

REPRESENTOR NUMBER: 1155764

HARROGATE LOCAL PLAN EXAMINATION

INSPECTOR'S MATTERS AND ISSUES QUESTIONS

Matter 1 – Legal Compliance

QUESTION 1.4: IS THE SUSTAINABILITY APPRAISAL (SA) ADEQUATE IN TERMS OF ITS ASSESSMENT OF THE LIKELY EFFECTS OF THE PLAN'S POLICIES AND ALLOCATIONS AND ITS CONSIDERATION OF REASONABLE ALTERNATIVES?

We suggest that the sustainability appraisal is not legally compliant and the errors mean the Local Plan is not supported by sound evidence.

The council has attempted to deal with the issues we raised by re-writing part of the sustainability appraisal submitted to Examination.

In the council's 22 August 2018 Cabinet Report authorising submission of the Local Plan to Examination paragraph 5.5 states:

"Sustainability Appraisal (SA) is an essential part of the plan making process, and has been undertaken alongside plan preparation in order to help inform decisions made on what policies and allocations to include within the Local Plan. The nature of the proposed modifications has not required additional sustainability appraisal work to be undertaken. However, in response to comments made about the sustainability appraisal report, a number of changes have been made to provide clarity on the following elements of the Sustainability Appraisal:

- *The process for identifying and selecting the reasonable alternatives for housing and employment growth/distribution*
- *Providing additional detail in relation to the identification of significant effects, including cumulative effects of the plan*
- *Providing more clarity on why sites/locations have been selected over others*

The updated SA is set out at Appendix 4."

The Council has re-written part of the sustainability appraisal to try and deal with the fact it did not use the reasonable alternatives originally identified to inform its preferred approach – the growth strategy. It did not properly appraise the preferred growth option involving settlements in the rural area west of Harrogate, and the wider Harrogate to Leeds A61 transport corridor in particular where the Primary Service Village of P & BB is located.

The relevant change to the text is found in the Submission Sustainability Appraisal section 5 'Assessment of Growth Strategies' pages 44 to 46. This replaces the Local Plan Publication Draft Sustainability Appraisal section 6 'Assessment of Growth Strategies' page 39. The council has provided no baseline evidence to demonstrate how the changes to the text are supported by actual sustainability appraisal work undertaken to inform this part of the growth strategy. See: 'GS2:

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Growth Strategy to 2035' *"The need for new homes and jobs will be met as far as possible in those settlements that are well related to the key public transport corridor"* and *"New development will be located as follows: ... Primary and Secondary Service Villages: Allocations of land for new homes; with new village shops and businesses encouraged to support their continued sustainability"*.

Paragraph 5.19 of the submission Sustainability 2018 illustrates how the council's attempt to explain away the problem has failed miserably. The public transport corridor options referred to are located *"principally to the east"* and *"principally to the south"* [of the Harrogate District] yet paragraph 5.19 seeks to argue a combination of these and three other options present a sustainable solution. (See all five options listed in paragraph 5.15).

The council has made no further reference to its failures regarding cumulative impacts at Primary Service Village level, particularly with regard to its failure to identify or understand likely infrastructure requirements at Primary Service Village level. One of the two proposed housing allocations in Pannal (PN17) is currently subject to planning applications. The development control process has identified infrastructure shortcomings with regard to sewerage, surface water disposal and management, primary school provision, SLA & hedgerow protection, heritage settlements, bus service and village facilities. All these matters were raised by The Councils own officers at the Publication Draft consultation submission stage and ignored in the recent outline planning application. PN17 was indeed recommended for non-allocation.

It should be noted that the Local Plan Publication Draft Sustainability Appraisal dated January 2018 has been omitted from the submission documents to the Planning Inspectorate for Examination.

Guidance on Strategic Environmental Assessment (which legally must be incorporated into a sustainability appraisal) is also provided in the National Planning Practice Guidance. It states: *"Reasonable alternatives should be identified and considered at an early stage in the plan making process, as the assessment of these should inform the local planning authority in choosing its preferred approach"*. The key word is it should *inform*. If anything, the sustainability appraisal demonstrated that promoting housing growth in the Harrogate A61 transport corridor is not a sustainable solution as explained in our detailed submissions elsewhere under Item 15.1 in particular

The council has submitted a sustainability appraisal dated August 2018 and submitted a Local Plan which was published in January 2018. We suggest this is clear evidence that the council did not follow legislative requirements and guidance in selecting its preferred approach and is still trying to justify the approach taken by re-writing the sustainability appraisal text.

Summary

The Council has done nothing to address the problem, other than a rewording of a few pages of the submission sustainability appraisal in August 2018.

The legal position and guidance in this situation is clear and unchanged. The purpose of a sustainability appraisal, as we understand it, is to inform plan-making and it is not something which can be bypassed or added later in the process to try and justify decisions made without proper appraisal.

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P & BB maintains the sustainability appraisal is therefore potentially not legally compliant HBC failed to properly inform the decision to incorporate housing allocations along the Harrogate A61 corridor in Primary Service Villages such as Pannal to the south of Harrogate as an integral part of its Growth Strategy adding PN 17 & PN19 belatedly to the DLP

We respectfully ask the Inspector consider the legality of the sustainability appraisal undertaken by the council. In particular, we draw the Inspector's attention to the council's failure to use the sustainability appraisal to consider (1) cumulative impacts at a Primary Service Village level, (2) how a reasonable alternative (growth strategy option) which was rejected early in the sustainability appraisal process reappeared in a later version of the Local Plan as the preferred approach with no justification or re-appraisal and (3) how the council attempted to deal with the issue by re-writing part of its sustainability appraisal submission document in August 2018.

We maintain therefore that the sustainability appraisal has not been done properly: otherwise

- Pannal would not have ended up with housing allocations PN 17 (72 houses – now reduced to 48), PN19 (277 houses)
- Pannal would not have ended up with an adjacent employment area PN18 based on flawed HEDNA figures (See or response under Matter 5 to follow)
- Other villages along the corridor and in and on the edge of the AONB or in our case SLA would not have been allocated so many houses in the Local Plan.

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INSPECTOR’S MATTERS AND ISSUES QUESTIONS

Matter 2 – Objectively-Assessed Need for Housing and the Plan’s Housing Requirement Figure

QUESTION 2.1: IS THE OBJECTIVELY-ASSESSED NEED FOR HOUSING (OAN), INCLUDING THE FIGURE FOR AFFORDABLE HOUSING, AS ESTABLISHED BY THE HOUSING AND ECONOMIC DEVELOPMENT NEEDS ASSESSMENT (HEDNA) 2018, AND REFLECTED IN THE PLAN’S HOUSING REQUIREMENT FIGURE (POLICY GS1: PROVIDING NEW HOMES AND JOBS) OF 14,049 ADDITIONAL DWELLINGS IN THE PERIOD 2014-2035, BASED ON ROBUST AND UP-TO-DATE EVIDENCE?

There are six superficially credible estimates of housing need over the plan period:

SOURCE OF ESTIMATE	Annual Dwelling Need	Need over plan period
2016 Draft Plan	557	11,697
HEDNA demographic based	410	8,610
HEDNA employment led	669	14,049
Alternative HEDNA employment led – based on Oxford Economics employment date	460	9,660
Alternative HEDNA employment led – based on Office for Budget Responsibility employment date	785	16,458
Minimum Requirement - based on current Standard Method in Government’s Planning Practice Guidance	432 - based on projections from a 2014 base	9,072

In view of the discrepancy between the figures, the evidence for preferring the figure of 14,049 must (in accordance with NPPF guidance) be robust. The Parish Council’s reasons for considering the evidence not to be robust is contained in detail in ‘*Assessment of the Objectively Assessed Housing Need (OAN) in Harrogate Council’s Housing and Economic Development Needs Assessment (HEDNA)*’ produced for them in October 2018. We subsequently refer to this as document PBB1. Here it is summarised.

Is an employment-led calculation of housing need justified?

The HEDNA’s demographic-based estimate of need is, as might be expected, similar to the minimum requirement calculated in accordance with the standard method in the Government’s Planning Practice Guidance.

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It is appreciated that the Local Plan has been prepared and will be examined in the context of the guidance in the former (2012) National Planning Policy Framework (NPPF). However, even the more constrained guidance on housing need in the revised NPPF allows local planning authorities to plan for levels of housing provision which are higher than the minimum needs calculated using the Standard Method, provided that such needs are justified by local circumstances. Economic growth strategies are given as an example of such needs.

The Parish Council do not argue that it is wrong to consider the possibility that an economic growth strategy might justify providing more housing than might be justified by a solely demographic-based calculation. However, they are aware that any such increase in provision will have environmental consequences. For example the Submission Plan envisages the development of a substantial area of land between Pannal and Harrogate which is at the same time proposed as part of the Crimple Valley Special Landscape Area and protected by proposed policy NE4. According to the Council's own assessment of housing allocation PN19 (in the Council's 2018 Sustainability Appraisal) the site has high landscape sensitivity and limited or no capacity to accommodate development or mitigate impacts.

There is no indication in the HEDNA or in any of the published documentation of which the Parish Council is aware that the Council has balanced the supposed benefits of an employment-led calculation of housing needs against the environmental costs of such an approach. The Inspector may be aware that the previous Regional Policy Guidance for Yorkshire and the Humber sought to direct most development into urban areas, most of which are in West and South Yorkshire. The effect of such guidance was to constrain the amount of development allocated to the more environmentally sensitive North Yorkshire, including Harrogate District. There is no longer any such over-arching regional guidance, but this should not have absolved the District Council from balancing the benefits of maximising economic growth against those of protecting the natural environment.

Has the HEDNA correctly calculated an employment-led housing need?

The HEDNA increases the Oxford Economics derived forecast of job growth over the plan period from 11,400 to 12,200. The increased growth appears to be based on the aims of two Local Enterprise Councils and Harrogate District Council. As such it is aspirational (and not justified within the HEDNA) and to that extent a housing need derived from the increase cannot fairly be described as objective.

PBB1 argues that no robust reasons are given for preferring a housing need derived using employment rates provided by Experian from one derived from Oxford Economics (OE) data.

The HEDNA itself gives one cogent reason for preferring the OE derived housing need, which is that *"The OE data is an output of the baseline modelling and is to some extent "flexed" to allow for a range of variables within the model to be consolidated"*.

The main argument advanced by the HEDNA in favour of the Experian derived need is that Experian are the only one of the three main forecasting houses that publish age and sex specific data about how economic activity rates might change. However, this is to some extent undermined by the fact that the Experian data are nationally derived and might not reflect the significant differences between Harrogate and national circumstances. One piece of evidence reinforcing the Parish Council's concerns is that, according to the data in the HEDNA, a 6,100 increase in jobs from 2014 to 2016 does not appear to have resulted in any significant increase in households. The implication is that there was a significant local change in economic activity rates.

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For reasons explained in PBB1, a lack of clarity underpinning the HEDNA calculation of employment-led housing need, in particular the way it dealt with a significant increase in employment between 2014 and 2016, raises concerns about its accuracy. The concerns prompted the Parish Council's assessment to make its own cursory calculation of OAN using:

- the Experian derived employment rate shown in figure 27 of the HEDNA Report,
- the residual increase in jobs from 2016 to 2035 described in that same report, and
- the rounded 1,000 estimate of the increase in households from 2014 to 2016 taken from the Office for National Statistics mid-year rounded estimates.

This calculation leads to an employment-led estimate of change in households per annum from 2014 to 2035 of only 299. This figure is not put forward as an estimate of objective housing need (OAN). This is partly because of the Parish Council's doubts as to whether a 6,100 increase in jobs from 2014 to 2016 did actually lead to only a 1,000 increase in households. More significantly, if this was the case, one would expect there to be a suppressed demand for household formation which would then have an effect in subsequent years. The 299 estimate makes no allowance for suppressed demand.

Despite the above reservations, the Parish Council's alternative calculation illustrates the sensitivity of the OAN to differing assumptions. Against this background of uncertainty, the 55% uplift (i.e. the difference between the 669 annual need calculated in the HEDNA and the 432 minimum need derived using the Government's Standard Method) requires a more robust justification than that offered by the HEDNA.

Summary

The Parish Council consider that the OAN derived from the HEDNA is not based on robust evidence. Specifically:

- Harrogate Borough Council have not justified their preference for an employment-led OAN, with particular reference to the degree to which it exceeds a demographic-based OAN and the absence of any evidence of an attempt to balance this preference against its environmental cost.
- The increase in the employment forecast over that provided by Oxford Economics is aspirational rather than objective. In any event no supporting evidence is advanced to justify the increase.
- The evidence given for an OAN based on Experian economic activity rates in preference one derived from Oxford Economics data is unconvincing.
- The HEDNA does not adequately describe the way it derived the OAN,

Although there was no obligation on the Council to use the Government's Standard Method of estimating a minimum housing need, the degree to which the HEDNA derived OAN exceeds that need requires a more robust justification than has been provided.

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Matter 3 – Spatial Distribution of Housing, Housing Site Selection and Settlement Boundaries

QUESTIONS

3.1: IS POLICY GS2 (GROWTH STRATEGY TO 2035) EFFECTIVE IN ESTABLISHING A FRAMEWORK FOR THE DISTRIBUTION OF HOUSING ACROSS THE DISTRICT?

3.2: IN POLICY GS2 IS THE LACK OF SPECIFICITY ABOUT ENVISAGED LEVELS OF DEVELOPMENT, AND THE APPARENT LACK OF DISTINCTION BETWEEN THE FUNCTION OF PRIMARY AND SECONDARY SERVICE VILLAGES, JUSTIFIED AND EFFECTIVE?

3.3: IS THE PROPOSED DISTRIBUTION OF HOUSING CONSISTENT WITH POLICY GS2? IS IT JUSTIFIED AND SOUNDLY BASED HAVING REGARD TO THE SIZE OF THE SETTLEMENTS AND THEIR DESIGNATION (NOTING IN PARTICULAR THE QUANTUM PROPOSED FOR BOROUGHBIDGE, DARLEY, NORTH STAINLEY, KILLINGHALL AND PANNAL, WHICH, HAVING REGARD TO COMMITMENTS, APPEAR AT ODDS WITH THEIR ROLE AND FUNCTION)?

GS2 is not effective in establishing a framework for the distribution of housing across the District. A major contributory factor is the lack of specificity about envisaged levels of growth. Policy SG1 in the (current) adopted Core Strategy allocated specific shares of housing growth to Harrogate, Knaresborough, Ripon, Boroughbridge, Masham, Pateley Bridge and villages and countryside. This gave a constraining framework for deciding between individual potential sites. Without such a framework it is more difficult to make a meaningful choice between the large number of potential sites spread over the District as a whole.

Notwithstanding the overall merits and demerits of GS2, Pannal is misleadingly categorised as a Primary Service Village. Its proximity to Harrogate does not require it to act as a service centre. The facilities which are provided are mainly those required to serve the resident population, not those in surrounding areas, which are served by the more considerable services provided in Harrogate.

The policy says that the scale of development will reflect 4 criteria labelled A to D. The significant scale of development proposed at Pannal fails to respect two of these criteria:

- It fails to reflect criterion A because, by developing the swathe of open land between Pannal and Harrogate, it undermines the character of Pannal as an independent settlement and devalues its visual setting by eroding an area designated in the Plan as a Special Landscape Area. This character is assessed in sections 2, 3 and 4 of the Landscape Commentary prepared for the Parish Council by Smeeden Foreman (Document PBB2).

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In addition, the scale of development does not reflect Pannal's role, which is primarily that of a residential community close to Harrogate. This failure is related to its misclassification as a primary service village, as discussed above.

- It fails to reflect criterion D because, by nature of its proximity to Harrogate, it is neither rural nor a service centre. There is thus not the need to enhance services and facilities that would apply in a truly rural village.

3.4: HAS THE PROCESS FOR SELECTING SITES PROPOSED FOR HOUSING ALLOCATIONS BEEN ROBUST AND OBJECTIVE?

The Parish Council accept that it is difficult to compare all potential sites on an objective scale. However, the absence of a more general policy allocating levels of growth to specific settlements or areas, has made this a far more difficult task.

The Council's Sustainability Appraisal, with its traffic light system, is a consistent method of assessing individual sites, but even so there is no reasoned explanation of how assessments against individual criteria are combined to assess a site as a whole. Even if there were such an explanation, there is no further explanation of how sites were assessed against each other.

There is the further issue of how the selection process dealt with the constraint imposed by an overall housing need.

The development of any site involves some costs (environmental, economic, social, etc). If only a small number of dwellings were required, the Council would allocate only those sites whose development required minimal costs. If a large number of dwellings is required, more sites with greater costs will require to be allocated.

Integrating the assessment of individual sites with the constraint imposed by an overall housing need requires some type of iteration process. This is because the determination of what level of costs is acceptable is not fixed. One might assume that officers start out with a rule of thumb to determine which sites are suitable for development. They would then add up all the housing contributions from the 'suitable' sites. Then, if the sites deemed to be suitable provide more houses than are needed, the definition of suitable can be made more onerous. If the number of houses is not enough, the definition will have to be relaxed

It seems unavoidable that the Council would have had to adopt something like the process described above even if it was not formalised. The late addition of the Pannal sites PN17 and PN19 to the list of allocated sites appears to be a relevant example. However, the logic of that late addition is undermined by the fact that we believe at least 8 of other sites previously identified as suitable for housing in the Council's SHELAA have not been included as proposed allocations in the Publication Local Plan. These are outlined in a consideration of sites (PBB3) produced for the Parish Council following their receipt of document PBB4 (Harrogate SHELAA Alternative Sites Landscape and Visual Advice).

The rationale for the allocation is further challenged by the strong objections to allocated sites put forward by the Parish Council and others, including the fact that both PN17 and PN19 are both in the proposed Special Landscape Area.

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It might be argued that the late addition of the Pannal sites came about because the relevant landowners had not previously put them forward as potential sites. However, this argument is undermined in the case of PN19 by the fact that most of that site is in the ownership of the plan making authority. Consequently, there should always have been an awareness of its potential availability.

Regardless of the merits or demerits of the Pannal allocations the task of achieving consistency in allocation would have been simpler if there had been housing targets for specific sub-areas, as in the Core Strategy. Sub-area targets would have made it easier to achieve consistency within those areas. Without them it will have been more difficult to achieve consistency.

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Matter 4 – Supply of Housing Land

4.1: IS THE PLAN'S PROPOSAL TO DELIVER AT LEAST (NOTING THE AS YET UNQUANTIFIED NUMBERS FROM MIXED-USE ALLOCATIONS) C.13% MORE DWELLINGS THAN THE 14,049 OAN FIGURE JUSTIFIED? IN PARTICULAR, WHAT IS THE RATIONALE FOR DOUBLE COUNTING THE 995 DWELLING SHORTFALL (TO DATE, AS PER PROPOSED MODIFICATION) WHEN ESTABLISHING THE HOUSING REQUIREMENT?

Whilst the Parish Council recognise that an over-allocation of land can, in principle achieve greater flexibility, they do not consider that this should be achieved by developing sites, like PN17 and PN19, to which there are substantial planning objections. As outlined in our consultation response and various supporting documents (please see comments submitted in relation to matter 9).

4.3: ARE ASSESSMENTS OF DWELLING NUMBERS FOR ALLOCATED SITES REALISTIC AND JUSTIFIED, GIVEN APPARENT CONSTRAINTS THAT WOULD NECESSITATE HAVING UNDEVELOPED AREAS ON SOME SITES TO ADDRESS E.G. FLOOD RISK AND IMPACT UPON HERITAGE ASSETS, AFFECTING MANY OF THE SITES? HAS SUFFICIENT REGARD BEEN HAD TO THE DENSITY OF DEVELOPMENT SURROUNDING THE SITES?

In the case of sites PN17 and PN19 the Parish Council consider that the need to protect the character of the proposed Special Landscape Area, respect the heritage asset of Crimple Viaduct and protect areas subject to flood risk will reduce the capacity of these sites from the 72 and 277 houses estimated by the Council.

These specific considerations are outlined in our consultation response and the landscape character assessments in document PBB2 (a landscape commentary produce for the Parish Council).

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Matter 5 – Supply of Employment Land and Land for Retail Development

5.1: IS THE PLAN'S REQUIREMENT (POLICY GS1: PROVIDING NEW HOMES AND JOBS) FOR 38 HA OF LAND FOR B1, B2 AND B8 EMPLOYMENT USES SUPPORTED BY ROBUST EVIDENCE?

5.2: IS THE PROPOSED ALLOCATION OF (AT LEAST) 73 HA JUSTIFIED HAVING REGARD TO THE EVIDENCE? HOW MUCH "FLEXIBILITY OF SUPPLY" IS REALISTICALLY REQUIRED?

The Assessment of Employment Land Calculation produced as an appendix to our consultants' March 2018 Planning Assessment (Document PBB5) argues both that the HEDNA report overestimates the demand for employment land and that, even if that demand were correctly estimated, the degree of excess provision in the Plan over that calculated requirement would lead to unacceptable harm.

The assessment, reproduced below, provides supporting evidence for our assertion that neither the 38ha employment land requirement nor the actual allocations are justified by robust evidence. In question 5.2 the Inspector refers to an allocation of (at least) 73ha. We are not sure how this is derived. Our own estimate of allocated land is 68.33ha, obtained by adding the allocations in policy DM2 and the specified employment areas in DM3. This increases to 95.13ha if the 25.3ha without planning permission at FX4 is added. If the 13 acres with permission at FX4 is then added the total area allocated or committed comes to 108ha. In their proposed modifications to the Plan the Council add site K31 as a mixed use commitment but with a specified employment area of further 2.5ha. The subsequent total of 110ha compares with the 38ha requirement quoted by the Council.

ASSESSMENT OF EMPLOYMENT LAND CALCULATION

1. In October 2016 policy GS1 of the draft local plan made provision for 20-25ha of new employment land over the period 2014-2035. The current submission version of the plan says that provision will be made for a minimum of 38 ha of employment land. This is an increase of around two thirds. The change is explained by the employment land calculation in the Housing and Economic Needs Assessment (HEDNA) prepared by GL Hearn (GLH) and published in July 2017. Site PN18 with an area of 18.8ha equates approximately to the difference between the two figures.

2. We are not in a position to estimate how much employment land should be allocated across the district or where it should be allocated but we can identify weak points in the chain of argument leading to the allocation of PN18.

3. The HEDNA based one element of its calculation of land requirements on employment forecasts produced by Oxford Economics (OE). OE's baseline prediction shows employment within Harrogate District rising from 94,100 in 2014 to 105,500 in 2035, a growth of 11,400, or 0.5% per annum. The HEDNA then applied adjustments to reflect some local factors. This increased the jobs growth estimate to 12,200 over the same period. One of the adjustments was to increase Harrogate growth rates in four sectors (creative & media, digital & technology, financial and professional services and

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energy and renewables) to national rates. No justification is offered for the uplift beyond the fact that Harrogate Council have identified some of these sectors as 'strategic growth sectors'. Table 14 in the HEDNA report disaggregates the 12,200 growth estimate by sector.

4. The 'Employment Land Requirements' chapter in the HEDNA estimates the land requirement by using two different methods. The first method is based on the employment forecast. It adjusts the 12,200 growth estimate to a full time equivalent of 9,900. Of these jobs, only those in use classes B1a, B1b, B1c, B2 and B8 (and some associated sui generis uses) will be accommodated on business or industrial sites. Using GLH's standard model, which relates sectors to use classes the HEDNA estimates that the total job growth in the B1a, B1b, B1c, B2 and B8 use classes will be 4,437.

5. The HEDNA then uses employment densities in the HCA Employment Guide 2nd Edition to give a net requirement for 115, 489 sq m of additional floor space. Since this is a net requirement it needs to be augmented to take account of replacement demand from sources such as companies requiring increased floor space. The HEDNA says that it would be appropriate to make provision for a 5-year 'margin' based on past employment land take-up. The addition of this margin results in a 28.2ha employment land requirement. The figures are summarised in HEDNA table 72 'Gross Employment Land Need – Labour Demand Scenario 2014-2035, which we repeat below:

HEDNA Figure 72: Gross Employment Land Need – Labour Demand Scenario 2014-2035

Net Demand	17.6 ha
Margin to Provide Choice & Flexibility	10.6ha
Total Gross Need	28.2ha

6. The HEDNA does not explain how the net demand figure in the table is derived. We assume that it is related to the 115,500 sq m figure for floor space growth. That figure can alternatively be expressed as 11.55ha, but since it is a figure for floor space only we assume that it has been increased to reflect an equivalent site area. The uplift factor appears to be around 50% but nowhere in the HEDNA is this stated or explained.

7. Similarly, there is no proper explanation for the 10.6ha margin for choice and flexibility. The HEDNA refers to a 5-year 'margin' based on past employment land take-up. However, does not define what is meant by a '5-year margin' or how it is derived. Given that the net demand figure for a 21 year period is only 17.6ha it is hard to equate a 60% uplift with a 5-year margin.

8. The second method used by the HEDNA to estimate the employment land requirement is based on past completions.

9. Over the period from 2006-2016 the HEDNA says there was a total of 13.4ha of employment floor space (gross) completed in the Harrogate District. This is a confusing figure. It is unusual to refer to floor space completions in terms of units as large as hectares. It is therefore unclear whether the 13.4 figure relates to actual floor space, but unconventionally expressed in hectares, or whether it relates to areas of land. The difference is crucial.

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10. HEDNA figure 73 extrapolates the past completion rate to give a requirement of 49.8ha over the period 2014-2035. Unlike HEDNA figure 72 this table is disaggregated into use classes, presumably because it is based on planning records. Figure 73 is reproduced below:

HEDNA Figure 73: Harrogate Borough past completions and projections 2014-2035 (hectares)

<i>Use Class</i>	<i>Total 2006-2016</i>	<i>Annual Average (2006-16)</i>	<i>2014-2035 Projection</i>
B (undefined)	2.27	0.25	1.2
B1 (Undefined)	0.36	0.09	6.1
B1a/b	1.94	0.17	3.6
B1c	0.60	0.08	9.5
B2	1.60	0.20	24.0
B8	6.08	0.50	5.5
Sui generis	1.48	0.18	1.2
TOTAL	13.36	1.50	49.8

11. The HEDNA goes on to note that the labour demand forecast earlier in the report reflects an approximately 5ha loss in B1c and B2 land requirements over the plan period. In contrast, the HEDNA says, the completions record suggests 6ha net growth over the same period. It is hard to square this statement with figure 73 which projects a net growth of 33.6ha in B1c and B2 floor space over that period (However, it appears that there are editing errors in figure 73 – see our paragraph 17 below – so it is difficult to reach any firm conclusion).

12. For the B1c and B8 use classes the HEDNA prefers the completions-based projection (which it subsequently refers to as ‘trends’) to that based on forecast jobs. Its reasoning is that past job losses do not directly translate to an equivalent loss of floor space because changing industry practices, and particularly increased automation, requires more floor space per worker. The HEDNA also uses the completions-based projection to calculate the land requirement for B8 uses. It gives no reason for this decision. We have significant reservations about the approach, at least insofar as it relates to the demand for B8 floor space, for the following reason:

The HEDNA refers to the HCA Employment Densities Guide: 2nd Edition (2015). Our research suggests that that the most up-to-date guide is the HCA Employment Densities Guide: 3rd Edition; November 2015. The 2nd edition appears to have been published in 2010. The 3rd edition suggests very clearly that employment densities for B8 uses (which result in the principal land requirement in the HEDNA forecasts) are increasing substantially, driven largely by the increased number of jobs in office-based activity. Research quoted in paragraphs 2.71 and 2.72 of the 3rd Edition of the Guide suggests that floor space per worker in warehousing and distribution decreased from 95 sq m per employee to 69 sq m in 2015. This conflicts directly with the HEDNA report’s approach to projections of the requirement for B8 uses.

13. The HEDNA report prefers the job growth basis for projecting demand for B1a and B1b uses. It justifies this by citing the good economic climate of the district and consultation evidence that the implementation of B1a and B1b space has been constrained in the past. This second argument seems dubious since one would expect that constraints on availability would have encouraged entrepreneurs to provide more space.

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14. HEDNA table 54 brings together what is described above to estimate employment land requirements over the plan period. It is reproduced below.

HEDNA Table 54: Land requirements 2014-2035

B1a/b (Based on Forecasts)	12.3ha
B1c/B2 (Based on Trends)	13.0ha
B8 (Based on Trends)	24ha
Sui Generis (Based on Trends)	5.5ha
TOTAL	54.8ha

15. Paragraph 3.11 in the Publication Draft of the emerging Local Plan makes it clear that the 54.8ha figure in HEDNA table 54 underpins policy GS1's intention to make provision for a minimum 38ha of employment land. The 38ha figure is obtained by subtracting the 16ha of vacant land on existing employment sites which were identified by the HEDNA. Paragraph 3.12 in the Publication Draft then explains that there is a need to allocate more than the residual 38ha to provide a choice of sites and ensure flexibility of supply.

16. Although the HEDNA explains why it uses different bases for its projections in its table 54, the overall effect of using the bases which produce the highest requirement for each use class category leads to an estimate of requirement that is biased towards the upper end of the scale of likely need. This is particularly relevant when it is considered that HEDNA's reason for basing the largest element in the calculated land requirement (that for B8) on the trend of past completions is probably misguided (see paragraph 12 above).

17. Worryingly, it is impossible to reconcile the figures in HEDNA figure 73 and HEDNA table 54. For example, figure 73 projects a cumulative B1c & B2 requirement for 33.5ha and a B8 requirement for 6.5ha whereas table 54 projects a B1c/B2 requirement for 13ha and a B8 requirement for 24.0ha.

18. Based on our analysis there are significant concerns about the HEDNA's conclusions on employment land requirement. Whilst we recognise the policy justification for making a robust (i.e. a high end) estimate, the overall effect of combining several high-end assumptions can lead to exaggeration. It is, for example, constructive to compare the requirement in HEDNA figure 72 (28.2ha) with the finally recommended figure of 54.8ha in HEDNA table 54. Our reservations are increased by concerns about methods. Finally, the inconsistency between HEDNA figure 73 and HEDNA table 54 questions the rigour with which the report has been edited and appraised.

19. The minimum employment requirements in emerging Local Plan policy GS1 (i.e. 20-25ha in the October 2016 draft and 38ha in the Publication Draft) do not tell the complete story. It is also necessary to consider the areas actually allocated. To obtain these we have added together all the single use employment allocations and the employment elements of the mixed-use allocations in the October 2016 draft and in the Publication Draft. The addition gives a total of almost 79ha in the 2016 draft and approximately 108ha in the Publication Draft. This is an increase of 25ha, or almost a third.

20. In summary: The minimum employment requirement in the October 2016 draft was 20-25ha compared with actual allocations of 79ha. The minimum employment requirement in the Publication Draft was 38ha compared with an actual allocations of 108ha.

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These changes equate to an approximately two thirds increase in the minimum requirement and one third in the actual allocations.

21. The changes have occurred in just over a year. The only published justification we have found for the change is the evidence in the HEDNA. The relevance of the HEDNA is confirmed by paragraph 3.11 and 3.12 in the Publication Draft. Our paragraph 18 above explains why we find this unconvincing.

22. The decision to add PN18 to the register of employment land allocations must be seen against this background. There is no justification in terms of a district wide balance between requirements and supply. We do not question the need to provide more than the minimum land requirement to provide for a choice of site and flexibility of supply. However, we do not consider that the HEDNA report is a sound basis for increasing the minimum requirement from that in the 2016 draft. If this original (and only just over a year old) figure was retained the area of employment land allocated in the Publication Draft would be approximately five times the calculated requirement. Even if one were to accept the 38ha figure in the Publication Draft the amount of employment land allocated would still be almost three times that requirement. Whilst we accept that the need for choice and flexibility justifies some over-allocation we consider that this degree of over-allocation (whether by a factor of three or five) is clearly excessive.

23. There is a further, somewhat subtle argument against the over-provision of industrial and business land. The population and therefore employment projections for the district depend on assumptions about inward migration. To the extent that the over-provision of employment land might generate additional jobs it will also increase inward migration, leading to the need to allocate even more land for housing, almost inevitably on greenfield sites.

24. We acknowledge that in terms of offering a prestige site PN18 has attractions although we have seen no published argument putting this case forward. However, given the overall land supply position, it is difficult to see how any such argument could overcome the very strong environmental and traffic objections to the proposal.

5.3: IS THE PROPOSED DISTRIBUTION OF EMPLOYMENT LAND ACROSS THE DISTRICT, AS SET OUT BROADLY IN POLICY GS5, AND SPECIFICALLY IN POLICIES DM2 AND DM3, EFFECTIVE AND SOUNDLY-BASED? AND

5.4: HAS THE PROCESS FOR SELECTING SITES PROPOSED FOR EMPLOYMENT ALLOCATION BEEN ROBUST AND OBJECTIVE?

5.5: IS POLICY GS5 EFFECTIVE OR, WITH THE EXCEPTION OF CRITERIA C & D, ONLY A LIST OF ASPIRATIONS? WHY ARE ONLY TWO STRATEGIC EMPLOYMENT SITES MENTIONED (E.G. CLARO BARRACKS IS REFERENCED AS A STRATEGIC EMPLOYMENT SITE AT PARAGRAPH 3.16)?

The answer to these questions is similar to our answer to questions 3.1 – 3.3.

GS5 is not effective in establishing a framework for the distribution of employment sites across the District. It is primarily a list of vague aspirations. A major contributory factor is the lack of explicit (or perhaps even implicit) organising criteria.

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HARROGATE LOCAL PLAN EXAMINATION

INSPECTOR'S MATTERS AND ISSUES QUESTIONS

Matter 9 – Primary Service Village Allocations (DM1; DM2)

9.1: ARE THE FOLLOWING ALLOCATIONS - SPECIFICALLY PN17, PN18 AND PN19, AS DEFINED ON THE POLICIES MAP, SOUNDLY-BASED?

9.2: ARE THE CRITERIA SET OUT IN THE RELEVANT POLICIES JUSTIFIED, EFFECTIVE, AND CONSISTENT WITH OTHER PLAN POLICIES AND WITH NATIONAL PLANNING POLICY (WITH PARTICULAR REGARD TO THAT IN RELATION TO THE HISTORIC ENVIRONMENT)?

ALSO:

WOULD THE ALLOCATION OF THESE SITES, WHICH WOULD RESULT IN A VERY SIGNIFICANT INCREASE IN THE SIZE OF THE VILLAGE, BE JUSTIFIED, HAVING REGARD TO PANNAL'S ROLE AND ITS POSITION IN THE SETTLEMENT HIERARCHY?

The allocations are not soundly based. In one respect – the adverse effect they would have on a Special Landscape Area and local distinctiveness (reference policy HP3) – they are glaringly inconsistent with other policies in the Plan. The scale of the increase in the village's size would have a significantly adverse effect on its character in addition to compromising its identity as an independent community. Supporting evidence is set elsewhere in the answers to the Inspector's questions and in the following reports. Key sections in these reports are identified.

PBB2: Landscape Commentary On Proposed Allocations	Section 5
PBB5: Planning Assessment Of Harrogate BC Strategy, Site Allocations (PN17, 18, 19 & 20) And Supporting Evidence	
PBB6: Review of Draft Site Allocations - Pannal and Burn Bridge, Harrogate, North Yorkshire - Transport Assessment	Section 6
PBB7: A Preliminary Review Of The Transport Evidence Base In Respect Of PN17 (Housing), PN18 (Employment) And PN19 (Housing)	Section 4 Sections 5, 6, 7 and 8
PBB8: Assessment Of Harrogate BC Evidence And Suggested Basis For Objection To The Allocation Of Sites PN17, 18 & 19	
PBB9: Demonstration of A61 traffic	
PBB10: Pinch points on Pannal and Burn Bridge road network	
PBB11: Image of Crimple Valley landscape	

Sections 2, 3 and 4

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In summary the Parish Council's reasons for considering that the allocations are not soundly based are:

- There is a likely overprovision of housing and business land with the result that the harm incurred in developing all three sites would be unnecessarily incurred.
- The disproportionate increase in the size of the village.
- Harrogate Council's own sustainability appraisals show that all three sites perform poorly across a range of criteria. Sites PN18 and PN19 would have significantly poor access to local services.
- In relation to sites PN18 and PN19 there are unresolved concerns about flooding.
- The development of the sites is likely to add to road safety issues and to increase long delays at nearby junctions.
- The development of the sites would harm the character of the proposed Special Landscape Area in which they are located. In this regard the Plan is self-contradictory. The erosion of the gap between Pannal and Harrogate would have social and environmental consequences that would go beyond the mere preservation of landscape.
- The development of sites PN17 and particularly PN19 would have an adverse effect on the setting of the grade II listed Crimple Valley Railway Viaduct.

9.3: IS THERE EVIDENCE THAT THE DEVELOPMENT OF THE HOUSING ALLOCATIONS – SPECIFICALLY SITES PN17, PN18 AND PN19 - IS VIABLE AND ACHIEVABLE IN THE TIMESCALES INDICATED IN APPENDIX 2 OF THE PLAN?

PN17 site is 3.2309 hectares – its release as a whole site is related to a release clause at understood to be 2.5 acres per annum by the current tenant farmer Mr R Gill who is facing being deprived of 20% of his potential yield – he has nothing to gain here so will not release quicker than the 4 years it will take (the first year is triggered to complete Dec 18)

So there are a further 3 years to wait to develop any of the site if vehicular access is to be taken from Yew Tree Lane as the current planning application suggests is necessary. The land sale is by absentee landlords to the potential Developer in four parcels therefore from the south end of the plot.

It is assumed detailed planning and the disposal process here would take another 12 months – whether the site is viable with the obliged 40% affordable housing thereafter remains to be seen. What is known is there are significant surface water drainage issues to be overcome before any ground works to build can be undertaken

The viability is therefore another measure to be weighed against the irreversible harm already identified in the DLP appraisal where the HBCs own officers recommended non inclusion

PN19 – this land is in the possession of HBC who one assumes will look to a disposal process if outline planning permission were to be sought. There are many constraints and practicalities to be

Pannal and Burn Bridge Parish Council

overcome here. These include steep contours and topography to be overcome and retained, much improved drainage, the area is a flood plain and prevention and mitigation action will be needed, and a river crossing or two will need to be built - all adding to the question of commercial viability. Not to mention any traffic mitigation needed.

Assuming a Council disposal process to detailed planning permission - our advice is that it will likely be a 3-4 year process with a full range planning objection as already lodged during consultation on the Draft Local Plan (DLP) by many organisations & statutory consultees - especially building in the SLA without fuller examination of Green Belt or other alternatives.

Given the controversial nature of this potential development there is likely to be a higher than average % time and cost attributable to the planning process for any developer – not to mention the likelihood of a legal challenge.

We are advised there will also be at least a further 12 months of major civil, transport and water engineering adding significant cost to the project prior to any house building.

Commercial viability for a developer obliged to provide 40% affordable housing in this area has to be in question if he is looking for the regularly expected 15% – 20% margin to fund the risk thereby threatening not to deliver the obligations on National Policy yet again (as has been the case on the recently developed Dunlopillo site). There are also significant implications from developing this site for the nearby A61 where access has to be agreed and trip rates will rise (see comments on Matter 15).

Viability has to be weighed against the irreversible future harm

PN18 is a proposed commercial development as yet only described in outline but justified against questionable figures in Matter 5 under the HEDNA reports on prospects created locally and net migration into the local area to work.

The need for traffic mitigation there will be fundamental planning objections in detail to building sheds and offices in the SLA with views to the Crimple Valley being obscured. Again the planning procedure will be open to likely legal challenge on many key grounds whether included in the DLP or not.

The same practical building problems exist on the east side of the A61 faced with also heavier traffic mitigation issues onto an already overloaded trunk road – the planning and disposal process is therefore a similar timeframe to PN19 and in this case speculative build to commercial or retail build faces the same challenges on viability – this time based on doubtful and purely aspirational figures.

Our graphic PBB 9 on anticipated traffic impacts from both PN18 & PN19 trip rates alone is attached but this takes no account of the additional cumulative traffic burden elsewhere but covered in greater detail under Matter 15 and our Joint submission with Western Arc Group also. Trip rates for the confirmed Dunlopillo site and the proposed Almsford Bank development adjacent to PN18 are also indicated to show the compound increase on a road already at a VCR > 100%.

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HARROGATE LOCAL PLAN EXAMINATION

INSPECTOR'S MATTERS AND ISSUES QUESTIONS

Matter 15 – Transport and Infrastructure

Matter 15.1 - Is there evidence to show that, taking account of proposed mitigation measures, the development proposed in the plan would not give rise to severe adverse transport impacts?

For this Matter we wish to highlight the work carried out by the Western Arc group of organisations which include this Parish Council under the HAPARA umbrella – which has also requested that it be represented at the Examination. The Group's Executive Summary, which the Parish Council endorses, is copied below.

Executive Summary
submitted by
Harrogate Western Arc Co-operation Group

The Harrogate Western Arc Co-operation Group consists of the following organisations:

Pannal & Burn Bridge Parish Council
North Rigton Parish Council
Hampsthwaite Action Group

Duchy Residents Association
Harlow & Pannal Ash Residents Association
Beckwithshaw Parish Council

We are submitting this executive summary in relation to a traffic appraisal study that has been conducted on our behalf by BWB Consultants, which has been paid for by the residents we represent. The submission consists of :

1. This Executive Summary plus three slides that we would like to use as overheads to demonstrate our concerns about the high levels of traffic that would be generated by the numbers of houses being proposed for the Western Arc of Harrogate within the Local Plan. Slides link here: [Supporting drawings of Western Arc allocations.](#)
2. The BWB traffic appraisal study, which we wish to have included as an appendix to this summary. The hyperlink to this study is here: [PBB12 - Western Arc Transport Appraisal.pdf](#)

In making this submission we would wish the following to be noted:

- This group has been working together on matters relating to the Local Plan for the past 18 months, and it has had significant support from the residents that it represents. It is therefore both broad based and relatively long standing.
- When combining elector, membership and contribution numbers, this group represents in excess of 5000 people.
- We consider this group to be unique in both the way it has collaborated and the broad base it represents.
- That the BWB traffic appraisal report corroborates our collective doubts about the flawed traffic assumptions that have been used by North Yorkshire County Council (NYCC) in relation to the Local plan.

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- That the overall collateral impact of the additional traffic that would be generated, by the proposed developments, has not been accounted for.
- That the infrastructure is incapable of supporting what is being proposed for the Western arc of Harrogate. All evidence shows it to already be under strain, and what is being proposed for the western arc of Harrogate is equivalent in summation to another settlement.
- Whilst some mitigation is mentioned within the Local Plan, there is insufficient to allay our fears of severe traffic problems.

We are submitting this material in relation to:

Matter 15 – Question 15.1 References PD500, PD501, PD505, PD506, SAPD31

Representor Nos 1034358 and our nominated participants are:

Mr David Siddans, Mr René Dziabas plus an expert who is yet to be appointed.

During this Matter, the Parish Council also wishes to highlight the extensive and compelling studies it has carried out as described in PBB6 ([PBB6 - BWB Transport Assessment March 18.pdf](#)) and PBB7 ([PBB7 - THaT - Review of Transport Issues.pdf](#)) and the illustrations shown in PBB9 to 11 ([A61 Visual, Area Traffic Choke point visual and Crimple Valley picture](#))

The Parish Council along with the Western Arc group emphasises that there is much evidence to show that, even taking account of proposed mitigation measures, the developments proposed in the plan and in particular regard to Pannal & Burn Bridge would give rise to severe adverse transport impacts. We ask that the additional cumulative impacts on the A61 of PN18 & PN19 together with “rat runs” to the A61 identified alongside PN17 and through the village be noted and that the Western Arc developments that are the sole cause of these effects be removed from the Plan.

15.7 Policy TI6 – Provision of Educational Facilities

- (a) Is it effective for the site requirements (PN20) to refer to supporting text (paragraph 10.2)?
- (b) Are the requirements set out in relation to PN20 justified and effective? Should it be made clear in TI6 that the sites are to be delivered in accordance with these requirements PN20 is neither justified nor effective as access for more traffic as there are insurmountable access issues.
- (c) Is the policy otherwise justified, effective and consistent with national planning policy? Because the Parish Council does not believe PN17 and 19 are necessary, this allocation is not justified.