

COUNCIL

Date and Time: Thursday, 30 July 2015 at 7.00 pm

Place: Council Chamber, Civic Offices, Fleet

Present:

COUNCILLORS –

Oliver - (Chairman)

Ambler	Crampton	Leeson
Axam	Crisp	Makepeace-Browne
Bailey	Crookes	Morris
Billings	Dickens	Neighbour
Blewett	Forster S	Parker
Burchfield	Gray	Renshaw
Clarke	Gorys	Southern
Cockarill	Kennett	Wheale
Collett	Kinnell	Woods

Officers Present:

Patricia Hughes	Joint Chief Executive
Daryl Phillips	Joint Chief Executive
Gill Chapman	Committee Services

24 MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting held on 25 June 2015 were confirmed and signed as a correct record.

25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Butler, Harward, Lewis, Radley JE and Radley JR.

26 DECLARATIONS OF INTEREST

No declarations were made.

27 PRESENTATION BY STEP BY STEP

Amanda Dubarry, Chief Executive of Step by Step gave a presentation to Members. Step by Step has been working since 1987 to empower homeless people and those facing adversity to achieve their full potential, giving young people the skills and motivation to be in control of their lives through staged accommodation, supported lodgings, training and counselling. Last year they helped 1,330 people of which 85%

progressed or positively stabilised. Recent funding cuts would affect the future of the service.

Members thanked Amanda for the valuable work being done for young people, shown by their record of achievement over the years. Points discussed included increasing funding and fundraising, increasing staffing and volunteers, the highest presentation in the area is Fleet, and the Service Level Agreement with Hart.

The Chairman thanked Ms Dubarry for the presentation and the acknowledged the valuable work being done.

28 COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC

Questions had been received from Mr David Turver, Mr Meyrick Williams and Mr Stephen Blandford, details and responses are set out in Appendix A attached to these Minutes.

The Chairman made an announcement regarding public questions:

“As Chairman it is my duty to ensure good communications between the Cabinet, Council and Residents at Council Meetings and this is facilitated by a 20 minute Question and Answer session at the start of each Full Council meeting – an interactive dialogue at which any issue relevant to the Council can be raised.

The questions being posed recently are in some instances essays, pamphlets, alternative Local Plans or simply political statements of objection as to the work of the Council. It has become increasingly difficult for Officers to discern if a question is even being asked.

To ensure we maintain an interactive Question Time I am asking Officers to prepare and publish guidelines on the format of questions that will be accepted during this session. This will not limit the substance or subject of any question. Both Councillors and Residents will be expected to abide by these guidelines.

If a topic requires a significant discussion paper or data explanation then such questions should be directed towards the relevant Portfolio holder in the Cabinet or the Joint Chief Executives in writing. If a meeting to discuss the issue is required then I am certain that it will be accommodated as is normal practice.

I hope this change will allow a more interactive Q&A session for Residents and Councillors”.

29 COUNCIL PROCEDURE RULE 14 – QUESTIONS BY MEMBERS

Questions put by Councillors are detailed in Appendix B attached to these Minutes.

30 CHAIRMANS ANNOUNCEMENTS

The Chairman had attended the following events on behalf of the Council:

29 June Bishop Andrew of Guildford “At Home” in Guildford
1 July Lord Mayor Portsmouth Mayoral Dinner Party in the Guildhall, Portsmouth
3 July HCC Duke of Edinburgh Award Reception, Great Hall, Winchester
5 July HDC Civic Service – Holy Trinity RC Church in Church Crookham
26 July Chairman of East Hampshire Civic Service – St Peter’s Church, Petersfield

The Vice Chairman attended the following event on behalf of the Council:

11 July Pelly Concert Orchestra at Elvetham Heath Church

31 CABINET MEMBERS ANNOUNCEMENTS

The Leader of the Council, **Councillor Parker**, announced

At the beginning of the month, Councillor Neighbour, Ms Hughes and I represented the Council at the Local Government Association conference. The principal topic was the devolution agenda in all its various flavours. It is clear that a key ambition of Government is to accelerate this agenda to all corners of the country. This was emphasised particularly by Greg Clark and his ministerial team from DCLG, four of whom were there.

Following on from this, the Hampshire devolution proposal is proceeding. Following the initial letter of intent reported to Cabinet this month, I have met with the Leader of Basingstoke & Deane Borough Council, at which I shared the misgivings I have about the process. It is clear that this is not going to end in some kind of Hampshire unitary authority, but I retain some concerns about governance, as well as about some aspects of the proposed draft outcomes. I have today shared the latest draft of the second Letter of Intent with group leaders, for their comment before it is finalised tomorrow. I also with other South East England Councils members met last week with Theresa May concerning a number of matters, at which we raised a number of questions on Devolution, at which I emphasised the issue of governance in complex two tier areas such as Hampshire.

One of the statements made at the LGA Conference by Mr Clark to the District Councils Network, of which Hart is a member, was that DCLG intend to simplify the local plan process to facilitate more speedy adoption of plans; this was reinforced by the announcement last Friday by the Treasury that if councils drag their feet, the Government will impose a plan; the deadline has now been set as early 2017. I took the opportunity of a private conversation with Mr. Clarke to ask about the timescale for the process of simplification; the answer was months not years, but months not weeks, which may not be soon enough to help us. The District Councils Network is working with DCLG to develop the new streamlined processes.

I also took the opportunity for a private conversation with Brandon Lewis to emphasise the problems Hart has with overflow housing needs from our neighbours potentially forcing disproportionate development on our villages; he undertook to take it away and get back to us. I do not know whether he remembered that he had been obliged to face a public meeting here, but in case he had not, I reminded him.

On 8th July, Cabinet and the management team held an off-site meeting to consider the next year in the light of the election in May, and to look at the Corporate Plan, which will expire next year and which will thus need a rewrite. The output from this will be shared with members in due course, but the first draft of the Corporate Plan proposals have been shared with the other Group Leaders.

That evening, Stagecoach and Hampshire County Council attended a public meeting at the Harlington about buses. Many district and county members have been involved in prosecuting the campaign for better buses during the first half of the year including the Chairman promoting meetings with Hampshire County Council officers and Stagecoach staff, me raising it with the Leader of Hampshire County Council and lots of campaigning on the ground led by Mrs Sarah Horton. I am not sure that most of the public expected anything very much at this meeting apart from platitudes. What they got was a major refresh of the bus services in Fleet including service to most places that had a service before and one or two that didn't, including Aldershot Health Centre. Under the proposals, Zebon Copse will not now have a bus service but will have a Taxishare service; we will await the details of that. There are still some details to work out, but the intention is to have the services in place for the start of the academic term in September.

On Friday 10 July along with a number of leaders from other South East councils I attended a round table meeting at City Hall with Sir Edward Lister, the Deputy Mayor for Planning. The purpose of the meeting was to start the process of a fresh structure for handling issues which cross the boundaries between the South East and London. In the course of it Sir Edward took pains to assure us that London intends to meet its own objectively assessed housing needs within its own geography. It was the first of several such meetings of up to 20 authorities, so that all may have an opportunity to influence the process. This will be followed up with a plenary meeting of all Leaders towards the end of the year.

The Cabinet Member for Corporate Services, **Councillor Burchfield**, had no announcements.

The Cabinet Member for Community Wellbeing, **Councillor Crampton**, announced:

I am pleased to announce that Fleet Pond Nature Reserve has been awarded the Green Flag for the first time. The Green Flag award scheme is the benchmark national standard for parks and green spaces in the UK, recognising and rewarding the best green spaces in the country. It is also seen as a way of encouraging others to achieve high environmental standards setting a benchmark of excellence in recreational green areas.

Hartley Wintney successfully retained their green flag for the third year and their green heritage award for the second year. Elvetham Heath has successfully achieve the award for a fourth year running.

Congratulations to the staff and volunteers that have worked so hard for this to happen.

The Cabinet Member for Finance and Economic Development, **Councillor Crookes**, reminded Members that the scrutiny of last year's outturn had shown it to be well managed from a financial perspective.

The Cabinet Member for Environment, **Councillor Forster**, announced:

I attended a public Bus meeting on 8th July at the Harlington Centre. New routes will be starting 1 September. Follow up stakeholder meetings are scheduled for August and September.

On 20 July I attended a CCTV Governance Group. I learnt that CCTV aided in apprehending the Fleet church arsonist, cash point breaks (praise received from Surrey police), and Yateley sexual offences, plus local Skunkworks antisocial activity. Many CCTV Cameras have now been updated – they are visible if you look.

On 23 July I attended a Joint Waste Governance Group meeting - green bins recycling is dramatically up, and new bin pricing initiatives have been well received. The service has very low complaint numbers, it was many 100's monthly, but now almost in single digits.

On 27 July I attended a meeting of the Blackwater Valley Transport & Highways group. We stressed the need for better train timetables, and the need for a bus link to Frimley Park Hospital. The necessity of future roads planning linked to the Local Plan was also highlighted. Finally, a small Japanese Knotweed potential issue had been identified. The public are urged to contact South West Trains if seen near the railway, but not to pull it up as this helps it to spread.

The Cabinet Member for Housing, **Councillor Gorys**, announced:

Firstly, I can confirm the Step by Step Service Level Agreement has been agreed. Hart is providing them with £14k to help with the funding gap in future, partly to provide drop in centres.

The Strategy and Development team led on organising and hosting a 'rural bus tour' for Hart and Basingstoke district and Parish Councillors in celebration of the Hampshire Alliance for Rural Affordable Housing's (HARAH) 10th birthday. The bus tour visited a number of existing schemes, had an opportunity to look around a couple of rural homes, and heard from residents about what the schemes mean to them. Hart has been a member of HARAH since it began 10 years ago and the bus tour was a really great success. It promoted rural exception housing schemes and the importance of small housing developments for locally connected people in some of the most expensive parts of the district. These schemes meet local housing need and contribute to making our villages sustainable. If any Parish Councils would like to discuss rural exception housing schemes and how they might be delivered in their areas, please contact the Housing Service.

On a related subject, the Rural Exception scheme, Street End in Rotherwick (formerly the Cowfold Lane site), has now been allocated to applicants on the Council's Housing Register. Five of the six new residents at the scheme have a strong parish connection to Rotherwick and I has a strong Mattingley parish connection. This is great news and I'd like to express huge thanks to Gemma Watts,

our Nominations Officer, for all of her hard work in successfully allocating this brilliant rural housing scheme to people with strong connections to the area.

The Housing Needs Service is now well on its way to submitting the next tranche of application in the nation 'Gold Standards' application process, with hopes of reaching the next step – 'silver standards' – in the coming months. We have already achieved Bronze standard and were the first authority in Hampshire to do so. The application process involves proving to national charitable organisations Shelter, CAB, Crisis and Homeless Link along with selected local authority practitioners from around the country, that our front line housing service meets each of 10 local challenges set out by the government in the Ministerial Working Group report 'Making Every Contact Count: A joint approach to preventing homeless'. It is a challenging process but the team continue to push ahead having already proved successful in 3 of the 10 national challenges (you can only apply for 3 at a time). We hope to get further well deserved recognition for the housing advice and homelessness prevention services we are delivering every day with the next three challenges we are applying for.

Last year the Housing Service successfully led a partnership bid for £250k DCLG funding to improve local services for single homeless people across 7 districts (Hart, Basingstoke, Eastleigh, East Hampshire, Test Valley and Winchester). We have now recruited a coordinator to help deliver the project and have been working to bring together a multi-agency partnership locally to tackle individuals who are homeless or at risk of homelessness in Hart and Rushmoor and who have multiple, complex needs.

Housing Services delivered a 'digital inclusion' event in partnership with Sentinel Housing Association and Age Concern at the Hart Shopping Centre in Fleet. The event was well attended and provided an opportunity for many different residents to drop in and receive advice and support concerning their housing options, the Council's Choice Based Lettings Scheme, and forthcoming regeneration schemes in the local area.

The Cabinet Member for Regulatory Services, **Councillor Kennett**, reported:

I went to a meeting of the Hampshire Police and Crime Panel and one of the items was the Estates Strategy. The plan is to close a lot of Police Stations, including Fleet but not yet Yateley, but to locate a small team in Council offices. There have been delays in implementing this but there should be a team in our offices by the year end.

At a meeting of Safer North Hants, which members will recall is the pooling of Community Safety teams across Hart, Basingstoke and Rushmoor councils, the official merger document has finally started to be signed. This has taken a long time to finalise since it is something that I started when I previously had Cabinet responsibility for Community Safety.

Also at that meeting it was reported that crime figures are up but this is due to the way they are reported rather than criminal activity. Thus an egg thrown at a door is more likely to be classed as a hate crime rather than anti social behaviour as previously, or if a child is pushed out of the way in the course of domestic violence that will now be reported as an extra crime.

The Cabinet Member for Town and Village Regeneration, **Councillor Morris**, reported:

I recently Chaired 2 Fleet Task and finish Group meetings where a review of Fleets Church Road car park charges were discussed. The meetings concluded that these Car Park charges should change to a fairer system. This will all be explained on a new consultation page that will soon be posted on Harts website so that comments can be considered.

I am currently carrying out a review of the condition of Harts car parks with a view to updating the process of damage and wear and tear reporting and then setting out a programme to carryout out essential work.

I am also reviewing car park concessions where free car parking is given to events around the district. This is to ensure that free parking is scrutinised and given fairly.

A short while ago along with Mr Phillips I attended a meeting with the owners of the Hart Shopping Centre and I'm pleased to announce encouraging news with regards to its future. The owner informed us that 6 of the 11 empty units were in the process of being leased to new retailers and that plans were a foot to refurbish the entrances and the carpark tarmac surfaces including the access and egress ramps. This is very encouraging. The owner was also encouraged to engage with Hart with respect to any future refurbishment plans and advice was given with regards to communicating any changes or future plans with the current retailers within the centre to ensure openness and reassurance of the shopping centres future.

weeks ago I was fortunate to spend a day out with parking enforcement officers whilst they carried out their duties. Not only is our enforcement team efficient but also showed great judgement and understanding of car owners whilst parking. Not just the issuing tickets as portrayed in bad press but showed genuine understanding to motorists.

As an update for Members I will be bringing a paper to Augusts Cabinet meeting to discuss whether or not to sell part of the Cross Manor car park in Hook.

With regards to Regeneration of Towns and Villages I have written to all of Harts Town and Village Clerks so that I can arrange meetings with their councillors to discuss regeneration projects within their areas.

My portfolio is a District wide role and I will fairly distribute my time to all areas.

32 JOINT CHIEF EXECUTIVES' REPORT

The Joint Chief Executives' had nothing further to report.

33 MINUTES OF COMMITTEES

Meeting	Date
Overview and Scrutiny No questions asked	16 June 2015
Overview and Scrutiny No questions asked.	7 July 2015
Audit No questions asked.	23 June 2015
Cabinet No questions asked.	9 July 2015
Procuring a new Leisure Centre and future Service Provider – Options and Choices - see Minute 34 below	
Planning No questions asked.	17 June 2015

Planning 15 July 2015

Councillor Crookes asked if the report on Hatchwood Cottage (see below) had been written before the outcome of the Hop Garden appeal was known. The Joint Chief Executive confirmed that the timing of the appeal meant that the papers had already gone out, but that he had attended Planning Committee to verbally update the Committee on the implications of the appeal, before the Committee went into the merits of the planning application. The Planning Committee therefore was fully appraised of the decision and its implications.

15/00829/OUT Hatchwood Cottage, Farnham Road, Odiham, RG29 1AB A request for debate had been received.

This application was brought to Council as a **DEPARTURE** because the site lies outside the settlement boundary of Odiham and in that respect is contrary to Local Plan Policy RUR2. The Planning committee considered that although a **DEPARTURE** to the Local Plan and approved policy, there was no overall harm to the open countryside and that the proposal complies with the requirements of the National Planning Policy Framework.

The Chairman of the Planning Committee moved the recommendation and Councillor Cockarill seconded it.

The Joint Chief Executive had circulated a briefing paper to Councillors prior to the meeting. (Attached as Appendix 3)

Members debated the issues. Points of discussion included:

- The merits of maintaining a land supply

- Why development should be contemplated here and why now – the more appropriate approach could be to wait for the Local Plan process.
- Consultation with Odiham residents
- Was this the right site
- The NPPF objective to boost significantly the supply of new homes and the weight to be given to housing need
- Sustainable development in a sustainable location
- Justification if an appeal were to be made
- Why wait for the Local Plan process when this was a sustainable site with no obvious constraints
- The Council had granted other similar developments having regard to maintaining an ongoing and healthy supply of housing where those other sites were found to be sustainable so why not here and now
- No material harm to the wider countryside
- The Hop Garden appeal was based on the defined local gap and identified other clear demonstrable harm that weighed against that development – similar circumstances did not apply here.

A vote was taken:

In favour of the recommendation: 16

Against the recommendation: 11

(Councillor Gorys and Councillor Kennett asked for their votes against to be recorded)

Abstaining: 1

It was therefore:

RESOLVED

That permission be GRANTED (see Minutes of Planning Committee 15 July 2015 for full conditions)

34 PROCURING A NEW LEISURE CENTRE – AND FUTURE SERVICE PROVIDER – OPTIONS AND CHOICES

Council were asked to approve the construction of the proposed new Hart Leisure Centre and the outsourcing of the operation of this new centre and the Council's existing leisure centres.

It was agreed that Members would move forward with the item but that the meeting would be adjourned and the public asked to leave if Members wished to make reference to the confidential appendices.

It was agreed that an extra sentence be added to point D of the resolution to ensure additional tax advantages.

After discussion the resolution was carried unanimously.

RESOLVED

That Council agree to proceed with the construction of the new Hart Leisure Centre and the outsourcing of this new centre and the existing Hart Leisure Centre and Frogmore Leisure Centre operations on the following basis:

- A. That the Council agree to construct the new Leisure Centre at a total cost of £23 million.
- B. That Operator C is appointed to operate the current Leisure Centres, Frogmore and Hart, and then transferring, from the existing Hart Leisure Centre, to the new Leisure Centre when it opens and continuing the management of Frogmore Leisure Centre.
- C. That the Council varies and agrees changes to existing agreements with Hampshire County Council as set out in 6.2 and 6.3.
- D. That the Head of Finance, in consultation with the Portfolio Holder for Finance, is delegated on behalf of the Council to make the necessary financial arrangements including the registration of a long term loan of £14 million from the Public Works Loan Board as and when required; and that the Council elect to “opt to tax” the site so that any VAT incurred can be recovered.

The meeting closed at 9.15 pm

COUNCIL PROCEDURE RULE 12

QUESTIONS BY THE PUBLIC

Questions from Mr David Turver

Question 1

Can you please therefore set out in clear terms, the current and future forecast demand and supply of school places in the district from 2011 to 2031?

RESPONSE

No. Hampshire County Council is the education authority which has the statutory duty to ensure that there are satisfactory school places within the County both now and in the foreseeable future. The most up-to-date information is published on the County Council's web site www.hants.gov.uk and is set out in the [Hampshire School Place Planning Framework 2013 – 2018](#). The County Council has not projected forward to 2031 because it says it cannot make any further meaningful projections until such time as the Local Plan settles on a final Local Plan housing target. The final housing target will be conditional upon Hart meeting its own objectively assessed needs and any unmet need from across the housing market area.

Question 2

Will the Hart Council now seek to establish a register of sites so that it is in compliance with forthcoming legislation?

RESPONSE

The Council will comply with any statutory obligation to prepare a brownfield land register. At present no such legislation has been enacted.

Question 3

Will the council now formally consider and evaluate brownfield strategy as a potential realistic suitable alternative to the proposed new town by considering the following 5 point plan:

RESPONSE

The Council is obliged to ensure that its Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the NPPF, including identifying key sites which are critical to the delivery of the housing strategy over the plan period. To do this the Council must identify a supply of specific, developable¹ sites or broad locations for growth, for years 6-10 and, where

¹ To be considered deliverable, sites should be available **now**, offer a suitable location for development **now**, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is **viable**.

² To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is **available** and could be **viably** developed at the point envisaged.

possible, for years 11-15. There is no reasonable evidence that accords with this requirement to demonstrate that Hart has sufficient availability of brownfield land to meet its own housing needs let alone meeting any unmet need from across the HMA. The SHLAA is a proper evidence base that confirms this. The suggestion therefore that a brownfield strategy is a potential realistic suitable alternative to the proposed new town is, I believe, misconceived.

Mr Turver asked a supplementary question:

Given the school place evidence you directed me to shows that there is a forecast surplus of school places in Hart, Rushmoor and Basingstoke & Deane up to 2018, and the SHMA shows only a modest increase in school age children up to 2031, isn't the real reason why you won't give a proper answer to my question, that it will show a new secondary school is not necessary, and therefore a new settlement is not required?

Councillor Parker responded:

In terms of school places there is a surplus in certain parts, but in the majority of Hart we do not have a surplus, and we have an annual round of parents sad to find there are no places for their children and mid year new children cannot be accommodated in the catchment for their schools. For some it is not as good as you suggest. Once we know where the houses are going to go we can look at that, but until then the County Council are not prepared to give us speculative numbers.

Mr Turver asked a supplementary question:

I would like my full questions regarding brownfield sites and adopting an alternative approach to the local plan be properly published, and would ask the Council to reconsider its answer to the substantive question.

Councillor Parker responded:

The answer to your question is no, we do not publish speculative views from the public. You can publish it on your own website. The purpose of this exercise is to answer questions from members of public. I have responded. Brownfield is part of the solution put forward, but there are not enough brownfield sites so this cannot be the only option. We have to have options from elsewhere. Owners of brownfield sites cannot be forced to put them forward for housing. They have been approached and refused and we cannot force them.

Questions from Mr Meyrick Williams

Question 1

In your response to Hart DAPTC dated 10th July you referenced the site level assessment and sustainability appraisal that were used in the shortlisting process. In my review of that data and focusing on the three major sites of STR 004 Murrell Green, 005 Winchfield and 006 Lodge farm, I assessed that on eight of the assessment criteria site 005 was identified to have more critical issues and yet was assessed by the coloured assessment process as having no difference to sites 004 and 006. These criteria are: infrastructure provision, nature conservation, landscape, agricultural land, heritage assets, location and scale of development, unneighbourly issues, and availability assessment. You state that the plan will have to justify that it is the most appropriate strategy when considered against the reasonable alternatives based on proportionate evidence which should be both robust and credible.

How can you declare that only site 005 Winchfield will be assessed further when it appears to have more critical issues than sites 004 and 006, both of which are declared to be subject to no further assessment? Can we have a detailed reasoning now for why Murrell Green and Lodge Farm have been excluded from consideration?

RESPONSE

Every site has been considered by a number of officers and a planning judgement made as to whether the constraints are such that it should be ruled out. Some constraints are more serious than others, and every site is unique which means that decisions are not necessarily black or white and a planning judgement is needed based on the evidence that we have published.

There will be a proper opportunity to challenge or object to all the site assessment work when the draft local plan is published for consultation and all the background studies are fully written up.

That said, at a basic level, Lodge Farm suffers from significant flooding and other constraints, and Murrell Green as a strategic new settlement option (i.e. STR004) would effectively merge Hartley Wintney and Hook which we would not want to happen. As non-strategic sites, elements of Murrell Green remain in the mix.

Mr Williams asked a supplementary question:
When will the draft local Plan be published?

Councillor Parker responded:
It is our intention to get the draft out by the end of this year.

Question 2

In your response to Hart DAPTC dated 10th July you state that you have held an exploratory meeting with ATLAS to apply for free support in developing a Vision and Master Plan for the Council's preferred option of a new settlement centred on Winchfield. How is it realistic to embark on this part of the process when the selection of Winchfield as the preferred option is open to significant challenge and debate and until you have published a draft local plan and obtained feedback from the consultation process with the electorate?

RESPONSE

Part of the assessment of viability is to consider how an acceptable scheme can be designed and built. The basis of a masterplan is part of that assessment; we need to demonstrate the outcome which the community can be proud of, rather than the alternative of a traditional development of builders' standard designs in a standard housing estate.

Question 3

I refer to the Local Plan Steering Group Infrastructure Planning Evidence minutes dated 23rd June 2015. The study identified significant barriers to future housing delivery in the district and some very high costs of providing all the infrastructure, in particular for education, transport, utilities, and mitigating the flood risk. The provision of education facilities would be approaching £100 million, a new junction on the M3 another £100 million let alone £30 to £40 million for upgrading roads and bridges in the area. Any improvements to Winchfield station would cost £20 million but the recent issues regarding Network Rail funding puts an

investment from that organisation in doubt. Provision of foul water capacity is identified as a significant barrier but costs for the provision of the service have not been identified. Requirement to place the high-voltage electricity lines that run across Winchfield underground will probably cost around £50 million. There is also no reference made for the provision of additional healthcare facilities and their costs. Given that these additional costs could well be in excess of £300 million and that HART DC currently estimated it has a £78 million funding gap in infrastructure, how will the Council ensure that all the services are provided and financed given that the developer's contributions will undoubtedly leave a very significant gap?

RESPONSE

We have to face the reality that Hart has to find sites for a large number of houses. Whether we build them in Winchfield or elsewhere, the cost of infrastructure provision will be considerable, and viability considerations may limit the availability of funding for such infrastructure. We may well have to seek some funding from elsewhere. However, we need to do the work to evaluate whether there is a shortfall and if so what it is. If we do not perform the work, we would be open to legal challenge.

Mr Williams asked a supplementary question:

You make reference to seeking funding from elsewhere and that work will have to be done to evaluate the shortfall, where will this funding come from, how much is required, when will the evaluation be performed and by whom?

Councillor Parker responded:

Until it has been decided where the housing will be we don't know the infrastructure needs etc. Any estimate of infrastructure at this stage is guess work and it depends on what the development can supply. With Enterprise partnerships we can seek further funding elsewhere. We do not know what we will need and how much until further down the line, we may have a better idea at the end of the year.

Question 4

The Local Plan Steering Group Infrastructure minutes dated 23 June recommend that six specific tasks to address these infrastructure issues should be actioned. Can you confirm these tasks have now been included in the work plan and the timescales by which they will be completed so that their outcomes can be considered in conjunction with the publication of the draft local plan later this summer?

RESPONSE

All the tasks required by the Local Plan Steering Group are included in the work plan and time scales which are currently in a late stage of preparation.

Mr Williams asked a supplementary question:

When will the project plan be updated and published for public scrutiny?

Councillor Parker responded:

This is a work in progress. Cllr Chris Dorn of Crondall Parish has offered help as project manager. Work is going on in parallel.

Question 5

At the Cabinet meeting on 9 July a question was asked about when the evidence for shortlisting would be published. Darryl Phillips response was that it may be with draft plan or later at pre-submission stage, which could be early 2016. It shows a lack of proper consultation with parishes as well as Councillors if the first indication is to be given in the draft LP. Would it not be more appropriate to release the data as soon as possible and no later than the draft plan stage later this summer?

RESPONSE

The Council has published the site assessment evidence base on its website. <http://www.hart.gov.uk/Evidence-Base#SHLAA> Site Shortlisting.

Parishes will be consulted, but at present the Council is half way through the site assessment project. When the project as a whole is complete and written up it will be published as part of the evidence base for a draft plan. That will be the opportunity to comment.

Mr Williams asked a supplementary question:

You state that Parishes will be consulted regarding the evidence for the site assessments, and last October HDC said they would involve the community in that assessment process, when will this activity now take place?

Councillor Parker responded:

This another piece of work in progress. Officers have done a technical assessment of SHLA sites and combinations of SHLA and potential settlements etc. Testing will continue until eventually we come down to options that make sense.

Question 6

How does Hart reconcile their comment in their report to the HDAPTC meeting: [9/10 years' supply from 2015] with Darryl Phillips comment to the meeting "they currently have a 6 1/2 year land supply"?

RESPONSE

The Council has not identified 9/10 years supply of housing. In that regard the statement "The Council has identified and allocated sufficient land to meet its needs up until 2024/2025" is taken out of context. It was in a statement that could be included in a draft plan once the sites that provide that supply have been allocated.

Question 7

What specific steps are being taken to fend off the extra 1,600 houses from Rushmoor? If Rushmoor will either increase density on Wellesley or redevelop some of the 96 Ha of surplus employment land they are protecting, they could more than meet their own requirement.

David Turver has offered his support to Hart to help them oppose Rushmoor's overflow housing. Why has Hart not cooperated with Mr Turver on this matter? Would it not be more sensible to work together on an issue of such mutual concern?

RESPONSE

The Council did consider Mr Turver's response prior to drafting its own response. The Council has responded to the Rushmoor consultation; in our response it has challenged the extent to which employment land in Rushmoor is being protected, it has challenged the SHLAA in terms of whether the search for sites has been as comprehensive as it could be, and whether densities could be increased.

The response can be found at <http://www.hart.gov.uk/council/news/local-plan-latest-updates>.

Question 8

What is the status of Bramshott Farm? A simple footbridge across Cove Road into the land adjacent to Fleet Pond would give a footpath/cycle path to Fleet Station and Fleet town centre. Moreover, Bramshott is next to Pyestock. What progress has been made in discussions with the developer on changing the scheme from a warehouse to housing? The two sites together would have considerable capacity for housing and a school

RESPONSE

Given the proximity of this site to Rushmoor's boundary, the preference is for this site to be a SANG to help Rushmoor meet its own housing needs within its own geography. Otherwise Hart will need to provide more of Rushmoor's housing needs than they are currently proposing.

Mr Williams asked a supplementary question:

What progress has been made with regard to the Pyestock site being considered as brownfield site?

Councillor Parker responded:

They were approached and they came back and said they would continue marketing as industrial not housing.

Question 9

The report from Hart DC in anticipation of the HDAPTC meeting states:

Hart's housing requirement, ignoring Rushmoor and Surrey Heath, is identified as 7,534 over 2011-2032 = 359 houses p.a. over 21 years.

Land has been identified for required housing up to 2024-5 - say 13 years at 359 p.a. = 4,667 houses or 62% of the total

It is most probable that more land will become available over this 11 year period. If the land bank remains at 13 years, at 2024 there will be land identified for 4,664 houses against the 2,867 remaining requirement at that date - a surplus of 1,794 with no new town built. This would fully cover a Rushmoor shortfall of 1,600 plus a few for Surrey Heath. If the land bank drops to only 8 years' supply, this will still fully cover the needed 2,867 for Hart with no need for the new town. It therefore seems that the only viable argument for building a new town is to cover possible overspill requirements for Rushmoor and Surrey Heath in the event the Hart identified land bank drops very substantially from its current level.

Is this a sound basis for a local plan? Is there a reason the identified land bank cannot continue to be replenished?

RESPONSE

I refer to my response to Q.6 – Hart has not identified housing land up to 2024/25. But let me make it clear that we cannot ignore the likelihood that there will be overspill from Rushmoor, and perhaps even Surrey Heath. We can either keep on adding to existing settlements, or we can explore a different long term solution which is the Winchfield new settlement. For many people in Hart the Winchfield new settlement option is far preferable to continual growth of existing settlements especially if it delivers a superior outcome on infrastructure, although I recognise that others take a different view.

Mr Williams asked a supplementary question:

The council's response indicates that the preferred strategy of building a new town rest on the view of “many people in Hart”, however in the public consultation in mid-2014 only 550 responses were received from a population of 90,000, with Option one receiving the highest score, and to date the petition against the Newtown has been signed by over 2000 people, how does this consultation validate the choice of a new town and shouldn't the council undertake further consultation to determine whether residents agree on a democratic basis with the Newtown strategy before basing the draft plan on an idea that appears to have little support?

Councillor Parker responded:

Until we have the plan, based on options, we can only go forward with this Council. When the draft plan comes out there will be an opportunity for further submissions.

Question 10

When can we expect to receive a response from HDC to QC opinion dated 2 April 2015? Mr Phillips told Mr Cary before the Council Meeting when the opinion was tabled that he agreed with much of it and that he would be recommending changes to Hart's process as a result. Which parts of it does he agree with and what changes to Hart's process has he implemented?

RESPONSE

The Council doesn't need to respond to the QC opinion. The issue of whether to consult on a draft plan under Regulation 18 (a 'preferred approach') is being considered but no formal decision has as yet been made.

Mr Williams asked a supplementary question:

The council state they do not need to respond to the QC opinion, how prudent is this decision to dismiss the advice of one of the most illustrious planning QCs in the country and how will the Planning Inspector view this disregard in the coming months and when will a decision be made regarding consulting under Regulation 18?

Councillor Parker responded:

There are lots of opinions generated and advice from senior planning inspectors. When you get conflicting opinions there are considered and you consider how to proceed. If it comes up in court then we would respond through our own counsel. It is not our responsibility to make a formal response.

Question 11

It seems from all the evidence published recently that Hart is determined to progress on a single option of Winchfield new town. Should Hart not be putting forward a plan B to cover

the eventuality that the WNT plan fails - which it could on a number of counts as highlighted in the series of questions posed above?

At the Council Meeting in October 2014 Mr Phillips agreed that it was necessary for Hart to test alternative development options for Hart and to assess and rank them according to an agreed set of objective assessment criteria. Is it true that Hart has abandoned this idea? If so, why?

RESPONSE

Hart is continuing to test development options.

Mr Williams asked a supplementary question:

Is the Council's strategy now evolving towards using the available land supply for the next 5 to possibly 10 years and then considering the need for either a new settlement or an alternative approach?

Councillor Parker responded:

All options are available to us, it is still possible for us to opt to add more to existing settlements. It is a matter of choice which option to go for and it is for this Council to take that decision later in the year. The preferred option for testing is exactly that for testing, and in order to make it reliable we will test alternatives as well.

Question 12

Please explain the methodology for the scoring used for the strategic site assessments, whilst Adams Hendry provide a legend showing the colours used and each single value relating to the colour there is no explanation as to how the total score is calculated e.g. when 7 'scores' are added together they produce a final result - this is an actual example: STR005 – Winchfield, from the published version dated 29th June +, -, -, +, -, -, -, equals combined effect of ++ and therefore moderate positive effect? (five minor negative effect plus two minor positive effect = one moderate positive effect)

RESPONSE

The methodology for the sustainability appraisals is contained within the SA report on the website at <http://www.hart.gov.uk/Evidence-Base#SHLAA> Site Shortlisting. If having looked at those documents you have further questions I suggest you make contact with the Planning Policy Manager.

Question 13

Two of the key points in the legal opinion were that

- a) Hart needs to conduct another Reg 18 Public Consultation on a proper plan (which considers in reasonable detail the issues associated with Education, Transport, Employment etc) before submitting a Draft Plan for inspection and
- b) Hart needs to go to a Public Consultation with a number of fully assessed and viable compliant options, so that the Public and other stakeholders can give their opinion on a range of solutions.

Has Hart decided not to hold another Public Consultation? If so, why?

RESPONSE

The previous decision not to hold another public consultation was based on the advice of a Senior Planning Inspector. The Inspector was sent by Brandon Lewis (Minister) with the precise remit of advising the Council on how to get a sound

local plan through as quickly as possible. That said, Hart is currently considering the process from here on in, and will take account of advice, legal opinions from various sources and more recent events including Rushmoor's draft plan. Where such inputs conflict we will take appropriate advice on resolving those conflicts. The Council has not ruled out re-instating the additional public consultation particularly in light of the potential overspill from Rushmoor.

Question 14

The Parishes, WAG and WeHeartHart have expertise, cash and a strong interest in arriving at a Local Plan which is optimum for the whole district. Hart has a duty (NPPF 155) to consult and work with all these organisations to arrive at a collective vision and an optimal plan. So far as WAG and WeHeartHart are concerned, Hart has utterly failed to fulfil its obligation to consult. What steps will Hart take to consult and collaborate for the common good?

RESPONSE

The Council will at a minimum consult in accordance with the requirements in national planning regulations and its own Statement of Community Involvement. It consulted on housing options last year and will seek input whenever it adds value.

Question 15

At Winchfield Parish Council's meeting with Hart on 21st July, it became clear that certain parts of the high level assessment of Winchfield as a site for a proposed new town have been insufficient to establish viability or lack of viability. For example, although we understand the reasons it has not been done, there has been no engagement with Hampshire Highways Department over the viability and cost of required modifications to roads and, if proved necessary, a new junction on the M3.

We do not believe it is prudent to make the new town the central plank of the Council's draft plan without proper testing and costing of the required infrastructure including transport, education, utilities and mitigating flood risk. What steps are being taken to make a realistic assessment of the viability or otherwise, both practical and financial, of the proposed new town and publish the results before the draft plan is finalised?

RESPONSE

A key precursor is to engage with ATLAS to establish the bones of a masterplan, to give a basis for the assessment. There has been engagement with Highways and other providers, but in many cases they rely on studies we need to commission like a transport assessment. They are understandably unwilling to perform their assessments on multiple speculative hypotheses.

In practice one obtains the best information one can on alternative strategies and sites to decide on a draft plan, and then test in full what infrastructure is needed to deliver the draft strategy. Then you can test whether it is a viable plan. So the viability work will follow, rather than precede, the draft plan.

Mr Williams asked a supplementary question:

What are the timescales for the viability assessments, when will they start, how long will they take, what opportunity will there be for the community to be involved?

Councillor Parker responded:

We have started, but we don't know how long it will take. We need to make sure its a new settlement that respects the environment in which it is built. The timescale will be in the local plan to go to formal consultation. We will try and make sure we get this right.

Question from Mr Stephen Blandford

Given that planning decisions should be determined using current planning policies in the consideration of planning applications where the sites are agricultural land located outside the settlement area and in a context that Hart currently has a proven and acknowledged 6 years plus supply of housing; why would there be any justifiable reason to approve planning applications in the open countryside, with consequent detrimental impact and harm caused by proposed development and contrary to policies in the NPPF and saved policies of the Hart Local Plan?

RESPONSE

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision.

Government's statements of planning policy are material considerations which must be taken into account, where relevant, in decisions on planning applications. Where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them. If they elect not to follow relevant statements of the Government's planning policy, they must give clear and convincing reasons.

Therefore, the starting point to any consideration for a housing application must be

- a) 'what does the Local Plan say?' However, bearing in mind the need to continue to deliver housing, a simple policy conflict would not in itself be the definitive decision.**
- b) One then has to turn to weigh the Local Plan conflict against the presumption in favour of sustainable development and the Government's/NPPF's objective to boost the supply of housing.**
- c) Through weighing the benefits of the development one should then be able to demonstrate whether allowing the development would cause unacceptable harm.**

It is for Planning Committee to consider whether other material considerations may outweigh Local Plan provisions, and for full council to determine those policy matters. Mr. Blandford will be aware that such a proposal is before the Council this evening.

Mr Blandford asked a supplementary question:

Would Councillors please consider in the discussion and decision with respect to the later agenda item regarding the Outline Planning Application for up to 35 dwellings on the Land South of Farnham Road, Odiham that in the recent Hop Garden Appeal judgement an NPPF

aim was highlighted on the need to recognise in planning decisions the importance of taking account of the different roles and character of rural areas; recognising the intrinsic character and beauty of the countryside and in the role of plan-making identifying land where development would be inappropriate - such that a refusal is warranted, as in this case where a number of the council's consultees recommended refusal due to the potential detrimental impact of the proposed development to the landscape and setting of Odiham.

Councillor Parker responded:

The situation with this site as with others is that you have conflict with policy. We have to debate thoughtfully on those policy issues.

Question received from Councillor Stuart Bailey

Would the leader of council please confirm if there has been any discussion or consideration of making part of the civic offices or any other council facility available to our local member of parliament to use as a constituency office.

Councillor Parker to respond

I understand that the new Member of Parliament in the course of a conversation about his priorities with one of the Joint Chief Executives mentioned his need for office accommodation in Fleet for his staff and himself, and raised the possibility of renting space from the Council. There followed a brief exchange about space and access needed and rental payments he could afford. I am not aware of any follow up from him, and during a conversation about other matters yesterday I asked him if he intended to pursue this course. He indicated to me that his needs will be best met elsewhere.

Councillor Bailey asked a supplementary question:

Would Councillor Parker agree that we should encourage officers to help the MP, but when any future approach for constituency office is made, that may not be an appropriate use for Council offices.

Councillor Parker responded:

There was no intention for it ever to be a political office in my understanding. He could work from a shop unit in Fleet which would do just as well.

COUNCIL BRIEFING NOTE

Application No. 15/00829/OUT

Land South of Farnham Road, Odiham, Hampshire, RG29 1AQ.

INTRODUCTION

1. Planning Committee has recommended that planning permission be granted for the development of up to 35 dwellings (including 40% affordable units), new access from Farnham Road and other ancillary works. The application is referred to Council because the development would comprise a departure from the adopted Local Plan.
2. The Committee had found that the development is acceptable on its own the particular merits. It would not however, accord with Policies RUR2, and RUR3, which seek to discourage development within areas of countryside. The Planning Committee's view is that notwithstanding this conflict, development of this site, which is enclosed by the urban edge of Odiham and woodland to the west, thick woodland to the east, and a line of mature oak trees to the south, would not harm the countryside or the setting of Odiham at this point and that overall the proposal represents sustainable development.
3. The determination of planning applications is NOT delegated to the Committee where the Committee propose a determination that is contrary to the Development Plan (or policy approved by Council) in which case the Committee's recommendations will be placed before Council for Council to consider the policy issues that gave rise to the referral to Council.
4. **Council should not seek to review or change other aspects of the Planning Committee's decision where in themselves they have not specifically given rise to the referral to Council.**
5. There is an illustrative plan that has been submitted with the application. However, it does not compromise part of the application. For the purposes of the determination of this application it is irrelevant. Furthermore, it is not a consideration as to the background to why this application is a departure from the Local Plan.

PLANNING LAW

6. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up-to-date.

OTHER MATERIAL CONSIDERATIONS

7. The Courts have held that the Government's statements of planning policy are material considerations that must be taken into account, where relevant, in decisions on planning applications. Where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them. If the decision-maker elects not to follow relevant statements of the Government's planning policy, clear and convincing reasons must be given.

THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

8. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is the presumption in favour of sustainable development and one of its main objectives is to "boost significantly the supply of new homes".

THE HART LOCAL PLAN

9. An important consideration is that the Council can demonstrate a 5-year supply of available land to meet its objectively assessed needs. The saved Local Plan policies are therefore still engaged. They for the time being provide decision makers and applicants with a clear framework within which development proposals can be assessed and a judgment made about their acceptability.
10. Therefore, the starting point in assessing any development proposal in the countryside are Policies RUR1, RUR2 and RUR3 which seek, among other things, to restrict development in the open countryside beyond settlement boundaries. These policies are not out of date for the purposes of paragraph 14 of the NPPF. The NPPF recognises that it is a proper role of planning policies to identify areas where development would be inappropriate (paragraph 157), and one of the core principles in paragraph 17 is to recognise "*the intrinsic character and beauty of the countryside*". Policies RUR1 and RUR2, in terms of their basic approach, are consistent with these strands of national policy and so can therefore carry material weight. There is therefore a recognised planning policy reason conflict and it is an important material consideration.

NEIGHBOURHOOD PLANS

11. There is not yet a Neighbourhood Plan for Odiham. Therefore emerging proposals cannot carry any material weight and at this time have little, if any, relevance. In time the Plan will gain weight but at this stage there is no certainty that the Plan will achieve legal compliance and conformity let alone pass examination or referendum. Its allocations and proposed policies and outline housing allocations have not been independently tested and potential objections remain unresolved. The Courts have held that in such circumstances it would be premature to rely upon any potential Neighbourhood Plan approach.

TAKING 'MATERIAL CONSIDERATIONS' INTO ACCOUNT

12. The material considerations will vary from one proposal to another, but in terms of general advice, the following need to be borne in mind when considering proposals for residential development in the countryside:
 - a) The policies contained in the NPPF are a material consideration even when the local plan policies are deemed not to be out of date. The NPPF seeks to the delivery of

sustainable development and to boost the supply of homes. These, and the pressing need to provide affordable homes, are important considerations that will carry great weight. However, as the Hop Garden appeal confirms, this does override circumstances where demonstrable harm is caused.

- b) The Council has on occasion in the last two years, following the withdrawal of the Core Strategy, taken the view that the application of development boundary policies is not appropriate in relation to its determination of specific planning applications. This is reflected in the Interim Housing Delivery Strategy (IHDS) that was approved by the Council in 2013. It recognised that a significant element of Hart's future housing need would be delivered by green field land development. Subject to guidelines it allowed Planning Committee to determine applications for development in conflict with Policies RUR2 and RUR3 irrespective of the land supply position.
- c) This is in recognition that not only that wider community benefits can sometimes arise from new development (Edenbrook II and Hawley Place Farm) but it is also necessary to maintain a constant supply of housing land to meet 5 year land supply requirements (North East Hook, High Ridge Farm, London Road Hook, St Mary's Park, Rifle Range Farm, Swan Lakes, Hampshire Lakes Retirement Village, Knight Close, and the recently allowed appeal development at Watery Lane). There are also the many small scale developments that have been allowed over the past couple of years by both Planning Committee and Council on the edge of settlements or in rural areas with many, but not all, according with the 2013 IHDS. It is this approach that has resulted in the Council generating a healthy land supply position. There is therefore, nothing unusual in the Planning Committee's recommendation, which reflects past practice.
- d) Even under the Council's Preferred Strategy for a new settlement (subject to testing) the Council has recognised the need to deliver housing on sites adjoining settlements in the first part of the plan period. Each planning application for residential development in the countryside should therefore, be seen in this context. Every residential scheme that is granted permission will contribute to housing requirements that would otherwise need to be allocated somewhere in the emerging Local Plan. Members need to weigh this in the balance.

CONCLUSION

- 13. Given the context outlined above, Members are advised to consider residential schemes in the countryside on their merits, taking into account saved local plan policies, the latest five year land supply position, and other material considerations including the impacts and benefits. The Hop Garden decision provides a useful example of how the different benefits often proposed with new development should be factored into the planning judgement.
- 14. Members therefore need to weigh up the conflict with policy (Local Plan policies RUR2 and RUR3 are engaged) the harm caused by that conflict, set against the need to deliver housing on a sustainable site where Planning Committee has already determined no other harm arises.