

New Settlement DPD - EiP Hearing Statement

Subject: Matter 1: Legal Compliance

This summary statement is submitted by the Coalition of seven Parish Councils in the vicinity of the proposed New Settlement: Moor Monkton; Nun Monkton; Tockwith; Whixley; Green Hammerton; Kirk Hammerton; Hunsingore, Great Ribston with Walshford and Cattal.

- The proposed Development Plan Document (DPD) for a new settlement in North Yorkshire faces significant strategic and procedural challenges that call into question its soundness. Even under the most optimistic timeline, the DPD is projected to be adopted three years late—11 years into the original Local Plan (LP) period and only three years before the anticipated adoption of the new North Yorkshire Local Plan. This substantial delay undermines the DPD’s relevance and effectiveness within the current planning framework.
- Despite being initially integral to the Harrogate Borough Council (HBC) Local Plan, the New Settlement has been removed from the LP review. Meanwhile, updated management policies potentially replacing those of the DPD are being developed as part of the preparations for the new North Yorkshire Plan, highlighting the transitional and potentially fragmented nature of the current planning approach¹.
- The DPD directly exemplifies the ongoing issue of vestigial two-tier incoherence in the new council’s approach. For instance, its proposals for secondary education provision conflict with the Council’s stated plans regarding Boroughbridge High School. Such contradictions are not indicative of a cohesive and strategically aligned development plan.
- Under the new standard method for calculating housing needs, the new Local Plan is required to deliver more than 4,200 houses per annum, nearly double the aggregate targets of the former district plans. This unprecedented rate of development is equivalent to establishing a New Settlement like this one every nine months - underlining that the DPD now needs to be part of a coherent county-wide strategy. By persisting with a compromised holdover from the two-tier period the Council has managed to produce a DPD that is at once both late and premature.
- During the consultation process, the Council altered its preferred site option. This change appears to have been made as an alternative to, rather than a consequence of, further Sustainability Assessment. The new preference, which closely mirrors the boundary, form, and even the name of the Caddick Oakgate planning application, suggests a shift towards a developer-led approach. If the Council chose to adopt this direction, it should have ensured that adequate land agreements were in place. The subsequent decision to resort to Compulsory Purchase Orders (CPO) underscores the improvised and reactive nature of the Council’s approach. Had CPOs been part of the strategic toolkit from the outset, it is hard not to speculate that the original LP might have been different. In the context of the new Local Plan, the question should surely be asked if there could be a better, more strategic, use of CPOs, based on a more direct engagement with housing need. (Affordable housing in particular.)
- Furthermore, the Council’s post-consultation attempts to change the narrative by equating the use of CPO in this case with historic slum-clearance programs seem disingenuous. The use of CPO

¹ SDNSo1 Legal Compliance and Soundness Assessment, Feb 2024 p25

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to build the lowest allowable density housing on greenfield land raises further concerns about whether this approach is an effective way to meet housing needs.

- As noted by the Inspector during the HBC Local Plan examination, this development was not required to maintain the five-year housing supply. Given that this is currently by far the largest single proposed development in the county, and considering the anticipated step-change in housing provision in North Yorkshire from 2028, it is unclear whether this development is strategically aligned with long-term regional objectives. As a result, it cannot be considered sound within the context of the evolving planning framework.