

HARROGATE LOCAL PLAN EXAMINATION

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Dear Ms Rathmell

First, I would like to thank the Council for its helpful and constructive contributions to the hearings earlier this year which, along with those of all other participants, have enabled me to significantly progress the examination. I am also grateful for the further evidence and clarifications produced following the hearings and to those who provided comments on matters of relevance to their original representations on the plan.

I write to set out my thoughts on the plan at this stage and on the way forward for the examination. My comments are based on all that I have read, heard and seen to date, although I emphasise that the examination is not yet complete and, in particular, Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA), insofar as they are necessary, and full public consultation on Main Modifications (MM) to the plan will be required.

In that context, I turn first to SA. Having considered the submissions from Flaxby Park and Keep The Hammertons Green, along with the Council's additional submission in relation to Matters 1 and 12, it seems to me that the issue of whether additional SA work in relation to broad locations for growth for a new settlement is needed is finely balanced. This being so, I consider that it would be sensible for the Council to undertake additional work in this regard. In short, for it to assess broad locations around each of the proposed potential sites. I may comment further on the matter of the proposed new settlement in due course, if I deem it necessary in light of the additional work.

The plan's proposed housing requirement figure is aligned with the borough's Objectively Assessed Need (OAN) for housing. Both appear broadly appropriate and my final report will set out my reasons for such a view. As proposed, however, there is a large excess of housing allocations over and above the level required to meet the housing requirement.

At the final session I noted that, once I had received additional information from the Council, I would write with regard to the proposed residential allocations about which I continued to have concerns. The requested information is now before the examination and my consideration of the relevant sites is set out

below. It is to be read in the context of the plan's considerable oversupply of housing and, thus, there being no need for the harms that would be likely to arise from their allocation.

Development upon sites P1/P5/P10; DR14; DB5; and SB1 would constitute major development in the Area of Outstanding Natural Beauty (AONB). This was agreed by the Council at the hearing sessions (although the Council believed that DB5 (and, therefore, by inference SB1) was just above the threshold of major development). National planning policy is clear that planning permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest. I am not persuaded that such a test could be passed in relation to development proposals for these sites, particularly given the, in some cases very significant, landscape harm likely to arise from them. In addition, P1/P5/P10 is poorly related to the main town of Pateley Bridge. Finally, the Council is proposing to remove the definition of the Harrogate/Pateley Bridge corridor as a "top tier" bus route, following a reduction in the service since the plan was submitted. This calls into question the appropriateness of planning for major development on this route.

Site PN19 is extensive. It is, in my view, markedly at odds with the size of Pannal and would be likely to result in a disproportionate addition to the village. It would advance the edge of Pannal to such an extent that, to all intents and purposes, the village would coalesce with Harrogate. There would likely be acknowledged harm to the special landscape area and to heritage assets.

Site PN17 is a very prominent and exposed site in the special landscape area. Development here would be likely to cause significant landscape harm and harm to heritage assets.

Site B21 was debated at some length at the hearings. The key issue here is the sensitivity and importance of the extensive area of Roman archaeology, related to Roman Aldborough, which would appear to cover most of the site. It was agreed between all parties that the independent opinion of the leading authority on Roman Aldborough should be sought formally, to draw a line under the respective arguments, before I came to a view. Having read the letter from Professor Millett, which indicates that the archaeology is more likely than not to be of national importance (being "*a unique record of the functions of a major town in the hinterland of the Roman frontier*") it seems to me that a precautionary approach is highly appropriate here.

Site HM9 is a very prominent and exposed site on the edge of the AONB. Development here would be likely to give rise to harm to landscape and heritage assets. My comments above with regard to the bus corridor also apply.

Finally, I turn to site M13. There was debate at the hearings about whether residential development on the site would conflict with the operation of the I'Anson mill opposite. My attention was drawn to an appeal decision wherein the Inspector concluded that it would not¹, subject to suitable noise mitigation measures being put in place. It does not appear, however, that my colleague

¹ Albeit in relation to a site with a different footprint.

had the additional information supplied by the Council, at my request, in relation to complaints about noise from the occupiers of existing dwellings near the site. These are not numerous but they nonetheless exist, both in relation to the mill itself and to lorries operating from it.

The Council's note on this matter states that:

"Based on this [the Environment Agency's] monitoring I'Ansons were not expected to carry out further noise attenuation, although if evidence were found in the future, I'Ansons may be required to carry out further work".

I am also mindful of the National Planning Policy Framework's (2012) position that planning policies should:

"recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established".

It may be that development on the site could be delivered with suitable mitigation in place, such that the mill's operations or potential expansion would not be compromised. Such mitigation would, it is suggested by the site promoter, be likely to include mechanical ventilation, acoustic glazing and acoustic fencing.

There does not, however, appear to be any immediate need to allocate a site where such levels of technical mitigation could be required and the living conditions of future residents could be constrained (by having to rely upon mechanical ventilation in rooms facing the mill, for example). Similarly, in the light of the additional information provided in relation to noise complaints, it would seem prudent to me to take a precautionary approach at this stage.

Thus, given the level of housing supply and the, in many cases acknowledged, harm that is likely to arise from the above proposed allocations, I consider that to make the plan sound they should be deleted. The housing requirement could easily be met even with their removal and there has been no suggestion that five-year housing land supply would be compromised. As such, there is no need for the Council to find replacement allocations.

I note the Council's suggested alternative site areas for DR14. Of these, I consider that DR14b, at 38 dwellings, remains excessive and at odds with the form and character of the village. DR14a could be a more appropriately scaled allocation, although I remain unconvinced of the need for additional housing here particularly given the commitments already in place in Darley. As such, I do not consider that a main modification to introduce an alternative site would be necessary to make the plan sound.

Finally, I will be grateful if the Council can please supply evidence in relation to each of the proposed Sites of Interest for Nature Conservation (SINC) sites, detailing how and when each site has been assessed and why it is considered appropriate for designation in the plan. I will also be grateful if the information

supplied by the Council in relation to the SINC at the former Middleton Hospital site can be forwarded to the relevant representor for comment.

I am awaiting additional data from the Council in relation to windfall supply. Until this and the additional SA work is complete, and I have received and considered the additional SINC information, I will be unable to determine whether any other MMs may be necessary.

I will be grateful for an indication of when I might receive this additional evidence and when I may receive the first draft of the schedule of MMs (addressing those proposed by the Council at the Hearings).

I will ask the Programme Officer to arrange for this letter to be published on the examination website although, as I made clear at the Hearings, I am not inviting comments on it from other parties nor do I envisage accepting any.

Yours sincerely

Richard Schofield

INSPECTOR