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John Hiles
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By email only

24 April 2013

Dear Mr Hiles

Examination of the Richmondshire Local Plan: Core Strategy

Further to your submission of the Core Strategy, I have now reviewed the document and much of the supporting material. From this, there are a number of points on which I would be grateful for your clarification. In addition, without prejudice to the progress and outcome of the examination, I also have initial some concerns that I wish to raise at this stage. My questions and concerns are set out below, and I have numbered the paragraphs to assist your response.

The plan period

1. The plan provides the Council's strategy to 2028. What is the starting point for the plan period? For housing, is it intended that it covers 2011 to 2028?

Housing

Housing in general

2. I understand that the Core Strategy plans to deliver 3,060 new homes to 2028, representing an annual average 180 homes, and that this target stems from the level of need for new homes identified in the Richmondshire Scrutiny of Population Estimates and Projections (2012) 'migration-led revision'. For the avoidance of doubt, is that correct?
3. You will be aware that the Government has recently published a statistical release setting out household interim projections for 2011 to 2021. Do these figures show a different level of housing requirement in Richmondshire than the 3,060 planned for in the Core Strategy? If so, what is the difference involved?
4. It may be that I am missing something, but I am unclear about the expected rate of housing delivery through the plan period. The plan should explain the rates of delivery anticipated for both market and affordable housing, and illustrate this through a housing trajectory. Does it?

5. Paragraph 47 of the NPPF requires that a supply of specific deliverable sites sufficient to provide five years worth of housing be identified, with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition. A 20% buffer is required where there has been a record of persistent under delivery. Given the performance against the (now revoked) RS and the Council's Local Strategy Statement as noted in the AMR (December 2012), should the 20% buffer apply in Richmondshire? Overall, I would be grateful for clarification about the housing land supply position.

Affordable housing

6. It is clear that meeting the need for affordable housing is something of a challenge in Richmondshire. As I understand it, it is anticipated that the implementation of Core Policy CP6 would deliver an annual average of 71 affordable homes throughout the plan period, against an annualised need of 249. I anticipate the Council's position to be that aiming to meet the identified need for affordable housing in full in would be unrealistic.
7. I must indicate that, at this stage, I have some doubts about the deliverability of even the lower level of affordable housing sought. It appears that the plan relies on Core Policy CP6 in this regard. This policy seeks an affordable housing contribution of 30% to 40% from all new homes, including single dwellings. While I note the content of the viability assessment, is there a risk that Core Policy CP6 may cause viability problems? Is this why the policy sets the requirements 'subject to economic viability assessments'? If so, how acute does the Council consider the risk to be? Is there a contingency in the event that Core Policy CP6 either prevents market housing schemes going forward or fails to realise the level of affordable housing sought?
8. I note from paragraphs 4.6.9 and 4.6.15 of the plan that a number of matters, including calculating commuted payments, exceptional developments, tenures, local occupancy conditions, and the conditions under which cross-subsidy will be permitted are intended to be devolved to a Supplementary Planning Document (SPD). The Town and Country Planning (Local Planning) (England) Regulations 2012 are more restrictive about the content and function of SPDs than was previously the case. I draw to your attention to Regulations 2, 5 and 6 which, taken together, indicate what an SPD can and cannot contain. It seems to me that, among other things, SPDs cannot make statements on the development and use of land, or contain development management policies intended to guide the determination of applications for planning permission. Would the SPD meet the Regulations in this regard, or should the matters intended for inclusion in it, or some of them, be part of the Core Strategy or another Local Plan document?

Accommodation for Gypsies and Travellers

9. Paragraph 3.1.31 of the Core Strategy reflects the need for three additional pitches identified in the Gypsy and Traveller Accommodation Assessment (GTAA). But it does not give any commitment to delivering these pitches, or set any targets. In any event, the GTAA was undertaken in 2007 and 2008 and only considers additional need to 2015. In short, it is not up-to-date and the evidence it provides falls considerably short of the plan period. As things stand, unless I have missed something, this element of the plan is not sound.

10. It is incumbent on the Core Strategy to ensure that the accommodation needs of Gypsies and Travellers are properly addressed. Policy B of *Planning for Traveller Sites* says that local planning authorities should set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address the likely permanent and transit site accommodation needs in their area, working collaboratively with neighbouring local planning authorities. It also says that in producing their Local Plan, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets. There is a clear need for further work here.

Economic development

11. I am not sufficiently clear about the plan's approach to economic development. I would be grateful if you could provide detailed explanation on this issue. In particular, please could you detail in your response to this letter how and where the submitted version of the Core Strategy:
 - a. sets out the quantitative and qualitative needs for land or floorspace for all foreseeable types of economic activity, *including retail and leisure development* (see paragraph 161 of the NPPF); and
 - b. indicates how the district's overall need will be met and explains the plan's intended spatial distribution of land or floorspace for economic development, including retail and leisure development.
12. The point here is that the strategy must be clear about what will or will not be permitted and where (see paragraph 154 of the NPPF). This is essential both for determining planning applications and for providing an unambiguous steer to the allocation of sites for economic development. At present, I am concerned that the plan may not be sufficiently explicit for these purposes. This is a fundamental issue and a critical soundness matter.

Responding to climate change

13. Core Policy CP1 'supports and encourages' the generation of renewable and low carbon energy. This sentiment is reflected in the supporting paragraphs. This is a rather passive approach. The NPPF says that local planning authorities should have a positive strategy to promote energy from renewable and low carbon sources. It says that Local Plans should include strategic policies to deliver the provision of energy, including heat. I am concerned that, at present, the Core Strategy may fall short of these expectations. What does the Core Strategy do to realise the district's potential for renewable electricity (as noted in paragraph 4.1.7 of the plan)? Should the plan be more specific about the types of renewable and low carbon energy generation schemes anticipated, and indicate broad locations for such developments?
14. Do the Code for Sustainable Homes levels and BREEAM standards required by Core Policy CP1 go beyond existing national mandatory controls, including those in Part L of the Building Regulations? What evidence is there to demonstrate the viability of the Code for Sustainable Homes levels and BREEAM standards set out in Core Policy CP1? Is there any evidence to demonstrate that these levels are viable across the district?

15. For clarification, please can you explain how the Strategic Flood Risk Assessment has informed the spatial approach to new development, particularly housing. How does the plan follow the sequential approach – does it steer development to areas with the lowest probability of flooding? Is it envisaged that areas in Flood Zone 1 will need to be developed?

Monitoring

16. Many indicators in the monitoring framework do not include any specific numerical targets. Why is this? Why does it not include any trigger points or actions to be taken in the event of targets not being met? In this absence, is it clear how the progress towards delivering the strategy's aims and objectives will be measured, and how and when any contingency plans would be triggered?
17. For every aim set out in the framework, please explain what the target is, what the trigger point is for action to be taken and what contingency plan would be put in place.

The way forward

I have raised these concerns and questions now with the aim of avoiding unnecessary expense in mind. I should point out that these do not necessarily represent the only concerns that I may identify, and I reserve my position for the time being.

I would now ask you to give full consideration to the content of this letter. To progress matters expediently, I would be grateful if you would provide a response, including any suggestions you may have regarding the way forward, at the earliest opportunity or within two weeks of the date of this letter. If a longer period is likely to be necessary, please let me know as soon as possible. Finally, in the light of this letter and your response to it, it would be helpful if you could give some indication of when you anticipate examination Hearings taking place.

I trust that you find this letter to be helpful. I have written it in the spirit of assistance and to ensure that the examination is as efficient as possible. I now look forward to hearing from you at the earliest opportunity.

Yours sincerely

Simon Berkeley

Inspector