

The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	David Stevens
Application No.	19/00517/FULPP
Date Valid	6th August 2019
Expiry date of consultations	5th December 2019
Proposal	Refurbishment and amalgamation of existing Units 2A & 3 Blackwater Shopping Park, including removal of existing mezzanine floors, revised car parking and servicing arrangements; relief from Condition No.4 of planning permission 93/00016/FUL dated 10 January 1994 to allow use as a foodstore (Use Class A1) with new mezzanine floor to provide ancillary office and staff welfare facilities, ancillary storage and plant machinery areas; use of part of new foodstore unit as self-contained mixed retail and café/restaurant use (Use Classes A1/A3); loss of existing parking spaces to front of proposed foodstore to provide new paved area with trolley storage bays and cycle parking; installation of new customer entrances to new units; widening of site vehicular access to Farnborough Gate road to provide twin exit lanes; and associated works
Address	Units 2A and 3 Blackwater Shopping Park 12 Farnborough Gate Farnborough
Ward	Empress
Applicant	Lothbury Property Trust Company Ltd
Agent	Quod
Recommendation	REFUSE

Description & Relevant Planning History

The site is located within the Blackwater Shopping Park, formerly known as Farnborough Gate. The Shopping Park comprises a complex of retail outlets in a terraced L-shaped configuration. There are also two detached buildings, a McDonalds restaurant/drive-through takeaway (Unit 1) and a Costa coffee shop (Unit 1A), on either side of the entrance road. The sole vehicular access for customers and servicing is from the dual carriageway Farnborough-Frimley link-road to the north, which also adjoins the interchange for the A331 Blackwater Valley Relief Road. The Shopping Park currently has 652 car parking spaces, most of which are in front of the retail outlets. Approximately 30 of these spaces are at the rear and these are

predominantly used by staff.

The parking spaces are privately owned and managed by the operators of the Shopping Park, a night-time management regime closes the majority of the parking area when the retail outlets close, but maintains access and parking for McDonalds. Servicing takes place to the rear of the main building terrace. There is a pedestrian footpath from Farnborough Road (A325) near the 'Bradfords' petrol filling station, which adjoins the Shopping Park at the south-west corner. A motor vehicle repair workshop at the rear of the petrol station abuts part of the south boundary, together with the Ringwood Road sports pitches. The nearest residential properties are in Ringwood Road, on the opposite side of Farnborough Road at Lancaster Way to the west, and the travellers quarters on the opposite side of the link-road to the north.

With the exception of Boots (Unit 5), which sells a small amount of food (sandwiches, etc) the retail units sell non-food products only. They currently consist of one electrical store (Currys/PC World : Unit 8), a nursery/babywear store (Mamas and Papas : Unit 6A), a homeware store (Homesense : Unit 7), a chemists (Boots : Unit 5) a motor accessory/bicycle store (Halfords : Unit 3) and three clothes retailers (Outfit (Unit 4), TKMaxx (Unit 2) and Next Clearance (Unit 2A). A further homeware store (Bensons Beds) occupied Unit 6, which is currently vacant.

Four Poplar trees adjoining the site to the east are subject to Tree Preservation Order 186. A public footpath (20b) adjoins the Shopping Park to the east. Beyond this boundary is the Guildford to Reading railway line and the River Blackwater traversing a narrow strip of land between the Shopping Park and the A331 road. A slip-road leaves the A331 to join the link-road to the north-east of the Park.

The original planning permission for the Shopping Park (93/00016/FUL) is subject, amongst other things, to use and floorspace restrictions. The retail outlets are restricted by Condition No.4 to the retail sale of non-food goods only. Condition No.5 requires that the total floorspace of the retail units not exceed that which had been permitted originally, including any ancillary office floorspace; and that no additional floorspace be created within the retail outlets without planning permission first being obtained from the Council. These conditions were imposed to ensure compliance with the development proposals as submitted; and also to ensure adequate car parking provision was available to serve the development.

Planning permission was granted in July 2005 for the installation of a mezzanine floor in the Halfords Unit (Unit 3) to provide an additional 430 sqm of floorspace (to create a total of 1541 sqm), 05/00334/FUL. This permission was implemented and the Halfords store has operated with it for approximately 15 years.

A certificate of lawful use was granted in May 2006 for a mezzanine floor in the former Courts unit (now Next Clearance and TK Maxx : Units 2 and 2A), 06/00201/PDC.

Planning permission was granted in October 2006 for the installation of a mezzanine floor in the Outfit unit (Unit 4), to provide an additional 790 sqm of floorspace, 06/00606/FUL. This has been implemented.

In January 2007 an application was withdrawn for the installation of a mezzanine floor in Unit 5 (now Boots) to provide 600 sqm of additional retail floor space resulting in total floor area of 1245 sqm, 06/00743/FUL. This application had been recommended for refusal to the Development Management Committee on the basis that there were sequentially preferable sites to provide additional retail floorspace and that it had not been demonstrated that there

was sufficient car parking to serve the development. A similar application for the adjoining Bensons Bed unit (Unit 6, currently vacant) was also recommended for refusal for the same reasons and subsequently withdrawn, 06/00742/FUL.

In January 2009 planning permission was granted for a variation of the condition on the original planning permission which restricted the use of the premises for the sale of non-food goods only to enable the sale of pet food in respect of Unit 5 (now Boots), 08/00810/REVPP.

In April 2009 permission was refused (09/00034/REV) for the installation of a mezzanine floor in Unit 5 (now Boots) to provide 319 sqm of additional floorspace, of which 246 sqm were to be retail sales area resulting in a total floor area of 963 sqm. No external changes were proposed, nor was any additional car parking provision proposed. The application was refused as it was considered that there were sequentially preferable sites to accommodate the new retail floor space contrary to Government and Development Plan policy.

In May 2010 planning permission was granted (10/00148/REV) for the variation of Condition Nos. 3 & 4 of planning permission 93/00016/FUL to allow the installation of a mezzanine floor and the sale of lunchtime sandwiches and snacks, baby food and dietary products in Unit 5 (now Boots). This included the removal of an existing mezzanine floor and staircase and installation off a mezzanine floor with a floor area of 168 sqm to be used as a stock room, staff accommodation and offices with no retail sales. This permission was subsequently implemented and the Unit occupied by Boots.

In February 2011 planning permission (10/00847/FULPP as amended by 11/00262/NMA approved in May 2011) was granted for the demolition of the original security office and erection of a single storey building for use as a coffee shop (Use Class A3) and as a replacement security office, together with works to the car park to improve the circulation of vehicle movements within it to reduce the potential of vehicles queuing back onto the public highway. This permission was implemented and the coffee shop as built is operated by Costa Coffee.

The alterations to the car park also approved with the 2011 planning permission were aimed at improving vehicular access to and within the Shopping Park; and to reduce the potential for cars to queue back onto the link-road. The approved alterations involved the closure of one of the three existing access points into the car park, thereby requiring traffic to route to either side of the car park (turning left or right at the entrance roundabout), thereby extending the distance cars must travel before they can find a parking space and encouraging better parking use of the whole of the car park area. In addition, a number of alterations to the car park's circulation were approved, including the introduction of a filter lane into McDonalds aimed at reducing the ability for drive-through traffic to block access into the Shopping Park. A more conventional pattern of car park circulation within the Shopping Park was also approved within which all primary circulation aisles were to be signed to operate one-way, together with the provision of a new cross-circulation aisle. Servicing (deliveries and refuse collection) for the coffee shop was approved to take place from a designated area located at the front of the premises and conditioned to take place outside of peak trading hours. These approved works to the car park were partly implemented, particularly in relation to the closure of the access off the roundabout, the introduction of the filter lane and circulation around the car park.

In 2013 planning permission (13/00508/FULPP) was refused for the erection of a new retail unit adjacent to TK Maxx (Unit 2) at the northern end of the building with a gross internal floor area of 1,162 sqm following the removal of 65 existing car parking spaces. The refusal was on retail grounds, the lack of a transport contribution and inadequate car parking. The proposed

unit comprised two floors with 697 sqm being provided at ground floor, with a further 465 sqm at mezzanine level. The identified occupier was Hobbycraft. It was also proposed to reconfigure the central customer car park to improve circulation, in so doing, seeking to reverse some of the changes approved and implemented in 2011.

An appeal was subsequently lodged against the refusal of planning permission, which was dealt with by way of a Hearing. In February 2014 the Development Control Committee resolved not to defend the car parking reason for refusal following the receipt of additional survey and assessment data regarding parking provision. A Unilateral Undertaking was submitted at the Hearing to secure a transport contribution to address the third reason for refusal. However, the Inspector did not agree with the applicant's case that Hobbycraft's specific business model could side-step the sequential test. She found that the appellants analysis was focused specifically on the requirements of Hobbycraft and did not acknowledge that planning permission ran with the land. Accordingly, the Inspector was of the view that the sequential test had little prospect of success under these circumstances. In dismissing the appeal, the Inspector acknowledged that whilst there may be no sequentially preferable site acceptable to Hobbycraft there is no reasonable condition that could guarantee that this company would occupy the proposed new unit in perpetuity. The evidence indicated that there were at least two edge of Farnborough Town Centre sites that could have accommodated a use of this type and the appellants had not properly considered them. The failure to satisfy the sequential test and the harm that would ensue was considered sufficient to outweigh any other advantages that might be attributed to the appeal proposal.

In January 2018 planning permission (17/00866/FULPP) was granted for the erection of a new retail unit having a gross internal floor area of 1305 sqm (743 sqm at ground floor, with 562 sqm at mezzanine level) in the south east corner of the retail park attached to Currys/PC World (Unit 8). This approved scheme has resulted in the loss of 73 parking spaces in this location. This approved new retail unit is currently under construction and is intended to be occupied by Halfords, whom are to vacate the existing Unit 3 within the Shopping Park because this unit is now too large for their operational requirements.

Condition No.18 of the 2018 planning permission restricts the use of the new Halfords unit to the retail sale of non-food bulky goods in order to prevent conflict with Government and Development Plan policies relating the protection of town centre retailing and the operation of the sequential and needs tests. Subject to the bulky non-food goods restriction, planning permission was only granted because there were no sequentially preferable sites that could provide this scale and type of retail floorspace.

The 2018 planning permission creating the new Halfords unit currently under construction also approved proposals to reconfigure the central customer car park, in effect reversing many of the alterations to the car park area approved and implemented in 2011. These approved works have been implemented and have involved undertaking improvements to the circulation within the car park and the widening of the in-bound side of the vehicular access from the link-road to full two-lane width. The implemented approved works have also included the re-opening of central (i.e. straight-ahead) arm from the adjoining entrance roundabout to allow vehicles a further point of ingress and egress into the car park.

Planning permission (19/00693/FULPP) was granted in November 2019 for the removal of all of the existing brise soleil structures from above the customer entrances to the existing retail outlets in the Shopping Park. Similarly, a non-material amendment (19/00675/NMAPP) was approved in October 2019 for the deletion of the brise soleil feature from the new retail outlet currently under construction.

The Current Application : The red-line for the current planning application contains all of the existing parking and servicing areas of the Shopping Park, together with the whole of the vehicular entrance from the public highway at the link-road, and also includes Units 2A (currently Next Clearance) and 3 (Halfords). However all of the other retail outlets, together with McDonalds and Costa Coffee, are excluded from the red line area.

The current proposals are for the refurbishment and amalgamation of existing Units 2A (Next Clearance) & 3 (Halfords) including removal of the existing mezzanine floors : the total floorspace to remain is 1933 sqm following the removal of 1532 sqm of existing mezzanine floorspace. It is understood that the Next Clearance outlet is to close and that Next simply intend to rely on their existing retail outlet at The Meadows in Sandhurst rather than seek new premises for their Clearance outlet. As has already been mentioned in this report, Halfords are relocating to the new retail outlet currently under construction on the other side of the Shopping Park. It is proposed that the vacated refurbished floorspace be converted into an Aldi Foodstore [annotated "New Unit (1)" on the submitted plans] measuring 1866 sqm, of which approximately 355 sqm would be ancillary goods reception and warehouse space, including freezer and chiller facilities; together with an ancillary office/staff welfare facilities of 98 sqm provided with a modest new mezzanine floor. It is also proposed that a separate adjoining self-contained mixed retail and restaurant/café (Use Class A1/A3) outlet [annotated "New Unit (2)" on the submitted plans] measuring 186 sqm be provided using the remainder of the vacant floorspace to become available.

The submitted plans show the existing service area to the rear of the proposed Aldi unit to be modified by digging into the existing ground level to create a single recessed articulated lorry loading dock. It is also indicated that the area between the proposed lorry dock and the rear of the building would be used for the siting of the various ancillary refrigeration and cooling plant that the proposed foodstore and ancillary stock warehouse would require.

The proposals involve the installation of new glazed shopfronts and entrance doors for both New Units 1 and 2. A line of parking spaces to the immediate front of the proposed new units would, in part, be lost to provide a paved area for covered trolley bays and cycle parking, together with some re-configured disabled parking bays. Overall, 17 existing parking spaces would be lost.

The proposal description necessarily refers to the application also seeking relief from Condition No.4 of planning permission 93/00016/FUL dated 10 January 1994 in order to allow use of the vacated retail floorspace as a foodstore, since this condition otherwise restricts the retail outlets within the Shopping Park to being for sale of non-food retail goods only. Furthermore, change of use of part of the vacated retail floorspace to use as self-contained mixed retail and café/restaurant use (Use Classes A1/A3) is also sought with the application to enable the creation of the proposed New Unit (2).

Also proposed with the application is the widening of site vehicular access to the link road to provide twin exit lanes - at present the exit is only partially of two-lane width. The proposed widening is achieved by a minor adjustment to the line of the pavement and kerb-line to the side of the access road.

The application was originally submitted supported by a Planning and Retail Assessment, a Transport Assessment, a Framework Travel Plan, a Flood Risk Assessment, an Environmental Noise Survey, and a Noise Assessment. However, as a result of requests for more information from Hampshire County Council Highways, and Rushmoor's Planning Policy

and Environmental Health Teams, additional information has more recently been submitted to the Council for consideration. This comprises an Air Quality Assessment and Addendum Planning and Transport Statements. The applicants have also submitted plans showing vehicle tracking to seek to demonstrate the lorry manoeuvring needed for articulated lorries to enter and leave the site as a result of the proposed delivery dock.

Consultee Responses

HCC Highways
Development Planning

Response #1 : Holding Objection : More Information Required. An assessment of the impact of the proposed development on the Hawley Link dual carriageway [the link-road] should be carried out specifically in relation to the queue back from the Bradford's (i.e. Hawley) Roundabout to the Shopping Park access.

Response received from the applicants in the form of an Addendum to the Transport Statement received by the Council on 14/11/2019. HCC Highways re-consulted with a reply deadline of 05/12/2019.

Response #2 : **Holding Objection maintained** : The applicant has submitted a technical note dated the 13th November which is in response to the highway authority's initial consultee letter (30th August). The applicant has revised the Saturday food store peak (12:00 - 13:00) trip rate to the requested level of 12.53 per 100sqm. A 75% factor has been applied to the existing mezzanine floor which is agreed and inline with surrounding developments in Farnborough. This has resulted in 13.1% of the existing vehicular trips from the retail park being removed from the surveys compared with 14.8% previously. During the Saturday peak for the food store (12:00 - 13:00) 70 additional vehicles will egress the site as a result of the development which is 4.85% of the total flows on the dual carriageway (1443). During the weekday pm peak (17:00 - 18:00) 41 additional vehicles will egress which is 2.85% of the total flows (1438).

Since the application was initially submitted HCC has carried out works at the Bradford's Roundabout to improve capacity for westbound vehicles. It was previously requested that the impact of the development on Bradford's Roundabout be demonstrated via appropriate junction modelling in order to determine that the operation of the highway network would not be severely impacted by the increased development traffic.

At this current time no modelling work has been provided by the applicant and so there is currently a lack of suitable information available for Highways Development Planning to determine the impact of the development.

Rushmoor Borough Council as the parking authority should comment on the suitability of the parking provision within the site. Accident data should also be obtained from Hampshire Constabulary to determine if there is an existing safety concern at

the access that would be exacerbated by the increased development traffic.

Having regard to the above Highways Development Planning would recommend a holding objection until such time as the developments traffic impact on Bradfords Roundabout and dual carriageway has been assessed via the appropriate junction modelling. There is currently insufficient information to determine the impact of the development on this section of highway.

RBC Planning Policy

Response #1 : More Information Required : The key determining issue is the impact of the proposal on the revitalisation and regeneration of Farnborough Town Centre. As noted, there are some concerns regarding the execution of the sequential test and the retail impact assessment, and that the proposal could have a negative impact upon the vitality and viability of the town centre.

Further evidence may be required to demonstrate that there are no sequentially preferable sites. Whilst it is agreed that the majority of the alternative sites identified in Farnborough and North Camp may not be available or entirely suitable for the proposed development, further information is required to determine whether the site at Block 3 in Queensmead (Kingsmead Square) is unavailable and unsuitable. For example, clarification on the current position regarding the letting of retail units and interest at Block 3 and the provisions around the running of the adjacent car park. Having regard to the commercial requirements of Aldi, as described in Paragraph 4.21 of the applicant's Planning and Retail Assessment, Block 3 in Queensmead benefits from adjacent customer car parking and is located in a prominent position with appropriate commercial frontage. Whilst it is acknowledged that the configuration of the permitted floorspace at Block 3 may not be ideal, it is understood that construction has yet to begin at the site, and given the current challenging retail environment, the developer of Block 3 may be willing to amend its plans to better accommodate the proposal.

Response received from the applicants on 12/11/2019 in the form of an Addendum to the submitted Planning and Retail Assessment report.

Response #2 : No policy objections.

Response #3 : Policy Objection. Following the Council's recent receipt of a pre-application enquiry in respect of a proposed discount foodstore at Units 3-4 Solartron Retail Park, Solartron Road within Farnborough Town Centre it is considered that there is now a potential sequentially preferable site in accordance with Local Plan Policy SS2 (Spatial Strategy) and the National Planning Policy Framework. The emergence of this new sequentially preferable site that could become available in a

reasonable period is a material consideration for the determination of the current application and planning policies require that this be examined and addressed by the applicants. In addition, the retail impact evidence in support of the proposal, should be updated to consider the impact of the planned new discount foodstore located at 3-4 Solartron Retail Park in accordance with the NPPF.

Environmental Health

Response #1 : Objection on the grounds that it has not been demonstrated that emissions arising from road traffic generated by the proposals will not detrimentally impact air quality along the adjoining section of the A331 road top the south of the Frimley Road junction. An Air Quality Impact Report would be needed in this respect to overcome this issue.

No objection subject to conditions with respect to the content and conclusions and recommendations of the submitted Noise Assessment report.

The applicants have responded to this consultee objection on Air Quality grounds by submitting an Air Quality (AQ) Assessment report, which was received by the Council on 07/11/2019.

Response #2 : Qualified No Objection : The reason for requesting the AQ assessment was because Rushmoor and Surrey Heath Borough Councils, and Hampshire and Surrey County Councils have all been served with a Ministerial Direction to deliver compliance of the annual mean EU limit value for NO₂ in the shortest possible time along the A331. The sensitive receptor in this case being the Blackwater Valley path that runs close to the road. This approach is not in accordance with previously accepted guidance, but is the one adopted by Government when issuing legally binding Directions to local authorities. The submitted Air Quality Assessment (Ref: A115516, dated November 2019) does not really appreciate the context under which the Council is operating in this instance and why such an assessment was requested and therefore the approach taken in assessing air quality within the report follows the traditional legislative and policy framework, which is understandable. Whilst it is not necessarily what was requested, there is sufficient detail provided for Environmental Health to consider the implications of the proposed development with respect the possible impact on measures being implemented to improve air quality along the A331 by Hampshire Highways.

The assessment has considered air quality in 2020 at a number of receptor locations, with and without the development in place. 4 of these receptor locations are along the A331, which is of particular interest, as the Bradfords [Hawley] Roundabout improvement works were specifically funded with the aim of improving air quality along the A331. The report has used trip traffic data from the Transport Assessment (dated July 2019)

produced by Mott Macdonald Transport Consultants, which states that the development is expected to generate an additional 247 AADT movements when compared with the existing use of the site. Based in part on this data, the report concludes that there would be neglectable impact, as a result of the proposed development, on air quality along the A331.

Provided HCC are satisfied with the traffic data provided in support of the application, the conclusions of the report give rise to no further objection on health grounds.

Environment Agency	EA Flood Risk Standing Advice applies.
RBC Regeneration Team	The Rushmoor Development Partnership have emerging proposals for the Civic Quarter that give consideration to the possible provision of a foodstore within Farnborough Town Centre. The current thinking is approximately 20,000sqft [1858 sqm] with dedicated car parking provided in a location adjacent to the existing designated shopping parade on Queensmead. The timescales for the delivery of this offer would be approximately 4-5 years.
Hampshire Fire & Rescue Service	No objections and provides generic fire safety advice.
Neighbourhood Policing Team	No response received.
Thames Water	No response received.
Guildford Borough Council	No response received.
Hart District Council	No objection.
Surrey Heath Borough Council	Raises no objection <i>subject</i> to Rushmoor BC being satisfied that the proposal is in accordance with local and national policy and there are no sequentially preferable sites within Farnborough Town Centre.
Waverley Borough	No objection.

Neighbours notified

In addition to posting a site notice and press advertisement, 50 individual letters of notification were sent to properties at Blackwater Shopping Park, Farnborough Road, Lancaster Way and Ringwood Road in early August 2019. Letters were also sent to St Modwen, Legal and General Investment, KPI and Knight Frank Investors as major stakeholders within Farnborough town centre.

Representation received

Legal & General
(Owners of Solartron
Retail Park,
Farnborough)

Objection: “As you are aware, L&G has sought formal pre-application advice from the LPA in respect of the delivery of a discount foodstore at Solartron Retail Park. In the interest of transparency, we have agreed that the request for pre-application advice can be made public as it is a material consideration in respect of this planning application.

L&G has not undertaken a full assessment of the application at the Blackwater Shopping Park and does not provide a comment on the overall acceptability or otherwise of the development. We do, however, wish to raise the potential for floorspace at the Solartron Retail Park to be considered as a sequentially preferable alternative. It would also be appropriate for the applicant to consider the potential impact of this proposed development on planned investment at Solartron Retail Park, which is within the defined town centre boundary.

Assessment of the Proposed Development

As part of the current application, the applicant has prepared a Planning and Retail Statement which sought to demonstrate compliance with policies relating to 'main town centre' uses.

The Council's Planning Policy Team has provided an initial consultation response and the applicant has provided additional information relating to the sequential approach and impact in its correspondence dated 5 November 2019. That correspondence concludes that there are no alternative sites in or on the edge of the town centre that could accommodate a development of the type and scale proposed. The applicant's correspondence states that: “No other sequential site has been suggested by RBC or any other party.” L&G wishes to raise the potential for land at Solartron Retail Park to be considered as an alternative site.

L&G is proposing to amalgamate Units 3 and 4 to create a new premises measuring approximately 1,770 sq. m (GIA). The proposed development will include two distinct elements:

1. Minor physical works to the elevations to facilitate the amalgamate of the two individual units to create a new, single unit and small extension to the rear; and
2. Variation of condition to allow the sale of convenience goods to accommodate a discount foodstore.

The Retail Park is within the town centre boundary and is sequentially preferable to the application site (which is accepted to be in an 'out of centre' location).

The National Planning Policy Framework (NPPF) is clear that a site does not have to be available at the time of a planning application to be deemed sequentially preferable. It states that for

a site to be considered 'available' it can be that the site is: "...expected to become available within a reasonable period".

L&G has an agreement in principle with the existing tenant of Unit 3 [Officer Note: Unit 3 (previously Bathstore) is currently vacant, but Unit 4 is currently occupied by Carpetright] to relocate it to another vacant unit at the Retail Park to facilitate the proposed development and accommodate a discount foodstore at the Site.

L&G is targeting submitting a planning application for the proposed development in January 2020. It follows that the proposed new unit at Solartron Retail Park could be made available in a similar time frame to the proposal at this application site. It follows the site would be available in a 'reasonable period' as required by national policy.

We consider the Solartron Retail Park represents a sequential site and is one that should be formally considered by the applicant and the LPA as part of the assessment of this live application.

It is also necessary for the applicant to consider the impact of the proposed development on planned investment within Farnborough's defined Town Centre. The grant of planning permission for a foodstore at Blackwater Shopping Park may have an adverse impact on the delivery of an identical form of development at Solartron Retail Park. The effect of a approving this application could be:

1. To reduce the operator demand for discount food within Farnborough's defined town centre; and
2. Generate a level of cumulative impact on a defined centre that could be determined to be 'significantly adverse'. It would be entirely contrary to the objective of policy should development in a sequentially preferable location be refused due to the grant of permission in an out of centre location.

The proposed development at Solartron Retail Park would improve the retail offer within the wider Town Centre and create genuine opportunities for linked trips with existing business and in particular those in the Primary Shopping Area.

The sequential approach to site selection is a process intended to protect and enhance the vitality and viability of town centres which a strategic objective of the development plan and the NPPF.

Summary

We trust that this correspondence will be formally considered by the LPA in its decision making process of the current application at Blackwater Shopping Park.

This new evidence is an important material consideration and should be assessed formally by both the applicant and the LPA before a recommendation can be made to the Council's Planning Committee.

L&G concludes that the land at the Solartron Retail Park represents a sequentially preferable site. Furthermore, given the site falls within the defined, town centre boundary, the potential impact on the delivery of the proposed development at that site is also a matter that needs to be formally assessed.

In allowing the LPA to make the pre-application request by L&G public it is aiming to be as transparent as possible to assist the consideration of matters by all parties.”

[Officer Note: L&G have also specifically requested that consideration of the current planning application be deferred in order to allow their planning application to be submitted and considered alongside. The applicants have been made aware of the L&G objections although, at the time of writing this report, no response has been received : any response will be reported to the Committee at the meeting.]

Policy and determining issues

The site is located within the defined built-up area of Farnborough. Farnborough Road (A325), the adjoining section of the Guildford-Reading railway line and the Blackwater Valley Road (A331) are all ‘green corridors’. The eastern-most parts of the Shopping Park car park are identified as being at moderate risk of flooding.

Since the Council last considered an application in respect of retail development at this site, the Council has adopted (as of 21 February 2019) the New Rushmoor Local Plan (2014-2032), which has replaced the Rushmoor Core Strategy and saved old Rushmoor Local Plan policies previously comprising constituent parts of the Development Plan for the area. New Local Plan Policies SS1 (Presumption in favour of Sustainable Development, SS2 (Spatial Strategy), LN7 (Retail Impact Assessments), SP1 (Aldershot Town Centre), SP2 (Farnborough Town Centre), SP2.3 (Farnborough Civic Quarter), SP3 (North Camp District Centre), IN2 (Transport), DE1 (Design in the Built Environment), DE10 (Pollution), NE2 (Green infrastructure, including ‘Green Corridors’), NE4 (Biodiversity) and NE6-8 (Flooding & Drainage) are relevant.

The ‘Farnborough Town Centre’ SPD (adopted in July 2007) and the ‘Farnborough Prospectus’ (published in May 2012) are also relevant to the consideration of the current proposals. These set out more detailed guidance, including site-specific development opportunities. The SPD identifies eight strategic objectives, including encouraging and facilitating the revitalisation of Farnborough Town Centre “*by developing a robust retail core with a broad range of shops and services*” and promoting “*the Town Centre as a shopping and leisure destination*”.

The National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) are also relevant. The NPPF aims to ensure the vitality of town centres as follows:-

“86. *Local planning authorities should apply a sequential test to planning applications for*

main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge-of-centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

87. *When considering edge-of-centre and out-of-centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge-of-centre sites are fully explored.”*

And:

- “89. *When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:*
- a) *The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*
 - b) *The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).*
90. *Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in Paragraph 89, it should be refused.”*

The main determining issues relate to the principle of development specifically including the impact on the revitalisation and regeneration of Farnborough Town Centre; the visual impact of the development upon the character of the area and on adjoining occupiers; air quality; car parking, traffic generation and other highway considerations; flood risk and the water environment; and access for people with disabilities.

Commentary

1. Principle -

Blackwater Shopping Park is an established retail park in an out of town location. The application involves proposals for the modification and re-use of 1933 sqm of existing retail floorspace, but with the removal of the existing planning restriction prohibiting sale of foodstuffs to enable the space to be occupied by an Aldi foodstore of 1866 sqm gross floorspace; and also the change of use of part (186 sqm) of the re-used floorspace to a mixed retail and café/restaurant (A1/A3) use.

The key determining issue of principle is considered to be the impact of the proposals on the revitalisation and regeneration of Farnborough Town Centre. New Local Plan Policy SS2 (Spatial Strategy) outlines a broad spatial framework for the scale and location of development. It states that town centre uses “*will be located within Aldershot and Farnborough town centres to support their vitality, viability and regeneration*”; that new retail development “*must protect or enhance the vitality and viability of the town centres*, [North

Camp] *district centre and local neighbourhood facilities*"; and that retail development *"will be focused in Aldershot and Farnborough town centres, within the primary shopping area"*. Policy SS2 also sets out that the sequential approach to site selection will be applied, in accordance with National policy, where there are no suitable, available and viable sites within the primary shopping area, which comprises the primary and secondary shopping frontages.

The New Local Plan also includes individual policies for Farnborough and Aldershot town centres and North Camp District Centre. Policy SP2 (Farnborough Town Centre) aims to *"maintain or enhance the vitality and viability of Farnborough Town Centre"* and to contribute to its revitalisation, whilst Policy SP1 (Aldershot Town Centre) sets out a similar strategy to create *"a thriving, accessible and regenerated Aldershot Town Centre"*. Policy SP3 (North Camp District Centre) states that development proposals *"will be permitted which maintain or enhance the vitality and viability of North Camp District Centre by preserving its local and specialist retail functions and vibrant evening economy"*.

New Local Plan Policy LN7 sets out the Council's floorspace and proximity thresholds for the undertaking of Retail Impact Assessments:-

"LN7 – Retail Impact Assessments

An impact assessment will be required for retail development not in the primary shopping area and not in accordance with the up-to-date development plan, which is above the following thresholds:

- 1. An assessment of impact on Aldershot and Farnborough town centres and North Camp District Centre for any retail proposal with over 1,000 sqm gross floorspace.*
- 2. An assessment of impact on North Camp District Centre for any retail proposal for over 250 sqm gross floorspace and within one kilometre of the centre.*
- 3. Assessment of impact on a local neighbourhood parade for any retail proposal deemed to have the potential to have a significant adverse impact and within 500 metres of the parade."*

The applicant has submitted a Planning and Retail Assessment, together with supplementary information in support of the application. Both the proposed Aldi foodstore and the smaller proposed mixed A1/A3 use are potentially town centre uses. Whilst the applicant argues that the proposal *"seeks the reuse of existing retail floorspace rather than the introduction of significant new retail floorspace out of centre"*, it is considered that the proposal is for a significantly different type of retail use than that which exists at the Shopping Park at present; and, indeed, that it is a form of retailing which is specifically excluded from operating at the Shopping Park. In this context, it is considered that the proposed food retail uses cannot reasonably be said to be existing; and cannot be considered as such. Accordingly, having regard to Local Plan Policy LN7, it is necessary for the proposals to be subject to Retail Impact Assessment.

Additionally, it is noted that the applicants suggest that, because the Council concluded that there were no sequentially preferable sites when the new Halfords retail outlet proposals at the Shopping Park were considered in January 2018, it follows that there are still no sequentially preferable sites available for the current proposed Aldi foodstore. This argument is not accepted since the circumstances are not comparable. The retail impact assessment in respect of the new Halfords store considered whether or not there was floorspace available or potentially available for a bulky non-food goods retailer in a sequentially preferable location. Having notified all Farnborough Town Centre development stakeholders in respect of the new

Halfords store proposals in late 2017 it was clear that none then possessed or anticipated providing retail floorspace for a bulky non-food retailer. It does not follow that the same would apply to consideration of a discount food retailer.

The applicants' assessment adopts a sequential approach to site selection taken from a primary catchment for the proposal covering a zone including Farnborough Town Centre and North Camp District Centre in Rushmoor; and also the Frimley District Centre located within the adjoining authority of Surrey Heath. As advised by the Council during pre-application contact, the applicant has also considered sites within Camberley Town Centre, also within Surrey Heath. There are no local neighbourhood parades within Rushmoor within 500 metres of the Shopping Park. The applicants' sequential test identified and assessed eight alternative sites for the proposal from within this catchment area, six of which are within Rushmoor. However the applicant's report claims that *"there is no sequentially preferable site which is available, suitable and viable that can accommodate the application proposal or a flexible interpretation of it"*.

The original Planning Policy position in respect of the originally submitted Planning & Retail Assessment report is as follows:-

"The applicants' sequential assessment has assessed 'Kingsmead Square' in Farnborough Town Centre, also known as Block 3 in Queensmead. Planning permission was granted in June 2018 for the partial demolition of part of the Kingsmead Shopping Centre and the erection of an extension (Block 3 in Queensmead) to provide 3,710 square metres of retail use on the ground floor, with 2,414 square metres of leisure use on the first floor and 68 apartments over eight floors (18/00025/FULPP). Permission was subsequently granted in April 2019 for a slightly amended scheme comprising 3,108 square metres of ground-floor retail floorspace and 99 apartments over nine floors (19/00103/FUL). For various reasons, not all of which are accepted, the assessment dismisses this site as not available, suitable and viable for the proposed development. The applicants' Planning and Retail Assessment accepts that there is 'scope to amalgamate' the floorspace but that two of the units at Block 3 are under offer and that there is insufficient residual floorspace for the proposed use. However, the Assessment states that the combined floorspace comprises 2,787 square metres instead of the permitted 3,108 square metres and does not provide details of the units which are currently under offer and the floorspace that has been taken up. In addition, the Assessment argues that the site's suitability is undermined by prescriptive provisions around the operation of the adjacent car park but does not provide any detail as to the provisions and their possible impact. Furthermore, it should be noted that customers for the nearby Sainsbury's make use of the car park adjacent to the Beefeater restaurant and Premier Inn Hotel via the Pelican crossing on Kingsmead, despite the Assessment's claim that this would not be suitable for a foodstore.

Whilst the applicants' reference to case law regarding suitability of sites is noted, the key question is whether they have demonstrated sufficient flexibility with regard to format and scale, as outlined within NPPF (Para. 87). Whilst the applicants' Planning and Retail Assessment notes that there is no requirement to consider disaggregation in the application of the sequential approach to site selection (paras 4.11 -4.14), an appeal decision made in December 2017 is relevant (ref: APP/V2004/W/17/3171115; Land North of Ashcombe Road and Barnes Way, Kingswood, Hull, HU7 3JX). For example, the Inspector noted that flexibility by way of form or format could include "whether the proposal can be provided in one or more buildings, whether space is on one or more levels, how individuals units are laid out, and how and where parking and servicing

provision is made". In this respect, Planning Policy does not agree with the applicant's statement that 'it is only necessary to assess alternative sites capable of accommodating the overall development proposed and not sites that can accommodate constituent elements of the scheme'. The NPPG is clear that 'it is not necessary to demonstrate that a potential town centre or edge-of-centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal' (para. 011, ref. ID: 2b-011-20190722).

Policy LN7 (Retail Impact Assessments) of the Local Plan requires that a retail impact assessment be undertaken for retail development which is not in the primary shopping area. National Planning Practice Guidance (NPPG) sets out a checklist for applying the impact test (para. 018, ref. ID: 2b-018-20190722). The National Planning Policy Framework sets a national threshold of 2,500 square metres of gross floorspace above which all retail, leisure and office proposals are required to carry out an impact assessment on designated centres, but also allows local thresholds to be set. Policy LN7 requires an assessment of impact to be made 'on Aldershot and Farnborough town centres and North Camp District Centre for any retail proposal with over 1,000 square metres of gross floorspace'. The applicants' Planning and Retail Assessment includes an impact assessment which concludes that the proposal is unlikely to have a significant adverse impact on Farnborough and Aldershot town centres or North Camp District Centre in terms of future investment and their vitality and viability. In carrying out the assessment, it has excluded the impact of the complementary food and drink unit, arguing that the floorspace of this unit (186 square metres) falls below the locally set threshold of 1,000 square metres gross. However, the NPPG defines gross retail floorspace as 'the total built floor area measured externally which is occupied exclusively by a retailer or retailers' (footnote to para. 015, ref. ID: 2b-015-20190722). the impact of this unit should therefore have been included as part of the assessment, as the foodstore (Aldi) and the self-contained unit for a mixed retail and café/restaurant use (operator currently unknown) constitute the overall gross floorspace being proposed.

The retail impact assessment estimates that the foodstore will generate a turnover of up to £13.22 million for convenience goods and a comparison retail turnover of £1.78 million (a reduction of £8.24 million based on a notional turnover for the current occupiers). The assessment estimates that 62.5% of the proposal's turnover will be derived from within Zone 1 of the study area, which includes Farnborough Town Centre. It also estimates that the trading effect of the proposal on Farnborough Town Centre would be -2.1%, on North Camp District Centre would be -1.4% and Aldershot Town Centre would be -0.6%. Whilst a comparison of the centres' turnover in the base year of 2019 with the development in place in 2024 indicates that turnover will increase, it is necessary to consider the impact on the vitality and viability of the centres. As established by the Scotch Corner Secretary of State appeal decision referred to in the applicant's Planning and Retail Assessment (ref: APP/V2723/V/15/313873), there is no percentage impact that would form a threshold beyond which an impact may become significant. A key element in assessing the impact of a proposal on the vitality and viability of a centre is therefore a judgement on the health of the centre, indicators of which include the proportion of vacant properties and the diversity of uses.

With regard to vacancy rates, the Council undertook a survey of Farnborough Town Centre shopping frontages in July 2019 and found an overall vacancy rate within the primary shopping area of 18%, which is above the national town centre vacancy rate of 10.3% in July 2019 as measured by the British Retail Consortium. In addition, individual

vacancy rates in several of the town centre's primary and secondary shopping frontages fall above the national figure. Whilst the applicants' Planning and Retail Assessment suggests that 6.3% of units in Farnborough Town Centre fall within the convenience retail sector and that 61% of retail turnover is generated within the comparison retail sector, it is a little simplistic to suggest that the impact of the proposal on the vitality and viability of Farnborough Town Centre will be low on this basis. For example, the Assessment does not take into account the proportion of floorspace taken up by the convenience retail sector within the town centre and does not consider the significance of linked trips. Given that Farnborough Town Centre is underpinned by two anchor retailers in Asda and Sainsbury's, there are still concerns that the proposal could have a negative impact upon the vitality and viability of this relatively fragile town centre.

Conclusion : The key determining issue is the impact of the proposal on the revitalisation and regeneration of Farnborough Town Centre. As noted, there are some concerns regarding the execution of the sequential test and the retail impact assessment, and that the proposal could have a negative impact upon the vitality and viability of the town centre.

Further evidence may be required to demonstrate that there are no sequentially preferable sites. Whilst it is agreed that the majority of the alternative sites identified in Farnborough and North Camp may not be available or entirely suitable for the proposed development, further information is required to determine whether the site at Block 3 in Queensmead (Kingsmead Square) is unavailable and unsuitable. For example, further information as to the current position regarding the letting of retail units and interest at Block 3 and the provisions around the running of the adjacent car park would be welcome. Having regard to the commercial requirements of Aldi, as described in Paragraph 4.21 of the applicant's Planning and Retail Assessment, Block 3 in Queensmead benefits from adjacent customer car parking and is located in a prominent position with appropriate commercial frontage. Whilst it is acknowledged that the configuration of the permitted floorspace at Block 3 may not be ideal, it is understood that construction has yet to begin at the site, and given the current challenging retail environment, the developer of Block 3 may be willing to amend its plans to better accommodate the proposal."

The submitted Quod Planning and Retail Assessment Report has been subject to independent assessment and review on behalf of the Council by an external consultant, Lichfields, whom are experienced in undertaking Retail Impact Assessments. The conclusions of the Lichfields critique are as follows:-

"Retail impact

A retail impact assessment is required because the floorspace affected by the application (1,771 sq.m plus 186 sq.m), whilst below the NPPF threshold (2,500 sq.m), is above the locally set impact threshold of 1,000 sq.m.

Lichfields review of Quod's assessment suggests trade diversion and impact on town centre has been over-estimated rather than under-estimated, for the following reasons:

- Quod may have under-estimated the based year turnover of existing facilities in Farnborough, which is likely to lead to an over-estimation of the proportional impact;*

- Quod has over-estimated the expected convenience goods turnover of the Aldi store, because it is unlikely 100% of the sales floorspace will be devoted to convenience goods. Impact levels could be reduced by 20%; and
- Quod's assessment does not assess potential benefits if the Next store closes. The net change in comparison goods turnover at BSP would be -£3.88 million, which should be beneficial to nearby town centres including Farnborough.

In terms of retail impact, the key concern is the impact of the convenience goods (food and grocery) sales within the proposed Aldi store. Farnborough town centre is expected to be the most affected centre.

Quod estimates the proposed Aldi store will reduce Farnborough town centre's 2024 convenience goods turnover by -4.8%. Most of this trade diversion (£3.36 million) will come from the Asda and Sainsbury's stores, but these stores will continue to trade within the range stores can trade viably, and we would not expect the Asda or Sainsbury's stores to close. The reduction in turnover of the remainder of convenience goods outlets in the town centre is unlikely to cause small convenience shops to close and would not result in a significant adverse impact in terms of the loss of customer choice or the increase in the shop vacancy rate.

Quod estimates the proposed Aldi store will reduce Farnborough town centre's 2024 comparison goods turnover by only -0.6%. This impact should be offset by the release of the Next's turnover. Furthermore, a 0.6% reduction in comparison good turnover is not significant when viewed in the context of projected expenditure growth between 2019 and 2024.

The fall-back position i.e. the reoccupation of the vacated Next and Halfords units, is likely to have a more harmful impact on the comparison goods sector in Farnborough town centre than the current planning application, because the Aldi store results in a net reduction in comparison goods turnover at BSP. The fall-back position is also more likely to result in a competition for new tenants. In our view these are realistic scenarios and are relevant material considerations when assessing the Aldi application.

Sequential approach

Potential sequentially preferable sites within or on the edge of Farnborough, Camberley, Frimley and North Camp town centres should be considered. Other centres would not serve the same catchment area as the application proposals.

The small food and beverage unit proposed could in theory be accommodated in within a town centre. However, a unit of this size would primarily serve existing customers to BSP as an ancillary use and could be considered to have a locational specific need at BSP, and therefore only the discount food store should considered when applying the sequential test.

There are a number of potential development sites within Farnborough town centre that are large enough to accommodate a discount food store. Alternative development proposals on some of these sites suggest these opportunities are unavailable.

Two sites require further consideration i.e. Kingsmead Square (Block 3) and Queensmead Car Park. The applicant has not fully explained or demonstrated why these opportunities can be discounted.

Based on Lichfield's review of the ground floor plans, reconfiguration of the Block 3 development could in theory provide an amalgamated large unit. However, the ground floor layout would need to be changed significantly and the feasibility of this is unclear. The internal columns on an eight metre grid would be problematic and are likely to result in an inefficient use of space. Furthermore, a discount store may only be viable if the existing adjacent surface car park can be shared and equally controlled by the operator with Sainsburys. Based on the information available, we are not convinced an operationally suitable or viable discount food store can be accommodate in this scheme.

We are not convinced based on the evidence provided by Quod that the Queensmead Car Park is unsuitable. However, the availability of the site for development in the short term is unclear. If the Council is satisfied this site is not currently available for development, then this site can be discounted."

The Lichfields critique confirms that the applicants' Retail Impact assessment is robust in that they have not sought to down-play the potential trade diversion from the town centre. Furthermore, Lichfields consider that the 'fall-back position' for the applicants in the event that the current proposals were not approved and go ahead [which would be the re-occupation of the vacated old Halfords and Next Clearance units incorporating the existing mezzanine floorspace with new non-food retailers] would be likely to have a more harmful impact upon Farnborough Town Centre retailing than allowing the proposed Aldi foodstore to proceed. This is considered to be a significant material consideration for the Council to take into account that is also down-played by the applicants. In terms of the Sequential Test, Lichfields confirm that the catchment area identified by the applicants is reasonable. However, [at the time that this work was undertaken] there were only two potentially sequentially preferable sites to consider, namely the Block 3 Kingsmead Square site and also a site to the south of Queensmead. Lichfields recommended that the applicants provide more explanation for why these sites have been rejected, mirroring the queries raised by the Planning Policy Team.

The applicant has responded to the original comments of the Council's Planning Policy Team with the submission of an Addendum Statement to their original Planning and Retail Assessment (PRA) report (received by the Council on 12 November 2019) to address the various queries raised. In particular, this addresses the question raised about the possibility of the Block 3 Kingsmead Square being available to accommodate the proposed discount foodstore:-

"This development, which was granted planning permission in June 2018 as part of the next phase of the North Queensmead redevelopment scheme, was considered as a sequential alternative within the PRA report. This concluded that the site it is not available, suitable and viable for the proposed development having regard for the need for flexibility of format and scale.

However, the Policy response from RBC does suggest that this site could be potential suitability for the nature of retail development being proposed due to it benefiting from adjacent customer car parking and being in a prominent commercial frontage. Furthermore, it is suggested that as the scheme is not yet under construction the floorspace could be amended to better accommodate the proposal. Despite these

specific points being raised, we maintain that this site is not available, suitable and viable for the following reasons.

First, Sainsbury's has a long leasehold interest in the two adjacent customer car parks. This means that they effectively own the car parks although their management must be in line with the Car Park Management Plan (CPMP) set out within the agreed lease. Whilst the CPMP allows for Sainsbury's customers to benefit from two hours parking (which is refunded subject to a minimum purchase within the store), this free parking would not be available to an additional food retailer trading from this location. Given the nature of the proposed retailer (i.e. deep discounter) such charges are not acceptable.

The CPMP also sets out a minimum number of car parking spaces and that trolley bays must be provided at a ratio of 1 per 50 car parking spaces. This means that the provision of dedicated trolley bays for Aldi (or any other compatible retailer) would not be possible as this would result in the loss of car parking. The inability to provide dedicated trolley bay is a fundamental requirement for the proposed operator [Aldi], and other similar retailers. Without such provision, a food retailer would not trade from this location.

A further requirement of the CPMP is for all signage to be in Sainsbury's corporate livery. This means that any additional foodstore operator would not be able to have their own corporate signage. Again, such a position would be commercially unacceptable for the proposed operator [Aldi].

Secondly, it is understood that there is a restrictive covenant within the current lease in favour of Sainsbury's, that prevents Kingsmead premises being occupied by retailers that are used predominantly for the sale of food.

Thirdly, discussions with the commercial agent dealing with this development has indicated that much of the permitted floorspace is now under offer. This includes MSU1, which is to be reduced in size to make the residential core larger - as formalised by a non-material amendment achieving this change secured earlier this year - is under offer from a coffee operator, and the adjacent unit (MSU2) is understood to be under offer from a restaurant occupier. Consequently, the residual floorspace is too small and could not be configured or amalgamated to accommodate the proposed development, or a flexible interpretation of it.

These discussions have also indicated that now planning permission has been secured and some of the floorspace is under offer, the developer is looking to start on site in January 2020 with an 18 month build out period. This timeframe does not suggest that the developer is looking to delay delivery of this scheme by reconfiguring the permitted floorspace to better suit the operational requirements of a food retailer, nor does the fact that the 'base consented' scheme which dates back to June 2018 has failed to secure a discounted food operator despite being openly marketed for nearly 18 months – underlining the unsuitability of this floorspace for such a use. Nevertheless, even if the reconfiguration of the permitted floorspace was a possibility, for all the reasons outlined above, this site fails to provide a suitable and viable alternative location for food retailing.

Such a conclusion has been acknowledged during discussions with the commercial agents dealing with the Kingsmead Square scheme. Specifically, it has been recognised that the need for car parking to remain chargeable will mean that discount food operators, despite having a requirement for representation in Farnborough, would simply not consider Kingsmead Square as a suitable and viable location.

For all the above reasons we maintain that the Kingsmead Square development does not provide a sequential alternative to the Application Site that is available, suitable and viable for the nature of development proposed. No other sequential site has been suggested by RBC or any other party.

Against this background, full compliance with the sequential approach has been demonstrated."

A further potential sequentially preferable site for the location of a foodstore within Farnborough Town Centre identified at the time that the application was submitted relates to the emerging proposals for the Civic Quarter. Here the Council's Regeneration Team have commented in respect of the current application that the Rushmoor Development Partnership are considering the possibility of incorporating a foodstore of approximately 20,000sqft [1858 sqm] with dedicated car parking in a location adjacent to the south end of Queensmead. However this is not a provision mentioned in Local Plan Policy SP2.3 (Farnborough Civic Quarter) and it has not been subject to any formal or even informal approaches to the Council's Planning Dept. to date. Furthermore, the timescales for the delivery of this offer are optimistically indicated to be 4-5 years at the earliest, which is too distant to be a reasonable prospect to consider as a sequentially preferable site at the present time and with the current application proposals. In the circumstances this tentative future proposal is not currently sufficiently advanced to be considered a viable sequentially preferable site for the purposes of considering the current application.

Recent Developments : The recent emergence of an objection from Legal & General (the owners of Solartron Retail Park) following their submission of a pre-application enquiry for the creation of a discount foodstore at Units 3 & 4 Solartron Retail Park offers the possibility of a further sequentially preferable site for the current proposed foodstore being available within a reasonable timescale. This potential site has not been considered by both the applicants and Lichfields on behalf of the Council because the Legal & General proposals did not exist as a prospect until very recently. Indeed, the possibility of a site being available at Solartron Retail Park was, in making the current application, rejected by the applicants on the basis that the two vacant units there (Unit 3 : the former Bathstore; and Unit 7 : the former Maplins store) both have insufficient floorspace for the proposed foodstore and, indeed, do not adjoin each other to make an amalgamation of floorspace possible. The recent change in circumstances arises because Legal & General are now proposing the amalgamation of Units 3 and 4 with an extension to the rear, which is only made possible because the current occupiers of Unit 4 (Carpentright) have agreed to being re-located into the vacant Unit 7.

The circumstances and a timescale for the potential implementation of Legal & General's proposals may not be materially different from that of the proposals the subject of the current application. Being within the defined boundary of Farnborough Town Centre, it is clearly in a sequentially preferable location compared to the current proposals. Furthermore, as suggested by Legal & General, it is also possible that the cumulative impact of two discount foodstores in Farnborough could have a significant adverse retail impact upon their planned investment at Solartron Retail Park in a sequentially preferable location.

Notwithstanding the late emergence of this potential town centre site and that there is no guarantee that the Legal & General proposals will be found acceptable in Planning terms once a planning application is submitted and considered, it must currently be considered to be a clear change in circumstances and a material consideration in the determination of the current application. The applicants must consider and demonstrate conclusively that the Legal &

General site is unsuitable since, otherwise, there is a sequentially preferable site for the proposed foodstore. The applicants must also update their retail impact analysis to take account of the emerging Legal & General proposals. This work must be done in order for their proposals to comply with current Government guidance and adopted Development Plan policies. The applicants have been made fully aware of the Legal & General objection and have indicated that they will respond shortly. However, at the time of writing this report, no response has been received.

However, on the basis set out above in this report it is considered that the proposals must be considered unacceptable at the present time having regard to both the retail impact and sequential tests. The proposals are therefore considered to be contrary to the appropriate requirements set out in the NPPF and New Local Plan Policies SS2 and LN7.

Members will be provided with an update on the retail policy considerations at the meeting.

2. Visual Impact -

It is considered that the proposals would have limited and localised visual impact. The proposals seek to re-use floorspace to provide a new retail foodstore and a mixed A1/A3 outlet within an existing substantial building and retail park containing existing retail outlets. The physical changes to the existing building are the provision of some new shopfronts and provision of trolley storage/dispensing bays to the front; and provision of a recessed lorry unloading dock to the rear of the building. None of these features are considered to be unusual or inappropriate in the visual context of the Shopping Park. The proposed alterations to the vehicular access to the Shopping Park would result in minimal loss of some adjoining landscape planting. It is considered that the proposals would have no material and harmful visual impact.

3. Impact on Neighbours -

The immediate neighbours to the proposals are the commercial occupiers of the retail outlets, the Costa coffee shop and the drive through McDonalds within the Shopping Park. There will be an impact in relation to the proposed widening of the Shopping Park's vehicular access, but this is not considered likely to be negative, since it is intended to ease traffic movements leaving the Shopping Park.

The introduction of the proposed Aldi foodstore is expected to attract additional customers to the Shopping Park and, as such, potentially also visiting the existing retail outlets, which could be viewed as a benefit of the proposals. Nevertheless, in addition to the potential for vehicle congestion within the car park, there would also be other management issues for the Shopping Park management relating to the servicing requirements of a foodstore, the nature and volume of refuse and recyclables requiring disposal and the management of shopping trolleys. Would, for example, Aldi intend to operate some form of coin/token trolley redemption scheme to encourage trolleys to be returned to the trolley storage/dispensing bays rather than be left scattered around the car park.

Noise emanating from the service bay and the adjoining air-conditioning and cooling plant for the proposed foodstore has the potential to cause nuisance to neighbours. Whilst there is already servicing activity and the operation of various externally located plant associated with the existing retail outlets, the proposed foodstore would be expected to have more frequent lorry deliveries and refuse collections. Furthermore, air-conditioning and chiller plant would be more numerous and would need to be operated around the clock. The applicant's submitted

Noise Assessment report focusses on the noise impacts of lorry deliveries and unloading of full freight cages and the loading of empty cages. In this respect it is noted that the proposed foodstore would need to receive deliveries on Sundays, in the evening and early in the morning to ensure that fresh food is on the shelves whilst the foodstore is open. The current permitted delivery hours for the Shopping Park are 0700-1900 hours Mondays to Saturdays with no deliveries allowed on Sundays and Bank Holidays. It is, therefore proposed that permitted delivery hours for the foodstore be extended to 0600 to 2300 hours Monday to Saturday (including Bank Holidays) and 0700 to 2000 hours on Sundays. The submitted Noise Assessment considers the impact of these proposed additional delivery times and recommends that, notwithstanding the nearest residential properties (in Ringwood Road) being approximately 95 metres distant on the far side of the adjoining motor vehicle repair works, it would be appropriate to replace the existing mesh boundary fence on the Shopping Park boundary with a 2 metre high acoustic fence.

The Council's Environmental Heath Team consider that, without suitable mitigation, there would be likely to be some adverse noise impact to some Ringwood Road residents on Sunday mornings : those properties that are not shielded by the large motor vehicle repair workshop building. However, the recommended acoustic fence would, provided it is of suitable construction and long enough, adequately mitigate noise at these residential properties to a level that should not cause undue disturbance. This is also provided that delivery vehicle refrigeration plant is switched-off during deliveries and general best practice in terms of noise control is employed. It is considered that the proposed acoustic fence would also have the added benefit of minimising noise from other activities on site not related to the application site i.e. commercial waste collection noise that is not considered by the submitted Noise Assessment report. It is additionally considered that it would be possible to install acoustic screening for any external plant.

Although there are other nearby residential properties at Lancaster Way and on Farnborough Road north of the Shopping Park and the link-road, these are located further away from the likely noise sources arising from the current proposals. As such, it is not considered that any material and adverse noise nuisance impacts would arise in respect of these properties.

In the circumstances, it is considered that noise emissions from the site could be adequately controlled to prevent any undue noise nuisance affecting nearby residential properties; and that it would be appropriate to address this matter through the imposition of suitably-worded planning conditions should the Council be minded to grant planning permission.

4. Air Quality –

The Government has identified the A331 as being non-compliant with the statutory annual mean EU limit value for Nitrogen Dioxide [The UK Plan for tackling roadside nitrogen dioxide concentrations (2017)]. Rushmoor, along with Surrey Heath Borough Council, and Hampshire and Surrey County Councils, have been served with a Ministerial Direction to develop and implement measures to bring about compliance in the shortest possible time. The Blackwater Valley's Local Air Quality Plan was approved by the Secretary of State earlier this year, and in June the speed limit between a point just south of the Coleford Bridge Junction and the Frimley Road junction was reduced from 70 mph to 50 mph. In addition, improvements to the Bradfords (Hawley) roundabout are planned that aim to reduce congestion and queuing for northbound vehicles exiting the A331, thereby improving flows from the A331 onto the local highway network. With these measures in place, it has been shown that compliance with the annual mean NO2 EU limit value along the A331 will be achieved by 2021.

With respect to the current planning application, the question that arises is whether or not the proposals would undermine or prevent achievement of the air quality improvement objective as a result of the anticipated additional traffic generation on roads in the vicinity, including the A331 and A325 Farnborough Road in the vicinity of the Bradford's (Hawley) Roundabout. The margins are very small. The concern is that any significant increases in traffic in these locations could negate any reduction in emissions that measures within the Air Quality Local Plan are designed to bring about. Environmental Health are currently monitoring and evaluating the effectiveness of the measures introduced and are required to regularly report on progress in achieving compliance to Defra and DfT's Joint Air Quality Unit. Given the importance the Government has placed in meeting its air quality responsibilities, it is vital to demonstrate that emissions that may arise as a result of any new development would not impede achieving compliance.

In their first consultation response, Hampshire County Council Highways raised concerns about the potential impact of the proposed development on the local road network, and in particular the impact that increased trips arising from the proposal would have on works planned to improve local air quality. The first consultation response of the Environmental Health Team repeated the concern that a foodstore such as the one proposed can generate significant levels of traffic, should it prove to be as popular, as is known to be the case with a similar store located in Blackwater. Accordingly, the Environmental Health Team have requested further detail from the applicants to demonstrate that the proposed development would not risk non-compliance with EU air quality limit values along the A331. In response the applicants submitted an Air Quality Assessment (AQA) report to the Council for consideration on 7 November 2019.

In response, Environmental Health considers that sufficient detail has been provided in the submitted AQA to assess the impact of the proposed development on measures being implemented to improve air quality along the A331. The submitted AQA has considered air quality in 2020 at a number of receptor locations, with and without the development in place. Four of these receptor locations are along the A331 and, as such, are relevant to considering impact upon the Bradford's (Hawley) Roundabout improvement works that were specifically funded with the aim of improving air quality along the A331. The AQA report has used trip traffic data from the applicant's Transport Assessment, which states that the development is expected to generate an additional 247 AADT (Additional Average Daily Traffic) movements when compared with the existing use of the site. Environmental Health advise that traffic movements would need to be at least 4-5 times higher than this figure to begin to have any adverse impact on air quality by the measure adopted by the Government. Accordingly, based on the provided data, the submitted AQA report concludes that there would be negligible impact on air quality along the A331 the subject of the ministerial direction as a result of the proposed development.

Environmental Health accept the conclusions of the report and raise no further objections **provided** that HCC Highways are satisfied with the traffic generation data provided in support of the application. This matter is considered in the next section of this report.

5. Highway Considerations -

Blackwater Shopping Park is located adjoining busy road junctions that are prone to traffic congestion : the Bradford's (Hawley) Roundabout on Farnborough Road (A325) and the A331 Blackwater Valley Relief Road approximately 800 metres south of Junction 4 of the M3 motorway. All of these routes are major strategic road links used by both through-traffic, but also by significant local traffic daily, both on workdays and at weekends. The Shopping Park has a single vehicular access onto the link-road connecting Farnborough Road and the A331

serving all customer, staff and delivery vehicle traffic in and out of the Park. This includes significant traffic frequenting the McDonalds restaurant and drive-through and Costa Coffee. The Shopping Park has in excess of 14,000 sqm of floorspace and a car park containing in excess of 600 spaces : it is a busy well-frequented place. The interaction between traffic approaching and departing the Shopping Park with traffic using the surrounding roads clearly has the potential to impact significantly upon traffic congestion on the important strategic road intersections in the vicinity.

The Shopping Park vehicular junction with the link-road has limited functionality : vehicles seeking to enter the Park must do so by filtering and/or turning left from the west-bound side of the link-road from the A331 junction, in doing so receiving traffic from both the north- and south-bound sides of the A331, but also from Frimley to the east and Farnborough and beyond via the Bradford's (Hawley) roundabout to the west. Vehicles leaving the Park must turn left onto the west-bound side of the link-road to approach the Bradford's (Hawley) Roundabout with the option of then turning left, going straight ahead into Hawley Lane (B3272), turning right or turning completely around to travel back along the link-road towards the A331. This limited functionality of the Shopping Park access junction results in many vehicles approaching or leaving the Park undertaking turning manoeuvres around the roundabouts at each end of the link-road, often resulting in vehicles travelling both ways along the link-road on approach and/or departure. Vehicles entering or leaving the Shopping Park will often have to change traffic lanes in potential conflict with other traffic. Traffic movements associated with the vicinity of the Shopping Park are, therefore, busy and complex; with multiple compound series of opportunities for impacts upon traffic flow through conflicting vehicle movements, queuing and congestion.

The proposed Aldi foodstore is expected to attract a significant additional quantum of customers to the Shopping Park, either simply to use the foodstore, but also by attracting and encouraging an amount of linked shopping trips to benefit other retailers within the Park. Although the applicants note that the Shopping Park is accessible by a range of different modes of transport, the predominate mode of traffic used to travel to and from the site is by private car. Servicing of the Shopping Park is also entirely by road transport. The proposals therefore have the capacity to have severe highway safety and convenience impacts. Accordingly a key consideration for the Council in determining this planning application is to determine the likely extent of additional traffic that might be attracted to the Shopping Park (both customers and delivery vehicles); and whether or not this would be likely to exacerbate any existing highway safety and convenience impacts upon adjoining and nearby public highways to the extent that this amounts to severe harmful impact.

The various elements of the proposals impacting upon highways issues are considered in the following paragraphs and are a combination of matters raised in HCC Highways consultation response and also matters raised by the Planning case-officer.

Proposed Vehicular Access Improvement : It is proposed that the outbound portion of the Shopping Park vehicular access be modified to become of two-lane width along its entire length. This involves only a minor re-alignment of the adjoining pedestrian pavement and loss of landscaping adjacent. At present the outbound access is partially two-lane, but narrows slightly for a short section. It is considered, and Hampshire County Council Highways agree, that this element of the proposals would enable more efficient flow of traffic leaving the Shopping Park. This element of the proposals is considered acceptable in highway terms and to be welcomed. It is not, however, known to what extent, this improvement would resolve one of the observed issues with the operation of the Shopping Park, which is that there can be congestion and significant queuing within the Shopping Park car park at busy times. It is also

unknown whether there would be any negative consequences for the safety and convenience of traffic on the adjoining public highways if traffic were able to reach the junction stop-line with the link-road in two full lanes.

Parking : As existing, the Shopping Park has 622 customer parking spaces to serve a total floorspace of 16,015 sqm including the new Halfords unit currently under construction; an existing overall parking ratio of 1 space/26 sqm of floorspace. This ratio of parking falls below the Council's current adopted maximum Parking Standard for general and non-food retail, (which is the predominate use of the existing floorspace) and is 1 space/20 sqm. This reflects the addition of significant additional floorspace into the Shopping Park since it was originally permitted in 1994 : it was originally permitted with 10,330 sqm. Nevertheless, the limited recent snapshot parking surveys undertaken on behalf of the Shopping Park are claimed to indicate that usage of the car parking has generally, at most times, fallen well below the total number of parking spaces that are available for use. However this is not necessarily reflected by observations of more complete parking usage within the Shopping Park made by Council Officers since the planning application was submitted.

Changes to the access, circulation and management arrangements for the car park approved with the new Halfords unit planning permission and subsequently implemented may have encouraged use of parking spaces to be spread more fully across the whole extent of the car park, rather than being concentrated in those sections nearest the retail outlets. However, a possible negative consequence of this change is that available parking spaces are also often spread across the whole car park and, at the busiest times when car park usage is at a maximum, these empty spaces can be more difficult for people to find and utilise. Poor or inconsiderate parking can also result in a proportion of empty parking spaces being unusable by all but the smallest cars or more skilful/determined drivers. Vehicles manoeuvring into or out of tight parking spaces can be seen to hold up traffic seeking to move around the car park.

The current proposed development would result in the loss of 17 existing parking spaces to provide space for the Aldi foodstore trolley bays, reducing the overall complement of customer parking spaces to 608. However the proposals would also result in the loss of 1532 sqm of existing mezzanine retail floorspace, such that the resultant overall parking ratio would marginally improve to 1 space/24 sqm of floorspace.

Hampshire County Council Highways has requested that the applicants demonstrate that, in the light of the anticipated increase in customer traffic to the site arising from the proposed Aldi foodstore, the available capacity of the car park would not be exceeded at peak times. Parking Standards are derived from a calculation of average parking usage based on historic observations of parking activity with specific types of development nationwide and, as such, there will be sites where higher and lower parking usage can be found. Notwithstanding the parking demand implied by the Council's adopted Parking Standard of 1 space/14 sqm required for a foodstore, it is not a facsimile for parking usage, rather an estimate used to assess whether planning permission should be granted for a development with a certain proposed floorspace and quantum of parking spaces provided. This does not necessarily reflect the actual parking usage that would take place; and, in particular, the likely enhanced customer draw of a discount foodstore such as Aldi.

In this respect it is considered that the applicant should also assess the impact on parking provision/usage of empty shopping trolleys being discarded within the car park area rather than being returned to the store-front trolley bays. Shopping trolleys do not exist in any significant numbers within the Shopping Park as existing, yet they are a specific and essential requirement for a foodstore. Empty trolleys can often block entire parking spaces if discarded

carelessly away from designated trolley storage bays. It is possible that fitting trolleys with coin/token redemption devices could ensure most trolleys would be returned to the trolley bays by customers and that a suitably-worded planning condition could be used to require the provision and retention of these devices if the Council were minded to grant planning permission. However, this issue is not acknowledged or examined.

The applicants Transport Consultants have responded to HCC Highways' queries (received by the Council on 14 November 2019) with a short 'Technical Note'. This sets out the results of some ANPR parking usage surveys and sensitivity analyses, which they say indicate that the change in car park usage arising from the proposed foodstore would be negligible. A re-consultation response is awaited from HCC Highways on this point.

Traffic Generation and Impact upon Road Congestion : The applicant's TA seeks to assess the traffic impact of the proposed foodstore, but also taking into account the potential additional parking demand of the new Halfords retail outlet [currently under construction and, as such, not existing when the TA was being produced] and the number of vehicle trips theoretically 'lost' as a result of the proposed removal of the mezzanine floorspace from Units 2A and 3. The estimates of traffic generation are derived from a calculation of the parking requirements for the floorspace involved, notwithstanding the reservations about this approach that have been mentioned in preceding paragraphs. The traffic generation figures are considered then in the context of a survey of existing traffic associated with the Shopping Park.

The applicants' TA has provided manual traffic counts for just two days : Thursday 31st January 2019 and Saturday 6th April 2019. These surveys separated and excluded the vehicular traffic generation for the retail units from that for McDonalds. The applicants' TA seeks to justify this approach on the basis that the traffic generation associated with McDonalds is considered to be largely separate from that of the remainder of the Shopping Park. However McDonalds traffic is, nonetheless, a component of the traffic entering and leaving the Shopping Park and, necessarily, using the adjoining public highways. However, to the contrary it is not considered to operate entirely in isolation of the rest of the Shopping Park as suggested and, as such, the estimates of traffic generation may be depressed. Furthermore, it is not clear from the submitted TA whether, and to what extent, parking is discounted and excluded from consideration as being primarily used by McDonalds customers. It is also queried whether the limited traffic count surveys can be considered to be representative of the operation of the Shopping Park throughout the year.

The applicants' traffic count surveys indicate that the current maximum parking demand observed was 472 cars on a Saturday, although for the reasons stated previously it is not clear how many of the Shopping Park parking spaces are the total amount considered to be available for use by customers of the retail outlets as context. Weekday traffic flows on the link-road were observed to be 1299 and 1438 vehicles in the AM and PM peaks respectively. Traffic generation of the existing retail outlets was 128 and 324 vehicles in the weekday AM and PM peaks respectively. The weekday peak for the Shopping Park was between 1300 and 1400 hours, with 503 vehicle movements. The Saturday peak was between 1400 and 1500 hours with 648 vehicles. This suggests that the Shopping Park can contribute approximately a third to a half of the traffic on the link-road. However, as has been mentioned previously, the limited functionality of the Shopping Park access necessitates a proportion of the traffic entering or leaving the Shopping Park to undertake multiple passes along the link-road. It is therefore considered that the impact of Shopping Park traffic on the link-road and associated road junctions is more complex than the applicant's TA assumes and, indeed, may well be under-stated.

However, as has been specifically noted by HCC Highways, no traffic modelling of the adjacent road network has been carried out to assess the impact of the proposed foodstore on the adjoining roads in terms of overall traffic movements and traffic queuing. Although the TA indicates that the impact of the additional traffic flows on the operation of the local road network had been 'examined', it is not considered that this assessment is convincing or, indeed, that the methodology used is entirely appropriate.

The applicants' Transport Consultant's Technical Note (received by the Council on 14 November 2019) re-confirms that no modelling of existing traffic conditions has been undertaken. It is stated that this is because the Bradford's (Hawley) Roundabout is currently undergoing an enhancement scheme [to incorporate measures to improve air quality] and modelling information has not been forthcoming from HCC. It is concluded that "no further assessment can reasonably be undertaken". Additionally, the Technical Note explains that HCC's requested review of traffic accident data (safety review) is not possible until the enhancement scheme works have been completed. The Transport Consultant considers that a further road safety review is unwarranted. A response is awaited from HCC Highways as a result of the Council's re-consultation following receipt of the 'Technical Note'.

Transport Contribution : It would be usual for an increase in traffic generation arising from a proposed development to trigger a requirement for a Transport Contribution provided that there is an appropriate highway improvement scheme to which the contribution could be used. A s106 Planning Obligation would need to be entered into in order to secure any financial contribution that is identified. In the absence of agreed traffic generation figures HCC Highways has yet to comment on this matter and, indeed, no action has yet been undertaken to seek a s106 from the applicants to date.

Servicing Arrangements : The proposed foodstore and separate A1/A3 unit would be serviced from the existing service yard area to the rear of the building. In the case of the proposed foodstore, this is shown to have an unloading dock recessed into the ground in order to facilitate movement of goods trolley cages and pallets with direct level access into the foodstore storage warehouse. This facility is provided for a single lorry to be unloaded at any one time and necessitates lorries to manoeuvre precisely when approaching and leaving the dock in order to get in and out of it. Indeed, when leaving the dock, it will be necessary for lorries to drive further down the service yard to a turning area adjacent to the rear of Unit 5 in order to be able to leave the site in a forward gear. Tracking diagrams have been submitted that demonstrate that these manoeuvres are possible without impacting upon the operation of the remainder of the servicing facilities for the Shopping Park.

However, no assessment appears to have been made of the impact on traffic generation and adjoining roads of the type, number and timing of delivery vehicle movements that would be required to serve the proposed foodstore. This is despite the applicants' Noise Assessment report indicating that there would have to be an increased number/frequency of lorry movements to meet the on-going delivery demands of a foodstore.

Travel Plan : The application was submitted with a Framework (i.e. draft) Travel Plan (FTP) in order to introduce measures to . HCC Highways has indicated that this is being assessed by the HCC Travel Planning Team and a separate consultation response is to be made. The most recent re-consultation response from HCC Highways still remains silent about this matter. If HCC were to consider that the FTP is acceptable, it would be normal for the production of a final version of the TP and on-going monitoring and review to be written into a s106 Planning Obligation, together with securing the necessary monitoring and review fees.

HCC Re-Consultation : As previously mentioned, HCC Highways have been re-consulted as a result of the receipt of the applicant's TA addendum Technical Note. At the time of writing this report HCC's response had just been received. Nevertheless, it is considered that, for the reasons set out in the preceding Highways Consideration paragraphs, the case being made by the applicants lacks detail and does not satisfactorily demonstrate that the proposed foodstore would have the claimed benign impact upon the safety and convenience of highway users for the reasons that have been identified. In the circumstances it is considered that it is appropriate to recommend that planning permission be refused on the basis that it has not been satisfactorily demonstrated that the proposed development will not have a material and adverse severe impact upon the safety and convenience of highway users contrary to New Local Plan Policy IN2.

6. Flood risk and the water environment -

The application is supported by a brief flood risk assessment on account of the east side of the Shopping Park being at moderate risk of flooding. However, the portion of the Shopping Park the subject of the current application is on land at low risk of flooding and the proposals do not make any changes to the extent of the site that is hard surfaced. In the circumstances it is considered that the proposals are acceptable having regard to Policies NE6-8.

7. Access for People with Disabilities –

The proposed development should provide access for people with disabilities at least in accordance with Building Regulation requirements. It is considered that adequate means and measures would be incorporated into the development to achieve a good standard of access for people with disabilities, including provision of mobility accessible parking bays.

Conclusions -

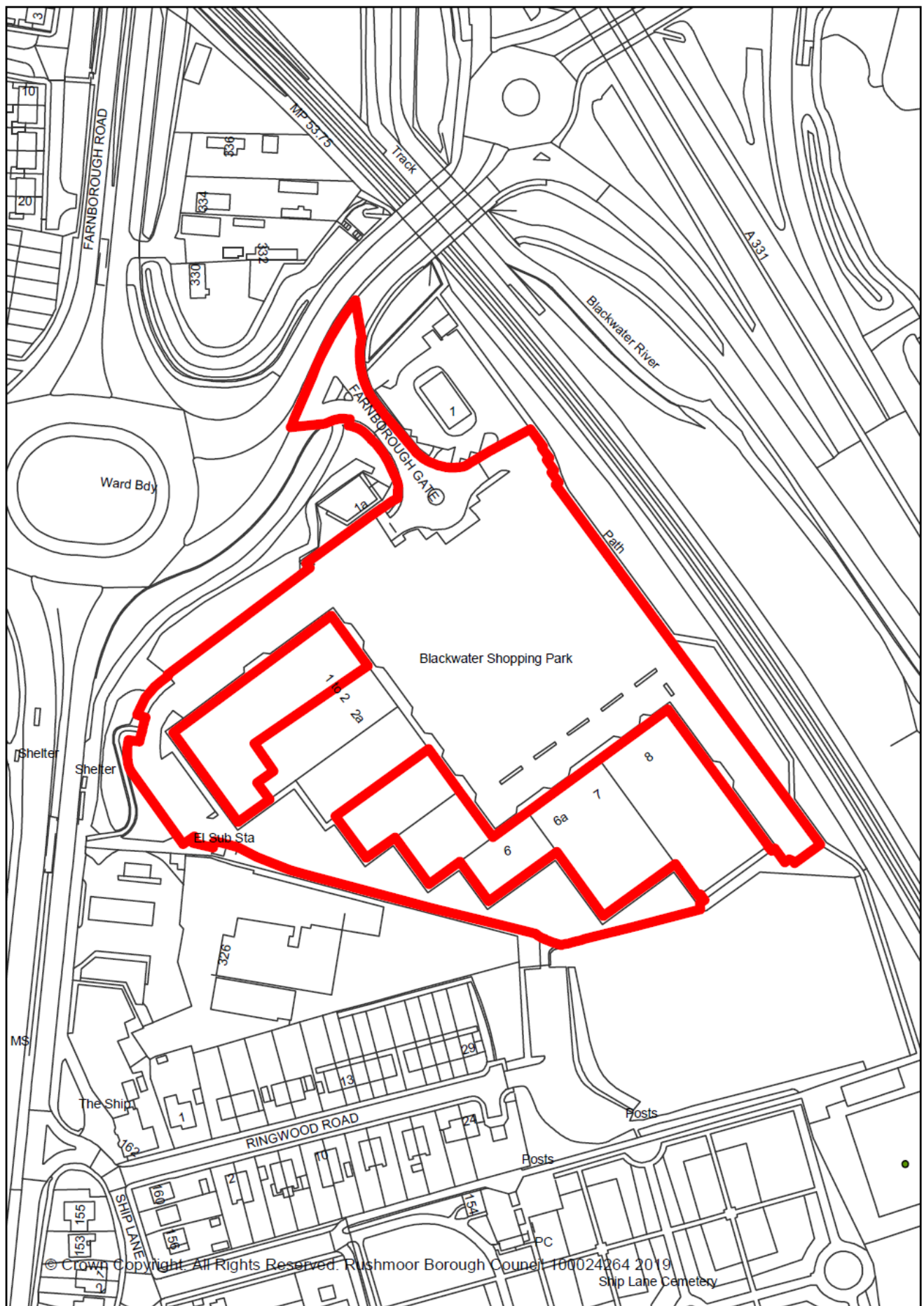
Although only very recently received, the implications of the Legal & General proposals for a discount foodstore at Solartron Retail Park now requires consideration by the applicants given that it is a potential scheme in a clearly sequentially preferable location. Furthermore, entirely separately, despite being prompted for additional information, it is considered that the applicants have failed to provide adequate unequivocal evidence to demonstrate that the proposed development will not have a material and adverse severe impact upon the safety and convenience of highway users.

Full Recommendation

It is recommended that planning permission be **REFUSED** for the following reasons:-

1. It is considered that there is a potential sequentially preferable town centre location which could accommodate the proposed development. Development in this out of town location would therefore be contrary to the objective of regenerating Farnborough town centre and would consequently adversely affect the vitality and viability of Farnborough Town Centre. As such the proposals conflict with Policies SS2, LN7, SP1, SP2 and SP3 of the Rushmoor Local Plan (2014-2032) adopted 21 February 2019, the advice contained in the National Planning Policy Framework and the objectives of the Supplementary Planning Documents on Farnborough Town Centre (July 2007) and accompanying Prospectus and Aldershot Town Centre SPD 2009.

2. The submitted proposals involve development that fails to address the objectives of the National Planning Policy Framework in that it has not been satisfactorily demonstrated that the proposed development would not have a severe impact on the operation and safety of local and strategic road network in the vicinity. The proposals are thereby contrary to the NPPF and adopted New Rushmoor Local Plan Policy IN2.





Notes

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Topographical survey, including services information, shown from Sumo Services Ltd drawing no. 01195 D1, D2, D3 & D4, dated 25-06-17.

Car park lining shown from Mott MacDonald drawing no. 307897-MMD-BCP-XK-DR-C-0006, 2, revision P2, dated 06-09-17.

Tree spreads to south-eastern corner of site shown from CBA Trees drawing ref. CBA0021 D1 TSP, dated 26-07-17.

Tree spreads to south-eastern corner of site shown from CBA Trees drawing no. 17-053/ATU, revision 12, dated 16-02-18.

Entrance road shown from Bradbrook drawing no. 17-053/ATU, revision 12, dated 16-02-18.

Existing unit floor plans shown from 3DReid drawings 160100-L-001 to 010, revision 12, dated May 2016.

Car Parking Schedule

Spaces to retail park (including service yards)	635
Spaces to McDonald's (excluded from above)	26
Net change in spaces	-17
Total spaces to car park following construction of new units and Unit H (17/050866/PLUP)	597

Existing access road altered to be 2m wide footpath - to specialist's details

Existing paved entrance area

Existing lowered canopy to be removed and replaced with new canopy and signage to be raised

New paved area to store entrance / exit

New roller bay special trolley and cycle parking area with standalone canopy over

Existing lowered canopy to be removed and replaced with new canopy and signage to be raised

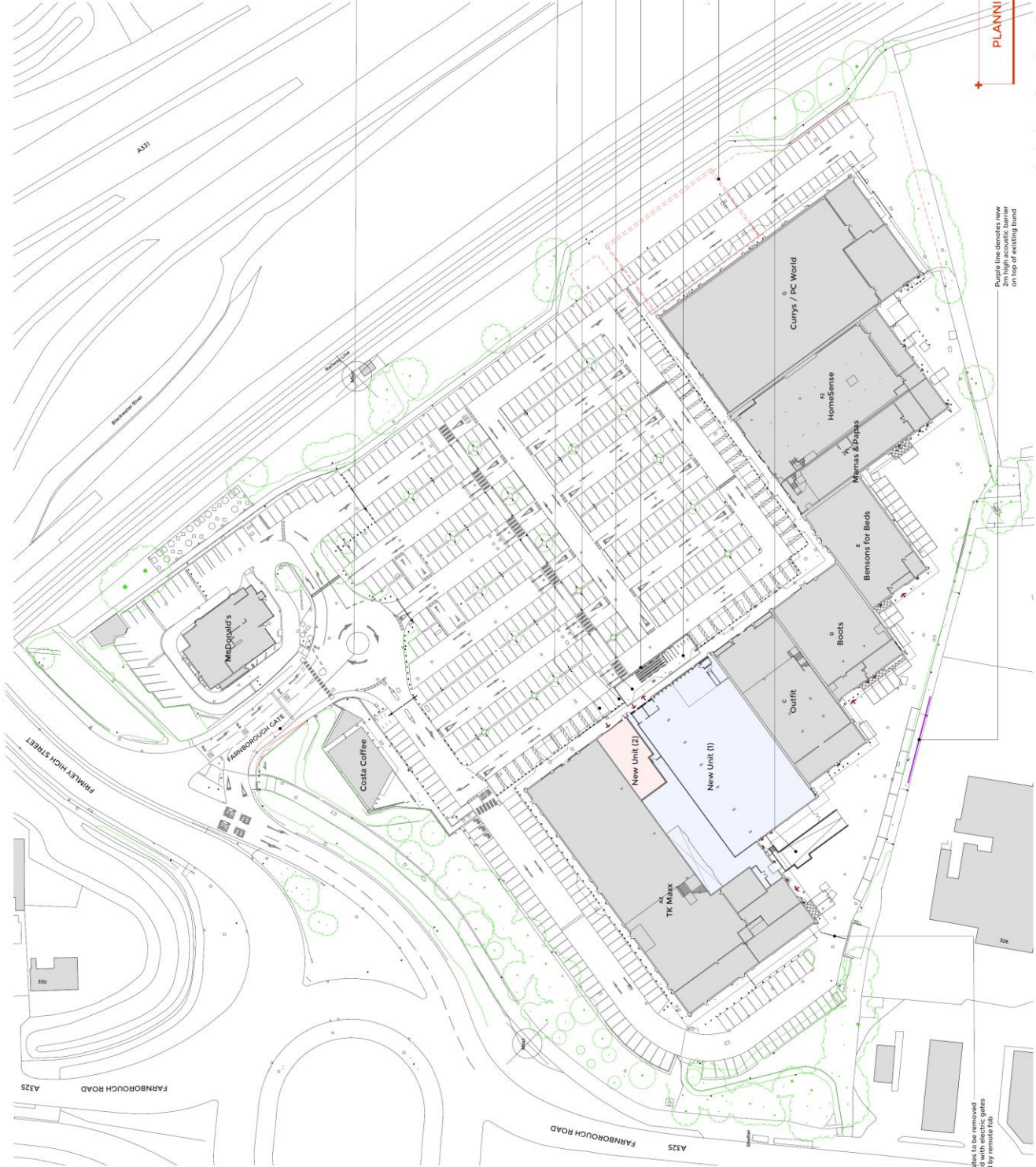
Dashed red line denotes new 17/050866/PLUP - future implementation of proposal to reduce footfall of retail spaces

New dock loader with retaining walls, access steps, personnel access and refuse storage

Purple line denotes new 2m high acoustic barrier on top of existing bund

Existing gates to be removed or replaced with electric gates controlled by remote fob

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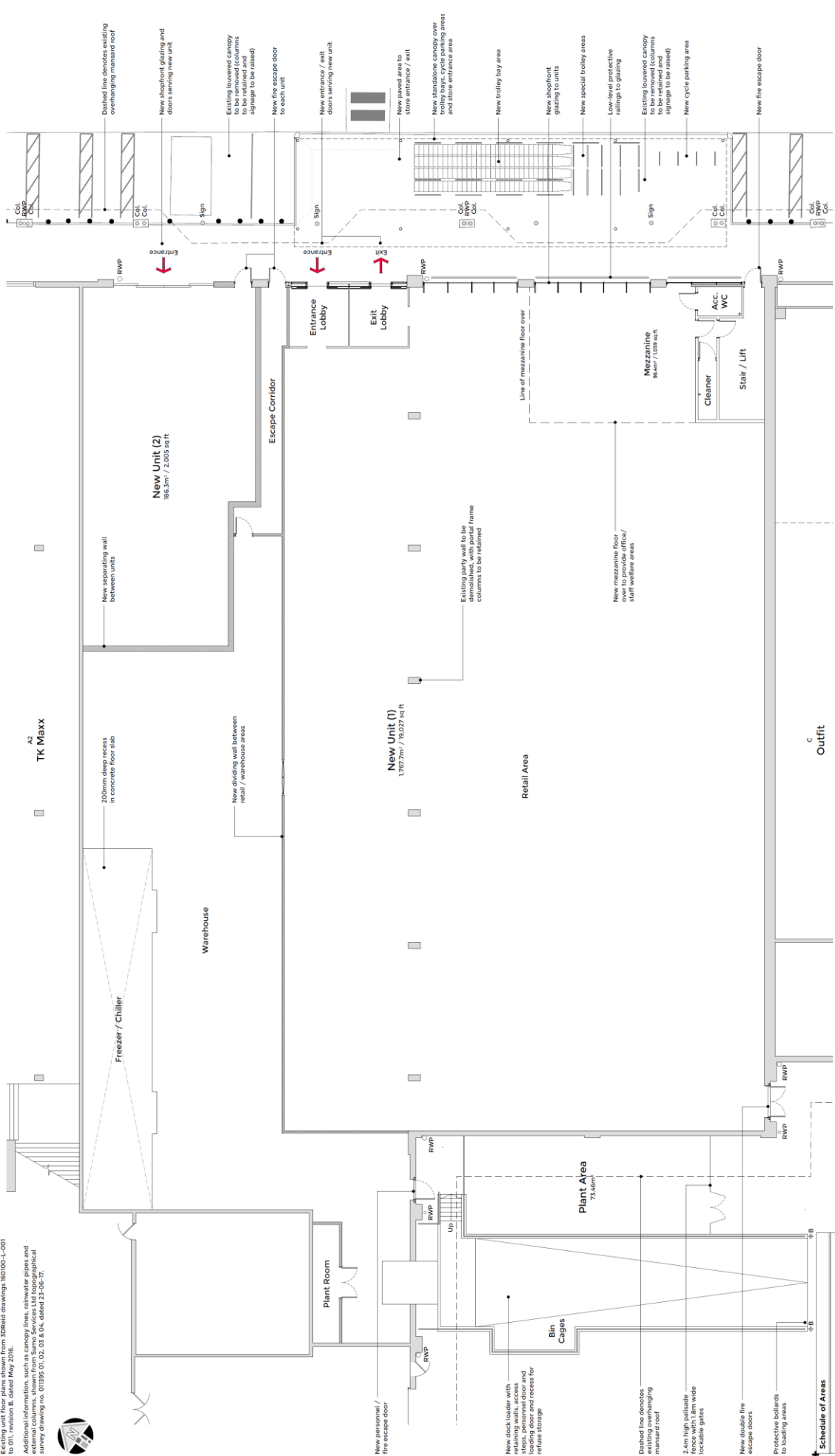
Client Lothbury Property Trust Company
Project Units A & B, Backwater Shopping Park, Farnborough
Title Proposed Site Plan

BS Ref: 18070
Date: Jul 2019
Scale @ A1: 1:500
Drawn: SD
Checked: TB

LPT - BSL - ZZ - 00 - DR - A - 2001 - PL

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Existing unit floor plans shown from 3DReid drawings 160100-L-001 to 011, revision B, dated May 2016.



Schedule of Areas	
New Unit (1)	
Ground Floor GIA	17,987.7m ² / 19,027 sq ft
Mezzanine GIA	98.4m ² / 1,059 sq ft
Total	1,886.1m² / 20,086 sq ft
New Unit (2)	
Ground Floor GIA:	186.5m ² / 2,005 sq ft
Total Ground Floor GIA:	2,009.5m ² / 21,630 sq ft
Total Ground Floor GIA:	1,954m ² / 21,035 sq ft

NB: All areas given are approximate only and based on available floor plan survey data.

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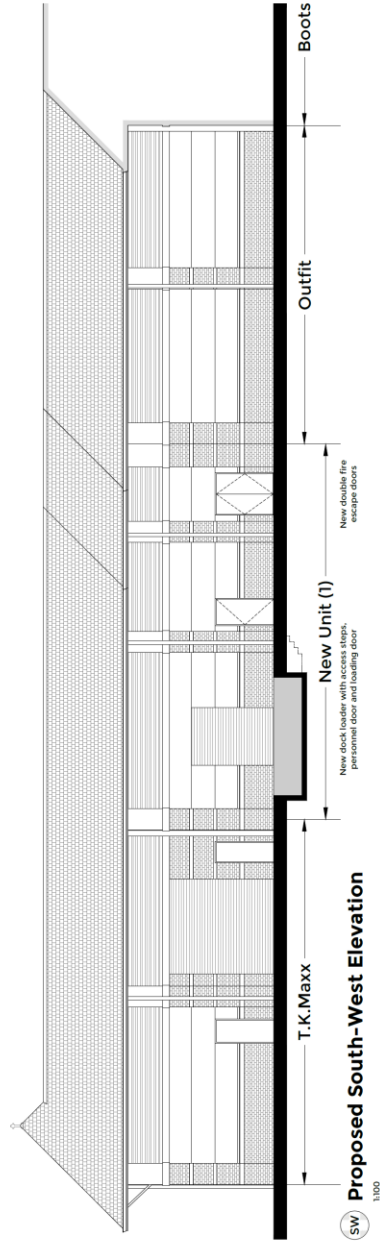
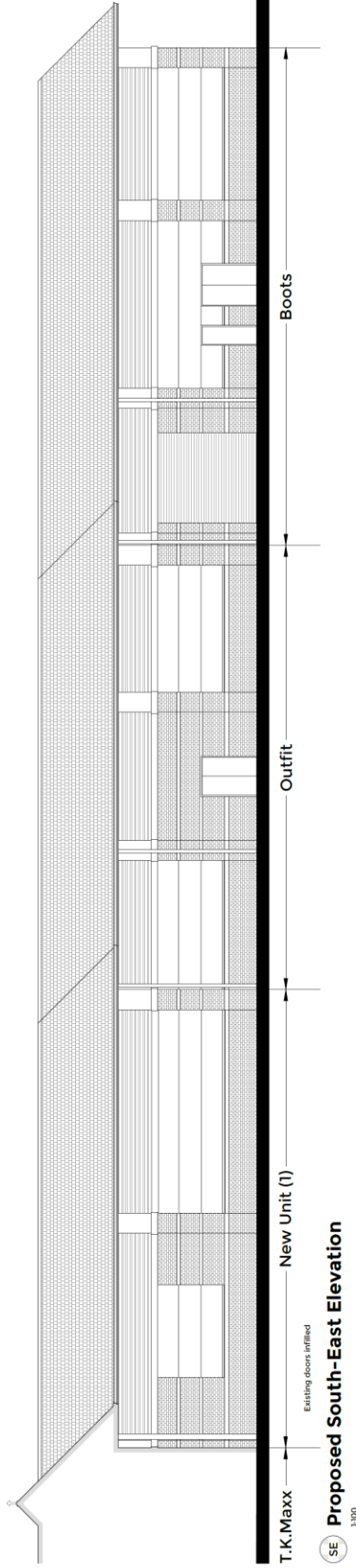
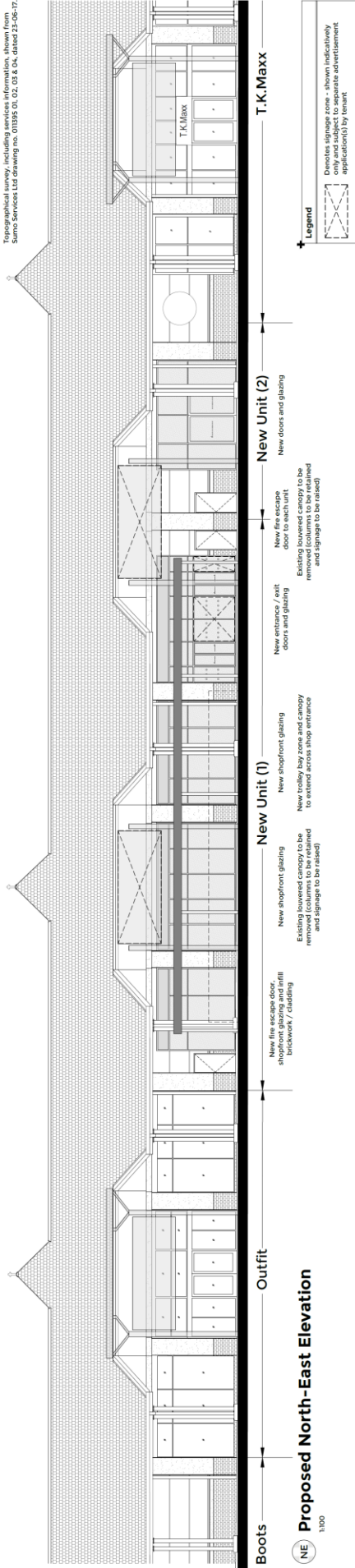
Candler Chambers
Canute Road
Southampton
Hampshire
SO14 3AB

Client	Lothbury Property Trust Company
Project	Units A1 & B, Blackwater Shopping Park, Farnborough
Title	Proposed Floor Plan

Product	Original	Volume	Label	Type	Rate	Events	Number	Subsidiary	Section
LPT - BSL - ZZ - 00 - DR - A								3001	PL
B+S Ref.	Date	Scale @ AI	Drawn	Checked					
18020	7/4 2018	1.00							

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Notes
Topographical survey, including services information, shown from
Sumo Services Ltd drawing no. 011595 01, 02, 03 & 04, dated 23-06-17.



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Client

Leithbury Property Trust Company

Project

Units A1 & B, Backwater Shopping Park, Farnborough

Title

Proposed Elevations

B+S Ref.

18070

Date

Jul 2019

Scale @ A1

1:100

Drawn

SD

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