**Responding to the Local Plan proposals during the Consultation Phase**

**(for a Word version of the full document, click here)**

All residents should have received correspondence from the Borough Council on the “District Local Plan Publication Draft Consultation 26 January - 9 March 2018”. It is reproduced here for reference – . This is worth reading carefully and also explained in more detail at this link - <https://www.harrogate.gov.uk/localplan>

**Key points to note:**

* The Consultation Period is the final chance that we all have to comment to the Borough Council on their proposals.
* None of the previous comments to the local plan proposals that any residents or the PC has made will be considered.
* Only comments made during this consultation period will be included in the documents considered by the Planning Inspector.
* Irrespective of the outcome of the Consultation Phase (in other words, whatever the Borough Council takes from the consultation responses), the Local Plan will be submitted to the Planning Inspectorate - possibly by the end of this year, if not in early in 2019. At this point, the Plan will be tested for “soundness” against four measures:
* **Positively prepared** –i.e. based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
* **Justified** – i.e. the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
* **Effective** – i.e. be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
* **Consistent with national policy** –i.e. be consistent with the National Planning Policy Framework - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

**What the PC is doing**. To help build our case, the PC will be taking advice from its appointed professional advisors on how best to respond to the proposals and reinforcing its objections made in earlier consultations. The professional advisors acting for the PC and the parish are:

* Arrowsmith Associates – project planning and overall consultancy support.
* Smeeden Foreman – Landscape and visual impact assessment.
* BWB - traffic analysis.

And you may see their representatives working in our area in the next few weeks.

What we plan to put forward are specific objections on the basis of:

* Process/policy.
* The housing need numbers.
* Infrastructure and traffic issues.
* Environmental.
* Landscape and visual assessment.
* The lack of consultation and consistency.
* In addition, we will look carefully and use the arguments as to why the developments at, for instance, Rossett Green Lane, Cornwall Road and other applications have been rejected.

**What residents should do.**

* Once sufficient professional advice has been received to provide a sound basis for residents to comment or object, we will provide a guide on this site in good time for you to comment before 9th March.
* Nevertheless, this should not stop residents starting the objection process straight away (see the Council’s consultation paper for how to comment).
* We advise you to use the portal – links to our areas are shown below and remember that you have to log in to comment:
* PN 17 and 19 - <https://consult.harrogate.gov.uk/portal/pp/lp/pd18/pd18?pointId=s1479135049299#section-s1479135049299>
* PN 18 - <https://consult.harrogate.gov.uk/portal/pp/lp/pd18/pd18?pointId=s1504005405890#section-s1504005405890>
* PN 20 (the potential expansion of Pannal School should development take place) - <https://consult.harrogate.gov.uk/portal/pp/lp/pd18/pd18?pointId=s1497953084437#section-s1497953084437>
* Or, if you wish, you can use this form they’ve provided – <https://www.harrogate.gov.uk/downloads/file/3279/2018_january_local_plan_publication_draft_consultation_response_form>
* You can always add to your comments later once you have seen the specialist consultancy reports.
* Remember – it is important to gather as many comments as we can.

**We therefore recommend strongly to residents to proceed as follows:**

* Read up on the Local Plan Proposals – use the links above – with an eye on the eventual tests of "soundness” that will be applied – and if possible highlight which of the “soundness” measures you think the plans contradict.
* Consider holding back on your objections until the PC has received advice from its consultancy as to how best to do this. The results of our preliminary findings will be **available here by 14th February** – we will advise you by newsletter and place a reminder on our Facebook page when these findings are in.

Following the Consultation Phase, the PC will also be preparing its case for the Examination of the Local Plan by the Planning Inspectorate. This is referred to as “Regulation 24 – Examining the Local Plan” (for more detailed information, go to: <https://www.gov.uk/guidance/national-planning-policy-framework/plan-making> – look at paragraph 182). This is when the plan will be tested for “soundness”. All the comments received during the Consultation Phase will be forwarded to the Planning Inspectorate and considered alongside the Council’s proposals.

For the Local Plan to be considered “sound” it must be:

1. **Positively prepared** –i.e. based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development. For the plan to be considered sound there should be a clear strategy for development, this is what the Council set out at paragraphs 2 and 3 of the plan. The needs that this strategy seeks to address must also have been objectively assessed and the strategy designed to address these. The Council set these needs out in documents within the evidence base available online, primarily in their HEDNA (Housing and Economic Development Needs Assessment). To demonstrate that the plan is not positively prepared, it should be shown that no strategy exists or that it is not based on needs which have been objectively assessed.
2. **Justified** – i.e. the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. The strategy (as outlined above) should not only be in place, but also be the most appropriate one to employ. For the plan to be justified, the evidence base (available through the Council’s website) needs to point to the strategy being most appropriate when considered in relation to alternatives. To demonstrate that the plan is not justified, it should be shown that alternative strategies are more appropriate.
3. **Effective** – i.e. be deliverable over its period and based on effective joint working on cross-boundary strategic priorities. The objectives of the plan should be achievable during the plan period (in this case up to 2035). In the case of land allocations, if a site is physically undevelopable or there is a legal obligation which prevents development, then this would prevent that element of the plan from being effective.
4. **Consistent with national policy** –i.e. be consistent with the National Planning Policy Framework - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework. National planning policy is primarily set out in the National Planning Policy Framework (NPPF) <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf> - this is an extensive and wide ranging document covering all aspects of planning. If it can be demonstrated that there is a significant failure to comply with policy as set out in the NPPF, then the plan (or part of it) could be found to be unsound. This test offers the widest range of possibilities for objecting to the plan.

Clearly, the PC will be working to contest the Plan in these four areas and taking professional advice from Arrowsmith Associates during the Examination phase.