

On 1 May 2018, at 12:25, Daryl Phillips <daryl.phillips@hart.gov.uk> wrote:

Dear Jon

I thought it beneficial to update you on our view of the current position with regard to the Deer Park application.

Our current position is neutral. We have made no decisions about how to proceed. However, we are going to seek further information from the applicant so that we can better understand the applicant's proposals to enable the District Council to more fully evaluate the application.

Undoubtedly this is a complex proposal where policy needs to be carefully balanced against public benefit. As you are aware, the District Council as the local planning authority, must determine planning applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise. Where there are other material considerations, the Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision. The respective Development Plans in this instance are the Hart Local Plan and the recently adopted Odiham & North Warnborough Neighbourhood Plan (June 2017).

We both appreciate that in both Development Plans the Deer Park lies within the countryside (i.e. beyond defined settlement boundaries) and also within a defined Local Gap where save in so far for certain exemptions, development is to be restricted. Separately, the Deer Park is designated as a Conservation Area wherein development should preserve or enhance the character and appearance of the area as a whole. The latter is an important consideration which as you will already be aware the District Council will be fully considering as part of the wider planning decision-making process.

The applicant proposes to carry out landscape/environmental improvements to the Deer Park with a view to enhancing its setting and public amenity value within the conservation area. The applicant's acknowledged intention is that this would be funded through the development of 7 new homes. Both the District and the Parish Council undoubtedly understand that these new homes conflict with development plan policy and as confirmed by Historic England (HE) on balance, and in terms of assessing the impact upon the conservation area, the harm slightly outweighs any benefit albeit HE acknowledges that the balance between harm and benefit would come even more finally balanced if the proposed house on Dunley's Hill were to be relocated. HE however, also recognises that other public benefit is being offered but cannot comment further as the assessment of these other benefits fall outside its expertise. Therefore, HE agrees that it is for the District Council to take both the heritage and wider public benefits of the scheme into account in making the overall planning balance.

An important contribution to assessing possible other benefits must come from the Parish Council and the Neighbourhood Plan's goals and objectives represent a good starting point. They too need to be weighed in the planning balance but whilst the District Council welcomes any contribution that the Parish Council may make, ultimately it will be for the District Council alone to determine the overall planning balance.

However, from the information currently submitted, the District Council cannot form a final position. To make a fully informed decision further information is required from the applicant to help in the evaluation of any possible additional public benefit. The applicant therefore, is being invited to

submit a full, open, and transparent financial appraisal of the development proposals so that the District Council can evaluate the planning balance set against the identified harm.

We already have a good collaborative working relationship with the Parish Council and we expect this to continue whilst the District Council carries out due diligence in exploring possible legal controls and evaluates opportunities. At some further point in time the Parish Council may wish to seek its own legal advice independent of the District Council. This however, must be on the understanding that these discussions are without prejudice and in no way imply that we are minded to lend any support to the scheme.

Only once we have had the opportunity to assess all the relevant considerations, of which a full financial appraisal is an important consideration, will the District Council then form a final view and proceed to determine the planning application.

Daryl Phillips

Joint Chief Executive

Hart District Council

Tel: 01252 774492

www.hart.gov.uk

Twitter: @HartCouncil

Facebook: /HartDistrictCouncil

Please consider completing our short Customer Feedback Form so that we know how we handled your query and can continue to improve the service that we provide.