

Harrogate District Local Plan Publication Draft 2018

consultation response form 26 January – 9 March 2018

REF OFFICE USE ONLY:

Representor number:
Representation number:
Plan reference:
Tests of soundness:

This form has two parts: **Part A** Personal Details and **Part B** Your Representation

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has issued this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the public examination. Using the form to submit your comments also means that you can register your interest in speaking at the examination.

Please read the guidance notes carefully before completing the form.

Please fill in a separate part B for each issue/representation you wish to make.

Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A

(Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		Mr
First Name		Christian
Last Name		Eaton
Organisation (where relevant)		'Keep Green Hammerton Green' and 'Keep Kirk Hammerton Green' Action Groups
Job title (where relevant)		
Address – line 1		West Oaks
Address – line 2		Kirk Hammerton
Address – line 3		York
Address – line 4		
Address – line 5		
Postcode		YO26 8BY
E-mail Address		christian.eaton@btinternet.com
Telephone Number		01423 331847

Guidance note

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan and its supporting documents, which include: Sustainability Appraisal; Habitat Regulations Assessment and the Equality Analysis Report. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible. You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination. Additional response forms can be collected from the main council offices and the district's libraries, or you can download it from the council's website at www.harrogate.gov.uk/localplan. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached.

Question 4(1) – What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.harrogate.gov.uk/info/20101/planning_policy_and_the_local_plan/556/local_plan_-_evidence_base

Question 4(2) – What does 'soundness' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'test of soundness' as listed at question five. The scope of the Public Examination will be set by taking into consideration the key issues raised by responses received and other matters the Inspector considers to be relevant.

Question 8 – Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Part B (please use a separate Part B form for each representation)

Name/Organisation:

3a. To which document does your response relate? (Please tick one)

- Harrogate District Local Plan Publication Draft Habitat Regulations Assessment
Sustainability Appraisal Equality Analysis Report

3b. If you are making comments, to which part of the document do they relate?

(Complete any that apply)

Page no.	<input type="text"/>	Paragraph no.	<input type="text"/>	Policy Ref.	<input type="text"/>
Site Ref.	<input type="text"/>	Development Limit (put name of settlement)	<input type="text"/>	Policies Map	<input type="text"/>

4. Do you consider the Plan is:

- 4.(1) Legally compliant** Yes No **4.(2) Sound** Yes No

→ If you have selected **No** to Question 4.(2), please continue to Question 5

→ In all other circumstances please go to Question 6

5. If you consider the Development Plan is UNSOUND, do you consider this to be because it is NOT: (tick all that apply)

- Positively prepared** **Justified**
Effective **Consistent with national policy**

What makes a Local Plan “sound”?

Positively prepared - the plan should be prepared in a way that meets the need for housing and other development, including infrastructure and business development.

Justified – the plan should be based on evidence, and be the most appropriate strategy for the district when considered against other reasonable alternatives.

Effective – the plan should be deliverable; the housing and other development should be capable of being carried out.

Consistent with national policy – the plan should enable sustainable development and be consistent with the policies in the National Planning Policy Framework (NPPF).

Please give details of why you consider the Harrogate District Local Plan to be not legally compliant or sound. Your reason(s) should concisely cover all the information, evidence and supporting information necessary to justify your comments, as there will not normally be another opportunity to make further representations after publication stage. After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues she/he identifies for examination.

6. Please give reasons for you answer to 4(1), 4(2) and 5, where applicable. (You may also use this box if you wish to make representations on the Sustainability Appraisal, Habitat Regulations Assessment or Equality Analysis Report. You can attach additional information but please make sure it is securely attached and clearly referenced.)

I have read and understood the comments made by the Keep Green Hammerton Green and Keep Kirk Hammerton Green Action Groups (the Local Action Groups) in their responses to the consultation plan and in particular their feedback in respect of this question. I agree with and fully support their comments which are attached to the rear of this form for reference.

For the avoidance of doubt, I do not believe that Harrogate's latest development plan is either legally compliant or sound and Harrogate Borough Council has breached its duty to cooperate. It is unsound as it has not been positively prepared, is neither justified nor effective and it is not consistent with national policy.

Please note that I wish to be represented before the Public Inspector through my nominated agent, details provided in Part A. I confirm my agent will be whomever is appointed to appear before the Inspector on behalf of either of the Keep Green Hammerton Green or Keep Kirk Hammerton Green Action Groups.

7. Please set out what change(s) you consider necessary to make the Harrogate District Local Plan legally compliant or sound, having regard to the test you have identified at question 5 where this relates to soundness. You will need to say why this change will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(If you are suggesting that the plan is legally compliant or sound please write N/A)

Please note the following representations:

Changes necessary to make the HDLP legally compliant:

- Consult properly on the Green Hammerton/Cattal 'broad location for growth'
- Undertake a sustainability appraisal of this proposed allocation

Changes to make the plan sound:

- Positively prepared: remove the proposed draft policy DM4 as it is not sustainable and the process by which the location was selected and the evidence supporting that choice are respectively gravely flawed and weak.
- Justified: there are better and more appropriate development strategies. Reasonable alternatives for housing include land closer to the main settlements, a proper evaluation of building into the green belt and also the allocation of Flaxby as a new settlement.
- Effective: there are serious questions about the deliverability and viability of DM4 and there are better alternatives.
- Consistent with national policy: sustainable development is at the heart of planning policy, yet this allocation is not sustainable.

For reasons set out above, I believe that draft policy DM4 should be removed from the plan.

The above points are expanded in our Action Group and planning consultant's consultation, upon which I rely.

I would like further representations to the local plan process to come via our Keep Green Hammerton Green(KGHG) or Keep Kirk Hammerton Green(KKHG) Action Groups and/ or our appointed planning consultant, Mr Richard Raper, who shall be instructed by the Action Group to represent us. The KGHG and KKHG Action Groups and/ or Mr Raper would like to make further written submissions on the selected issues in due course, as the Inspector sees fit.

8. If your representation is seeking a change, do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues she/he identifies for examination.

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

PLEASE NOTE: In section 8. I have selected that I do not wish to participate at the hearing session at the examination. Instead I would like my representation to be dealt with by the Delegation Group formed within the Keep Green Hammerton Green and Keep Kirk Hammerton Green Action; and their representatives appointed by the group, namely Richard Raper – Planning Consultant.

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Signature

Date

Please return the completed form by **no later than 4.30pm on Friday 9 March 2018** to:

Planning Policy Team, Harrogate Borough Council, PO Box 787, Harrogate, HG1 9RW

or email: planningpolicy@harrogate.gov.uk

(Electronic copies of this form are available to download at www.harrogate.gov.uk/localplan)

Data Protection

The information you provide on the form will be stored on a database used solely in connection with the Local Plan. **Representations will be available to view on the council's website, but address, signature and contact details will not be included. However, as copies of representations must be made available for public inspection, they cannot be treated as confidential and will be available for inspection in full. Copies of all representations will also be provided to the Planning Inspectorate as part of the submission of the Harrogate District Local Plan.**

Equalities information

About you

Harrogate Borough Council is committed to ensuring that our work meets the needs of all sections of the community. The information you provide helps us to monitor the fairness and effectiveness of our services and policies. **It is not compulsory to provide this information but you will be helping us to meet these commitments and tailor our services and policies to the needs of the community.**

The categories included have been informed by the National Census 2011 and characteristics protected by legislation.

If you do not wish to answer any specific question, then please leave it blank.

Gender

What is your gender? (please select one answer)

- Male
- Female
- Prefer not to say

Age

Which age category are you in? (please select one answer)

- 0 to 15
- 16 to 19
- 20 to 29
- 30 to 44
- 45 to 64
- 65 to 74
- 75 to 84
- 85+
- Prefer not to say

Disability

[The definition of disability according to the act is: A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities. Long-term means more than 12 months. This definition includes long-term illnesses such as cancer, HIV and mental health.]

Do you consider yourself to be a disabled person or have a long term limiting condition?

(please select one answer)

- Yes
- No
- Prefer not to say

Ethnicity

What is your race or ethnicity? (please select one answer)

- | | | | |
|---|--------------------------|-------------------------------------|--------------------------|
| White (English/Welsh/Scottish/Northern Irish) | <input type="checkbox"/> | Asian or Asian British: Bangladeshi | <input type="checkbox"/> |
| White (Irish) | <input type="checkbox"/> | Asian or Asian British: Chinese | <input type="checkbox"/> |
| White (Gypsy/Irish Traveller) | <input type="checkbox"/> | Asian or Asian British: Other Asian | <input type="checkbox"/> |
| Mixed White and Black Caribbean | <input type="checkbox"/> | Black or Black British: Caribbean | <input type="checkbox"/> |
| Mixed White and Black African | <input type="checkbox"/> | Black or Black British: African | <input type="checkbox"/> |
| Mixed White and Asian | <input type="checkbox"/> | Black or Black British: Other Black | <input type="checkbox"/> |
| Mixed Other Mixed | <input type="checkbox"/> | Other Ethnic Group: Arab | <input type="checkbox"/> |
| Asian or Asian British: Indian | <input type="checkbox"/> | Other Ethnic Group: Other | <input type="checkbox"/> |
| Asian or Asian British: Pakistani | <input type="checkbox"/> | Prefer not to say | <input type="checkbox"/> |

Sexual orientation

Which of the following best describes how you think of yourself? (please select one answer)

- | | | | |
|-----------------------|--------------------------|-------------------|--------------------------|
| Heterosexual/Straight | <input type="checkbox"/> | Bisexual | <input type="checkbox"/> |
| Gay man | <input type="checkbox"/> | Other | <input type="checkbox"/> |
| Gay woman/Lesbian | <input type="checkbox"/> | Prefer not to say | <input type="checkbox"/> |

Religion/beliefs

What is your religion/belief? (please select one answer)

- | | |
|--|--------------------------|
| No religion | <input type="checkbox"/> |
| Christian (including Church of England, Catholic, Protestant, and other Christian denominations) | <input type="checkbox"/> |
| Muslim | <input type="checkbox"/> |
| Buddhist | <input type="checkbox"/> |
| Jewish | <input type="checkbox"/> |
| Hindu | <input type="checkbox"/> |
| Sikh | <input type="checkbox"/> |
| Other religion | <input type="checkbox"/> |
| Prefer not to say | <input type="checkbox"/> |

Pregnancy

Are you pregnant or have you given birth within the last 26 weeks? (please select one answer)

- | | |
|-------------------|--------------------------|
| No | <input type="checkbox"/> |
| Yes | <input type="checkbox"/> |
| Prefer not to say | <input type="checkbox"/> |