NEW FOREST DISTRICT COUNCIL – LOCAL PLAN (PART 2) EXAMINATION

Inspector’s Post Hearing Note 3 – Policy BLA1 Blackfield and HSE Consultation Zones

1. The BLA1 site straddles the middle and outer HSE consultation zones relating to various industrial sites at Fawley/Hythe. These zones trigger consultation on planning applications with HSE. For effectiveness, there should be a very low risk of any subsequent planning application for housing on this site resulting in an objection from HSE. I am not satisfied that NFDC29 provides sufficient reassurance on this point. As explained at the hearing, I am asking the Council to pursue further clarification with HSE. BLA1 hearing participants will have the opportunity to comment on the response (see below). When I have seen all the material, I will decide if any changes in relation to BLA1 need to be included in the main consultation on changes which the Council will be undertaking on other matters later in the year.

2. At the hearing on 23 April 2013, the Council tabled 2 plans relating to the consultation zones. One was an A4 plan with 3 thin red lines, one of which crosses the BLA1 site – this plan has now become document NFDC42. The other was an A3 plan with red, green and blue rings around the oil refinery. This plan relates to Exxon Chemical Ltd, Cadland Road, Hardley (HSE HID C15 Ref H0351 May 2008). This has not been made a core document and should be. NFDC43 is a different plan relating to the Esso Fawley Refinery and the Hythe Terminal (HSE HID C15 Ref H0352 June 2008). The green consultation boundary crossing the site appears the same on these 2 plans, but this should be confirmed by the Council.

3. I have set out below some suggested questions/approach that may help clarify matters, but the Council is free to adapt these so as to obtain the clearest response. Discussion with HSE as to what information it needs would no doubt be useful. It is important that it is subsequently clear to me and all parties what information (in relation to the form of development on the site) was put to the HSE and on what its response is based.

**Significance of the consultation boundary**

4. Is the primary purpose of the identified zones to trigger consultation on planning applications (depending on the scale of development proposed in different zones)?

5. Where a site, such as the allocation for residential development in BLA1, straddles the middle and outer consultation zones, should consultation be triggered by the criteria applying to the most sensitive zone ie the middle zone?

6. Once appropriate consultation has been triggered, does the precise position of the boundary (eg as shown on consultation plan NFDC43) have any significance for HSE’s assessment?

7. If the expression of the boundary on a plan does have significance, where does the boundary precisely fall on the BLA1 site? Is it, for example, the inner, outer edge or the middle of the green line on NFDC43? Is it shown precisely on NFDC42?

**Likely HSE response to a planning application on BLA1.**
8. Depending on what HSE need to feed into their assessment model, Council to seek HSE views on a couple of possible development scenarios for BLA1 in terms of number of dwellings, typical mix of dwellings (if needed by HSE), distribution within the site. One scenario should include some dwellings within the middle zone area close to Hampton Lane. The Council should highlight to HSE the space (approximately) that would be occupied by additional, non residential elements, such as the allotments and open space in so far as these are relevant to HSEs assessment of density. Since the aim is to test only the robustness of the allocation in principle, I would suggest that the first scenarios include more dwellings than currently anticipated eg 35. Only if that triggered a potential Advise Against from HSE would further iterations be required.

Progressions of the matter

9. Once a clear (or best available) response from the HSE has been obtained, the response and the information on which HSE was commenting should be made NDFC examination documents and be sent to the Programme Officer who will circulate it to the participants who were represented at the BLA1 hearing 23 April 2013 (reps 005, 177, 215, 216). Those parties will then have 2 weeks in which to respond to the Programme Officer. Responses should be confined to the new material in relation to HSE and BLA1 only. This matter should progress without involvement from me, as I am not available at all during May. I will aim to conclude on the mater in June.

Thank you.

Simon Emerson
INSPECTOR
26 April 2013