

**PRELIMINARY REPORT FOLLOWING EVALUATION OF HARROGATE BC SITE ALLOCATIONS (PN17, 18, 19 & 20) AND SUPPORTING EVIDENCE**

**CONTAINING**

 **ADVISED APPROACH TO CONSULTATION RESPONSE**

**FOR PANNAL AND BURN BRIDGE PARISH COUNCIL**

**IN RELATION TO CONSULTATION ON THE HARROGATE DISTRICT LOCAL PLAN PUBLICATION DRAFT 2018**

**Introduction**

To avoid confusion we refer to Harrogate Borough Council as the ‘Council’ and the Parish Council as the ‘PC’.

The PC, advised by this practice, responded to the Draft Local Plan (Additional Sites) Consultation in August 2017. The Council have not changed the plan in response to the PC’s representations. In fact the main parts of their responses to the representations in respect to each of the housing and employment sites are identical and formulaic.

In summary their responses are:

* That no new matters have been raised
* An acknowledgement that new infrastructure will be required, but will be provided

and

* That detailed guidelines will be provided for the sites’ development

The response in relation to school extension site PN20 is similar, but includes reference to information in their Infrastructure Delivery Plan. The January 2018 Update to that Plan recognises the scale of development planned in the Publication Draft Plan by proposing 8 new classrooms and acknowledging that the calculated need for these classrooms take account of the development of sites PN17 and PN19. The extension is programmed for the medium term – i.e. 2019-2024.

As a general observation we consider that the Council have not seriously considered the PC’s consultation response. This is not unusual given the limited numbers of staff and the scale of the response over the District as a whole. At this stage the Council could still recommend late changes to the Inspector but this is unlikely in the case of major proposals like those under consideration. Effectively the PC’s representation is likely to be considered by the Local Plan Inspector.

It is important to recognise that the Inspector’s main duty in a Local Plan Examination is to decide whether a plan is sound. In practical terms this means that the Inspector will only recommend changes when the plan is demonstrably flawed. An Inspector is unlikely to query the Council’s subjective judgements. It is therefore extremely unlikely that the deletion of all three of main sites will be recommended. This raises the possibility that the PC could prioritise its objections, although we recognise that it is a democratically elected body and might well want to represent all electors equally.

**The Representation on the Publication Draft of the Plan**

Given that the Council have not produced any new evidence our main recommendation is that the PC’s representation should be based on that already made in response to the Additional Site’s consultation (August 2017).

In our view the strongest case against all three of the development sites is the erosion of the landscape gap between Pannal and Harrogate, which is why we recommended the appointment of Smeeden Foreman as landscape consultants.

We also recommended the appointment of BWD Consultants to provide the PC with requested evidence on the transport implications of the proposals.

Both consultants have been appointed and we will incorporate their conclusions in a further report which will inform the PC’s eventual representation. All three reports may, at the PC’s discretion, be included as appendices to the representation.

At this interim stage we consider it relevant to report on a number of specific matters.

***Housing Need for the District***

We recognise the relevance of this issue to the PC’s case. Our approach to date has been that an effective appraisal and a (possible) challenge of the Plan’s calculated housing requirement is beyond the scope of our present commission.

We are aware that the PC has questioned the conclusions in the Housing and Economic Development Needs Assessment (HEDNA), and specifically their view that the Assessment grossly distorts (presumably overestimates) the requirement. In our view this argument is unlikely to have much purchase with the Inspector given the evidence of the persistent under-delivery of housing in the past and the Government’s determination to increase housing supply. We draw the PC’s attention to the Council’s Housing Background Paper published in January of this year:

 <https://www.harrogate.gov.uk/downloads/file/3186/2018_january_housing_background_paper>

One specific issue which the PC has brought to our attention is the view of some residents that the housing requirement calculations have not taken account of the windfall supply generated by development of sites for under 5 houses. Indeed it was suggested that such sites should have been considered for allocation in the plan.

In fact, the Council have assumed that such sites will contribute 1455 houses to the supply over the plan period without the need for allocation. Moreover, this excludes any contribution from houses built on garden land, in accordance with advice in the National Planning Policy Framework (NPPF).

We understand that the PC are considering cooperating with other groups to the west of Harrogate. A challenge to the housing requirement calculation which underpins the plan could be explored through such a collaboration. We are happy to undertake a more detailed appraisal of the housing background evidence if the PC wishes but is outside the scope of our present commission.

We have said in our August 2017 report that it is rarely enough for local objectors to show that an allocation will have damaging effects. It is also necessary to convince an Inspector that the required development can be located somewhere else with less damage. This is difficult for individuals or organisations which rarely have the resources to carry out a district-wide site appraisal. In this regard Pannal is in an unusual position in that (in our view) development could be located in the Green Belt to the south of the village with significantly less damage. This would not overcome the PC’s argument (see below) that Pannal is being allocated a disproportionate amount of growth but it would reduce other forms of harm.

What follows in this paragraph is anecdotal: we have never attempted to locate documentary evidence. We have been told that Harrogate Borough Council originally wanted the Green Belt designation to cover the gap between Pannal and Harrogate, just as it covers that between Knaresborough and Harrogate. However, the Government Office for Yorkshire and Humberside considered that the only way this could be achieved would be drawing a line around Pannal, leaving it as an unusually large inset in the Green Belt. Denied this opportunity, the Council designated the area to the south and west of Harrogate as a Special Landscape Area. This is a local designation which has in the past had a similar, although not as draconian, restraining effect as the Green Belt designation.

The particular character of the Crimple Valley is genuinely that of significant landscape value, unlike a Green Belt, which merely has to satisfy the criterion of being ‘open’. Therefore, in a world without Green Belts, it would make better environmental sense for any required housing and/or employment allocations to be to the south of the village. In present circumstances this would require a review of Green Belt Policy. To run any such argument at a Local Plan Examination would be a radical approach, although it may well be one put by others.

Our opinion is that an Inspector would be reluctant to embrace such a radical approach, especially when it is not favoured by the Council. Also the PC might see it as an implicit recognition that the Pannal area should accept significant growth (again contrary to the argument discussed below).

***Disproportionate Growth allocated to Pannal***

We are aware that the PC have made representations under this heading. Whilst the representation is technically correct it should be recognised that, like Killinghall, its proximity to the District’s largest settlement differentiates Pannal from most other villages. There is also no overriding planning principle that all settlements should have an equal share of growth. While the PC’s observation has valid social implications we would put greater emphasis on the landscape value of the gap between Pannal and Harrogate.

***Hydrological Survey***

In essence this survey (submitted by the PC in August 2017) challenges the technical approach of the Council and its consultees. While we understand the arguments, it is not a matter on which we have sufficient technical knowledge to take a firm view. In relation to highway matters the author of this report has worked within highway consultancies and therefore feels competent to incorporate technical highways evidence into an overall recommendation. Similarly, landscape assessment is sufficiently close to our own professional experience for us to use it as part of a wider appraisal. However, the Hydrological Survey produced as part of the PC’s representations, especially one which challenges conventional analyses, raises issues beyond the scope of our expertise.

***Employment Land Need***

We continue in our view that employment land need is overestimated especially when the additional land is allocated in a Special Landscape Area. In particular we doubt whether anyone has weighed the need for increasing the land supply against the harm to the landscape. Our belief is that one group (the HEDNA authors) has taken the view (in isolation) that it would, on balance, be beneficial to increase the employment land supply and another group (Harrogate Planners) has then taken this increased ‘requirement’ as an absolute. In our view no-one has balanced the problematic additional requirement against the demonstrable environmental harm in providing it on site H18.

We therefore advise that we spend time re-visiting the employment land calculations in the HEDNA on behalf of the PC to inform this element of the representation.

**Summary of Advice**

We therefore conclude that the following approach to the PC’s consultation response is adopted:

* Pursue objections based on the conclusions of the Smeeden Foreman and BWB reports as supported by the Arrowsmith Associates full report.
* Do not commission input from any other professional specialists.
* Consider commissioning further work with a view to challenging the Plan’s calculated housing requirement if additional funding (in association with the west of Harrogate groups) is available.
* Consider supporting a Green Belt review to the south of Pannal.
* Explore the employment land calculations in the HEDNA with a view to demonstrating that the requirement is overestimated.
* Pursue any other issues the PC wish to address without professional support.

**Arrowsmith Associates**

**February 2018**