

HAMBLETON LOCAL DEVELOPMENT FRAMEWORK ALLOCATIONS DEVELOPMENT PLAN DOCUMENT EXAMINATION

Council's Responses to Preliminary Questions by the Inspectors February 2010

1 Consultation with statutory bodies

a) Have Natural England and other statutory consultees had opportunity to comment on the Habitats Regulations Assessment Screening Report and if so, what were their views on its findings?

Para 1.26 of the HRA Screening Final Report [LCD118] refers to consultation from an early stage with Natural England, who are the only statutory consultee on this document. Natural England were consulted from the earliest stage in the process. They were involved in discussions on the Development Policies DPD (e.g. Policy DP31) and from the very start of the Screening of site allocations, including the process and tasks to be followed. Subsequent comments received on the site allocations at the Preferred Options stage were taken into account in the Final Screening Report.

All statutory consultees were sent the Habitats Regulations Assessment (HRA) Screening Final Report (January 2009) [LCD118] on CD at the Proposed Submission stage in January 2009, along with the Allocations Proposed Submission Development Plan Document (DPD), Sustainability Appraisal (SA) and other documents. The covering letter (ASSA16A) [LCD112A] which invited representations, drew their specific attention to the HRA Screening Report (at para 4).

Comments were only received on the HRA Report at Proposed Submission stage from Natural England and they made the following comments (see copy of email of 5th March 2009 [LCD233]):

“Natural England agrees with the overall conclusion of the Screening Report that ‘although a number of uncertain impacts remain as a result of development proposals in the Allocations DPD, any adverse effects on the integrity of Natura 2000 and Ramsar sites can be avoided or mitigated through the proper application of policy safeguards within and outside the planning process. The undertaking of further stages of the Habitats Regulations Assessment process should therefore not be necessary.’

We agree that in the main these policies exist, for instance through Policy DP31 in the Hambleton Development Policies DPD. The HRA screening report could however be clearer in signposting to a broader range of policies to address uncertain impacts (e.g. at 3.33). For instance, Policy DP37 (Open space, sport and recreation), through providing additional open space, may further safeguard against the issue of uncertain recreational disturbance.

It is also unclear as to whether the recommendations at 3.33 have or will be incorporated into developments resulting from these allocations. It would be useful for the HRA to state in what circumstances these recommendations 'will' rather than 'could' be incorporated into the DPD."

We agree that Policy DP37 is another mechanism for providing mitigation and this is covered on paragraph 3.33, bullet 2. In our view these listed measures can only be suggestions at this stage and cannot be listed with certainty of being taken forward. They lie outside our District and control and rely to a large extent on Natural England taking the initiative with a plan for co-ordinated action at the European sites involving all relevant authorities with development sites potentially impacting thereon. This is now an issue about implementation and the measures listed need further discussion with Natural England on how they can be achieved, but such work clearly lies outside the scope of the Allocations DPD.

b) Have the views of the Regional Assembly been requested on the general conformity of the Allocations DPD with the adopted Regional Spatial Strategy (RSS), and if so, what was the response?

Yes. This is covered in the Council's Soundness Self Assessment (February 2010) [LCD112] on pages 27-28. This states:

A request was made for the Regional Planning Body (RPB) to indicate general conformity of the Proposed Submission Allocations DPD with the approved RSS (letters dated 22nd January 2009 and 2nd October 2009 (ASSA15A&B) [LCD112A]). The RPB replied by letters dated 5th March 2009 (ASSA28) [LCD112A] (as Yorkshire and Humber Assembly) and 10th November and 9th December 2009 (ASSA28B&C) [LCD112A] (as Local Government Yorkshire and Humber - LGYH) indicating that in their opinion "the Allocations DPD is in general conformity with the Yorkshire and Humber Plan, the Regional Spatial Strategy to 2026 (May 2008)" and "Under new Regulation 29 (2008), this opinion is issued when the local authority publishes the DPD for comment prior to submission to the Secretary of State." They said there were no issues of conformity but some matters of alignment that needed to be addressed. They found the DPD clear in setting out the role of the RSS in providing a strategic context for the local policies and welcomed the fact that the need for general conformity was addressed in para 1.11 and that references were made to RSS and the regional policy context throughout the document. Overall, they found the DPD reflected the policy direction of RSS and in particular they supported the scale and distribution of new development proposed by the DPD, which is supportive of the settlement hierarchy, set out in the Core Strategy and RSS.

There were other issues of alignment raised relating to the accessibility criteria in the RSS, delivery of housing on brownfield sites, provision for Gypsies and Travellers and the scale of employment land allocation, but these did not constitute matters of general conformity.

2 Gypsies and Travellers

The Development Policies DPD indicates that allocations will be made for sites to meet the needs of gypsies and travellers. No such allocations are included in the submitted DPD. What is the process and timetable for identifying and allocating such sites? How does this process fit with preparation of the Allocations DPD?

The Development Policies DPD adopted in February 2008 [LCD94] at Policy DP14 refers to allocating sites for Gypsies and Travellers to meet the accommodation needs identified in a Gypsy and Traveller Accommodation Assessment (GTAA). This Assessment for the York and North Yorkshire sub-region was underway at the time but the final GTAA report was not published until May 2008 [RCD34], so the findings were not known before the Development Policies DPD was adopted.

The Development Policies DPD at para 4.5.12 made it clear that the Allocations DPD would not be allocating sites for Gypsies and Travellers due to the timescale. This would have seriously delayed the Allocations DPD preparation and housing site delivery as the Allocations DPD by this time had gone through Preferred Options consultation in October-November 2007 and there would have been a need to go back to the start of the process to cover Gypsy and Traveller site allocation options. Para 4.5.12 stated that “a Gypsy and Traveller DPD will be prepared which will permit the identification of appropriate sites, if this is shown to be necessary.”

Such consideration of the need to prepare a specific Gypsies and Travellers DPD was included in the Local Development Scheme (LDS) No.3 of April 2007 [LCD84] valid at that time, and supported by Government Office for Yorkshire and the Humber. Para 4.3 of that document states that “The outcome of the GTAA study will inform the Council on whether there is a need to prepare a specific DPD on Gypsies and Travellers”. This was not an issue of concern for the Government Office.

The GTAA (Table ES1) found that there was only a need for 14 pitches in Hambleton (and this was an immediate need) and it was therefore felt that the best way to meet this need would not be through the long and costly process of preparing a specific Gypsies and Travellers DPD, but through the Development Management process by engaging with the local Gypsy and Traveller community and seeking sites and inviting applications.

Such an approach was discussed and agreed as a sensible response by Keith Holland, Assistant Director (Development Plans) at the Planning Inspectorate at a meeting held with Hambleton Planning officers at the Council's offices on 13th November 2008.

The proposed means of addressing the GTAA pitch requirement was discussed with Members at a Gypsy & Traveller Member Training event held on 7th January 2010. The agreed outcome was as follows:

- To respond to this in a planned and pro- active way by holding public events in the Stokesley and Thirsk areas, the areas of greatest need, backed up by publicity to combine a call for land for additional provision with drop-in sessions for members of the Gypsy and Traveller, and wider communities to discuss their needs, views and requirements.
- Then move forward in evaluating them against the criteria in Policy DP14, and if appropriate, seek additional funding and delivery partners to move delivery forward.

This was also considered at the Council's Housing Workstream meeting on 12th January 2010 and reported to the Places Board on 18 January 2010 (report and notes of meetings attached) [LCD232]. It is expected that Housing Officers will lead on this work and it is due to take place in Spring 2010.

The current Local Development Scheme (LDS) No. 4 [LCD109], which came into force in March 2009, makes no reference to preparing a Gypsy and Traveller DPD and this was not contested by Government Office for Yorkshire and the Humber.

The Regional Planning Body (RPB), Local Government Yorkshire and Humber (LGYH) raised some concerns in their responses to the Proposed Submission Allocations DPD with respect to the non-allocation of sites for Gypsies and Travellers (see ASSA28A,B&C)[LCD112A], as a matter of alignment rather than as a matter of general conformity with RSS. However in their latest response of 9th December 2009 (addendum to letter of 10th November 2009 (ASSA28C [LCD112A]), acknowledging their misunderstanding of the level of need in the GTAA, they state "It is therefore understandable that you are not seeking to allocate specific sites at this time." It is therefore not considered to be an outstanding issue with LGYH.

3 Post-publication Changes

We note that there have been two rounds of formal consultation on the proposed submission Allocations DPD (January 2009). Were any changes made to the document between these two rounds of consultation?

No.

Attached to the Regulation 30(e) Statement is a schedule of minor editing changes from proposed submission DPD January 2009. Have these changes been incorporated in the Submission DPD December 2009?

Yes.

Have any other changes been made between the proposed submission and the DPD submitted in December 2009?

No.

Have any changes made been publicised and consulted upon, and if so what was the response?

No.

4 Timeframe for Allocations DPD

While the adopted Core Strategy (CS) looks ahead until 2021, this DPD allocates housing land for the period to 2026, in line with the timeframe of the adopted RSS, and adjusts phasing accordingly.

In spatial planning terms, what is the justification for this approach?

The Core Strategy (CS) DPD [LCD82] was based on the draft RSS [RCD1] and both had a time frame to 2021. The housing figures in the CS had been developed in parallel with the draft RSS and were consistent with it. The CS Inspector in his report considered those figures acceptable provided the Council undertook to do an early review if the figures changed significantly in the finally approved RSS. This was included as a change to the adopted CS (paragraph 4.2.2). The amount of housing and the time period both changed in the approved RSS issued in May 2008 [RCD5A].

To be consistent, and up-to-date, with both regional policy in the approved RSS and national planning policy, particularly the PPS3 – ‘Housing’ requirement to identify “*broad locations and specific sites that will enable continuous delivery of housing for at least 15 years from the date of adoption, taking account of the level of housing provision set out in the RSS*” (PPS3 paragraph 53 [NCD4A]), the Council considered it appropriate for the Allocations DPD to identify housing sites for the period 2021 to 2026. Otherwise, by adoption date (expected in 2010), the Allocations DPD would already be half way through the first phase of housing and the Council would not have a 15 year housing land supply in the LDF (only 11 years to 2021), nor conform generally with the RSS as required by PPS12 – ‘Local Spatial Planning’ (paragraph 5.2(2) [NCD14A]).

The changes in the RSS affecting housing supply could be accommodated in the Allocations DPD within the adopted CS’s spatial strategy and could be expediently brought into effect through the Allocations DPD which was already well underway by May 2008 (i.e. passed Preferred Options stage). The Council considered this would make the most efficient use of resources and avoid delay to the preparation of other LDF Development Plan Documents that would result from diverting resources to a review (or even only partial/selective review) of the CS. PPS12 says that “*It is vital that local authorities do their utmost to adhere to [LDS] timetable*” (paragraph 4.55). The Council believed that priority should be given to making land allocations and bringing sites forward to implement the CS and RSS – and specifically housing sites. The Council considers this approach will ensure “*that sufficient, suitable land is available*”, in the spirit of the advice in PPS3 that the planning system should “*deliver[s] a flexible, responsive supply of land. Reflecting the principles of ‘Plan, Monitor, Manage’* (paragraph 52) [NCD4A].

The risks of the chosen strategy were considered low because no significant spatial planning issues were raised, the CS's spatial strategy remained in accordance with up-to-date national and regional policy and a review of the CS was programmed to start in 2010 (see LDS No 4 [LCD109]). Incorporating the additional housing requirement from 2021 to 2026 in the Allocations DPD was therefore considered justified and "*the most appropriate strategy when considered against the reasonable alternatives*" (Soundness test, paragraph 5.2(4) PPS12).

Therefore although the CS Inspector made reference to an early review of the strategy if the housing figures in the adopted RSS changed the Council considered the changes could be accommodated within the Allocations DPD, and would not "*take the place of the core strategy*" (paragraph 5.2(4) PPS12).

The Council's approach to dealing with the housing requirement from 2021-2026 was agreed at a meeting with Government Office for Yorkshire and the Humber (GOYH) in June 2008 (See email from GOYH [LCD235]). GOYH agreed that the Council should use the new approved RSS housing figures for the plan period (in place of the adopted CS figures), with the added requirement for the period 2021-2026, assuming the same distribution as for the then final phase in the extra 5 years. They regarded the RSS as the most up-to-date part of Hambleton's development plan and that looking 15 years ahead for housing supply was consistent with PPS3 (and SHLAA advice) and new PPS12 (2008). GOYH did not expect the Council to cover employment land requirements beyond 2021 nor to review the CS at that time.

This approach was discussed and agreed as a sensible response by Keith Holland, Assistant Director (Development Plans) at the Planning Inspectorate at a meeting held with Hambleton Planning officers at the Council's offices on 13th November 2008.

The Regional Planning Body (RPB), when consulted on general conformity of the Proposed Submission Allocations DPD in 2009, stated that "Overall, the DPD reflects the policy direction of RSS (2008). In particular, the Assembly/RPB supports the scale and distribution of new development proposed by the DPD, which is supportive of the settlement hierarchy, set out in the CS (2007) and RSS (2008)." (See letters (ASSA28) [LCD112A] from Yorkshire and Humber Assembly and (ASSA28B) [LCD112A] from Local Government Yorkshire and Humber - LGYH).

In conclusion the spatial planning justification is to ensure conformity with RSS, which is a requirement, and to ensure proper provision for housing as reflected in national planning policy (PPS3) and the Government's priorities.

Is there a sufficiently robust strategic spatial planning framework to support allocations beyond 2021?

The development plan consists of the RSS and the local Development Plan Documents (paragraph 3.1 PPS12 [NCD14A]).

The RSS, The Yorkshire and Humber Plan [RCD5A], was adopted in May 2008 and provides an up-to-date vision for the region to the year 2026. The CS was adopted in 2007 and provides an adopted local strategic framework. Together they are considered to form a robust basis for the Allocations DPD.

Although the adopted CS considers the time period to 2021, the Council considered it consistent with PPS3 and PPS12 to accommodate the new RSS requirements as expeditiously as possible. In broad terms the adopted RSS guidance on the spatial vision and core approach, distribution of development and the relative levels of development in different locations remain unchanged from the draft RSS.

The strategic framework set out in the CS is entirely consistent with the RSS, PPS1 and PPS3; and robust yet flexible enough for the Allocations DPD to accommodate the additional housing development to 2026 as evidenced by the CS Inspector's report (paragraph 9.1) [LCD77] and then subsequently confirmation from the Regional Planning Body that the Allocations DPD is in general conformity with the RSS.

In relation to the CS spatial principles (1 and 2 on pp 16-17) the Inspector found them to be a "*local expression of RSS objectives and policies and provide a locally distinctive strategy providing the foundation for the strategic policies in this DPD*" (paragraph 7.13) and to be consistent with the draft RSS key locational policies (YH8, Y1 and VTL1). They remain consistent with adopted RSS policies YH1 overall approach and key spatial priorities (p11), YH5 Principal Towns (p22), YH7 Location of Development (p 25), Y1E York (p64) and VTL1E Vales and Tees Links (p71).

The Inspector found the CS settlement hierarchy spatial principles 3 and 4 to be sound, justified and reflected the draft RSS strategy for Principal Service Centres as the main focus of development. Policies CP4 and CP6 were found to provide a clear and distinct guide to the level and nature of the settlement types and that the distribution of the amount of housing under Policy CP5A reflected the draft RSS, was balanced with employment provision and the targets (expressed as percentages agreed at the inquiry) were specific but not too prescriptive or restrictive (paragraphs 7.70 and 7.73). CP6's concentration of development in the Principal Service Centres and Local Service Centres was considered wholly in accordance with the draft RSS. In the adopted RSS Northallerton and Thirsk were confirmed as Principal Service Centres (renamed Principal Towns) and Easingwold, Bedale and Stokesley suggested as Local Service Centres (Figure 6.1 p68 and Figure 7.1 p74).

Although PPS3 sets out up-to-date national planning policy on housing and the CS examination predated it, PPS3 was considered in the preparation of the final RSS. The Council considers the CS spatial strategy to be consistent with the requirements of PPS3 paragraph 38 "*for a strategy for the planned location of new housing which contributes to the achievement of sustainable development*".

By combining the two periods up to 2016 to create a new first phase and adding a new third period 2021 to 2026 the Council's aim was to ensure that the new housing targets could be achieved in a manner that would be consistent with Policies CP5A and CP6. In particular the distribution of new housing by sub area, settlement type and phase could be achieved to meet the adopted RSS requirements to 2026 and remain consistent with the robust yet flexible percentage targets of CP5A and CP6. In so doing, it is consistent with, and would not "*take the place of the core strategy*" (paragraph 5.2(3) PPS12).

What are the implications for the future review/roll forward of the CS?

The main implication is that in relation to housing a review of the CS will not be as urgent as it would have been had the Council not adopted this approach. The Council's approach to the review of the CS is that it should be co-ordinated with the RSS review (now the Integrated Regional Strategy (IRS)).

Otherwise, in light of the CS Inspector's findings, the Council would have had to consider an early review (or partial/selective review) of the CS. That would mean that the CS review would have been ahead of the timetable for the new IRS. Given that there is a robust sound spatial strategy in place consistent with up-to-date national planning policy, in PPS1, 3 and 12, the Council considers this would be resource inefficient, risk jeopardising the LDS and preparation of other DPDs and be unnecessary.

By continuing the approach, the Council has taken the review of the CS will remain broadly consistent with the IRS timetable as the new IRS should have completed its Examination in Public by the end of December 2011 (See programme in York and North Yorkshire Spatial Planning Board Report 11th February 2010 paragraph 4 [RCD35]) whilst the Council is still evidence gathering (LDS No. 4 p7 [LCD109]). The Council is also unlikely to have reached publication of the CS review for formal representations until the final stage of the IRS preparation. In this way the review of the CS and IRS preparation will be well co-ordinated.

The approach taken is considered the most efficient use of resources and avoids delay in the preparation of other Development Plan Documents that would result from diverting resources. PPS12 says that "*It is vital that local authorities do their utmost to adhere to [LDS] timetable*" (paragraph 4.55 [NCD14A]).

Is the Allocations DPD spatially coherent for the period 2021 to 2026, given that it does not identify land for employment or other uses beyond 2021?

The CS sets a robust yet flexible spatial strategy. Both the housing land and employment site allocations in the Allocations DPD are consistent with the spatial strategy.

The housing and employment strategies are both consistent and coherent and together contribute logically to the spatial strategy of centring development in the settlements by sub area and hierarchy to deliver sustainable development in the main centres and maintain restraint in the areas requiring strategic restraint.

Extending the housing allocations to 2026, to be RSS compliant, has been done in such a way as to ensure the CS spatial principles are adhered to. The percentage distribution by settlement category under Policy CP5A is maintained and the requirement for 2/3rds of new housing development to go to the main settlements is achieved.

The Council noted that although the adopted RSS set housing targets to 2026, the employment land guidance is only indicated to 2021 (Table 11.3 p147) [RCD5A] and there was no requirement to plan for employment beyond 2021.

However, as paragraph 2.20 of the Submission Allocations DPD [LCD199] indicates, the plan seeks where possible to ensure that employment land provision exceeds the 2021 requirement (and thus make a contribution to requirements for the period to 2026).

In addition to the allocations made, the Development Policies DPD provides a policy to protect land in employment use (DP17). The Council considers that the combination of the allocations together with the protection of existing assets provides the flexibility to respond to longer term changing circumstances rather than risking significant overprovision.

Furthermore, although land for employment and other uses is not allocated for the period 2021 – 2026, it is a reasonable assumption that through the preparation of the IRS, review of the LDF and through planning application decisions that in order to accord with the principles of sustainable development such uses will continue to be focussed on the main centres. It is also a reasonable assumption that the regional strategic reasons for restraint around York and Tees Valley will remain.

The allocation of land for employment and other uses later in the plan period will be dealt with in the review of the CS and will be guided by the new IRS, which is currently at evidence gathering stage with Local Economic Assessments and econometric modelling underway. It would not have been possible to robustly and accurately predict employment, retail and other land requirements through to 2026. Indeed the LDF's retail floorspace requirement only extends to 2012 because of the inability to accurately assess longer term needs from the study base date. There is a need to review and update job forecasts and economic needs and monitor land take-up at regular intervals, rather than plan for provision with unreliable forecasts for a longer term period from the start. In any event there may be flexibility in land provision for employment as some representations maintain there is over-provision of employment land in the Plan and particularly given the recent economic recession and its impact on employment prospects. The lack of allocation

beyond 2021 for employment is something that can be provided for well before that date is reached and in a manner which is consistent with the Plan's scale and distribution of proposed housing development for that period.

5 Monitoring and Managing Delivery

a) The monitoring indicators included in the Allocations DPD appear to relate to the Local Development Framework as a whole. How will delivery of the allocated sites be monitored?

This will be done on a site by site basis through the Council's LDF Annual Monitoring Report (AMR) and the Council's Strategic Housing Land Availability Assessment (SHLAA) which will be updated each year in conjunction with the AMR. The delivery of housing is a key Council priority as contained in the current Corporate Plan [LCD236] and it is an important Council performance National Indicator (NI 154 - Net additional homes provided) which is monitored by the Council quarterly with reporting to the Places Board's Performance Clinic in order to ensure targets are met as closely as possible.

b) How will delivery of allocated sites be managed to ensure that targets are met? What management mechanisms will be employed? What type of corrective action is envisaged, should there be significant shortfall (or overshoot) in delivery within a particular sub area or across the district as a whole?

Policy DP11 of the Development Policies DPD [LCD94] on the phasing of housing sets out the mechanism for managing the release of housing sites. This phasing is carried forward in the Allocations DPD by stipulating in relation to each housing site which of the three phases development is expected to be completed. Planning permissions will be granted in time to allow for the delivery of such completions, which could be well before the actual completion phase. Indeed pre-application meetings for sites in later phases are already taking place. Supply will be monitored by the Council through the LDF Annual Monitoring Report (AMR), quarterly housing development monitoring to the Places Board and in the Council's Strategic Housing Land Availability Assessment in order to meet the local housing requirements as closely as possible. This will cover individual dwelling commencements as well as completions. If this monitoring indicates there is a shortfall in provision in the District or a particular sub area, sites in later phases could be brought forward by encouraging the submission of planning applications and the granting of permission earlier than expected and conversely, if sites are developed too quickly there could be a slow-down in granting permissions.

c) Have the main risks to delivery been identified? How will such contingencies be handled?

Yes, these are set out with each development proposal as far as they are known, generally under the implementation heading. In some cases this means that developments with current development constraints are phased for later in the plan period. The risks are considered reasonable and we are

satisfied that the sites allocated can be delivered. There has been extensive consultation and engagement with service providers and developers/agents over the years and several developers have secured development options on proposed sites and thereby assisted with risk assessment. In some cases like south-west Thirsk (site TM2) it has gone as far as masterplanning and undertaking the various assessments (e.g. physical, transport and infrastructure). Indeed this site, known as the Sowerby Gateway Project, was awarded Government funding in 2009 through the Renewable and Low Carbon Planning Performance Agreement (PPA) Programme operated by the Advisory Team for Large Applications (ATLAS) and Homes and Communities Agency (HCA) and a consultancy team has been appointed to assist. The North Northallerton Development area (site NM5) has also recently been awarded £70,000 from the Rural Masterplanning Fund from CLG and defra towards preparing a masterplan and brief (See Rural Masterplanning Fund Winning Projects February 2010 [NCD68]). Despite the recent recession and current problems in the housing market, several developments are at the stage of being ready for a planning application submission and pre-application discussions are taking place. This clearly helps in showing risks in delivery are minimised.

d) How will the likely significant effects arising from the sustainability appraisal be monitored?

The Sustainability Appraisal (SA) Table 8.1 on page 115 [LCD117A] lists four key areas for monitoring, with an indication of what information is required, indicators and where the information can be obtained. This will be done through the Council's Annual Monitoring Report (AMR). Environmental Impact Assessment (EIA) should cover some of this in connection with major development proposals at the planning application submission stage.

6 Infrastructure

a) Annex 4 to the Allocations DPD sets out a strategic infrastructure plan. Much of this necessary infrastructure is to be provided by means of developer contributions. In addition, there are remediation costs, flood risk mitigation measures and other constraints to be overcome with certain sites. For housing sites there is also an expectation that a specified level of affordable housing will be provided. Has there been any assessment of whether, given the cumulative effect of these costs and contributions, the identified sites are likely to be viable and thus likely to come forward for delivery? Is it likely that the anticipated amount and distribution of affordable housing will be achieved?

Yes, much useful work in this respect has already been undertaken by the Council in commissioning background studies (e.g. for the North Northallerton Development area) and through consultation and engagement with service providers (eg water, drainage, education and transport). This dialogue is ongoing and the Local Strategic Partnership (LSP) has set up two infrastructure committees to assist the delivery of the Allocation sites. Potential developers of proposed allocated sites have also done much work to

show that the necessary infrastructure can be delivered (e.g. south West Thirsk site TM2) and this has helped inform plan making and resolve any problems.

The Proposed Submission Allocations Viability Studies [LCD107] advised on the economic viability of a selection of sites proposed in the Submission Allocations DPD [LCD199] across the District including major sites in each town, so as to ensure housing delivery. This was undertaken by John Stroughair who previously worked for a national house builder and advised on land valuations and the economic viability of housing site developments in Yorkshire. He appraised a selection of proposed sites, covering the major sites and ones in all the five towns and some rural sites, using standard house builder assessment methodology. This methodology is currently subject to further independent assessment by Philip Lee of District Valuer Services at the Valuation Office Agency in Leeds who undertakes housing site economic appraisals particularly in relation to affordable housing negotiations on planning applications for many councils in the region, including Hambleton.

Through this assessment of site viability it is expected that the levels of affordable housing indicated for the sites can be delivered through negotiation at the time of the planning application submission, provided landowners are realistic in negotiating their land price disposal. If there is a shortfall in affordable housing provision due to the particular site economics it is likely that the Homes and Communities Agency (HCA) would support gap-funding some developments in order to secure the desired level of affordable housing. They have indicated verbally a willingness to assist in this respect if future funding mechanisms permit.

b) Where there is an element of public funding for provision of necessary infrastructure, has this been identified in relevant programmes, and are the essential partners committed to delivery within the required timescale?

There is ongoing dialogue with key public sector funding agencies such as the Highways Agency, the HCA, North Yorkshire County Council and Yorkshire Water plc. The extent to which developments feature in their programmes varies and many cannot commit at this stage due to their mechanisms for bidding for funds, especially longer term. Yorkshire Water's latest Asset Management Plan does provide for early developments but for most other partners there are no formal agreements in place yet. This dialogue is ongoing and the Local Strategic Partnership (LSP) has set up two infrastructure committees involving key partners to assist the delivery of the Allocation sites.

7 Site Selection Process

The supporting documents for the submission DPD contain a large amount of information on the various sites, particularly for housing development, which have been considered during its preparation. Moreover the site selection criteria and process are set out in Annex 3 to the DPD. It would, however, be helpful to the examination for a background paper to be produced which clarifies, perhaps in tabular form, the basis on which the particular sites

allocated in the submission DPD have been selected. In particular this should address:

1. How far does each site satisfy the criteria of settlement character, accessibility, local issues and feasibility and to what extent, therefore, is it judged to be appropriate and sustainable?
2. How does each site meet other objectives, for example are they greenfield or previously developed land?
3. Do any of the selection criteria carry more weight?
4. How have the findings of the sustainability appraisal and consultation outcomes been taken into account in the selection of each site?
5. Where other considerations have come into play, for example the advantages of a package of sites, how have these have been balanced against the other criteria?

It will be particularly important to explain this selection process for those sites which were previously rejected, and have been found suitable for allocation in preference to other suggested sites.

See separate Background Paper. (To follow).

8 Alternative and Additional Sites

Please clarify whether any alternative sites to those included as allocations in the submission DPD have been proposed in representations, either as replacements for, or as additions to, the allocated sites. It would be helpful to give a unique reference number to each of these suggested alternative/additional sites, clearly linked to the relevant representation(s) and to plans showing the exact location and site boundary. In addition, please clarify whether each of these alternative/additional sites has been subject to sustainability appraisal and community involvement as part of preparation of the Allocations DPD, and if so, where in the evidence base the outcomes of these processes are documented.

Having read the summary representations and note the objections to particular allocations and the suggestions that alternative/additional allocations are included in the DPD. However, the Inspectors have not noted any representations about the development limits as drawn on the Proposals Map (except, by implication, in representations about particular allocations). Please can the Council confirm whether or not any representations have been received about development limit boundaries? If there are any such representations, then for each it would be helpful to be provided with a plan showing that part of the development limit in dispute.

There were several new sites submitted as set out in the attached table at Annex A, together with the required information and accompanying maps. (To follow).

9 Motorway Service Area (MSA) - (Allocation BC5)

We note that at least two proposals for an MSA along this length of the A1/A1(M), one of which appears to be for this allocated site, are to be considered at a public inquiry due to open on 25 May 2010. Having regard to the issues identified by the Inspector for that inquiry, including the availability of alternative sites which would meet any need which may be demonstrated for an MSA serving this length of the A1/A1(M), what in the Council's view are the implications for the soundness of the DPD of including this particular allocation?

This is a self-contained proposal with no impact or repercussions on other policies or proposals contained in the Allocations DPD or LDF. No other Plan proposals or allocations (or even the Development Limits) are linked to this proposal or are dependent on it in any way. It is subject to a current planning application to be considered at the forthcoming joint planning inquiry. The acceptability of the development will be considered in detail at that planning inquiry. The removal of this allocation from the Plan would not affect the soundness of the Allocations DPD. Furthermore, if the allocation did not exist, development proposals at the site would fall to be dealt with by the Council under national planning policies and adopted policies of the LDF in the Core Strategy and Development Policies DPD.