

Harrogate District Local Plan: Publication Draft 2018

Event Name	Harrogate District Local Plan: Publication Draft 2018
Comment by	Pannal and Burn Bridge Parish Council (Mr Andrew Macdonald - 1155764)
Comment ID	PD1196
Response Date	09/03/18 13:43
Consultation Point	Map 10.87 Site PN18 (View)
Status	Processed
Submission Type	Web
Version	0.15
Files	Arrowsmith Associates report BWB transport assessment (2) BWB Transport assessment (6) Smeeden Foreman landscape report

3a. Consultation document

You can use this form to comment on the publication draft of the Local Plan or comment on one of its supporting documents.

To which document does your response relate? Harrogate District Local Plan: Publication Draft
Select one from the list below.

Policy reference

If your response relates to a policy, please use the drop down list to select the policy to which it relates e.g. DM1 Housing Allocations.

To which policy does your response relate? DM2: Employment Allocations

Site reference

If your response relates to a site, please use the box below to enter the site reference to which it relates e.g. BL9

Please do not enter more than one site reference.

To which site does your response relate? Enter only the site reference e.g. BL9 PN18

Paragraph/figure number

Please use the box below to indicate the part of the document your response relates e.g. paragraph number, figure number etc.

To which paragraph number etc. does your response relate? all

Development Limit

If your response relates to a development limit, please use the drop down list to select the settlement's development limit to which your response relates e.g. Harrogate

To which development limit does your response refer? Pannal

Policies Map

If your response relates to a policies map, please use the drop down list to select the policies map to which it relates. (Policies maps are located at chapter 11 of the plan.)

To which policies map does your response refer? Pannal

4. Soundness / Legal Compliance

Do you consider the Local Plan is: (please tick)

4(1) Legally compliant No

4(2) Sound No

5. Tests of soundness

What makes a Local Plan "sound"?

- . **Positively Prepared** - the plan should be prepared in a way that meets the needs for housing and other development, including infrastructure and business development.
- . **Justified** - the plan should be based on evidence, and be the most appropriate strategy for the district when considered against other reasonable alternatives.
- . **Effective** - the plan should be deliverable; the housing and other development should be capable of being carried out.
- . **Consistent with national policy** - the plan should enable sustainable development and be consistent with the policies in the National Planning Policy Framework (NPPF).

If you consider the Plan to be UNSOUND, please indicate the reasons why you think it is not (tick all that apply).

- . 1. Positively Prepared
- . 2. Justified
- . 3. Effective
- . 4. Consistent with national policy

6.Reasons for your response

Please give details of why you do, or do not, consider the Harrogate District Local Plan to be legally compliant or sound. Your reason(s) should concisely cover all the information, evidence and supporting information necessary to justify your comments, as there will not normally be another opportunity to make further representations after publication stage. After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues she/he identifies for examination.

Please give reasons for you answer to 4(1), 4(2) and 5, where applicable. (You may also use this box if you wish to make representations on the Sustainability Appraisal, Habitat Regulations Assessment or Equality Analysis Report.)

This response is on behalf of the residents of Pannal and Burn Bridge and is submitted by the Parish Council. It is a collective response and the names of the residents supporting this response will follow when requested.

We wish to emphasise that the responses to 2017 proposals – substantially unchanged in this version of the Local Plan – were significant in number (788 for PN17, 630 for PN18 and 746 for PN19). As far as the residents can see, no notice was taken of their views and therefore they do not consider that any proper “consultation” took place. It is a source of major disappointment and many of the residents have commented to the Parish Council that they could not see the point in commenting again. Furthermore, that little or no notice was taken of residents’ views in the previous consultation reinforces their lack of confidence and trust in the Council’s ability to plan sensibly and considerately for Harrogate’s future. For reference, the comments made by the Parish Council on behalf of residents in 2017 (including comments on the SLA, flooding, biodiversity and habitat) are attached as a separate comment on the portal under PN17 and can be viewed on the Parish Council’s website (planning page).

The allocation of PN18 as “Employment Land”. In this submission the PC refers to the Arrowsmith Associates report where in Appendix 2 they provide an **“ASSESSMENT OF EMPLOYMENT LAND CALCULATION”**. The report, including the Council’s own sustainability appraisal of this site (appendix 3) is attached to this response in full as document one.

Key sections of the report are extracted below.

Abbreviated conclusions with which the PC concurs are as follows:

“Based on our analysis there are significant concerns about the HEDNA’s findings 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. Our reservations are increased by concerns about methods. Finally, the inconsistency between two tables questions the rigour with which the report has been edited and appraised.

The employment requirement in the October 2016 draft of the Local Plan was 20-25ha compared with actual allocations of 79ha. The minimum employment requirement in the Publication Draft of the Plan is 38ha compared with actual allocations of 108ha. These changes equate to an approximately two thirds increase in the minimum requirement and one third in the actual allocations.

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. **We find the evidence in the HEDNA unconvincing.**

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 the 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 excessive.

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.

Given the overall employment land supply position, it is difficult to see how any such argument about the commercial attractiveness of PN18 could overcome the very strong environmental and traffic objections to the proposal.”

Add to this the convincing arguments put forward by BWB on traffic (this report uploaded as “supporting document two”) and the case for using PN18 for an employment site is very, very weak.

The summary of the BWB report is extracted below.

“In summary, BWB reviewed the accessibility, highway safety and traffic implications of the proposed allocations of the three sites on the local highway network.

7.4 Although the sites are located within reasonable walking/ cycling distance to Pannal train station and existing public transport / bus services, the 2011 Census data suggests low use of such sustainable modes by current local residents. This raises questions over allocating the sites where future residents (sites PN17 & PN19) and employees (site PN18) are expected to travel sustainably to/from work.

7.5 Moreover, there are existing road safety concerns in the surrounding highway network, particularly along the A61 stretch in Pannal where accident clusters have been identified on key local junctions. This includes the A61 / A658 roundabout, A61 / Burn Bridge Lane junction, A61 / Follifoot Road / Pannal Bank junction and A61 / Hookstone Road / Leadhall Lane crossroads.

7.6 Therefore the proposed allocations of the three sites is likely to contribute further to the road safety issues, with increasing traffic, delays and queuing on the highway network.

7.7 In terms of traffic generation, owing to the residential and employment nature of the proposed allocation sites, the impact is likely to occur during weekday’s morning and evening peak hours. The identified hourly peaks of the local highway network were 08:00-09:00 and 17:00-18:00 respectively.

7.8 Industry standard software, TRICS has been used to derive appropriate trip rates and calculate subsequent traffic generation of the three sites. As detailed within the report, the three sites are forecast to generate approximately 649 during the morning peak hour and 518 trips during the evening peak hour.

7.9 Following distribution and assignment of these trips, and taking into consideration the impact of committed developments in the area and local traffic growth, it was identified that the local highway network would not be able to accommodate such traffic, primarily due to the amount of traffic that would be added on the already congested A61 stretch in Pannal.

7.10 In conclusion, this Transport Assessment demonstrates that the three proposed allocations would cause severe traffic impact on the surrounding highway network and add to the existing road safety concerns Significant highway mitigation schemes would be required to accommodate the impact of the three sites, particularly on the A61 / A658 Roundabout, A61 / Burn Bridge Lane and A61 / Follifoot Road / Pannal Bank signalised junction.

7.11 Therefore the cumulative traffic impact of the proposed allocations should be taken into account. Any allocations [sic] should be based on an understanding of whether the likely impacts can be mitigated on the surrounding highway network and whether opportunities for sustainable travel have been identified. Such schemes should be cost effective, deliverable and sustainable for the future, otherwise would be contrary to the National Planning Policy Framework.”

Landscape Assessment. The assessment carried out by Smeeden Foreman is attached at document two. It is clear in its assessment of PN18 in paragraph 3.0 where it assesses that the overall significance of the visual effects is therefore assessed as being “major adverse” for all viewpoints considered.

The PC wishes also to emphasise the following additional points:

The absence of an SEA study. The PC believes that there is a legal requirement to consider cumulative impacts in the Local Plan process. It is of concern that cumulative impacts were not considered at a Primary Service Village level (which Pannal is) despite the fact that this village plays an important part of the Growth Strategy and is a key through route for traffic in transit to and from the west of Harrogate and the A61.

Strategic Infrastructure. The Infrastructure Development Plan and Infrastructure Capacity Study highlight a number of shortcomings that threaten the ability of the Local Plan to be fulfilled (well documented in the Save Crimple Valley responses authored by local resident Denis Kaye). The PC refers here to BWB’s report and the impact of not having an SIP in place.

Habitat and Wildlife. The PC's 2017 responses made clear that the plans for PN18 were contrary to the requirements of habitat and wildlife preservation. It should be noted that the RSPB identifies 13 of 41 species of bird in this area are red-listed (41%) and 11 (22%) amber listed.

The Planning Process and SEA. The PC understands that there has been a failure to apply the SEA Directive which if upheld would contravene legal compliance. We take this from the Hampsthwaite Action Group's submissions

"Paragraph 5.7 of the report states that work was undertaken to identify additional sites following receipt of the HEDNA report. The draft allocations are set out in Appendix 1 (section 3-4) to the report. Paragraph 5.15 then states: "Consultation on the additional sites will run for a period of 6 weeks between 14th July and 25th August 2017." (the following day).

The decision to undertake the additional sites consultation was made by a single councillor with no opportunity for anyone outside the council or any other councillor to consider whether the evidence of housing need was sound and reasonable for the Local plan. The haste to get this report approved and for consultation on the additional sites to begin meant the decision had to be referred, in accordance with paragraph 16(b) of the Overview and Scrutiny Procedure Rules, to the Chair of the Overview and Scrutiny Commission. That report (also dated 13th July) stated "The urgency in this case is required by the need to start the consultation on 14th July as programmed in the report at paragraph 5.15."

The concluding paragraphs of the Arrowsmith reports are telling [PC's addition in bold]:

"6. Conclusion

6.1 Nothing that has occurred since August 2017 has changed the substance of our advice concerning the local harm that would be caused by allocations PN17, PN18 and PN19. We do however expect the Parish Council to reinforce their objection by incorporating many of the detailed arguments advanced by local residents.

6.2 The Transport and Landscape Assessments produced by BWB and Smeeden Foreman now constitute strong supporting evidence. We believe that our further consideration of the HEDNA report supports the argument that the need for additional employment land allocations does not outweigh the strong environmental, social and traffic objections to the proposals.

6.3 Whilst our brief has not extended to formally appraising the housing requirement calculations that underpin the Plan's housing allocations we have identified a policy issue that we believe has not been sufficiently explored and which the Parish Council might consider is the basis for an objection.

Arrowsmith Associates

March 2018"

All in all, the case for PN18 as a site for employment (or housing) is extremely weak and highly flawed.

6a. Additional information

You can upload documents to support comments submitted to question 6. Answering 'Yes' will allow

Do you wish to upload and supporting documents? Yes

Supporting information: document one

If you wish to upload documents providing additional information to support your comments you can do so here.

1. Upload supporting document.

[Arrowsmith Associates report](#)

Supporting information: document two

2. Upload supporting document.

[Smeeden Foreman landscape report](#)

Supporting information: document three

3. Upload supporting document

[BWB Transport assessment \(6\)](#)

7. Modifications

Please set out what change(s) you consider necessary to make the Harrogate District Local Plan legally compliant or sound, having regard to the test you have identified at question 5 where this relates to soundness. You will need to say why this change will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(If you are suggesting that the plan is legally compliant or sound please write N/A)

Details of modification

We believe modifications should include:

- 1 Abandoning plans to build on any sites west of the railway line running through Pannal and the A61 as these will suffer from the same problems as at present – the two crossing points create choke points that would be very hard to overcome without major and very expensive engineering works. Anywhere near and utilising the section of the A61 between the Buttersyke roundabout and Harrogate will add further to the current congestion.
- 2 Specifically, sites should be chosen towards the A1 and A1 (M) where there is room and existing transport infrastructure to establish new “settlements or where infrastructure will be or is already in place. Such site include Flaxby North (the former golf course); the proposed but rejected new settlement between the old A1 and A1(M) north of Wetherby; the future likely availability of ex MoD sites such as Dishforth (plenty of space, and access to the main trunk roads) and the stock of ex MoD married quarters empty in places like Ripon.
- 3 Conducting a formal review of the questionable economic uplift figures. The HEDNA report is flawed as is the Jacobs traffic report. This is a fundamental point to examine and throws doubt on Harrogate's Local Plan