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Mr Viv Evans
Acting Chief Executive
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Harlington Way
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Your Ref:

Our Ref: DP000603

Date: 14 June 2006

Dear Sir,

**FIRST ALTERATIONS TO THE HART DISTRICT LOCAL PLAN
(REPLACEMENT) 1996-2006
RE-DEPOSITED DRAFT – MAY 2005**

REPORT OF INQUIRY INTO OBJECTIONS

1. As you know, I was appointed by the First Secretary of State to hold a Public Inquiry into objections to the First Alterations to the *Hart District Local Plan*. I now enclose my Report of the Inquiry containing my recommendations, both on those objections heard at the Inquiry and those made in writing.
2. I held a pre-Inquiry meeting on 20 September 2005. The Inquiry sat on 7 days between 29 November 2005 and 14 December 2005, at the Council Offices in Fleet. In addition to both accompanied and unaccompanied visits on the days when the Inquiry was sitting, 2 days were spent on site visits made around the Plan area.
3. The Plan was prepared and the Inquiry conducted in accordance with the Town and Country Planning (Development Plan) England) Regulations 1999, as modified by the Planning and Compulsory Purchase Act 2004 (Commencement No. 2, Transitional Provisions and Savings) Order 2004 (SI 2004 No. 2202) – referred to as the transitional arrangements. The Plan is not a Local Development Framework document.
4. The Hart District Local Plan (Replacement) 1996-2006 was adopted in 2002 and covers the period to 2006. In May 2004, Hart District Council published limited Alterations to the Plan which were first put on deposit from 26th May to 9th July 2004 (First Deposit Draft-May 2004) and 389 objections were received from 82 objectors. The re-deposit period took place between 8th June and 22nd July 2005 (Re-deposited Draft-May



INVESTOR IN PEOPLE



2005). Written notification was given to those who made a representation at the First deposit stage and a further 87 objections were received from 26 objectors to the re-deposited version.

5. The schedule agreed on the last day of the Inquiry shows a total of 432 objections of which 13 were unconditionally withdrawn. Of the 419 total remaining objections to be considered in my Report, 132 appeared at the Inquiry while 287 made written representations.
6. In view of the fact that this is a binding Report, during the Inquiry, I sought the Council's preferred wording to amendments suggested by the objectors, in the event that I concurred with the objectors. Accordingly the Council produced a set of changes which are informal officer views and which have not been endorsed by the Council (Inquiry Changes to Re-deposited Draft-December 2005).
7. In my consideration of the objections I have had regard to submissions made by, or on behalf of, the various objectors and the Council, and to all other material considerations. I have also taken account of all the representations of support for the Plan. I have given due attention to all representations, whether they were pursued at the Inquiry or in writing.
8. The reasoning set out in the Report is based on the Re-deposited Draft-May 2005 version of the Plan. That is, where "The Plan" is referred to, this should be taken as the May 2005 version. The reason for this being that the Council had already made a number of revisions in response to the First Deposit stage and it is not necessary for me to recommend further changes where these have already been satisfactorily addressed. Accordingly, all of the recommendations set out in the Report are based on the Revised Deposit Draft; that is, this is the version which should be adopted, unless otherwise commented upon in this Report. References to the Inquiry Changes December 2005 or other points introduced by myself are to be taken as points for amending the Re-Deposited Draft, not the First Deposit Draft.
9. At the Inquiry, it was stressed that because the Plan is being considered under the transitional arrangements, this Report and its recommendations are binding upon the Council. That is, the Plan must be revised and adopted according to the recommendations in this Report unless fundamental changes in the national or regional planning context announced since the publication of this Report make sections of the Plan inconsistent. The Council will also appreciate the importance of proceeding swiftly to adopt the Plan, given the 'SEA Directive' (2001/42/EC)¹ and its serious implications for plans that have not been adopted by 21 July 2006.
10. Having said that, the Plan is a complex document where policies from several chapters may apply in any one situation. Whilst I have attempted to identify any consequential amendments that may follow from my recommendations, it is probably inevitable that I will not have appreciated every such instance and issues of consistency may arise. I am content for such matters, plus any minor spelling, grammatical or factual matters to be amended by the Council applying my recommendations *mutatis mutandis*, so long as the underlying meaning of the Plan is not altered.

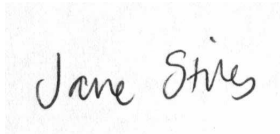
¹ Transposed in the Environmental Assessment of Plans and Programmes Regulations 2004

11. The Council will be aware of the publication of the draft of Planning Policy Statement 3 *Housing* in December 2005, and the letter of 7 December from Mike Ash which, among other things, states at the bottom of page 2 that local planning authorities in the process of preparing core strategies "and other development plan documents" should have regard to the Government's objectives and that "regard should be had now to the direction of travel, and the ambition for a speedy turnaround in affordability". The Hart District LP has progressed too far at this stage to be able to take this approach. However, I address the point in my consideration of objections made to the Affordable Housing policies of the Plan.
12. I am broadly supportive of the policies for affordable housing and sheltered and supported accommodation in the Plan; and I agree with the Council that there is no need at this time to release the Greenfield site at Dilly Lane and so development of it can be delayed; and finally, I agree that it is necessary to limit the employment development at Clarks Farm to that of 'minor' scale. However, in making my recommendations I am mindful of the fact that the Plan is likely to have a relatively short life. The replacement Regional Spatial Strategy is due to be published in the near future and this will provide the context for the range of new style Local Development Framework policy documents that the Council is committed to preparing. There are decisions about the acute need for affordable housing, the housing supply requirements in the period 2006-2026, and allocations for both housing and employment land and the effect of these on the Thames Basin Heaths SPA that will best be made in these documents; in framing my recommendations I have been at pains not to anticipate the policies that will emerge through these documents.
13. As I stressed at the opening of the Inquiry and as I explain in my Report, it is the LPA which must decide whether the Plan is likely to have a significant effect on the Thames Basin Heaths SPA, carry out the appropriate assessment, and only adopt the Plan having ascertained that it will not adversely affect the integrity of the site concerned. I reach conclusions in my Report on the factual matters raised. The LPA can then consider my conclusions in deciding the extent of their obligation to comply with the Habitats Directive and the extent of their compliance.
14. The Report broadly follows the order of the Plan. Appended to the Report are lists of those who appeared at the inquiry, lists of the representations made to the various versions of the Plan and the Core Documents referred to in the representations. I have dealt with all of the representations recorded as objections on the data base, as compiled by the Council and the Programme Officer.
15. The Inquiry document library should be located in the Council Offices at Harlington Way, Fleet and should remain intact at least until the Plan has been adopted and the challenge period (defined in Section 287 of the Town and Country Planning Act 1990) has elapsed.
16. I must record my thanks and appreciation for the support given to me during the Inquiry. I would like to thank the Council's officers and agents (Broadway Malyan) for their respective assistance in organising the venue for the Inquiry and in preparing and presenting evidence in response to the objections considered, either at the inquiry itself or as written representations. I thank those objectors who appeared at the Inquiry to explain the basis of their concerns and to help me understand how they

felt the Plan should be modified. At the Round Table Session on Affordable Housing I was usefully assisted by Christian Ford, a Planning Officer from The Planning Inspectorate.

17. Finally I would like to pay special thanks to Mr Geoff Bengel, the Programme Officer to the Inquiry. He patiently and methodically organised the inquiry material such that those appearing clearly understood when and how they would be able to make their contributions. He has dealt openly, fairly and impartially with everyone, and has acted as the intermediary between me and everyone who has been involved at the inquiry.

Yours faithfully

A handwritten signature in black ink that reads "Jane Stiles". The signature is written in a cursive, slightly slanted style.

Jane V Stiles
Inspector