



The Planning Inspectorate

Examination of the Hambleton Local Plan

Inspectors: Matthew Birkinshaw BA(Hons) Msc MRTPI

and Steven Lee BA(Hons) MA MRTPI

Programme Officer: Helen Conlon

Email: helenconlonPO@gmail.com Phone: 07771 884130

James Campbell
Planning Policy Manager
Hambleton District Council
Civic Centre
Rotary Way
Stone Cross
Northallerton
DL8 2UU

1 July 2021

Dear Mr Campbell,

1. We write further to the public consultation on additional evidence that took place between 8 April and 20 May 2021 and the hearing that was carried out on 1 June 2021. We committed to writing to the Council to set out any further soundness matters arising and how we intend to progress the examination.

Gypsies and Travellers and Travelling Showpeople

2. Our letter to you of 22 March 2021 (Examination document LP22) concluded that without a supply of deliverable sites, the Plan will not meet the identified needs for Gypsies and Travellers and Travelling Showpeople. This is contrary to national policy and thus unsound. We set out three options that we considered might address this issue. In summary, these were to modify the Local Plan by including specific deliverable sites, commit to carrying out an urgent review and update of the Local Plan or prepare a separate Gypsy and Traveller and Travelling Showpeople Development Plan Document.
3. The Council's response of 31 March 2021 (Examination document LP23) confirmed a preference for carrying out an urgent Local Plan review. This suggested that the review should take place within 6 months of adoption of the Local Plan, with 14 months allowed for the submission of an updated Plan. This was subject to consultation and there has been no indication that the Council has changed its position.
4. Having considered the consultation responses and additional evidence, we agree with the Council's suggested way forward that the issue of unmet needs should be dealt with through an early review and update of the Plan.

Our recommendation is therefore for the Council to include an appropriate mechanism in the schedule of Main Modifications already in preparation. Policy HG6 should also be modified to allow for the expansion of existing sites in appropriate circumstances, subject to meeting clearly defined criteria. This is necessary to ensure that the policy is effective, and, reflects the fact that there are a number of existing authorised sites that may have the scope to be extended and/or intensified. In some cases, this may be preferable to the creation of new sites.

5. In considering the suggested review mechanism, we are also mindful that the Council is seeking to adopt a different approach to windfall housing than it has done in previous development plans. The Council will therefore need to carefully monitor the effectiveness of the spatial strategy to determine whether or not it is achieving the expected outcomes. If not, then it will be necessary for the Council to take appropriate steps to address any issues, which may necessitate updates to the Plan. The Plan is also based on a housing and economic strategy which seeks to build on growth identified prior to the ongoing Covid-19 pandemic, the long-term effects of which are currently unknown. For these reasons, we recommend that the early review mechanism is not just limited to finding specific sites for Gypsies and Travellers and Travelling Showpeople, but also allows the Council to consider the effectiveness of the strategy going forward.

Nationally Described Space Standards and Optional Technical Standards

6. Our letter of 22 March 2021 also concluded that there was insufficient evidence to justify the use of Nationally Described Space Standards ('NDSS'), or, the use of optional technical standards for accessible and adaptable housing. The Council prepared and consulted on additional evidence on these matters.
7. For the NDSS, the evidence is set out in Examination document L024. This relates primarily to the proportion of new units being proposed or delivered which meet the standards. Having considered the evidence and responses to the consultation, we are now satisfied that the Council has provided sufficient justification to support the inclusion of the requirement. On this basis, no further Main Modifications are required in respect of the NDSS.
8. The evidence for M4(2) (accessible and adaptable homes) and M4(3) (wheelchair user dwellings) is set out in Examination document L025. In relation to M4(2), we are not persuaded that the updated evidence provides a robust justification for *all* new homes to meet this standard. The evidence relies on a large number of data sources, many of which are at a high level or dated. Whilst these may point to some level of need for M4(2) standards in Hambleton, it does not justify a policy requirement of 100% across all sites. In its current form, Policy HG2 is therefore unsound and the requirement for all homes to meet the requirement should be deleted.

9. In terms of M4(3), the Council's suggested requirements of 9% for market housing and 30% for affordable housing more adequately reflects the data. Whilst this also relies on some nationally derived statistics, there is nevertheless clear evidence that some form of provision for M4(3) housing should be made. The provision would also only be on large scale development and we are satisfied that it would not be unviable. On that basis, we accept that the Plan should make provision for M4(3) in certain circumstances, as suggested by the Council.
10. Policy HG2 will, however, also need to be modified to make it clear what scale of provision would be sought, in what circumstances this requirement would be imposed and whether any other factors would be taken into account in determining whether or not it was viable to impose the standard in individual circumstances. It is also necessary to distinguish between wheelchair accessible and wheelchair adaptable homes.

Other Consultation Matters

11. We are satisfied that at present, there is no requirement for further hearings to address comments raised in relation to the SA Addendum (Examination document L023), the Note on the HEDNA (Examination document L010), the Housing Supply Update (Examination document L019) and the Habitats Regulations Assessment and associated position statement (Examination documents L022 and L021). The comments made on these documents do not raise substantively new issues or are sufficiently clear to not require further discussion at this stage.

Local Green Spaces

12. At the hearing on 1 June 2021, we heard evidence relating to potential changes to the designation of Local Green Spaces (LGS) in Appendix D. Based on these discussions, we find that sites ALT/S/058/032/G (Land at Easby Lane, Inc Multiple Properties, Great Ayton) and ALT/S/073/022b/G (Land at Hundale Gill, Running North to River Level, Hutton Rudby) do not meet the definition of LGS as set out in paragraphs 99 and 100 of the National Planning Policy Framework. In particular, they are not demonstrably special to a local community or hold any local significance. The sites are therefore not justified and should be deleted from the Plan.
13. As we set out in our original Guidance Note, the purpose of the examination is not to consider the soundness of sites that do not form part of the Plan. This applies to LGS sites as well as allocations for housing or employment. We currently do not consider there to be any inherent soundness issues in terms of the Council's methodology for identifying LGS sites. We are not, therefore, minded to recommend the insertion of additional sites at this stage in the examination process. The Council may, however, wish to consider whether or not LGS should form part of the early review and necessary update of the Plan. This would provide an opportunity to carry out any detailed reassessment of sites where necessary.

Next Steps

14. The Council should add the main modifications referred to above into the schedule currently being prepared, which will then be subject to full public consultation. If you have any queries about any of the advice in this letter, please do not hesitate to contact us through the Programme Officer.
15. The Council and participants should note that these comments do not represent our full findings on these matters, which shall be set out in the final report having considered comments made during consultation on the Main Modifications.
16. 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