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Andrew Ashcroft  
Independent Examiner  
Fleet Neighbourhood Development Plan  
c/o Hart District Council

Dear Mr Ashcroft

**Fleet Neighbourhood Development Plan  
Independent Examiner's Clarification Note  
*Points for Clarification***

Thank you for your points of clarification, they have been most helpful. The simplest way to respond to your comments is to insert our comments within your original text. We trust this makes the process clearer.

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise some initial issues for clarification. They are designed for the Town Council. The comments that are made on these points will be used to assist in the preparation of my report. They will also inform any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

*Policy 1*

*Before answering your specific points, it will be useful to give a little background information regarding the development of the "Civic Quarter." It was the aspiration of the working group to redevelop the whole of Zone 1 as a major transformational project for the whole of the town centre. The complexity of the ownership of the existing properties within Zones 1b-1d brought the realisation that the scheme could never be brought forward within the Plan period, if at all. The focus of the redevelopment therefore centred on Zone 1a as being deliverable because all the land is owned by the three councils directly involved in providing public services within the town centre area. It is now recognised that there are some residual references to the original proposal, promoting the whole of Zone 1 as the Civic Quarter, for example page 19, paragraph 2.15 should read:*

- *Social and Community Hub*
  - *Civic Quarter Zone 1a*

- *Future Expansion Zones 1b-1d*
- *Leisure and night time economy -Zone 2*

*It was our clear vision that the development of Zone 1a was achievable with the support of the District and County Councils and the development of this zone would be the catalyst to generate the interest to develop the adjoining zones, either through compulsory purchase or private investment. Our Policies 2-4 therefore relied on an assumed sequence, that little would happen in those adjacent Zones until Zone 1a was successfully developed.*

*From our more recent conversations with the District Council we now appreciate the dilemma that Planning Officers may have should a development proposal come forward in Zones 1b-1d before Zone 1a is finalised; the very same question you are asking.*

*We have therefore reviewed our policies in the realisation that our logic may not be realised and to a large extent we have conceded to many of the District Council's proposed amendments.*

I can see that paragraph 2.27 identifies a degree of flexibility in how this policy is applied.

However, is there potential tension between the second and third criteria of the policy?

It is acknowledged that there could be some tension in balancing the two requirements, but good design can accommodate this. Gurkha Square could become a more useable and adaptable public space with the parking accommodated within a multi -storey car park within the development area. Equally we are prepared to accept the District Council's suggestion that the maintenance of parking provision is across the town centre and not solely on the Civic Quarter.

Equally we acknowledge that it is the civic function that we wish to see retained in the Civic Quarter not necessarily the form, in the sense that the existing buildings do not need to be replicated. We are therefore prepared to accept the wording promoted by the District Council for criterion 3.

It has previously been recognised that a number of the public functions can be combined into a more functional building. Historically, a design was prepared by HCC architects for a "community hub" on the site accommodating parts of HDC, the library, the Harlington and the police. This is the very focus of why the Policy is demanding a comprehensive design rather than piecemeal development.

What progress has been made in discussions with various landowners to secure the comprehensive redevelopment of the site?

Recently Hart District Council, Fleet Town Council, the County Council and Fleet Business Improvement District came together to submit an Expression of Interest for the government's Future High Street fund. The redevelopment of the Civic Quarter (Zone 1a) was promoted as the transformational project to trigger a broader redevelopment of Fleet Town Centre. The major land owners came together and collaboratively agreed an outline project, the development of which would be the catalyst for detailed development of the plan.

Will it be deliverable within the Plan period?

The majority of land within the town centre is in diverse ownership which is seen as a potential inhibition to development. The land identified within Policy 1 is wholly in the ownership of Hart District Council, Hampshire County Council and Fleet Town

Council. The recent collaboration in putting together a proposal for the Government's Future High Street Fund showed a strong will to deliver a collaborative project. There is little restraint to the development of the overall site and therefore it can realistically be delivered within the plan period.

#### *Policies 2 and 3*

I understand the approach taken towards the relationship with Policy 1 in both policies. Plainly the various sites are geographically and functionally-related.

Nevertheless, how would either or both of the policies be applied in the event that the development anticipated by Policy 1 did not take place within the Plan period or that specific development proposals came forward for Zones 1b and/or 1c before any certainty on the development of Zone 1a had been achieved?

This issue has been addressed in our introduction. Both Zones 1b and 1c are in multiple ownership and the development of a unified plan is unlikely to come forward before the development of Zone 1a, but it is now fully accepted that this sequence cannot be relied upon.

As detailed later under our comments on the District Council's proposed amendments, we have conceded to adopt the proposed wording suggested by the District Council which breaks any assumption of the sequence of development. Although these amendments frustrate our aspirations we equally accept that the Neighbourhood Plan is a land use planning document and the Planning Officers need clear direction.

#### *Policy 4*

As paragraph 2.41 comments the two parcels of land are occupied by large office buildings (Admiral House and Flagship House).

Given the scale and the relatively-recent construction of the two buildings is their redevelopment a realistic possibility within the Plan period?

While the two multi-storey blocks remain as office accommodation, there exists an opportunity to redevelop the sites in line with the development of the Civic Quarter. The risk to the Plan is the conversion of the two blocks into residential accommodation with long term leases on the properties which could potentially frustrate the proposals in Policy 4, but again we will accept the District Council's proposal to remove the phrase "uses that are compatible with Policy 1 and include.." thus breaking the inflexible link between Policies 1 and 4.

#### *Policy 7*

I looked at this area in detail. I fully agree with the approach taken.

However, as a policy it reads as one that may have been overtaken by the production of the Plan. The successful conversion of Principle House and the construction of King's Place have changed the character and the appearance of this part of Fleet Road.

In this context is a future redevelopment of these two buildings a realistic possibility within the Plan period?

It is accepted that the two named developments are unlikely to be redeveloped within the Plan Period, but the policy also addresses what were four derelict office blocks closer to 151 Fleet Road. Two further units have been converted to residential accommodation under Permitted Development Rules and the remaining two blocks are the subject of a planning application.

- Should the focus of the policy be shifted to the two vacant office buildings (and which now appear to be in the process of demolition) between Principle House and 151 Fleet Road?

It can be, but it may already be too late. As above, a planning application exists for conversion of the remaining two derelict office blocks to small one bedroom units with limited parking.

If the last pair of office conversions comply with criteria I to IV then the Policy objectives will have been achieved.

#### *Policy 10*

This policy is very well-considered. Plainly it is outcome of much detailed research and investigation.

#### *Policy 13*

The policy expands considerably on the matter-of-fact approach taken in paragraphs 76 and 78 of the NPPF (2012).

Has that approach been taken to safeguard potential or planned development that would support the use of some of the proposed LGSs?

The primary purpose of the Policy is to protect the limited amount of publicly accessible green space within the Plan area from inappropriate development and retain the land for public and environmental benefit

If this is the case could the sites/circumstances concerned be better addressed in the supporting text?

Is this proposal in lieu of the Appendix or in addition to it? If it helps clarify the purpose of the policy, there would be no objection to bringing the descriptions of the sites and their function into the supporting text.

Appendix 4 is generally very thorough and well-presented. I can see that it addresses sites owned and managed by the Town Council (indicated by numbers) and by others (indicated by letters). In this context I cannot find any information on proposed LGS A (Land to the east of Fleet Pond) and LGS B (Bramshot SANG). Is this anomaly explained by paragraph 5.1 of the Appendix?

In early development of the plan the areas designated as A and B were investigated as possible green spaces requiring protection. Subsequently area B became a designated SANG which provides protection in perpetuity and therefore no further designation is necessary.

Area A is part of a much larger tract of land designated as a strategic gap and therefore falls outside the control of Local Green Space definition. Paragraph 5.1 clarifies that only the sites listed within the following table are promoted as LGS. For clarity it may be better that areas A and B are removed from the map and only those sites being promoted as LGS are identified.

Area C is a small community space within an estate development that gives the area its local character and is valued by local residents. It is land that was originally designated to be transferred to Fleet Town Council at its inception in 2010, but subsequently removed by Hart District Council because it had development potential for a couple of affordable houses.

The proposed designation is to protect the area of land from residential development, to protect local character and the land's amenity value to local residents.

Please can you advise and/or provide the equivalent information for LGS A and B that is contained in the Appendix for the bulk of the proposed local green spaces. As detailed above these sites are not being promoted as LGS and for the avoidance of doubt are better removed from the Appendix and map.

#### *Policy 14*

I saw the importance of the Canal when I visited the neighbourhood area. The policy is well-developed in general terms.

In criterion iii. I am minded to recommend a modification that inserts 'as appropriate'. Plainly some developments may not have existing close boarded fences or where they exist their replacement with native hedges may not be appropriate/reasonable in relation to the development proposed.

Duly noted and can be accommodated.

Additionally we support the proposed amendments to the Policy submitted by Historic England

I am also minded to recommend that criterion iv. is relocated into the supporting text. A planning policy cannot require a property owner to maintain planting. In any event 'regularly' is not defined.

The proposed text was in response to a comment from Natural England that trees and large shrubs were growing over the canal and reducing light to the water surface and all vegetation should be cut back.

It is accepted that this element, currently policy, can be moved into the supporting text with some additional text to fully explain the purpose of the action. In the alternative Historic England have offered some proposed amendments to Policy 14 wording which would be acceptable to the Town Council.

I would be grateful for the Town Council's observations on these two points.

#### ***Representations made to the Plan***

Does the Town Council wish to make observations on any of the representations made to the Plan?

It is with much regret that, at Appeal, The Bailey, referred to in responses 08 and 10 is to be demolished and replaced by a block of 14 flats. Therefore The Bailey, Brankensomewood Road will be deleted from Appendix 3 Buildings of Heritage and Landscape Value.

As explained above the Town Council will be happy to accept the proposed amendments to Policies 12 and 14 promoted by Historic England.

In particular does it have any comments on the District Council's suggested changes to various policies in general, and to Policies 1-6, 11 and 16 in particular?

There are a number of comments, principally by way of proposed minor amendments to policy wording that are acceptable to the Town Council and these are itemised separately against each of the District Council's comments

There are a number of comments from the District Council that appear to represent a change in direction from their earlier comments to the first draft Plan consulted on. We have had the opportunity to discuss these revision with the District Council and our comments are set out in the tabulation below.

Response 14A – we are perplexed by the comment that the District Council "has no immediate proposals to release or redevelop its interest in the land subject to Policy

1 and more particularly “we would not necessarily wish to commit ourselves to delivering what we feel would be the prescriptive use as set out in Policy 1 criterion 3”.

This response was written at the time that the Town Council was working collaboratively with the District Council to submit an Expression of Interest for the government’s Future High Street Fund which was focused on developing a “transformative project” on the Civic Area defined by Policy 1 and included the elements of criterion 3. The District Council’s lack of support for a policy that was developed as a consequence of public consultation would seriously undermine a principal policy of the Neighbourhood Plan. The matter has been discussed with the District Council and our serious concerns explained to them. We understand that the land belongs primarily to the District Council and their opportunities to develop the land should not be fettered, but the draft Plan was prepared in the knowledge that the District Council were prepared to look at development of the Zone 1a area and there was general agreement that the site should be developed based upon a development strategy and not in a piecemeal manner. Following an open discussion the District Council representatives indicated their willingness to review their response.

The matter of including the Bramshot Farm as a designated Local Green Space is dealt with above

Response 14B

We would seek your clarification as to what is evidence and what is public opinion (point raised as a general comment.) Are responses from the public consultation (both the Neighbourhood Plan itself and consultations referred to within the Plan) evidence or opinion?

We attach a separate tabulation adding the Town Council’s comments to each of the District Council’s comments/proposed amendments to the text. These comments have been carefully considered following the meeting with representatives of the District Council on Tuesday 16<sup>th</sup> April: it was a very positive and constructive meeting. We have a much better understanding of issues particularly related to planning decisions.

Although not requested by you and in the acknowledge that we have no authority to amend the draft document, we have appended proposed amendments to Policies 1-6 and 9 covering the town centre area. These incorporate our revised position following the discussions with Hart District Council and taking due note of your observations. We trust that presenting the policies in this modified form makes the proposals clearer.

We thank you for your supportive comments and we trust our responses to your queries satisfactorily answer your questions. If you require any further points of clarification, we will be pleased to respond.

We look forward to your further instructions.

Yours sincerely,



Janet Stanton  
Town Clerk