

Reg 14 comments submitted by Taylor Cherrett.

1. Introduction

1.1 This representation has been prepared on behalf of our clients Cove Construction Ltd in respect of the Hartley Wintney Parish Council Neighbourhood Plan Regulation 14 (Proposed Submission Draft) consultation (herein referred to as the "Neighbourhood Plan" or "Plan"). The Consultation period on the Regulation 14 Neighbourhood Plan runs until the 19th February 2018.

1.2 The Neighbourhood Plan Area covers the entire area of the Hartley Wintney Parish.

1.3 Our client has an active interest in land at Grange Farm (herein referred to as "the site"). The site is located to the south-west of Hartley Wintney, to the west of Grange Lane and between West Green Road and Thackham's Lane for residential development as well as a significant area of Suitable Alternative Natural Greenspace (SANG) and other open space uses. A Site Location Plan is provided at Appendix 1.

1.4 To the north of the site is West Green Road, beyond which is the built development of Hartley Wintney to the north-east. The eastern boundary of the site is formed predominantly by Grange Lane. Beyond this is the A30 and residential development. The location of the site is identified on the Site Location Plan at Appendix 1 of this document.

1.5 The latest version of the emerging Hart District Council Draft Local Plan Strategy and Sites 2011-2032 document identifies Hartley Wintney as a 'Secondary Local Service Centre' (a Tier 3 Settlement). It is considered that the site is located within a sustainable location and its development would accord with the aims and objectives of the National Planning Policy Framework (NPPF), more specifically the principles of sustainable development.

1.6 These representations examine relevant policies, appendices and evidence base documents forming part of the Regulation 14 Neighbourhood Plan, highlighting issues to be addressed, and inconsistencies with National and Local Planning Policy, including emerging proposals of Hart District Council (HDC), as well as the Neighbourhood Plan's compliance with the basic conditions.

1.7 In summary, the approach to the preparation of the Regulation 14 Neighbourhood Plan in advance of the adoption of the emerging Hart District Local Plan is fundamentally flawed, namely because the plan will not meet the basic condition to conform with strategic local policies. As such, our critique of the wording of the individual policies is secondary to our primary objection to the Plan in its current form.

2. Response to Draft Policies

2.1 Cove Construction Ltd does not consider that the draft Neighbourhood Plan meets the "basic conditions" (see paragraph 8(2) of Schedule 4B of the TCPA 1990).

2.2 In this section, we comment specifically on the proposed policies within the Regulation 14 Hartley Wintney Neighbourhood Plan, including, where applicable, the evidence base documents and appendices. Paragraph 4.2.14

2.3 We note that the Neighbourhood Plan states that: "Without an up-to-date adopted Local Plan in place the SHMA14 was used to assess the level of housing need for Hartley Wintney taking into account those permissions already granted."

2.4 As far as we can establish the latest version of the SHMA does not include a specific analysis of the level of housing development which should be provided at Hartley Wintney. We therefore consider that the Parish Council should explain in greater detail how it has established the quantum of development to be provided for in the Neighbourhood Plan.

Housing: Objective 1

2.5 Over the Neighbourhood Plan period to 2032, Objective 1 of the NP seeks to "provide for 23 new dwellings between 2016 and 2032 in accordance with Hart District Council's SHMA."

2.6 We note that the emerging Hart District Council Local Plan does not seek to allocate or apportion any of the proposed housing requirement to the settlement of Hartley Wintney despite its position within the settlement hierarchy as a Tier 3 settlement and a secondary local service centre. Our client has a number of concerns as to the suitability of this approach and the resultant impact of this on the emerging Neighbourhood Plan and will be

making a series of robust representations to the Regulation 19 Consultation on the Proposed Submission Version of the Local Plan to address such concerns.

2.7 On this basis, in addition to the potential for Hart District Council to meet additional needs under the Duty to Cooperate, the housing figures shown in the Neighbourhood Plan are unlikely to sufficiently address housing needs in the Hartley Wintney Parish area over the Plan period. As such there is a clear risk that the Neighbourhood Plan will be rendered out of date upon adoption of the Hart Local Plan.

2.8 Our detailed comments in this regard are set out in Chapter 3.

2.9 Cove Construction will be making representations to the emerging Local Plan to the effect that additional housing should be provided at Hartley Wintney bearing in mind the sustainability of the settlement. Housing: Objective 2

2.10 This objective seeks to guide over the plan period and establishes that there will be a “maximum of 50 dwellings on any single development”. Our client is concerned that this policy is too rigid and does not conform to the NPPF which clearly seeks to “boost significantly the supply of housing” at paragraph 47.

2.11 Further, the Neighbourhood Plan will need to provide clear and robust evidence to support this approach. The Framework confirms that the pursuit of “sustainable development requires careful attention to viability and costs in plan-making and decision-taking.”

Paragraph 173 of the Framework states that: “Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”

2.12 As is clear from paragraph 173 of the Framework, the issue of viability is particularly important as a failure to properly consider it could restrict, rather than enable the delivery of development.

2.13 There is no justification to the cap on the number of dwellings within Hartley Wintney and the proposed objective is ambiguous, with no clarity on how Hartley Wintney would respond to any additional allocations made through the emerging Hart District Local Plan, or through potential reviews of this plan over the NP period to 2032.

2.14 Without compelling evidence on both the suitability and viability of such an approach, our clients would request that Objective 2 is removed. Community Aspirations

2.15 We note that page 20 of the Neighbourhood Plan identifies a series of community aspirations with the first bullet point stating “The provision of extra care housing”. Given this aspiration (which is identified as a recognised need at paragraph 5.1.10, we find it worrying that the Neighbourhood Plan does not include any policies to provide for this, especially within the context of the emerging Hart District Council Local Plan.

2.16 We note that the emerging Hart District Council Local Plan Proposed Submission Version, currently the subject of public consultation, at paragraph 193 – 201 deals with specialist and supported accommodation. It highlights that over the “plan period there is likely to be very substantial increase in the number of older people residing within the District”.

2.17 The 2016 Strategic Housing Market Assessment estimates the requirements for sheltered, extra care and residential care housing for the period 2014-2035. It identifies a requirements for: • Sheltered Housing – 52 units per annum • Enhanced Sheltered - 14 units per annum • Extra Care Housing – 8 units per annum

2.18 This provision is considered by Hart to form part of the mainstream housing requirement. However, in addition to this there is a need for: • Residential Care – 33 units per annum • Nursing Care – 22 units per annum

2.19 This is in addition to housing requirement set out by Hart District Council and generally falls within Use Class C2 (Residential Institutional Use).

2.20 At the 2011 Census, there was a strong representation of older age cohorts in Hartley Wintney. The proportion of residents over 55 years, over 65 and over 75 years old exceeded that recorded in both Hart and the wider housing market area (HMA).

2.21 Analysis of the age structure and household composition data of Hartley Wintney's population, in comparison with that of the wider Hart district and HMA, indicates that the area is one where population increase to a large extent is being driven by older people, with the rate of growth amongst residents over 55s in Hartley Wintney far outstripping that of younger people. There is a high local representation of older residents and older households. The high representation of older residents would be expected to generate a need for specialist older persons' accommodation within Hartley Wintney. We would urge the Neighbourhood Plan to outline a requirement for the delivery of care provision within the Neighbourhood Plan area. HW Policy 1: Thames Basin Heaths Special Protection Area (TBHSPA)

2.22 Our clients have no detailed comments to make on the wording of this Policy, with its focus to ensure the protection of the TBHSPA and to ensure measures are incorporated to any potential adverse effects arising from new development.

2.23 We would however highlight that point 7 of this policy should be reworded to read: "Hedges and trees must be maintained, and wildflower margins (3m minimum) must be, where possible, provided along hedges to increase their value to wildlife."

2.24 However it is important to note that the Neighbourhood Plan proposes to allocate three sites at Nero Brewery (Policy 2), James Farm (Policy 3), and Pools Yard (Policy 4). As confirmed by the Neighbourhood Plan at Appendix 8 all of these sites fall within the Thames Basin Heath Zone of Influence and therefore require the provision of mitigation measures, however none of the sites have the capacity for on-site SANG.

2.25 It is acknowledged that Hart District Council have indicated that should these sites be identified within the 'made' version of the Plan then they will be eligible for allocation of Council owned or managed SANG capacity. However, through a review of the Hartley Wintney Neighbourhood Plan SEA and HRA Screening Statement we would highlight that page 13 of the Statement notes: "The proposed allocations themselves are too small to provide their own on-site SANG solution and will therefore have to rely on shared SANG solutions provided by Hart District Council or other SANG providers. At the time of writing this screening assessment there appears to be only limited shared SANG availability with priority given to schemes of 5 or less dwellings to a partial release of land at Bramshot Farm SANG. There also appears to be no or only limited availability at the two other SANG in the District at Hitches Lane and Hawley Meadows & Blackwater Park. As such, there is no certainty at this moment in time that any of the proposed allocations will benefit from SANG availability at the time they are implemented".

2.26 The SPA has been designated under the European Bird Directive and the Habitats Directive. Natural England advise that planning applications resulting in an increase in the number of dwellings within 5km of the SPA are, without 'avoidance measures', likely to have significant effect on the SPA within the meaning of the Habitat Regulations.

2.27 A Delivery Framework has been agreed, by a number of relevant bodies, to enable the delivery of housing in the vicinity of the SPA within the likelihood of significant adverse effects on the SPA. The Delivery Framework sets out an approach based on avoidance measures in the form of SANG and Strategic Access Management and Monitoring (SMAA) for the SPA itself, funded by development.

2.28 The impact of the proposals on the SPA and the appropriate mitigation measures have not been given sufficient consideration in the formation of the Neighbourhood Plan.

2.29 In addition, we understand that the latest version of the emerging Hart Local Plan does not allocate additional sites for SANG which might serve this development. We therefore consider that greater certainty should be provided as to how these proposed allocations will be served by SANG.

2.30 As such, land at Grange Farm represents an opportunity to deliver residential development to meet the wider needs of Hart District Council, whilst also meeting the need for SANG provision on both Grange Farm and proposed allocations within the wider area. Policy 12 – Cycleways and Footways / Objection 19 – Revitalising the eastern end of the

High Street through developer contributions to provide improve pavements and lighting / Objective 20 – Maintain and enhance or expand community leisure facilities

2.31 We note that the Council is seeking developer contribution through CIL to lever in funding to provide improvements: • to footpaths along the A30 / Phoenix Green route; • improved pavements and lighting on the eastern end of the High Street; and • maintain and expand community leisure facilities

2.32 First and foremost, the Council have no published timescale on when they expect a CIL Charging Schedule to come forward and be adopted. As a result, our clients have concerns that the delivery of the above objectives cannot be achieved until CIL is adopted.

2.33 Furthermore, and more importantly, the Neighbourhood Plan only proposes the allocation of an additional 23 dwellings over the Plan Period. It is not considered that this quantum of development over a 15 year period is sufficient to accommodate the infrastructure and community improvements that the Neighbourhood Plan seeks.

2.34 To achieve these aspirations the Neighbourhood Plan will need to identify additional land at a sufficient propensity to facility the above community aspirations. In this regard the identification of land at Grange Farm can support the Neighbourhood Plan in meeting the above objectives.

3. Conformity with Basic Conditions

3.1 Having set out above specific policy objections, we therefore assess the Plan against the “basic conditions” (see paragraph 8(2) of Schedule 4B to the TCPA 1990). 8(2)(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan

3.2 A draft Neighbourhood Plan only meets the basic conditions if, inter alia, “having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order”: paragraph 8(2)(a) of Schedule 4B TCPA 1990.

3.3 In order to have regard to a policy, that policy has to be interpreted properly by the decision maker. A decision maker who misinterprets policy does not have regard to it and errs in law: see *EC Gransden v Secretary of State* (1987) 54 P. & C.R. 86, as renewed in *Tesco Stores Ltd v Dundee City Council* [2012] PTSR 983.

3.4 The NPPF requires local planning authorities to identify their objectively assessed needs and to identify a five year supply of housing sites to meet those needs (see NPPF paragraph 14 and 47). The PPG goes on to note: “The resulting draft neighbourhood plan must meet the basic conditions if it is to proceed. National planning policy states that it should support the strategic development needs set out in the Local Plan, plan positively to support local development and should not promote less development than set out in the Local Plan or undermine its strategic policies (see paragraph 16 and paragraph 184 of the National Planning Policy Framework).” (Paragraph: 044 Reference ID: 41-044-20160519)

3.5 In other words, both national planning policy and the Secretary of State’s guidance advise that neighbourhood plans have to be consistent with and not in conflict with the provision of housing to meet objectively assessed evidence of need. This is reinforced by PPG at paragraph: 069 Reference ID: 41-069-20140306 which specifies that neighbourhood plans must “not constrain the delivery of important national policy objectives”.

3.6 The starting point for a neighbourhood plan such as that proposed must be the identification of objectively assessed housing needs by the Local Planning Authority, and a detailed documentary trail demonstrating how that has been undertaken by the qualifying body which has the ambition of making provision for housing, and imposing any constraints.

3.7 The NPPF requires that in Plan making the first step is the identification of objectively assessed needs; only once this is done can a local planning authority go on to consider whether it is appropriate not to meet the full extent of need due to factors such as environmental constraints: see *Hunston Properties v Secretary of State* [2014] J.P.L. 599 and *Gallagher Homes v Solihull MBC* [2014] EWHC 1283.

3.8 We understand from review of the Submission Version of the emerging Hart District Council Local Plan, presented to Council on 4th January 2018, that the Council is seeking to deliver at least 388 homes per annum in the District, equating to 6,208 homes over the plan period (2016 – 2032).

3.9 We understand that this figure is based on a starting point of the Government's proposed standardised approach to calculating local housing need, and uplifted to include a 25% contingency to cover affordable housing delivery, previously developed land and a buffer against non-delivery.

3.10 Our clients note that the emerging Hart District Council Local Plan does not seek to allocate or apportion any of the proposed housing requirement to the settlement of Hartley Wintney despite its position within the settlement hierarchy as a Tier 3 settlement and a secondary local service centre. Our client has a number of concerns as to the suitability of this approach and the resultant impact of this on the emerging Neighbourhood Plan and will be making a series of robust representations to the forthcoming Regulation 19 Consultation on the Proposed Submission Version of the Local Plan to address such concerns.

3.11 Our clients are aware through the advanced draft of the Submission Version of the emerging Hart District Council Local Plan that 'Table I: Sources of Housing Supply', indicates the following dispersal strategy for the housing target: Source Number of new homes A) House completed between 1st April 2016 to 6th October 2017 B) Sites with outstanding planning permission at 6th October 2017 C) Other deliverable sites D) Sites within settlement boundaries E) Hartland Village (site allocation – see Policy SS1) F) Sites in the Odiham and North Warnborough Neighbourhood Plan without planning permission at 6th October 2017 G) Small site windfall allowance Total 798 3,046 504 184 1,428 111 275 6,346

3.12 Whilst, it is not the role of the Neighbourhood Plan Group to evaluate the acceptability of the Council's approach to meeting their identified housing requirement, the current approach may have significant ramifications on the Neighbourhood Plan. For instance it is clear that the Council is heavily reliant upon the Hartland Village site allocation to deliver their housing target, with this single allocation representing 22.5% of the total housing requirement and 57% of the total housing requirement to be identified (i.e. not already permitted or built out (lines C-G)).

3.13 From experience across the country, it is apparent that often Local Plan allocations do not necessarily deliver the level of housing or rate of delivery that was originally anticipated when allocated. This is an issue often exacerbated when an authority is heavily reliant on the delivery of housing through large strategic site(s), where the rate of delivery often slows due to the complexity of providing the necessary infrastructure and the impact of the prevailing market conditions at that time.

3.14 We would bring to the Council's attention the Nathaniel Lichfield and Partners (NLP) Report titled "Start to Finish: How quickly do Large-scale Housing Sites Deliver" dated November 2016. A copy of this can be provided if necessary.

3.15 The report highlights (page 8) that the period from planning approval to first housing delivery increases with larger sites, with the total period being in the order of 5.3 – 6.9 years from submission of planning application to first delivery.

3.16 We therefore consider that it is highly likely that Hart District Council will need to allocate additional sites in order to minimise the risk caused which would be caused by any delay in delivering the Hartland Village scheme.

3.17 The Parish Council should await further progress on the emerging Hart District Local Plan before proceeding further with the Regulation 15 stage. This is of particular importance given Cove Construction Ltd objections to the emerging Hart District Local Plan. Without taking this approach there is the risk that the Plan will be rendered out of date upon adoption of the Hart District Council Local Plan.

3.18 In addition, we would bring to attention the recent high court Judgment handed down by Mr Justice Dove (Case No: CO/452/2017) where the claimants challenged the defendant's decision to issue a Written Ministerial Statement ("WMS") in relation to national planning policy concerned with housing and neighbourhood planning on 12th December 2016, together with a subsequent associated change to the National Planning Practice Guidance ("the PPG") on 10th August 2017. In particular we would highlight paragraph 47 of the judgement which notes: "Secondly, as observed by the defendant in the course of argument, if the NDP's allocations are unrealistically small, then that is a matter which can

be taken account of as a matter of weight for the decision-maker: the WMS and the NPPG are policies not rules or laws, and there may be circumstances which require their application to be adapted or afforded less weight.”

3.19 This concession fundamentally means that if a Neighbourhood Development Plan makes inadequate allocations for housing – then Inspectors and other decision makers can reduce the weight of the policy. Clearly it is therefore within the Neighbourhood Plan interests to allocate additional land for housing at Hartley Wintney or wait for the adoption of the emerging Local Plan, especially given the current uncertainty regarding the actual housing target. The making of the neighbourhood plan contributions to the achievement of sustainable development

3.20 A draft Neighbourhood Plan only meets the basic conditions if, inter alia, “the making of the Plan contributes to the achievement of sustainable development”, see paragraph 8(2)(d) of Schedule 4B TCPA 1990.

3.21 The presumption in favour of sustainable development is the “golden thread” that runs through the whole of national planning policy. This is manifested particularly in paragraph 14 of the NPPF. This states that for Plan making: “Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or - specific policies in this Framework indicate development should be restricted.”

3.22 Thus, there is a two stage process to achieving sustainable development, firstly the assessment of objective needs for an area and, secondly, a determination whether the impact of meeting those needs would significantly and demonstrably outweigh the benefits.

3.23 A neighbourhood plan that does not meet the objectively assessed needs of the area to which it relates cannot be a plan that contributes to the achievement of sustainable development.

3.24 Indeed, whilst our clients acknowledge that the emerging Hart District Council Local Plan in its current form does not seek to allocate or apportion any of the housing requirements to the settlement of Hartley Wintney, our client has a number of concerns as to the suitability of this approach, as have been highlighted above.

3.25 There has been no assessment by the Local Planning Authority of the likely impacts of meeting the objectively assessed need that it has identified. No balance as required by paragraph 14 of the NPPF has been struck. The scale of housing that the Hartley Wintney area, as a higher tier settlement, will be required to meet in order to achieve sustainable development is currently unknown or indeed been subject to examination. For instance the lack of housing delivery at Hartley Wintney may have profound implications on the area’s affordability. The delivery of affordable housing in an area is intrinsically linked to the delivery of the market houses, in so far as developers are required to deliver a proportion of development as affordable housing. In Hart District Council’s case the emerging Local Plan indicates that on sites of 11 or more dwellings 40% of dwellings should be affordable. The sites proposed to be allocated in the Neighbourhood Plan will provide 9 dwellings at the Nero Brewery site, 6 at James Farm and 8 at Pools Yard. Each site is less than 11 dwellings. Applying the approach in the emerging Local Plan, no new affordable dwellings will be delivered in Hartley Wintney to 2032. Our clients have a real concern that this will perpetuate issues of affordability. The Neighbourhood Plan needs to look to allocate additional housing, such as land at Grange Farm, in order to address affordability concerns.

3.26 The fact that no affordable housing is likely to be provided in Hartley Wintney is of specific concern as paragraph 4.3.1 of the Plan reveals that the consultation undertaken so far reveals a number of priorities including: “Adjusting the housing mix to provide more homes at affordable prices for younger families and older residents wishing to remain in the Parish in a house that is easier to maintain”

3.27 The Neighbourhood Plan Vision for Hartley Wintney states that: “In 2032 Hartley Wintney continues to be a unique, and cherished village making it a pleasant place to live. It has retained its essential character with its attractive built heritage and its distinctive village centre surrounded by open countryside. The exceptional Oak Common and 18th century

cricket green remain at the heart of the village. Hartley Wintney has enhanced its role as a vibrant, sustainable and forward-looking community. Through the policies in the Neighbourhood Plan, development that has taken place is in keeping with and sympathetic with its surroundings and local buildings. It has matched the size, scale and character of the existing built environment and has met local needs for housing. This has meant that neither younger nor older people need now move away to find affordable or suitable housing. This has meant that neither younger nor older people need now move away to find affordable or suitable housing.”

3.28 Without an increase to the provision of market housing and planning for a level of development which is capable of providing affordable housing this Vision will not be achieved. Strategic Environmental Assessment

3.29 We note that a ‘Strategic Environmental Assessment for the Hartley Wintney Neighbourhood Plan’ has been published for consultation alongside the Regulation 14 version of the Plan.

3.30 In the first instance we would highlight that section 2.1 of the Strategic Environmental Assessment (SEA), outlines the local context for the Neighbourhood Plan highlighting that “the Neighbourhood Plan is being prepared in the context of the emerging Hart District Local Plan”. We are concerned that the entirety of this assessment appears predicated that the emerging Hart District Local Plan will not be subject to change, and the assertion that no development will be required within the settlement. Whilst, our clients acknowledge that the latest version of the Draft Local Plan indeed highlights this, the SEA should also acknowledge that this may be subject to change.

3.31 The SEA considers three scenarios for growth within the Neighbourhood Plan area under a framework of 8 topics. The growth scenarios include (1) no growth, (2) delivery of up to c.25 dwellings (3) delivery of over 25 dwellings. In order to more robustly assess the impact of scenario 3 the SEA should outline a quantum for the scenario, without this the findings of the SEA in respect of scenario 3 are completely contrived and not robust. The impact of a much larger allocation at Hartley Wintney will have the potential to provide a series of mitigation packages which can alleviate its impact on the framework of topics. For instance, a larger allocation will be able to deliver much increased affordable housing compared to Option 2, it will generate increased expenditure through CIL/ section 106 contributions and will improve the vitality of the centre. We note that the Neighbourhood Plan are seeking to deliver a number of improvements to the public realm and local infrastructure through objectives 19 and 20, as noted above in the preceding section without sufficient development which can fund the proposed improvements by CIL and/or section 106 then the ability of the Group to deliver said improvements is unlikely. In addition, the delivery of larger sites, such as Grange Farm, can bring about greater community benefits such as open space and SANG provision.

3.32 Whilst these elements have been touched upon in the assessment, there is no robust critique or quantification of the benefits of a much larger allocation and this should be considered to ensure all reasonable alternatives have been explored.

3.33 Overall, the current draft NP should be set aside or at least wait the examination of the Hart District Council Local Plan, in accordance with the advice in the NPPG. In this way a NP can be brought forward which is consistent with national policy and the strategic policies of the emerging Local Plan. 8(2)(e) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area

3.34 The draft Neighbourhood Plan correctly confirms that the current Local Plan against which the NP must be prepared is the 2002 Local Plan, which covered the period 1996-2006. As a consequence the adopted Local Plan is time expired and its policies are also out-of-date.

3.35 The draft Neighbourhood Plan has therefore consciously not been prepared in general conformity with the strategic policies contained in the Development Plan. This immediately fails one of the key basic conditions (Paragraph 074 Reference ID: 41-074-20140306 of the NPPG refers).

3.36 Hart District Council is preparing a new Local Plan that will form the key Development Plan Document and set out strategic policies for the District, once adopted. The Council consulted on the Draft Hart Local Plan Strategy and Sites 2016-2032 between April and June 2017. Subsequently, the Council is proposing to publish the Proposed Submission Version of the Plan (Regulation 19) on the 9th February 2018 for consultation.

3.37 To date, the emerging Hartley Wintney Neighbourhood Plan has broadly coincided with the timeline for the Hart District Council's preparation of a new Local Plan. However, the preparation of the Neighbourhood Plan has now run in advance of the emerging Local Plan, with the Pre-submission version (Regulation 14) already under consultation. It should be noted that this matter will be further perpetuated by the examination timeframes which are generally significantly longer for a Local Plan when compared against a Neighbourhood Plan.

3.38 Whilst it is generally possible for a NP to be progressed in advance of the corresponding Local Plan this does present certain and inevitable problems in terms of meeting the basic conditions and legal compliance tests. These problems are clearly evident in the Neighbourhood Plan as drafted, as highlighted above.

3.39 The Neighbourhood Plan correctly confirms at paragraph 5.1.3 that "...at this stage of the Neighbourhood Plan's development, it is unclear whether the nil allocation will eventually remain when the Local Plan is adopted, esp