



COUNCIL MEETING – 11 January 2006

Question under Council Procedure Rule 14(2)(b)

QUESTION 4

From: Councillor Bidgood

To: The Portfolio Holder for Planning

- “1. Was the Local Plan, as presented to the Inspector at Public Inquiry, in compliance with the essential “sequential” advice of central Government of “Brownfield” in urban areas first; then “Greenfield attached to urban settlements” then “non-attached Greenfield”.**

“Yes, the Plan post-dated PPG3, which set out the ‘sequential test’ for allocating development.”

- “2. Were all existing settlement boundaries preserved in that Local Plan, and were all such boundaries defended vigorously against all applications for “omission sites” by our officers during the Public Inquiry?”**

“Yes, much of the Local Plan Inquiry was spent considering the ‘omission sites’.”

- “3. Were these lists of “omission sites” available as public documents to all Councillors and the public at large?”**

“A document entitled “Representations on the Deposit Plan” was published in May 2003, alongside the Revised Deposit Local Plan. This summarised all objections to the Plan (including omission sites) and the Council’s response to them. The document was made available to all Members and to Parish Councils and local amenity groups. The document was also placed on the Council’s web site. In addition, notice of the Local Plan Inquiry was published, all persons making representations on the Plan were informed of it and updated programmes for the Inquiry were sent to participants and placed on the web site.”

- “4. What is the relationship of the Planning Inspectorate to central Government, such as ODPM or GOSE?”**

“The Planning Inspectorate is an independent Government Agency, as opposed to ODPM and Government Offices which are Government Departments. Local Plan Inspectors are appointed by the Secretary of State but their fees and expenses are paid by the Local Planning Authority. They report their recommendations to the Local Planning Authority, not Government.”

“5. How “new” is the concept of reserve sites. In terms of other District Local Plans under other Inspectors?”

“A few local plans in the area have used the term ‘Local Reserve Sites’, such as Wokingham. However, the concept is part of the ‘plan, monitor and manage’ approach to site allocation, required by PPG3. This requires housing allocations to be managed, so that brownfield sites and the most sustainable locations are developed first. Similar recommendations have been made in other recent Local Plan Inspector’s reports, e.g. Basingstoke and Deane.”

“6. Which “higher” authorities set the housing figures for District Councils? Are these figures influenced/controlled by central Government?”

“The housing figures which the Winchester District Local Plan must satisfy are set in the Hampshire County Structure Plan Review 2000. This was approved by the Secretary of State. In future, District-level housing requirements will be set in Regional Planning Guidance, also approved by Government.”

“7. In the event of rejection of a major part of an Inspector’s report, will a new Inquiry be required?”

“The Council must publish its response to the Inspector’s recommendations, highlighting any matters on which it has rejected the recommendations, and consider representations made about its response. The Council must then decide whether the representations raise issues that warrant a further Inquiry being held. Aggrieved parties may challenge the Council’s decision through the Courts.”

“8. Will this Inquiry be merely on these sites ,or will all landowners/interested parties be able to submit new, or repeat omission sites?”

“While the Council may wish to limit the scope of any new Inquiry, this may be difficult because of the wide-ranging issues involved with housing numbers, and the need to consider potential site allocations alongside the issue of whether the Plan provides adequate housing land. It is ultimately likely to be for any new Inquiry Inspector to decide how wide the scope of the Inquiry needs to be, but it is most likely that other omission site promoters will seek to include consideration of their sites within the scope of the Inquiry.”

“9. Can the Portfolio Holder for Planning give Council the best, most accurate information on such an Inquiry in terms of estimated calendar dates; costs ; further complications?”

“Indications from the Planning Inspectorate are that any new Inquiry would start in late 2006. Its length will depend heavily on its scope (see question 8), but if it was limited to the 40 omission sites in the ‘Category A’ settlements, it is likely to range between 20 and 60 sitting days (the last Local Plan Inquiry lasted for 65 sitting days). The cost of the last Local Plan Inquiry was approximately £250,000 in Inspector’s fees, plus officer time, Counsel’s fees, venue hire, appointment of a Programme Officer, etc. It is estimated that the total cost (excluding planning officer time) could amount to approximately £500,000. It is estimated that a further Local Plan Inquiry would delay adoption of the Plan by 2 years and prevent any work on the Local Development Framework being undertaken in that period (unless the Council increased staffing/consultancy within the Strategic Planning Division). The absence of an up to date Local Plan or LDF would make it more

difficult to enforce local planning policies, with a greater reliance on national planning policy, as set out in PPGs and PPSs.”

“10. Does GOSE have a “watching brief” on the progress of a Local Plan and has the DPM any powers to “call-in” a Plan.?”

“The Secretary of State has powers to either call in or direct changes to a Local Plan before it is adopted.”

“11. Within the new concept of “Development Frameworks” replacing “Local Plans” in what ways will the role of the Inspectorate be changed?”

“Under the new planning system there will still be an ‘examination’ of development plan policies, although the aim is for more informal procedures. However, Inspector’s Reports on plans produced under the new system will be binding and the Council will be required to adopt the plans, as modified by the Inspectors.”