

Save Spring Lane SLA Defence Group

Consultation Response Form Part B.6 Objecting to the proposed residential allocation of PN17 at Pannal

This representation has been prepared by the Spring Lane SLA Defence Group (referred to hereafter as The Group) following advice received from Planning Counsel* with respect to the inclusion of Housing Allocation PN17 within Harrogate Borough Council's (HBC's) Draft Local Plan. The names and addresses of the 250 members of the Group are attached in Appendix 4, and this representation has been agreed by an Executive group which has delegated authority to act on behalf of the whole membership.

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The Group comprises over 250 residents and represents the views of a significant part of the Burn Bridge and Pannal community. Since the 14 July 2017, the Group has been campaigning actively against the inclusion of PN17 - part of a Special Landscape Area (SLA) - as a Draft Housing Allocation and the community has come together to express its concerns regarding the suitability of the Spring Lane Farm site for housing. Indeed, over 500 individual objections were lodged against this site in HBC's Consultation in August 2017, a significant reaction considering the population of Pannal (excluding Walton Park) and Burn Bridge is only 1400.

In addition to the advice received from its *Planning Barrister**, the Group has also obtained the professional opinion of a Landscape Architect (Smeeden Foreman Ltd, report attached at Appendix 1) and a horticulturist (report attached at Appendix 2). The advice these experts have provided as to the lack of a *reasoned justification*** for the inclusion of PN 17 as a Housing Allocation is incorporated into this objection.

Based on the advice received, the Group raises a number of major concerns as to the suitability of the site's inclusion and therefore questions the soundness of the Draft Local Plan. Using the four tests below, the Group explains why it concludes that the Local Plan has not been prepared in a sound manner.

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** *Regulation 8(2) T & CP (Local Planning)(England) Regulations 2012, as amended*

The Four Tests : NPPF 182

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.
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 based on effective joint working on cross-boundary strategic priorities.
4. **Consistent with national policy** –i.e. be consistent with the National Planning Policy Framework(NPPF) - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

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2& 4	<p>Special Landscape Area (Adopted Policy C9 and Draft Policy NE4) PN17 lies within the Crimple Valley SLA and was added in to the Draft Local Plan at a late stage <u>without</u> proper justification as to why Policy C9 (giving long term protection) /NE4 should be overridden, in particular given the clear findings of the HBC Review of Local Landscape Designations - Updated 2016 . This fails Test 2.</p> <p>The Landscape and Visual Impact Assessment (LVIA) The Group does not consider that the Plan is consistent with the NPPF, in particular Paragraphs 109 (protection of valued landscapes) and 110. This fails Test 4. (para.157 , 7th bullet is also relevant)</p> <p>For several decades Harrogate Borough Council (HBC) has designated the Crimple Valley, in which lies PN17, as a Special Landscape Area meriting protection from development. In the Review of Harrogate’s SLA’s undertaken by HBC as recently as October 2016, The Crimple Valley SLA was summarized as: ‘4.22 This Special Landscape Area is extremely attractive and provides a very strong landscape structure and preserved consistency. The area as a whole comprises exceptional quality landscape as well as being important to the setting of the town.’In 4.23 some areas were recommended for removal from SLA designation. Spring Lane was unaffected.</p> <p>Special Landscape Area (Adopted Policy C9 and Draft Policy NE4) Paragraph 110 of the National Planning Policy Framework (NPPF) states that ‘<i>Local Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework.</i>’</p> <p>Within the adopted Local Plan, PN17 makes up part of the wider Crimple Valley Special Landscape Area (SLA), as identified within the adopted Local Plan proposals map (2001) and remains part of the wider Special Landscape Area designation within the Draft Local Plan (October 2016) under Policy NE4. The Group welcomes HBC’s intention to maintain its long held position on the long term importance of the retaining the Special Landscape Area, but considers this has been undermined by the unjustified inclusion of PN17 as a Draft Housing Allocation.</p> <p>The inclusion of PN17, which lies within the Special Landscape Area, is inconsistent with Policy C9 ‘Special Landscape Areas’ of the Adopted Local Plan (February 2001), which states that “<i>The Borough Council will give <u>long term protection</u> to the high quality landscape of the following special landscape areas...</i>”</p> <p>HBC has demonstrated its intention to ensure that the Special Landscape Areas are afforded ‘long term protection’ through the 2004, 2008 , 2011 and 2016 reviews of the SLA designations. The 2008 review of the Crimple Valley SLA concluded that the part of the SLA comprising PN17 was defined as an area of very attractive landscape that provides land of ‘<i>exceptionally high</i>’ landscape quality and contributes ‘distinctively’ to the landscape setting of the town. The more recent review in 2011 made specific judgements about whether individual fields (such as the site of PN17) were suitable for designation, but again its findings were consistent with the 2008 review, and confirmed that the SLAs should remain</p>

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	<p>as an important policy tool in protecting and enhancing the character of the District's settlements. The history and methodology of the SLA Reviews is clearly set out in the 2016 document.</p> <p>The supporting text to Policy C9d of the Adopted Local Plan and carried forward as policy NE4 in the Draft Local Plan, states that the Crimple Valley SLA comprises a richly textured and attractive rural landscape with excellent wide ranging and dynamic views over large areas of open countryside to the west and south of Harrogate. PN17 lies within Character Assessment Area 60: Upper Crimple Valley and it is evident that the character of PN17 is typical of the Upper Crimple Valley description.</p> <p>Indeed, to the immediate north and east of the site undulating fields, Public Rights of Way, the Clark Beck and small pockets of farmsteads all contribute to the attractive rural landscape of the Crimple Valley SLA. Pedestrian receptors (views) of the site (PN17) are enjoyed from Spring Lane but also from Public Rights of Way no. 15.54/76/2, 15.54/134/1 and 15.54/135/1, which connect Spring Lane, Church Lane and Yew Tree Lane to the south of the Woodcock Hill Farm. The importance of the public footpaths is commented on in the 2016 Review.</p> <p>To the immediate west of the site are the attractive redbrick Pannal Methodist Church and the stone-built Spring Lane Farm, which are non-designated heritage assets. PN17 would surround and extend beyond the building line formed by these non-designated heritage assets. The southern boundary of the site is formed by an 'important' hedgerow that provides a natural and permeable landscape screening from Spring Lane.</p> <p>The Group considers that the inclusion of PN17 in the Draft Allocation is plainly inconsistent with HBC's own Adopted Policy C9 which has been carried forward into the Draft Local Plan as Policy NE4. It flies in the face of the evidence comprised in the 2016 Review. The Group acknowledges that the land identified as PN17 (c3.2 ha) forms only a relatively small part of the SLA, but it forms an essential part as it provides a pastoral gap and rural setting that clearly defines the built form of the Pannal/Burn Bridge settlement limits. It is widely visible from other parts of the valley. Developing PN17 for housing would result in very substantial harm to the character of the SLA, it would diminish pedestrian and recreational views and it would destroy the rural character of Spring Lane and Burn Bridge and the character and tranquillity of the area.</p> <p>The expert Landscape and Visual Impact Assessment (see Appendix 1) reaffirms the value and importance of the dynamic views of PN17 and concludes that if delivered, PN17 would substantially harm the significant landscape value Policy C9d has sought to protect. Indeed developing PN17 for housing would significantly restrict open views into the pastoral valley and would undermine the openness of the valley, changing the character of the identified public rights of ways, which are well used and maintained</p> <p>Indeed, a similar view was shared by a Planning Inspector when considering an outline residential application at Land at Rossett Green Lane, Harrogate, HG2 9LH (Ref: APP/E2734/W/16/3164715) in April 2017. At paragraph 21 and 22 of the dismissed</p>

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	<p>decision the Inspector states: <i>“Nevertheless, having regard to the submitted indicative layout plan, it seems to me that the development of the site for up to 22 dwellings as proposed would inevitably result in built form infilling the existing open pastoral gap at the edge of the settlement and extending southwards, beyond the existing building line of the dwellings to the south side of Rossett Green Lane, into the area of attractive open countryside which provides the rural setting to the southern edge of Harrogate and serves to separate Harrogate and Pannal. These are key objectives of the SLA.”</i></p> <p>A reduced scheme for 14 houses on a smaller site is currently the subject of appeal. The Council has resolved (15th August) to resist the appeal.</p> <p>The above evidences that proposals for much smaller housing developments within the Crimple Valley SLA have been considered inappropriate by an Inspector and HBC, despite the findings of the recent Housing and Economic Development Needs Assessment (HEDNA) (July 2017) produced by G L Hearn and the Council’s lack of a five year housing supply.</p> <p>Lack of Effectiveness in allocating PN17 The Group considers that HBC has failed to test for effectiveness in allocating this site for 72 houses as the number cannot and will not be delivered given the high number of constraints of the site. This is borne out by the Outline Planning Application ref 17/05136/OUTMAJ for 52 dwellings on precisely the same area of land as PN17. The capacity of the site is reduced from 72 to 52 dwellings and that is before issues such as highways and drainage have been considered fully and scoped. It is ironic that this reduction (and potentially even further reduction) is driven largely by HBC’s own Landscape Officer trying to find ways to mitigate the impact on the SLA. The Group considers that this demonstrates the lack of due diligence applied by HBC in selecting this site for inclusion in the Draft Local Plan. The Group, of course, oppose this proposal.</p> <p>Built and Natural Environment Site Assessments (New Sites 2017) The Council’s <u>own</u> assessment of PN17 is contained within The Built and Natural Environment Site Assessments document. It evaluates the site against four specific assessments including landscape; conservation & design; ecology; and, drainage. The Group has reviewed the four assessments and is on the whole supportive of the findings, but believes more weighting should have been afforded to these assessments by the HBC. That said, the Group does have the following comments regarding the assessments and the summary conclusions and ask that these are considered:</p> <p><u>Landscape Site Assessment (PN17)</u> The Landscape Site Assessment concludes that the landscape has <i>very limited capacity</i> to accept development drawing specific reference to the site’s location within the Upper Crimple Valley SLA and the open countryside.</p> <p>The Assessment states that PN17 is a “Highly prominent site with any built form <u>likely</u> to</p>

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	<p>interrupt views across the valley landscape”, but we challenge the use of the word ‘likely’ as any built form on PN17 ‘will’ interrupt views. The landform must be understood in detail. Spring Lane and the southern edge of PN17 fall quite dramatically from west to east and the site slopes downhill from south to north. This would expose the built form of the housing on PN17 to the Upper Crimple Valley SLA. The housing would be visible from numerous public viewpoints, particularly along the footpaths. The existing houses on the southern side of Spring Lane form the northern boundary of residential development at Burn Bridge. It is notable that because of the contours and the mature hedge along the southern boundary of PN17 this largely mature housing has a very muted impact on the SLA.</p> <p>The views of PN17 are dynamic and can be experienced and enjoyed from a number of established viewing points along the adjacent roads and the well maintained and used Public Rights of Way (PROWs) as confirmed within the Landscape Visual Impact Assessment produced by Smeeden Foreman Ltd (please see Appendix 1). The visual sensitivity of the site is therefore extremely high and the report confirms that the development of PN17 would have a major adverse effect on the views afforded from the PROWs.</p> <p><u>Conservation and Design Site Assessment (PN17)</u></p> <p>The Conservation and Design Site Assessment acknowledges the Pannal Conservation Area as a heritage designation and the three non-designated heritage assets that would be affected by PN17, but incorrectly refers to the Pannal Methodist Chapel as being a ‘former’ Chapel; despite it still being in active use and a thriving asset to the community.</p> <p>The Assessment refers specifically to a number of the views that enable the highly prominent site (PN17) to be enjoyed from multiple locations from within and on the edge of the Upper Crimple Valley SLA. However, it is important to highlight that the Pannal Conservation Area Character Appraisal (Approved 13 January 2011) identifies two key views within its Landscape Analysis that look towards Spring Lane, PN17 and the Upper Crimple Valley SLA.</p> <p>Paragraph 132 of the NPPF states that:</p> <p><i>‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given the asset’s conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting’.</i></p> <p>There is no doubt that the development of PN17 would harm the Pannal Conservation Area as a designated heritage asset and the non-designated heritage assets that contribute to the rural setting and landscape, contrary to the NPPF. The Group therefore disagrees with the assessment that the harm to the non-designated heritage assets could be reduced by providing very low density housing, given the harm developing PN17 would have on the historic setting and the SLA.</p> <p><u>Ecology Site Assessment (PN17)</u></p> <p>The Ecology Site Assessment identifies a number of significant ecological constraints</p>

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	<p>associated within PN17 but then suggests that the long-term management and protection of the onsite ecological habitats could be secured through appropriate mitigation.</p> <p>When assessed against the Environment Act 1995 and the Hedgerow Regulations, the hedgerow that forms the southern boundary of PN17 and runs the full length (approximately 275m) of Spring Lane can be classified as an ‘important’ hedgerow. The report provided at Appendix 2 outlines in full why this particularly hedgerow is of significant importance, and draws specific reference to Map1 and Map 2 of the Pannal Conservation Area Character Appraisal, which illustrate the landscape character and importance of past and present enclosures to the Conservation Area and the SLA.</p> <p>As a Group, we have witnessed regular sightings of Arable and Grassland Assemblage Farmland Birds (MAGIC – DEFRA) and many of the farmland bird species on latest British Trust for Ornithology (BTO) list (red list) of endangered species ‘Birds of Conservation Concern 4: the Red List for Birds’ (December 2015) on the site and in and around the farmstead buildings connected to Woodcock Farm and Spring Lane Farm. The sightings of Lapwing, House Sparrow, Marsh Tit, Tree Sparrow, Grey Wagtail, Starling, Linnet, Fieldfare, Song Thrush, Mistle Thrush, Cuckoo and Redwing have been confirmed by a local resident (Mr Anthony Goodson) who is a honorary Member of the British Trust of Ornithology. Sightings of bats have also been observed around the Methodist Church and Spring Lane Farm.</p> <p>Based on the assessment provided at Appendix 2, it is our opinion that the impact rating currently shown as yellow within the Ecology Site Assessment should be amended to at least orange, particularly as the development of PN17 would unequivocally result in the loss of this ‘important’ hedgerow to make way for the (likely to be required) highways alterations on Spring Lane.</p> <p>An important point with regard to the Spring Lane hedgerow is that Highway Authority requirements in respect of the suggested up to 72 houses accessed from Spring Lane would include visibility splays for the access road and footways. The loss of much of the hedgerow could not be avoided.</p> <p><u>Land Drainage Site Assessment (PN17)</u></p> <p>The Assessment correctly recognises that a significant proportion of site is located within flood zone 1, but the eastern boundary adjacent to Crimple Beck is located in Flood Zone 2/3. National guidance confirms that residential development is a more vulnerable use to flooding and that no development should take place in areas of the site that may be susceptible to surface water nuisance¹.</p> <p>Within the Assessment it states that detailed investigations exploring SuDS techniques and drainage strategies will have to be undertaken to ensure accordance with paragraph 100-102 of the NPPF, which require assessments to demonstrate that development will not increase flood risk elsewhere, and reduce flood risk overall.</p>

¹ Paragraph: 067 Reference ID: 7-067-20140306

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	<p>Spring Lane is already prone to flooding and as a Group we can recall many occasions Crimple Beck has flooded, resulting in the closure of Spring Lane (see Appendix 3). Furthermore, the creation of two all-weather sports pitches at Ashville has affected and interrupted surface water drainage on Yew Tree Lane, also resulting in flooding.</p> <p>The land that comprises PN17 falls to the south east towards the Clarke Beck. Given the gradient and topography of PN17 and its proximity to the Clarke Beck watercourse, there is no doubt given the Group’s own experiences that there would be significant surface water run-off issues without proper investigation. No further explanation or justification is provided – this again raises our concerns and suspicions that the site is not suitable for development.</p> <p>Sustainability Appraisal – Addendum (July 2017)</p> <p>The purpose of this report is to provide an addendum to the Draft Sustainability Appraisal consulted on in 2016 and to support the Additional Sites Consultation. However, despite the findings of the Built and Natural Environment Site Assessments (New Sites 2017) and the previous assessment of Site PN1 (a site immediately adjacent to PN17) within the Draft Sustainability Appraisal (2016), the addendum recommends that PN17 is included as a draft allocation. We find this very surprising.</p> <p>The Group accepts that the Sustainability Appraisal also considers and analyses the site’s accessibility and connectivity to transport links, services and amenities, but on review, PN17 is severely constrained as explained below.</p> <p>Within the Adopted Local Plan and Draft Local Plan (October 2016), PN17 is located beyond the settlement limits, which are set to prevent sprawl into the wider rural area and in regards to the context of PN17; the substantial erosion of the strategic gap between Pannal and Harrogate.</p> <p>Pannal is identified in Draft Policy GS2 of the Draft Local Plan (October) as a ‘Primary Service Village’ where new development is to be located to support the villages continued sustainability. Supporting paragraph 3.18 of the Draft Local Plan states that: <i>“Primary Service Villages act as local service hubs providing residents and people in surrounding villages with a range of basic services and facilities. These offer access to a range of basic retail, service and leisure businesses (such as shops, post office, hair dresser, café, pub etc.), at least one key public service (such as a primary school and/or a GP surgery) and a range of community facilities (including recreational facilities, a village hall and at least one place of worship).”</i></p> <p>The Group has reviewed the services and facilities in Pannal and confirms that with regard to PN17: there is no longer a regular bus service in Pannal as this was cancelled in April 2016 and the nearest bus stop is 1.2 miles away on Pannal Ash Road; there is no café or regular GP practice in Pannal; the village’s only Primary School is near capacity; and, the nearest secondary schools (Ashville and Rossett) are 1.3 miles away.</p>

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	<p>The Sustainability Appraisal confirms the Group’s findings and states that:</p> <ul style="list-style-type: none"> • The Local Primary School is at or near capacity and may require extension. • There is some accessibility to local services, but poor accessibility to bus, rail, secondary school, shopping facilities and employment. • There is significant transport and/or accessibility/cumulative impact problems requiring substantial mitigation. • Increased public transport provision and extension of services cannot be predicted at this stage. • There is poor connectivity to cycle routes, and • Significant barriers to accessibility. <p>Despite PN17’s location on the edge of the Burn Bridge settlement boundaries it is relatively inaccessible and does not provide access to the provisions associated with a Primary Service Village, this reinforces how unsuitable the site is for development.</p> <p>Spring Lane itself is a rural lane with no footways or road markings and is classified by North Yorkshire County Council as an ‘unclassified road’.</p> <p>Spring Lane cannot comfortably accommodate two-way traffic, with the majority of passings made possible only by vehicles pulling into gaps at opportune moments. Spring Lane becomes even narrower at the south-eastern boundary of PN17 and is only able to accommodate one-way traffic as the road passes over Crimble Beck between the junctions with Westminster Drive and Rosedale. The junction with Westminster Drive is extremely constrained, with drivers turning onto Spring Lane from Westminster Drive relying on a blind spot wide angled mirror affixed opposite to do so safely.</p> <p>There are no pedestrian footways at any point along Spring Lane, the speed limit is restricted to 30mph and 20mph in places, and it is illuminated only in parts. The site also does not benefit from an established, formal or otherwise, access into land adjoining Spring Lane via Spring Lane or Yew Tree Lane. At peak hours, Spring Lane, Yew Tree Lane, Burn Bridge Road, Rosedale and Main Street experience high levels of traffic flow, with traffic backing up trying to access the A61. This situation would only worsen with the delivery of PN17 as a housing development.</p> <p>Spring Lane would have to be altered drastically in order to be considered suitable from a highways perspective and this would result in the suburbanisation of Spring Lane, which would significantly harm and impact the local distinctiveness of the area.</p> <p>PN17 represents a relatively small Draft Housing Allocation for up to 72 dwellings and when compared to the findings of the Built and Natural Environment Site Assessments (July 2017) and the Sustainability Appraisal – Addendum (July 2017) it is our view that the adverse impacts and harm PN17 would cause is <i>disproportionate</i> to any benefit arising for the site.</p> <p>Summary The Group considers that there is not a proper, reasoned, basis to take site PN17 forward</p>

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	<p>into the submission draft (Regulation 19) Local Plan. The evidence provided above confirms that housing development on PN17 would have a significant adverse impact on the SLA, and the heritage setting of the Pannal Conservation Area and other non-designated heritage assets. It would result in a substantial erosion of the strategic gap between Pannal and Harrogate and the suburbanisation of Spring Lane.</p> <p>Policy C9 of the adopted Local Plan sought the long term protection of the designated SLA. Subsequent landscape assessments have confirmed the importance of the area and its extent. Recent appeal and application decisions reaffirm the importance of protecting these precious landscapes. PN17 is no exception to this. The significant harm that would arise as a result of delivering up to 72 dwellings (more likely around 50) would far outweigh any of the associated benefits e.g. affordable housing contribution referred to within HBC's assessments of PN17, and could not therefore be considered a sustainable form of development.</p>
2&4	<p>Erosion of the Landscape gap – the Special Landscape Area (SLA) and Green Belt</p> <p>The land designated as PN17 occupies c9 acres along the southern boundary of this distinctive part of the SLA which is bounded by Rossett Green Lane to the north, Yew Tree Lane to the west, Church Lane to the east and Spring Lane to the south. The area forms an important landscape gap between the southern urban outskirts of Harrogate and the northern, rural boundary of Burn Bridge/Pannal with its distinctive village style character.</p> <p>This landscape has been considered 'special' by the Council for many years and it remains protected from development under the current Local Plan. The rationale remains valid today and there is no justification for it being considered any less 'special' now.</p> <p>Development of PN17 would erode the landscape gap significantly and impair the visual impact and public amenity value of the area. It would bring the built form coalescence of Harrogate and Burn Bridge/Pannal much closer.</p> <p>It would appear that HBC has not considered a limited review of Green Belt boundaries to allow housing allocations within the current Green Belt but in locations which are far less sensitive to landscape change - such as the SLA containing PN17 - and which benefit from much greater proximity and easy access to the arterial road network and public transport facilities. In the Group's view this is a significant omission from HBC's process which brings into question the credibility of the site selection within the Draft Local Plan. There is no <i>bar</i> to Green Belt boundary review : NPPF 83.</p>
..... 1&4	<p>Transport and Traffic Infrastructure</p> <p>In response to a current Planning Application to develop PN17, the Group commissioned an expert Highways and Transport Assessment by Exigo Project Solutions. Whilst this addressed the Application directly, much of the evidence is relevant to the Draft Local Plan and is repeated below.</p> <p><u>PN17 is not a location that promotes the reduction of reliance on motor vehicles</u></p> <p>The NPPF (2012) states that the purpose of the planning system is to contribute to the achievement of sustainable development. Walking and cycling are therefore important in relation to achieving more sustainable travel patterns and improving the quality of life.</p> <p>HBC's Draft Local Plan: Sustainability Appraisal (2016) stated with regard to the</p>

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	<p>immediately adjacent PN1 site that the site has '<i>significant transport/and accessibility problems – substantial mitigation required.....poor connectivity to cycle routes.....lack of pavements does not encourage pedestrian access.</i>' From PN17 to the nearest bus stop is some 1600 metres, a walk time of c20 minutes. The Institution of Highways and Transportation document 'Guidance for Planning for Public Transport in Developments' states that '<i>New developments should be located so that public transport trips involve a walking distance of less than 400m from the nearest bus stop.</i>'</p> <p>Development of PN17 would fall significantly short in enabling sustainable access and thereby result in social exclusion, contrary to Government guidance.</p>
1&2	<p>Housing and Economic Development Needs Assessment (HEDNA) (July 2017)</p> <p>Within the Draft Local Plan (October 2016) reference is made to the September 2015 Strategic Housing Market Assessment (SHMA), which was updated in June 2016 to take account of up to date demographic and economic market evidence and concluded that the objectively assessed housing need for Harrogate District was for 557 dwellings per annum.</p> <p>We acknowledge that there is a requirement for additional housing to be delivered across the Harrogate Borough and are aware that several hundred residents from Pannal objected to the then PN14 and PN16 allocations during the Draft Local Plan consultation in October 2016. However, the Group is concerned that in June 2017 approval was given at a Cabinet Member for Planning meeting for there to be an Additional Sites Consultation following the findings of the Housing and Economic Development Needs Assessment (HEDNA) produced by GL Hearn, which concluded that the housing need for the District is now 669 dwellings per annum.</p> <p>The GL Hearn Report confirms that the calculated housing need is derived from a demographic model that has evaluated past population trends and applied these to 2014 based Sub-National Household Projections, published on 25 May 2016. Throughout the GL Hearn Report it states that the calculated housing need figures are based on forecasts and assumptions. Indeed, at paragraph 2.24 and 2.25 the Report acknowledges that '<i>there is inevitably some uncertainty</i>' regarding one of its main sources of data (the 2014 Sub-National Household Projection) and the '<i>figures are constrained to national totals in the ONS population projections.</i>'</p> <p>In order to try and make the findings more robust, the Report, in line with the approach set out in paragraph 2A-017 of the Planning Practice Guidance, considers other alternative (sensitivity) scenarios including longer-term migration trends and the 'unattributable' components of population change within the ONS population data for the period to 2011.</p> <p>From review of the GL Hearn Report, we find it concerning that the calculated requirement for a further 112 dwellings per annum across the plan period (until 2035) compared to the 2015 SHMA, is based on forecasts derived from uncertain and constrained data sources. Indeed, even a cursory sense test of the output of this model questions seriously the validity of the assumptions used in relation to Harrogate district: the number of houses needed increases by 20% between the assessments carried out in 2016 and 2017 without any</p>

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	<p>satisfactory evidence to justify this; if just the Harrogate houses are built, the town would increase in size by 20% which is infeasible given the infrastructure of the town and surrounding areas; on this scale of development, the issue of affordability could only be dealt with if such housing remains permanently outside the open market; there is no evidence that such a supply led allocation of housing would be taken up by the market, indeed we consider it highly likely that market demand would fall well short. The parallel with the optimistic demand growth assumptions built into the winning Stagecoach/Virgin tender for the East Coast rail franchise and the subsequent catastrophic consequences of those assumptions is all too apparent.</p> <p>The Group accepts that this figure of 112 further dwellings p.a. derives from the most up-to-date national evidence, but wishes to highlight that the revised housing needs figures have not been tested / challenged at appeal or through a formal examination process. The Group therefore believes that the Council's decision to delay the formal Publication consultation of the Local Plan until January 2018, by holding the Additional Site Consultation is an over-reaction and the inclusion of PN17 which is wholly unsuitable for development, is a reflection of this.</p>
2 & 4	<p>Strategic Housing and Economic Land Availability Assessment (SHELAA)</p> <p>PN17 was <u>not</u> identified in the 2016 SHEELA as having the potential to support any form of development (residential or otherwise), nor has it been identified in any other evidence base documents. As part of the SHELAA, a total of 9 sites (PN1-PN9) in the Pannal area were considered as potential housing sites over the future plan period. However, the Harrogate District Local Plan: Sustainability Appraisal 2016 recommended that none of these sites should be put forward as housing allocations.</p> <p>Site PN1 is a small area of land immediately adjacent to PN17 and within the same SLA. It is more contained and less prominent than PN17 given its location at the bottom of the valley and owing to its characteristics, development would have less of a harmful effect on the SLA and the Pannal Conservation Area than PN17. Despite this and the fact that HBC's own Sustainability Appraisal (2016) considered PN1 unsuitable as a Housing Allocation, HBC has put forward PN17 as a Draft Housing Allocation. This is a clear inconsistency in HBC's approach and undermines the confidence that can be given to PN17 as an Allocation.</p> <p>Since the release of the HEDNA, it does not appear that HBC has reconsidered any of the previously assessed sites nor is there any evidence that it has assessed in a balanced way the new sites that have come forward as part of the Additional Sites Consultation.</p> <p>The SHEELA considered PN3 'Land to the south of Pannal, Phase 2' but this was not put forward as housing allocation. Whilst PN3 is located within the edge of the Green Belt, it is to some degree screened and contained by the railway line to the north and the A61 to the south. It is plainly not anywhere near as sensitive in landscape terms as PN17. Transport accessibility is superior to PN17 given the close proximity to services, the railway station, public bus routes on the A61 and the A61 itself. The approval of planning application ref: 14/02804/OUTMAJ for the mixed use development at the former Dunlopillo site has to some extent set a precedent for development of this pocket of land, contained entirely by</p>

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The 4 Tests	Response Subjects
	<p>the railway line and the A61. Approval of the mixed use development has led to highway improvements on the A61 that could be adapted easily to provide access to the PN3 site. Given the context of PN3, we consider that the likelihood of securing affordable housing on site would be much higher than on PN17, particularly as 25% of the dwellings to be provided on the former Dunlopillo site will be affordable (app ref: 16/05447/DVCMAJ)</p> <p>Tesco will not now be developing the brownfield site on the northern fringe of Harrogate, having pulled out early in 2017. This site is unlikely to be developed for retail and does not seem to have been assessed by HBC for housing – it should be in the Group’s view.</p> <p>There are other sites towards the A1 and A1(M): Green Hammerton/Cattal is included in the Draft Plan with much of the infrastructure already in place and limited landscape appeal and which could readily be extended; Flaxby North (the former golf course) a proposed but rejected new settlement but with ready access to the A1(M) and A59; the likely future availability of large ex MOD sites such as Dishforth with access to the main trunk roads and a stock of empty ex MOD married quarters in Ripon and other places.</p> <p>There are numerous former office buildings in the centre of Harrogate currently undergoing or about to undergo planning applications or for which permissions have been given recently for conversion to apartments e.g: East Parade; 4-6 North Park Road; former Council Offices at Crescent Gardens. Such sites provide effective, affordable development opportunities without damaging the irreplaceable SLA, with ready access to amenities and public transport, and which could easily make up the potential allocation of 72 (more realistically 50) dwellings at PN17.</p>
4	<p>The Core Planning Principles set out in the NPPF state that planning should ‘be genuinely plan-led, empowering local people to shape their surroundings’. The very late inclusion of PN17 by HBC, without notice or reference to the Parish Council, would seem to be a major breach of this core principle, as would HBC’s apparent dismissal of over 500 individual objections (as well as the Group’s and the Parish Council’s objections) in the first round of consultation on PN17 in 2017. Local people can justifiably feel that their voice is not being heard and that HBC is being cavalier in its approach to evidence and National Policy with regard to PN17.</p> <p>Legal Compliance</p> <p>The Group's principal concerns are with NPPF Tests 2 and 4 . It does however also raise the issue of compliance with Regulation 2(b) of the Environmental Assessment of Plans and Programmes Regulations 2004 : the requirement that the environmental report should identify, describe and evaluate reasonable alternatives, taking into account the objectives and the geographical scope of the plan or programme. Given that the Authority has not been prepared to review the Green Belt boundaries to the south-west of Pannal it is questioned whether this requirement has been satisfied.</p>

Advice from: John Dagg BSc LLB MCD MRTPI Barrister
Mark Smeeden BA Dip Hort DipLA MIHort CMLI - Smeeden Foreman **Appendix 1** (pages 1-32)
Tanya Smith BSc Horticulture Wye College, University of London **Appendix 2** (pages 33-40)
Photos of Flooding on Spring Lane and Yew Tree Lane **Appendix 3** (pages 41-43)
Names & Addresses of the 250 members of The Group **Appendix 4**