

Matter 6 – Meeting Housing Needs (Policies HG2, HG3, HG4 and HG6)

Issue 1 – Delivering the Right Type of Homes - Policy HG2

House Types and Sizes

- Q1. Is it clear to decision-makers, developers and local communities what is required of applications for planning permission under Policy HG2(f)?**

Council's response

The policy is clear in its expectations. Housing need is ever changing and to enable the Council to update its evidence regularly, Policy HG2 refers the reader to the latest Strategic Housing Market Assessment (SHMA) for full details on the housing mix required. As outlined in paragraph 5.26 of the Local plan the Council also intends to produce a supplementary planning document (SPD) on size, type and tenure of new housing. Having this information in an SPD rather than the Local Plan policy itself will enable the Council to quickly and effectively update evidence on housing needs.

- Q2. Is the policy flexible enough to allow for circumstances where it may not be possible to provide a certain size or type of dwelling, due to site constraints for example?**

Council's response

RM2 sets out the Council's expectations regarding delivery of homes of a type and size that are in accordance with nationally described space standards and technical standards for accessible and adaptable, and wheelchair accessible homes. The approach set out within the policy is that the Council will be supportive of development proposals that comply with these requirements. If a developer were able to identify circumstances that prevented compliance with these policy requirements the Council would be in a position to consider such proposals as a departure from the Plan. Such flexibility is referred to presently within paragraph 5.29 of the Plan.

- Q3. What is the justification for considering market conditions in Policy HG2(f)?**

Council's response

The Council consider that allowing consideration of market conditions in assessment of an appropriate range and mix of housing on a given site within criterion f. of Policy HG2 is important to enabling applicants to prepare viable development proposals. There may be circumstances where evidence of housing needs alone would lead to a potential housing mix that is not aligned to the anticipated market conditions and therefore demand for homes on a given site. The criterion is therefore important in providing sufficient flexibility to application of the policy.

- Q4. What is the justification for suggested modification M30 and M31? Are they necessary for soundness?**

Council's response

Modification M30 was made following a representation and removes reference to consideration of a sites ability to accommodate a mix of housing. The policy continues to establish that housing proposals will be considered for provision of a range of house types and sizes. However, the modification has been proposed in response to avoid the potential for misunderstanding of the Council's intentions and that it is recognised

that for some sites particularly for a very small number of homes it would not be possible to accommodate a mix of housing types.

Modification M31 was again made following a representation and is intended to reinforce and support understanding of the Council's justification for establishing standards for housing size and accessibility.

The Council does not consider either modification would alter the purpose or interpretation of policy within the Plan so does not consider the changes necessary for soundness. Reflecting this, the Council does not consider the proposed modifications to be a main modifications.

The *Inspectors' Initial Questions* asked what the justification is for Policy HG2(i), which requires 10% of all dwellings on major schemes to be 2-bedroom bungalows. In response, the Council referred to, amongst other things, evidence contained within the *Strategic Housing Market Assessment ('SHMA')*, dated January 2016. SD18 Within the SHMA, reference is made to discussions with local agents who highlighted unmet demand for bungalows. This was largely due to older people staying in existing housing and from retired households seeking to downsize.

- Q5. What evidence can the Council point to which 1) identifies a market demand for bungalows, and 2) justifies 10% of all major housing schemes built as 2-bedroom bungalows? Is the policy requirement supported by appropriate, robust evidence?**

Council's response

As previously referred to, the Council considers that the evidence provided within the Strategic Housing Market Assessment, January 2016 (SD18) and the September 2016 update (SD19) (SHMA) demonstrates the demand for bungalows within Hambleton. Whilst the SHMA suggests that the comments of agents cited this unmet demand to be arising as much from elderly households failing to move as much as overall numbers – the Council consider this nevertheless verifies that there are not sufficient bungalows available in the District to address demand requiring a suitable policy response.

Bungalows, particularly smaller 2 bed bungalows are identified within the SHMA as an important product to help meet the needs of a growing elderly population in Hambleton. Overall housing sizes explored at Table 67 of the SHMA identify a need for 40% of all dwellings to be 2 bed. Such bungalows – subject to tenure and the wider package of measures included within the local plan regarding housing standards – provide older residents with a far greater chance of maintaining independent living for longer as mobility decreases. As clearly outlined within the SHMA, Hambleton already has a greater proportion of residents aged over 60 than the average across North Yorkshire and a large population of residents aged over 45 years of age. During the Plan period it is demonstrated at Table 17 of the Local Plan that all population growth in Hambleton over the Plan period will arise from those aged over 60 and above, with the greatest nominal and percentage increase in population in the over 75s.

In this context of the additional delivery of bungalows that are already acknowledged to be in high demand, as part of housing delivery required to meet a growing elderly population is a clear and important requirement of development.

Internal Space Standards

- Q6. What evidence can the Council point to which justifies the need for all new homes to meet the nationally described space standards, as required by footnote 46 of the Framework?**

Council's response

The Council's justification for introduction of the Nationally Described Space Standards (NDSS), rests on the evidence included within the Strategic Housing Market Assessment, January 2016 (SD18). The Council has also noted concern in recent years over the poor standard of homes secured as part of s106 agreements for the provision of affordable housing the same is true of smaller market homes. Introduction of a minimum space standard that is recognised by Government as an appropriate size of home to provide accommodation fit for habitation is therefore considered of key importance to the Council. It is additionally noted that Government has signaled its intention that homes created under permitted development rights should be required to comply with the NDSS. It is therefore sensible in the Council's view for the same standards to be required for homes delivered through a planning application.

Accessible and Adaptable Homes

In response to the *Inspectors' Initial Questions* the Council pointed to the expected increase in the number of older people in Hambleton, and the number of Disabled Facility Grants, as justification for requiring all new homes to meet Building Regulation M4(2) standards. The PPG advises that there is a wide range of published official statistics and factors which local planning authorities can consider and take into account. This includes:

- The likely future need for housing for older and disabled people;**
- The size, location, type and quality of dwellings needed to meet specifically evidenced needs;**
- The accessibility and adaptability of existing housing stock;**
- How needs vary across tenures; and**
- The overall impact on viability.**

- Q7. In considering the need for all dwellings to meet Building Regulation M4(2) standards, how has the Council considered the size, type and quality of dwellings needed, the accessibility and adaptability of existing housing stock and how needs vary across tenures?**

Council's response

The evidence available to the Council regarding the proposed application of technical standards is established within the SHMA (SD09). The Council's view is this approach is in keeping with the guidance established within Planning guidance for Optional Technical Standards that set out potential sources of evidence a Local Authority can have regard to. As such, whilst this document does not consider in detail the existing housing stock, the Council consider the findings establish that the needs of a growing elderly population highlight the scale of need for accessible and adaptable homes in the District. The Council has also taken account of the implications for viability of introduction such a standard.

The evidence included in the SHMA highlights that firstly the population of older persons in Hambleton is expected to grow by 52.2% to 2035 (Table 50) and the population with mobility problems growth by 80.2% (Table 51). Further to this the number of households containing someone with a health problem is projected to rise

by 24.5% (Table 52). Finally, the SHMA considers the probable need for specialist housing of all types and concludes that growth in the elderly population is likely to generate a need for an additional 1,423 specialist units.

- Q8. Policy HG2(h) states that as part of large scale developments (defined as 200 dwellings or more or over 4 hectares in size) a 'proportion' of homes will be expected to meet Building Regulation M4(3) standards. What is the justification for only requiring such standards on 'large scale' developments?**

Council's response

The Council recognise that there are particular viability implications for the introduction of M4(3) wheelchair accessible homes. Informed by the analysis of viable development established within the Whole Plan and Community Infrastructure Levy Viability Assessment (SD01) the Council considers that a threshold of 200 dwellings is an appropriate point at which such requirements can be imposed.

- Q9. Based on the number of large scale housing proposals allocated in the Local Plan (without planning permission) how many wheelchair adaptable dwellings are expected to be provided? How does this compare to the identified need?**

Council's response

Taking the identified total delivery from allocated sites over 200 dwellings, two allocations exceed this scale – NOR1 at Northallerton and STK1 at Stokesley. In combination the gross capacity of these sites was 810 homes with a certain number already permitted at each site, leaving a further 590 homes to be permitted in total. Based upon the Council's most recent assessment of requirements for provision of M4(3) dwellings; 9% of market homes and 30% of affordable homes would be expected to meet M4(3) optional technical standards. Assuming a policy compliant affordable housing provision is achieved at each site of 30% this would mean that there would be 53 affordable homes required to comply with M4(3) and 37 market homes.

In comparison, the SHMA establishes that between 2014 and 2035, the number of residents in Hambleton suffering from mobility issues will increase by 3,093 individuals to 6,949 in total. All these individuals are at greater risk of trips and falls that could lead to severe injuries and result in the need to use wheelchairs, and other mobility aides. The contribution that can be made to this need by new development is consequently very small in comparison to need but is a vital that some provision is secured through this means to assist in addressing the issue.

- Q10. The supporting text to Policy HG2 states that the precise levels of need for dwellings built to M4(3) standards will 'vary'. Is it sufficiently clear to decision-makers, developers and local communities what is expected of applications for planning permission? Is the Local Plan consistent with paragraph 16 of the Framework in this regard, which states that Plans should contain policies that are clearly written and unambiguous?**

Council's response

In the Council's view it is the case that the requirement for M4(3) a. wheelchair accessible dwellings will vary depending upon specific requirements at the time. Planning guidance is clear that policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. As such, the precise requirement for a wheelchair accessible home must be determined in accordance with the Authority's

ability to nominate a person to live in that dwelling, a requirement which is likely to vary over the Plan period.

- Q11. Taking into account the answers to the questions above, what is the justification for suggested modification M103? Is this necessary for soundness? Subject to suggested modification M103, how would a decision-maker determine what proportion of dwellings should be built to Building Regulation M4(3) standards?**

Council's response

The proposed modification at M103 to remove reference to the current proportion of homes to M4(3) that the Council would seek has been proposed to avoid undue conversion over the life of the Plan regarding the actual level of provision that would be sought from development. The Council intends to develop and publish a supporting paper as part of its regular updates to housing requirements and within its Monitoring Report that would identify for a decision maker current requirements for M4(3) standards. However, even with such evidence applicants and the decision-maker will be required to work with the Council's housing officers to establish an understanding of what proportion of homes can be defined as M4(3) wheelchair accessible at the time of a planning application.

Older Persons Accommodation

- Q12. In its response to the *Inspectors' Initial Questions*, the Council identified a requirement for 1,423 additional specialist homes for older people over the plan period. It also identified a need for 505 additional care bed spaces for the institutional population. How does the Local Plan ensure that these needs will be met?**

Council's response

The Council seeks to meet this specialist requirement through each of the specific provisions set out within HG2 of the local plan. This is in response to the analysis within the SHMA (SD18) that establishes the identified requirements for 1,423 specialist units and 505 additional care bed spaces.

The range of products available to meet specialist accommodation requirements are wide ranging and have evolved substantially over recent years. Frequently such provision in Hambleton has taken the form of traditional sheltered housing but is expected to evolve to include other forms of delivery including extra care housing and other forms of general market and affordable homes that are capable of meeting the needs of a growth in elderly population.

In this regard, the provision set out within policy HG2 for 10% of all development to be for 1 and 2 bed bungalows and the introduction of optional technical standards M4(2) and M4(3) respond directly to this identified requirement. Successful introduction of both these policy requirements will enable many elderly households to delay or avoid the need to move into more institutionalised settings, providing a form of housing that the SHMA indicates is popular for older households.

Meanwhile, in relation to the need for additional care bed spaces criterion HG2 (c) establishes support for such developments. The overall level of need across the Plan period is capable of being met without the need for specific sites to be allocated with a mix of affordable and private care home providers expected to meet this demand from expansion and development of individual sites within existing settlements.

- Q13. Does Policy HG2(c) provide an effective mechanism to ensure that development proposals contribute towards meeting the need for older persons accommodation, where required?**

Council's response

Policy HG2 (c) expresses the Council's support for the consideration of proposals for specialist accommodation; it does not seek to specifically require specialist accommodation from developers. However, more generally the council is clear that Policy HG2 provides a framework within which specialist housing and housing for older people can be considered. Where considering the forms of affordable housing that may be appropriate as part of a proposed housing development; the decision maker will work directly with the applicant and housing officers to secure a form of housing that addresses all forms of housing needs. This is likely at times, where particular requirements are established, to include provision of affordable homes suitable for older people and extra care accommodation.

- Q14. What is the justification for only supporting specialist accommodation in market towns and service villages?**

Council's response

The underlying purpose of limiting positive support to such development types to Market Towns and Service Villages is to ensure that larger care homes and other extra care facilities are developed in locations that are readily accessible to public transport and a range of facilities and services, and that are likely to be of a scale that can be accommodated by the settlement. The Council does not consider the specific support given in this part of the policy would prevent, within secondary villages and other villages, proposals for a supported bungalow or other small scale specialist accommodation.

Self-Build and Custom Housing

- Q15. Has the Council identified a need for self-build and custom housebuilding? If so, how does the Local Plan meet this need?**

Council's response

Yes, the council has identified a need for self-build and custom housebuilding. From the SHMA, January 2016 (SD18), a need for 153 self-build plots across Hambleton is identified. As of September 2020 there are 213 households on the council's self and custom build register. It is the Council's assessment that 440 serviced plots suitable for self or custom builders have been permissioned since the Register was established. Of these some 351 plots are yet to be built. This is sufficient to meet the Council's current needs for self and custom build homes. The majority of these permissions have been smaller, windfall developments across the rural area.

In preparation of the Plan, and in accordance with national policy and guidance the Council has taken the scale of interest in the Register as evidence of demand for such housing delivery in Hambleton. In response to the identified need, the Council has set out its intentions within the Local Plan to work alongside developers, registered providers, landowners and any other relevant individuals or groups to secure delivery of sufficient self and custom build plots to meet total demand. This objective is outlined through criteria b. of Policy HG2 in the Local Plan.

Paragraph 5.30 of the supporting justification to the Plan outlines the Council's expectations regarding the potential delivery of most self-build and custom housing as part of mainly small-scale residential development in rural areas. However, the Council will work to encourage developers across a range of sites to consider the inclusion of self-build or custom build plots.

Reflecting the Council's expectation that much if not all of Hambleton's needs for self and custom build plots would continue to be met through small scale windfall development, Policy HG6 Windfall Development provides a positive framework for such applications to be considered and further plots to be permissioned.

- Q16. Is the intention to 'work with' various groups under criterion b. effective with regard to the delivery of self and custom build homes? How will the Council encourage the provision of plots for this type of housing, as set out in paragraph 5.30?**

Council's response

Yes, the Council's proposed approach to work positively with the development industry to support the delivery of self-and custom build housing is a positive approach to supporting the delivery of sufficient serviced plots of land. In relation to the evidence of need, current availability of land and anticipated characteristics of sites to deliver the majority of these plots the need can be met through the current approach.

To understand the delivery for self and custom build homes an assessment must be required as stated in paragraph 61 in the NPPF. The Hambleton Self and Custom Build Register 2020 website provides various groups the opportunity to register their interest or acknowledge where available self-build plots are, allowing for the Council to assess the nature of demand in the District.

Given the scale of demand within Hambleton and current availability of potential plots, the Council believes its approach to self-build and custom housebuilding sets an appropriate positive framework for the provision of suitably serviced plots to be considered. As appropriate the Council in reviewing its own land availability, its general engagement with partners in the development industry and as part of the consideration of planning applications will seek and make reference to consideration of the provision of such plots as part of development proposals.

These discussions will be supported by the Council's Housing Strategy team who maintain the Register and are regularly involved in discussions regarding the form and type of housing products to be delivered to help meet housing needs in Hambleton. Through the assistance the Council offers to Registered households, the easing of buying Self-build plots may potentially increase interest and local demand for self-build plots creating a better and more attractive market for suppliers.

- Q17. In summary, has the Council assessed the size, type and tenure of housing needed for different groups in the community and is this adequately reflected in the Local Plan, as required by paragraph 61 of the Framework?**

Council's response

The Council has assessed the size, type and tenure of housing need required in the District, with the key findings relating to this set out within Strategic Housing Market Assessment January 2016 (SD18) and the September 2016 update (SD18.1). The further requirements for the total level of growth has been updated in accordance with the government's latest preferred methodology as outlined within the Housing and Economic Needs Assessment 2018 (SD08) and its 2019 update (SD09).

The Council has assessed the economic viability of development within the District to support delivery of such housing types size and tenure through the Local Plan Area Wide Viability Assessment (SD01). For affordable housing requirements in particular, this evidence has helped establish a deliverable affordable housing requirement for new development in Hambleton.

NPPF establishes at paragraph 61 that in the context of determining the minimum number of homes needed the size, type and tenure of housing needed for different groups should be assessed and reflected in planning policies.

Informed by the above evidence, the Council considers that its approach to the minimum number of homes needed in Hambleton has reflected evidence of the needs of differing groups. Meanwhile requirements for specific size, types and tenures of homes are met in other policies of the plan: Policy HG2: Delivering the right type of homes, Policy HG3: Affordable housing, Policy HG4 Housing Exception Sites and HG6: Gypsies, Travellers and Travelling Showpeople. The approach the Council has taken in setting out the policy requirements for such housing gives specific regard to the needs of key groups in Hambleton particularly the growing elderly population, custom and self-build, specialist housing, single person shared accommodation and community led housing.

Issue 2 – Affordable Housing Requirements - Policy HG3

- Q1. What is the justification for requiring 30% affordable housing on qualifying sites? What is this based on, how was it calculated and what alternatives were considered?**

Council's response

The justification for 30% affordable housing on qualifying sites is based on the recommendations of the Strategic Housing Market Assessment (SHMA) (SD18) and the Housing and Economic Needs Assessment (HEDNA) (SD08), informed by the Whole Plan Viability Assessment (SD01).

The SHMA informed the decision, following the Issues and Options consultation in 2016, to identify 30% as the preferred option for the percentage of affordable housing to be sought, subject to further assessment of viability. The Preferred Option Consultation (CD02) therefore identified 30% in Preferred Option 24.

In arriving at the preferred option the council considered the evidence available at the time including information about affordability and recent delivery of affordable housing both in terms of numbers of affordable homes and percentages achieved on recent development. It was the council view that the evidence the percentage of affordable housing sought should be as high as was viable so as to help address the increasing affordability ratio, but that it would be less than the 40% or 50% sought by policies in the existing development plan.

The HEDNA recommended that the local plan include requirements for 10% affordable home ownership products and a minimum of 20% affordable rented homes.

The Whole Plan Viability Assessment included 30% affordable housing in the assessments of viability, as well as lower percentages for those cases where the results suggest that 30% affordable provision may not be viable.

- Q2. Based on the requirements for qualifying developments to provide 30% affordable housing, how many affordable homes is the Local Plan expected to deliver?**

Council's response

Existing commitments will deliver 122 affordable homes, the net number of homes to be delivered from Local Plan Sites amounts to 1,712 dwellings, of which 30% will be affordable which equates to 514 dwellings, giving a total of 636 affordable dwellings.

- Q3. How does this compare to the identified need?**

Council's response

In the HD21 Housing Update Assessment (p.10) it was noted that:

“Recent work on affordable need in the June 2018 Housing and Economic Needs Assessment (HEDNA)13B in support of the emerging new local plan has identified a lower requirement of 55 affordable units per year. This is for the period 2016 to 2035, the end of the new local plan, the HEDNA envisages that 1,048 affordable units will be provided.”

13B HDC HEDNA June 2018.,section 6.23 p.56

Between 1/4/14 and 1/4/20, there were 766 affordable completions, with current commitments and those from the new local plan allocated sites of 636 affordable dwellings, it is envisaged that by the end of the plan period a total of 1,402 affordable will have been provided.

Q4. How does this compare to previous performance? How many affordable homes have been provided as a percentage of total output over the past 5-10 years?

Council's response

Affordable Completions 2004 – 2020

Year	Dwellings completed which are Affordable		Gross Completions for year
	Gross	Percentage	
2004/2005	22	10%	218
2005/2006	74	18%	405
2006/2007	104	27%	387
2007/2008	117	28%	418
2008/2009	70	23%	303
2009/2010	45	20%	227
2010/2011	92	33%	280
2011/2012	19	11%	178
2012/2013	43	29%	150
2013/2014	40	21%	194
2014/2015	111	35%	317
2015/2016	112	31%	367
2016/2017	172	30%	565
2017/2018	64	15%	416
2018/2019	92	19%	474
2019/2020	205	31%	652
Totals	1382		5551
Plan period average	86	25%	347

Source : HDC Planning Policy

This is an updated version of Figure 2.6 in the HD21 Housing Assessment Update (p.10) It contains a full year of completion data for 2019/2020

The affordable completions since 2010 totalled 868 dwellings, 26.2% of the total
The affordable completions since 2015 totalled 655 dwellings, 26.4% of the total

The Council's response to the *Inspectors' Initial Questions* and the *Whole Plan and Community Infrastructure Levy Viability Assessment*¹⁹ suggest that allocations GTA1, LEB1, LEB2 and SOT1 are not viable when the 30% affordable housing requirement and all other policy requirements are included. The Viability Assessment also identifies a number of development scenarios that would not be viable if required to provide 30% affordable housing.

- Q5. Is the 30% affordable housing requirement in Policy HG3 therefore justified? Should the affordable housing requirement be varied to reflect differences in viability across the plan area and/or by type of housing?**

Council's response

It is acknowledged that the viability of the sites across the district vary. In some parts of the district with the lowest property value housing developments are less viable. However the Community Infrastructure Levy Viability Assessment¹⁹ provides an assessment that does not acknowledge some factors that improve viability. The council together with housing partners are reviewing transfer prices are expected to increase, this will improve the viability of affordable housing. There is also an opportunity to consider on a site by site basis how development types to can be designed to improve viability. Taking in to account detailed design work on matters such as density and layout and on the basis of feedback from landowners the Council consider that in each case that the sites are viable at 30% affordable housing.

Notwithstanding the above remarks HG3 includes a provision for a reduction to a lower level of provision if the scheme cannot be made viable, but this will follow consideration of alternative types or mixes of affordable home ownership and a reduction in provision would require a viability assessment to be undertaken.

- Q6. Paragraph 5.47 of the Local Plan states that where affordable housing is provided at less than 30% on approved schemes, the Council will reserve the right to reappraise viability. Is it clear to decision makers, developers and local communities how this will work in practice? For effectiveness, should the policy be explicit about this requirement?**

Council's response

The Council is preparing a Housing Supplementary Planning Document which will make clear the reappraisal process. Where the developer/landowner is proposing below the 30% target it should be made clear that they will be expected to provide a financial appraisal at their cost to justify their proposal. It

is proposed a modification is made to the Local Plan to make this requirement explicit.

- Q7. The Council's response to the *Inspectors' Initial Questions* suggests that affordable housing transfer prices have increased since the Viability Assessment was carried out. What is the latest position on transfer prices and how are any changes likely to affect the viability of housing proposals over the plan period?**

Council's response

As noted in response to question 5 above the council are pursuing a revision to transfer prices. This has been consulted upon but has not come in to effect at this time. The transfer prices are indicated to increase and this will improve viability for developers of housing schemes that provide affordable housing.

- Q8. What is the justification for suggested modifications M32-M38? Why are they necessary for soundness?**

Council's response

The justification for suggested modifications for M32-M38 were required due to representations received following consultation of the publication version of the local plan, for clarification purposes, correction in typing errors and to ensure that the policy and text is closer in line to reflect national planning policy. Therefore it is considered these changes are felt justified in order to produce an effective local plan and the modifications are deemed necessary for the purposes of soundness.

- Q9. What are the timescales for the publication of the Council's *Housing Supplementary Planning Document* ('SPD'), and what is the justification for requiring proposals to accord with its requirements through Policy HG3?**

Council's response

The Housing Supplementary Planning Document (SPD) will support Policy HG3 of the local plan. The proposals in the SPD would add further clarification to delivering affordable housing requirements for the district. The document shall be published post adoption of the local plan.

- Q10. What is the justification for suggested modification M99? Why is it necessary for soundness?**

Council's response

Modification M99 is required to correct typing errors and for clarification purposes. Therefore it is considered these changes are felt justified in order to produce an effective local plan and the modifications are deemed necessary for the purposes of soundness.

Issue 3 – Housing Exception Schemes - Policy HG4

Entry-level exception schemes

- Q1. Is Policy HG4 consistent with national policy set out paragraph 71 of the Framework in relation to entry-level exception schemes?**

Council's response

With respect to paragraph 71 of the Framework it is considered that Policy HG4 Housing Exception Schemes is consistent with national policy. The policy recognises that Entry level homes should be on unallocated land along meeting the requirements of an up to date local housing needs assessment. The policy also acknowledges that this type of scheme is for affordable housing purposes and suitable for first time buyers or first time renters as stated in criteria b of this policy. In terms of site size as stated in criteria b and footnote 33 of the Framework the policy HG4 states that sites need to be limited to no more than 1 hectare in size or consist of no more than 5% of the number of homes in the existing settlement, and would be based on the most recent data available from the Council.

It is further considered that Policy HG4 is consistent with paragraph 71 Footnote 34 of the Framework as it recognises that entry level exception sites would not be supported in the Howardian Hills or Nidderdale AONBs, or the York Greenbelt or any other circumstances where the proposal would compromise the protection given to the assets of particular importance identified in the NPPF.

- Q2. How will local needs be determined for the purposes of Policy HG4(a) and (d)? Does the 'local area' relate to the settlement, the Parish or wider area?**

Council's response

A local needs assessment will be undertaken to identify housing need in local areas.

In terms of 'local area' this would be based on a cluster of villages in the case of a parish or parishes with small populations, or a single larger parish. The area of assessment may also vary depending on the proximity to a market town.

- Q3. Is it clear to decision makers, developers and local communities what is required of a local needs assessment and who will be expected to carry it out?**

Council's response

The assessment would identify current household sizes and dwellings, future need including what size, type and tenure of units are required. Other questions include whether the need is for affordable or open market units, interest in self-build and custom build plots and what land is available/suitable for schemes.

The local needs assessment would normally be undertaken by a Rural Housing Enabler or through the offices of the Housing Officer at the Council. The Rural Housing Enabler may work with or on behalf of the Parish Council.

The proposed modifications M40 provides clarity that the survey will be completed by the council.

Q4. What is the justification for suggested modifications M39-M43? Why are they necessary for soundness?

Council's response

Modifications M39-M43 are required to correct typing errors and to provide clarification to ensure that the policy is consistent with national policy. Therefore it is considered these changes are justified in order to produce an effective local plan and the modifications are deemed necessary for the purposes of soundness.

Rural Exception Schemes

Q5. Is Policy HG4 consistent with national policy set out in paragraph 77 of the Framework, which states that local planning authorities should consider whether allowing some market housing would help to facilitate affordable housing to meet identified local needs as part of rural exception sites?

Council's response

It is acknowledged that paragraph 77 of the Framework supports opportunities for rural exception sites and to consider allowing market housing on these sites. Policy HG 4 Housing Exception Schemes has taken the guidance from paragraph 77 and has included it within the policy by recognising that sites should provide 100% affordable housing, however also where it is essential to enable the delivery of affordable housing, it may be considered appropriate to include an element of market housing. Therefore it is considered that this policy meets the requirements of paragraph 77 of the Framework.

Q6. What is the justification for criterion (f), which applies to rural exception schemes but not entry-level exception schemes?

Council's response

Criteria f. should be used in both sections of this policy to cover rural exception schemes and entry level exception schemes.

Q7. Paragraph 5.56 of the Local Plan states that Policy HG4 allows for small sites adjacent to the main built up areas of settlements to be developed for affordable housing. For effectiveness should the scale of development which is intended to be allowed, and the relevant settlements, be identified in the policy?

Council's response

For clarification purposes a minor word change to paragraph 5.56 is suggested to read;

.. This allows ~~small~~ sites which meet criteria 'f' of the policy, adjacent to the main built up part of the settlement to be developed for affordable housing to meet identified housing needs as an exception to normal policy....

This policy applies to all settlements. Rural exception sites are supported where development would not usually be supported as it provides 100% affordable housing to meet an identified need and this applies to all settlements in the district this allows sites that meet criteria f of the policy adjacent to the main built up part of the settlement.

Replacement Dwellings in the Countryside

- Q8. What is the justification for stating that the Council will remove permitted development rights where a new or replacement home is proposed in the countryside? Is this consistent with the PPG²⁰ which states that such conditions may not pass the tests of reasonableness or necessity?**

Council's response

The PPG guidance for planning conditions is identified in PPG paragraph 17.
Reference ID: 21a-017-20190723.

PPG paragraph 17 sets out tests for the removal of permitted development rights providing such a condition would meet the test of reasonableness or necessity, and within the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Policy S5 Development in the Countryside justification text for the removal of permitted development rights is explained in paragraph 3.54 of the Local Plan (Core Doc Ref LP01).

The justification text explains that the Council do not seek to prevent a home from being extended but wish to have due regard to the size and nature of any such proposal given its countryside location. It is considered that a blanket removal of all permitted development rights may not be appropriate or necessary although there may be certain restrictions placed upon such development. Each application would be dealt with on its own merits.

The council is aware of its powers to remove permitted development rights under Article 4 of such Act, along with the tests set out in paragraph 55 of The Framework.

- Q9. Is Policy HG4 consistent with paragraph 79 of the Framework, which states that planning policies should avoid the development of isolated homes in the countryside unless one of the criteria (a) to (e) apply?**

Council's response

Policy HG4 relates to Housing Exception Schemes as set out in the local plan (Core Doc Ref LP01). The policy allows for homes beyond the built up areas of settlements and in the countryside under a series of circumstances.

Entry-level exception schemes are to be adjacent to the built form of a defined settlement and will not therefore be isolated homes.

Rural exception schemes are also required at HG 4 f. to respect the appearance of the existing settlement; it is implicit that the rural exception scheme is envisaged to also be adjacent to the built form of a defined settlement. However the policy could be made clearer by inserting adding this requirement: "A proposal for a rural exception scheme will be supported where it is adjacent to the built form of a defined settlement and where it is demonstrated that:"

Homes for rural workers are only to be permitted when they are essential and this reflects the tests at 79a) of the Framework.

Replacement of existing homes in the countryside would not increase the number of homes and is consistent with sustainability principles and would not be consistent with 79c) if failure to replace the existing home would result in it becoming redundant or disused. The replacement of an existing home in the countryside is considered to be consistent with 79c).

Exceptional design quality is consistent with 79e).

It is acknowledged that there is an error in the justification text paragraph 5.61 which states 'permanent dwelling will only be granted where the criteria set out in this policy (a to e) have been met.'

It is considered that this should read: 'permanent dwelling will only be granted where the criteria as set out in this policy S 5 criteria (a to e) have been met.' This amended is sought as a minor modification for clarification purposes and for the effectiveness and consistency of both policies S5 and HG4 of the Local Plan.

Issue 4 – Gypsies, Travellers and Travelling Showpeople Accommodation – Policy HG6

- Q1. The response to the *Inspectors' Initial Questions* confirms that the Council is in the process of undertaking an updated Gypsy and Traveller Accommodation Assessment (GTAA). What are the expected timescales for completion of the assessment?**

Council's response

The GTAA report has been completed, however a separate capacity study, also referred to as a Pitch Deliverability Assessment, is to be completed shortly and submitted as soon as possible but this may not be in time to allow proper consideration before the programmed hearing date. The council understands

that a further session may be needed after the current programme for consideration of the completed work.

- Q2. In the event that the updated GTAA identifies an additional need for pitches or plots, how does the Council anticipate meeting this need?**

Council's response

The GTAA report does identify a need for additional pitches and plots that are not addressed in the current Local Plan Gypsy and Traveller Policy. However, the emerging outcomes for the new GTAA also suggest that the majority of the additional need can be delivered on existing Gypsy and Traveller sites and Travelling Showmen's yards in Hambleton, and that it is unlikely that any new call for sites will be required to address the identified need. A Pitch Deliverability Assessment over the next few weeks will be undertaken to identify the levels of current and future need that can be met on individual private sites in Hambleton. This work will be completed by the consultants who have been responsible for completing the new GTAA and will follow a methodological approach that has been supported by Inspectors at other Local Plan Examinations, nationally.

- Q3. Does the Plan identify a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against a locally set target as per paragraph 10(a) of the PPTS and footnote 36 of the Framework? In responding, could the Council provide an up-to-date trajectory of the supply?**

Council's response

The Gypsy and Traveller Policy in the submission Local Plan does not now identify a supply of specific deliverable sites to provide 5 years' worth of sites against locally set targets as required by the PPTS as it was based on the previous GTAA. However, it is anticipated that the outcomes of the Pitch Deliverability Assessment set out above will allow for suggested allocations to be identified which will be submitted as proposed Main Modifications to the Gypsy and Traveller Policy prior to the examination hearing session considering the revised policy and allocations.

- Q4. Is Policy HG6 positively prepared, justified, effective and consistent with national planning policy as set out in paragraph 61 of the Framework?**

Council's response

It is considered that Policy HG6 is positively prepared, justified and consistent with national planning policy as set out in Paragraph 61 of the Framework. The outcomes of the new GTAA will provide the Council with a robust and up-to-date new local evidence base that will allow the Council, through proposed Main Modifications to Policy HG6, to robustly plan for the size, type and tenure of housing that will be needed in Hambleton to address the needs of Gypsies, Travellers and Travelling Showpeople.

- Q5. What is the justification for suggested modifications M29, M45 and M46?**

Why are they necessary for soundness?

M29 to ensure consistency with paragraph 61 of the Framework and PPTS.

M45 to include the anticipated future need, over the plan period, in 5 year intervals in accordance with Policy B of the PPTS.

Both M29 and M45 are necessary for soundness, to ensure consistency with national policy.

M46 is not necessary for soundness, but was re-written to simplify the text.