve adopted Supplementary Planning Documents (SPDs) that were produced to provide additional guidance to support the policies and proposals in the Core Strategy and Rushmoor Local Plan Review, which as noted above have since been superseded.

- 2.3. National Planning Practice Guidance (NPPG) states that SPDs should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. In addition, the guidance makes it clear that SPDs should not add unnecessarily to the financial burdens on development (for example by introducing requirements that will increase development costs).
- 2.4. The adopted SPDs all 'hang off' policies contained within planning documents that have been superseded by the Rushmoor Local Plan (e.g. the Core Strategy and / or Local Plan Review Saved Policies). However, a number of the existing SPDs are referred to in the recently adopted Local Plan.

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

- 3.1. It is recommended that Cabinet approve the revocation of four SPDs. The following section provides a short summary of the reasons why each of the SPDs should be revoked.

#### Aldershot Urban Extensions SPD

- 3.2. The document was adopted in 2009 to set out a vision and key objectives for development on the Surplus Military Land and its purpose was to guide development of the AUE. In the ten years since the document was adopted, the AUE (Wellesley) has planning consent (ref 12/00958/OUT) and the early phases are complete. The Local Plan (2019) contains a detailed section on Wellesley (section 7.5) and a detailed Policy (SP5) that cross-references the design codes agreed as part of the planning application.

#### Housing Density and Design SPD

- 3.3. The document was adopted in 2006 to promote well designed housing at an appropriate density for the location of new development. It is not intended to impose detailed design control. The SPD pre-dates the National Planning Policy Framework (NPPF) (2012) and is based upon the policies of the Rushmoor Local Plan Review (1996).
- 3.4. The NPPF (updated 2019) promotes making efficient use of land (Chapter 8) and achieving well-designed places (Chapter 9). In addition, the recently adopted Local Plan (2019) contains detailed design policies set out in Chapter 9.2 (Design in the Built Environment).

### Sustainable Design and Construction SPD

- 3.5. The document was adopted in 2006 to raise awareness of the impact new development has on the environment and to encourage proposals to minimise this impact. It establishes principles rather than setting prescriptive standards.
- 3.6. The SPD cross-references the Local Plan Review (1996 policies) and emerging Core Strategy Policies and pre-dates the NPPF. Since the SPD was adopted, National Policy has been updated to cover components of sustainable design and construction, Building Regulations have improved significantly in terms of building energy efficiency and linked to this the government have limited local planning authorities' ability to set local standards for energy performance.

### Telecommunications SPD

- 3.7. The document was adopted in 2006 to provide guidance for those involved in planning and designing of new telecommunications development. Since the adoption of the SPD, telecommunications technology and its supporting infrastructure have advanced rapidly and this is likely to continue into the future.
- 3.8. The SPD cross-references the Local Plan Review (1996 policies) and emerging Core Strategy Policies and pre-dates the NPPF. The Rushmoor Local Plan (2019) contains a Policy IN3 – Telecommunications that provides the policy framework against which planning applications for infrastructure (including telecommunications) will be determined. In addition, telecommunications technology and the supporting infrastructure is a fast moving area.

### **Alternative Option**

- 3.9. The alternative option would be not to revoke the four SPDs. However, this would conflict with the purpose of SPDs, which is to provide more detailed advice or guidance on policies in an adopted local plan.

### **Consultation**

- 3.10. Officers have undertaken a review of the portfolio of adopted SPDs and a paper was taken to Strategic Housing and Local Plan Group (SHLPG) on 27 March 2019, which recommended that the four SPDs detailed in this report be revoked as soon as practicable.
- 3.11. If Cabinet agrees to revoke the four SPDs, the Council will publish a statement to confirm the revocation of the SPDs on the Council's website

and all physical and digital copies of the documents will be removed from the Council Offices, reference libraries and the Council's website.

## **4. IMPLICATIONS**

### **Risks**

- 4.1. There are not considered to be any risks associated with the implementation of the recommendations of this report.

### **Legal Implications**

- 4.2. The Council will need to publish a statement confirming the revocation of the SPD(s) in accordance with Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

### **Financial and Resource Implications**

- 4.3. There are not considered to be any financial implication arising from the decision.

### **Equalities Impact Implications**

- 4.4. The purpose of this report is to revoke four Supplementary Planning Documents which are out of date. Due to the nature of the topics covered by the documents and the fact that that recently adopted Local Plan was supported by an Equalities Impact Assessment there are not considered to be any equalities implications.

## **5. CONCLUSIONS**

- 5.1. The Council has a portfolio of supplementary planning documents that are based on planning documents that have since been superseded by the adopted Local Plan.
- 5.2. The recommendation to revoke the four supplementary planning documents detailed in Section 3 has the support of the Strategic Housing and Local Plan Group (SHLPG).
- 5.3. The revocation of the SPDs will ensure that only relevant supplementary planning guidance is retained.

### **BACKGROUND DOCUMENTS:**

The current suite of Supplementary Planning Documents can be viewed via:

<https://www.rushmoor.gov.uk/spds>

**CONTACT DETAILS:**

**Report Author** – Ian Mawer / [ian.mawer@rushmoor.gov.uk](mailto:ian.mawer@rushmoor.gov.uk) / 01252 398733

**Head of Service** – Tim Mills / [tim.mills@rushmoor.gov.uk](mailto:tim.mills@rushmoor.gov.uk) / 01252 398542