Local Plan Test of Soundness

The Planning Inspectorate will assess the **soundness** of the Local Plan. For the Local Plan to be sound it must be:

1. **Positively prepared** –i.e. based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
2. **Justified** – i.e. the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
3. **Effective** – i.e. be deliverable over its period; and
4. **Consistent with national policy** –i.e. be consistent with the National Planning Policy Framework

**PN19 Objections**

**Definitions**

**BNESA** HBC'sBuilt and Natural Environment Site Assessments: New Sites 2017 Report

**HBC** Harrogate Borough Council

**LP** Local Plan

**School** Pannal Primary School

**SSA** HBC'sSustainability Assessment Addendum July 2017 Report

**Objections**

1. Disproportionate growth

Objective 2 of the draft LP is *"to deliver additional…housing…at a scale that meets locally identified needs"*. The delivery of sites PN17 and PN19 together with the current development at the former Dunlopillo site aggregates to 471 new dwellings. The total number of dwellings in Pannal currently stands at 951. An additional 471 dwellings would increase the dwellings in the village by 51.5%. Arguably this does not meet a locally identified need and would increase the size of the village to an unsustainable level. It is also not in keeping with the Growth Strategy 3 Development Limits contained within the draft LP (**GS3**) which state at point E that any proposed development outside the development limit of a settlement it is "*of a scale and nature that is in keeping with the core shape and form of the settlement and will not adversely harm its character and appearance"*.

1. Education

Growth Strategy 7 of the draft LP requires development proposals to promote, support and enhance health and wellbeing – which includes education, employment, open space, health facilities etc. Page 160 of the SSA states that the "*Local primary school at or near capacity and likely to require expansion"* and there is *"poor accessibility to secondary schools”.* The school has recently undergone expansion to accommodate the Dunlopillo development. This caused significant disruption to pupils and staff at the school, any further expansion would arguably not enhance wellbeing in the short-term.

1. Biodiversity

In order for the draft LP to meet the soundness test it must comply with the National Planning Policy Framework (**NPPF**). The NPPF highlights that the planning system should *"contribute to and enhance the natural and local environment by*

1. *protecting and enhancing valued landscapes, geological conservation interests and soils;*
2. *recognising the wider benefits of ecosystem services; and*
3. *minimising impacts on biodiversity and providing net gains in biodiversity where possible"*.

This proposed development within Crimple Valley arguably does not sit well with the above objectives.

The Harrogate Ringway runs through the proposed site and although the route of this could be amended to accommodate any proposed development, the BNESA concludes at p298 that any such development would cause the character of the Ringway to be *"significantly altered"*.

In addition, the River Crimple has been recognised by Natural England as a Strategic Green Corridor of District Importance and the proposed site is within a Special Landscape Area, The BNESA concludes at p295 that *"the extent of the proposed site would have a significant impact on landscape character and the special characteristics of the SLA which is a highly valued landscape* *"* and the capacity of the landscape to accommodate the development is rated as *"****limited or no capacity to accommodate development or mitigate risks***"*, i.e. it is unsuitable for the proposed development.*  The BNESA also concludes at p300 that *"large scale development would have an adverse impact on the ecology to the south of Harrogate"*, demonstrating that the adverse effects of the proposed development would extend beyond the locality of the proposed site itself. The BNESA Landscape Site Assessment concludes that ***“the area has no or very limited capacity to accommodate the type and scale of development proposed and there are very few if any opportunities for appropriate mitigation"*.** On the basis that any adverse effects of development cannot be adequately mitigated this would lead to the conclusion that the site is not suitable for the development proposed.

Finally the SSA states at p160 that the proposed development would result in the *"loss of ancient woodland, aged or veteran trees".* The NPPF specifically states at para 118 that "*planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the* *loss*". Arguably, there are alternative sites available which would not result in the destruction of such ancient woodland or veteran trees and therefore there is not the required need for development in this location to outweigh the loss suffered.

1. Flooding

Whilst the Council's BNESA states that the majority of the site lies within flood zone 1. There is a large section of the site that lies within flood zone 3 and therefore has a 1% or greater chance of flooding. The BNESA states that *"development adjacent to Crimple Beck should be avoided*". Whilst a full flood risk assessment will be required for the site to highlight the full impacts of development, the fact that there is land within flood zone 3 evidences that any development on this area will greatly increase the risk of flooding in surrounding properties as well as to the dwellings proposed on the site. The NPPF states at para 100 that *"inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere*"*.* It is unclear from the information provided whether this site would meet the requirements of the tests set out within the NPPF if there are alternative sites available which do not pose such a flood risk.

1. St Roberts Church

The NPPF emphasises conserving and enhancing the historic environment. This includes the protection of heritage assets and states that *"when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation"*. St Roberts Church is a grade II\* listed building set within a conservation area. The southern edge of the proposed site adjoins this conservation area. The NPPF states at para 132 that *"substantial harm to…a grade II listed building, park or garden should be exceptional".* The SSA confirms at p160 that the proposed development is *"Likely to result in harm to significance of heritage asset"*. In addition the BNESA concludes at p298 that the proposed development "*is likely to result in harm to elements which contribute to the significance of a heritage asset and the* ***harm is not capable of mitigation****"* and the "s*etting of Listed Church and Pannal conservation area would be significantly compromised by development on the site"*.

1. Joining of Pannal and Harrogate

The National Planning Policy Framework states at para 79 that *"the government attaches great importance to Green Belts"*. Para 80 sets out the 5 purposes that Green Belt serves:

* 1. *To check the unrestricted sprawl of large built up areas.*
	2. *To prevent neighbouring towns merging into one another*
	3. *To assist in safeguarding the countryside from encroachment*
	4. *To preserve the setting and special character of historic towns*
	5. *To assist in urban regeneration by encouraging the recycling of derelict and other urban land.*

This proposed development would essentially join Pannal to Harrogate in direct contravention of limb b set out above. The BNESA states at p 295 that *"Crimple valley is important to the setting of Harrogate and provides an essential green "rural corridor" separating Harrogate from the village of Pannal and others"* and *"Should built development take place there would be some loss of separation distance and built form coalescence between Harrogate and Pannal"*. This is a direct contradiction of the National Planning Policy Framework and also to the GS3 Development Limits contained with the draft LP which state at point C that development outside the development line of a settlement will be supported where *"it would not result in coalescence with an adjoining settlement"*.

The proposed development would also breach limb d of the Green Belt purposes set out above as it would spoil the attractive vista into and out of both Pannal and Harrogate. Harrogate's economy is incredibly reliant on tourism. To adversely affect the setting and special character of the entrance into Harrogate would appear counter intuitive in a LP which is aiming to increase the town's economy. The BNESA conservation and design site assessment concludes that there would be *"harm caused by the introduction of development to this attractive rural edge to Harrogate and important landscape area. Harm caused by the proposed scale of this development on the edge of settlement site"* and *"the vista into and out of the settlement would be lost or severely compromised"*. The SSA also confirms at p160 that the development would have a *"negative impact on local distinctiveness"*. These proposals, arguably, do not fit with the objectives of the National Planning Policy Framework.

1. Access

There is a question raised within the sustainability reports produced for this proposed site as to where the access would run. The BNES states it would be *"very difficult"* to get access into the northern part of the site and any access by the church would *"significantly harm its setting and the character and appearance of the conservation area"*. Any access by the church would also result in increased traffic disruption in the village. The draft LP does not include any information as to the upgrading works required to local traffic infrastructure in order to accommodate this development, which is of serious concern.