

Date: 6<sup>th</sup> July 2016  
Consultee ID: HBF  
Matter 1

## Yorkshire Dales National Park Local Plan 2015 – 2030 Examination

### Matter 1: Legal Requirements

1. The following hearing statement is made for and on behalf of the Home Builders Federation. This statement responds to selected questions set out within Matter 1 of the Inspector's *Schedule of Matters for the Examination*.
2. The Inspector's Issues and Questions are included in bold for ease of reference. The following responses should be read in conjunction with our comments upon the submission version of the Local Plan, dated 14<sup>th</sup> September 2015. The HBF has also expressed a desire to attend the examination hearing sessions.

#### **Question 1.1: Has the Plan been prepared in accordance with the 'duty to cooperate' imposed by Section 33A of the Planning & Compulsory Purchase Act 2004 (as amended)?**

3. Following the consultation upon the publication version of the plan, the National Park has produced, December 2015, a '*Strategic planning (Duty to Cooperate) statement*'. This statement undoubtedly indicates discussions have taken place. It also identifies the main duty to cooperate issues which have been discussed with neighbouring authorities. The statement unfortunately does not provide information upon the content of these meetings and many of the key outcomes remain unresolved.
4. Within our comments upon the publication version of the plan we raised concerns with regards to the derivation of the housing requirement and identification of the objectively assessed needs of the area. These issues are discussed in greater detail within our matter 3 hearing statement. It is notable that in response to the publication consultation Craven District Council request that to accommodate stable growth a housing requirement of 34dpa, an increase upon the proposed 27dpa, is required for the part of the National Park falling with Craven. This increase does not appear to be incorporated into the housing requirement.

5. Richmondshire District Council has more fundamental concerns regarding the derivation of the housing requirement and identification of an objectively assessed need for the area. They note in paragraphs 2.4 and 2.7 of their response (respectively);

*“The National Park OAN should respond to significant and evident local signals for housing need as required by national planning practice guidance beyond household growth projections. These include:*

- *Worsening workforce deficit and population ageing over the plan period;*
- *Long standing development trends in the National Park and the sustained leakage of housing”*

*“A clear justification for the 55 homes target is required and identification of the corresponding level of unmet need from the Objective Assessment of Need”*

North Yorkshire County Council also agree with the concerns raised by Richmondshire.

6. The concerns raised by Richmondshire mirror many of those raised by the HBF. In response the ‘*Strategic planning (Duty to Cooperate) statement*’ simply states, within the table at page 8, that these are on-going issues. Whilst the HBF recognises that the duty is not a duty to agree, consideration of the housing requirement and how this will be met is a fundamental issue which should be resolved with neighbouring authorities prior to submission. This lack of resolution prior to submission calls compliance with the duty into question.

**Question 1.2: Paragraph 1.27 of the Plan sets out the main strategic, cross-boundary issues. How does the Plan address each of them?**

7. Whilst housing is identified in paragraph 1.26 it is noted that housing is not included as a ‘*main strategic, cross-boundary issue*’ within paragraph 1.27. The HBF contends that housing provision is not adequately dealt with through the plan.

**Question 1.3: On 1 August 2016 the National Park boundary will be extended. The Plan does not relate to the extended areas.**

**a. Is the extension of the Park a ‘strategic matter’ in the terms of Section 33A?**

8. Whilst the HBF has not specifically commented upon this issue it is considered that it is a strategic matter which should be dealt with through the plan. It could have

potential implications for a number of policy areas including the objective assessment of housing needs and its determination.

**b. What arrangements have been made in relation to existing and emerging development plan policies? Will the National Park Authority (NPA) apply the existing development plan policies of the areas involved?**

9. The HBF consider this an issue for the National Park to address. It is, however, noted that the boundaries of the plan as submitted do not appear to include the areas of extension. Therefore unless the policies of the Yorkshire Dales National Park (YDNP) Local Plan are tested for these new areas it is considered that the National Park would have to apply the existing policies of the existing Local Planning Authority for the new areas of the National Park once they are transferred. This is because these are the policies which have been tested, at examination, for these areas. There is no clear statement upon this within the duty to co-operate evidence.

**c. What are the NPA's intentions for future plan-making in relation to the new areas of the National Park? Will new development plan policies be needed?**

10. The HBF consider this an issue for the National Park to address.

**Question 1.4: Has the plan been prepared in accordance with the Council's Statement of Community Involvement and met the minimum consultation requirements in the Regulations?**

11. The HBF has no further comments.

**Question 1.5: Has the Plan's formulation been based on a sound process of sustainability appraisal and testing of reasonable alternatives, and is the sustainability appraisal adequate?**

12. The HBF notes the December 2015 sustainability appraisal of the submitted plan. It is, however, notable that an SA of the Council's proposed modifications to the plan has not been undertaken. This is despite a proposed change to a strategic objective 3 of the submitted plan.
13. The HBF also note that appendix 4 of the sustainability appraisal considers a range of housing requirements. It is, however, difficult to understand how the differences between the options have been assessed and the conclusions reached. This is particularly the case when considering the difference between the 55dpa and the housing peak (73dpa) scenarios. Given that the difference represents just

18dpa over an area as large as the Yorkshire Dales National Park the differential scoring is difficult to understand and appears to take no account of potential mitigation measures such as siting, density, etc. Whilst it is noted that Natural England identify potential harmful effects from excessive housing growth this is unlikely to occur at a rate of just 73dpa, particularly when it is considered similar rates in the past have not had this effect.

14. Furthermore the scoring of community is difficult to understand given that the National Park is seeking to increase the number of younger people within the area. Given that 55dpa represents average rates of development in the past and this has led to a steadily ageing population it is unclear how retaining this level of housing provision will change this trend.

**Question 1.6: Have the requirements in relation to Habitats Regulations Assessment/Appropriate Assessment been met?**

15. The HBF has no further comments.

Yours sincerely,

*MJ Good*

**Matthew Good**  
**Planning Manager – Local Plans**  
Email: [matthew.good@hbf.co.uk](mailto:matthew.good@hbf.co.uk)  
Tel: 07972774229