

Examination of the Hambleton Local Plan

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Dear Mr Campbell,

1. We write regarding the Council's Gypsy and Traveller Accommodation Assessment ('GTAA') (Examination Document L016) and the associated Pitch Deliverability Assessment (Examination Document L017). Both documents have now been completed and the purpose of this letter is to assist in identifying possible ways forward for the examination.
2. As you will recall, the Council undertook to prepare these documents as you acknowledged that the evidence underpinning the Local Plan was out-of-date. It was agreed that once the documents were complete, they would be subject to public consultation and, if necessary, may lead to further hearing sessions. We also requested the preparation of a note explaining the implications of the updated evidence for the soundness of the Plan, in addition to any Main Modifications that may be required as a result.
3. The Council has now stated that upon review of the latest evidence, Policy HG6 (relating to windfall development proposals) could be used to address the needs identified in the GTAA. However, the updated GTAA identifies a need for 65 pitches for gypsies and travellers between 2020 and 2035, with 47 pitches required before 2024. This is a significant and seemingly pressing need that the Local Plan currently makes no provision for. In order to be sound, paragraph 35 of the National Planning Policy Framework is clear that Local Plans need to be positively prepared in meeting an area's objectively assessed needs.

4. The national Planning Policy for Traveller Sites also requires local planning authorities to identify, and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against locally set targets. In response, the latest evidence suggests that 44 out of the 47 pitches required by 2024 could be provided through the intensification or expansion of existing sites. However, to be considered deliverable, sites should be available now, offer a suitable location for development and be achievable with a realistic prospect that development will be delivered within five years. At this stage, it is uncertain whether the sites requiring expansion or intensification will come forward, or, that planning permission will be granted having regard to site constraints and other Local Plan policies. Moreover, the Pitch Deliverability Assessment does not look beyond 2024. As a result, there is insufficient evidence to conclude that appropriate windfall sites will provide a reliable source of supply over the Plan period.
5. In summary therefore, without an identified supply of deliverable sites we are concerned that relying solely on windfall proposals will not meet the needs for gypsies and travellers and travelling showpeople defined by the GTAA. In the absence of a positively prepared strategy, this aspect of the Plan is unsound.
6. In seeking to move the examination forward, we consider that there are three broad options available to the Council at this stage. They are:
 - Modify the submission version Local Plan to identify specific sites suitable to meet the identified need, either through the intensification or expansion of existing sites and/or the allocation of new ones.
 - Modify the submission version Local Plan to include a commitment to carry out an urgent review (within 6 months of adoption) and include a timetable for submission any subsequent update.
 - Prepare a separate Gypsy and Traveller and Travelling Showpeople Development Plan Document ('DPD'). This would include a strategy to meet identified needs and consider windfall proposals against. It would therefore be necessary to delete Policy HG6 from the submission version Local Plan, with all matters relating to gypsies and travellers and travelling showpeople contained within a separate DPD.
7. We understand that the Council will want to reflect the on the content of this letter. Upon reflection, there may also be other options available that the Council wishes us to consider. At this stage therefore, we do not believe that it would be an effective use of time and resources to consult on the GTAA and Pitch Deliverability Assessment without first understanding the Council's preferred way forward. Setting out a preferred option now will allow for a more focused consultation and reduces the risk of requiring further hearings or multiple rounds of consultation on main modifications at a later date. In considering ways forward, the Council should have regard to the equality impacts of the Plan in accordance with the Public Sector Equality Duty, contained in Section 149 of the Equality Act 2010.

8. Aside from the GTAA, we understand that the remaining documents (such as the SA Addendum) are now complete. To make the most effective use of time, our recommendation would be to consult on the remaining documents as planned. Likewise, you will recall that a small number of representors were missed from the initial hearing notifications issued in September 2020. Whilst the Council considers its position on the matters above, it would be worthwhile agreeing some provisional dates to allow any outstanding representors an opportunity to exercise their right to be heard, as required.
9. We trust that the matters raised above are sufficiently clear and are intended to assist the Council and the examination by identifying possible ways forward. If you do have any queries, please do not hesitate to contact us through the Programme Officer. We have asked the Programme Officer to upload a copy of this letter to the website for those following the examination, but we are not seeking any comments from participants at this stage.

Yours sincerely,

Matthew Birkinshaw and Steven Lee

Inspectors