
Appeal Decision

Inquiry held on 18-21 and 25 November 2014

Site visits made on 17 and 21 November 2014

by John L Gray DipArch MSc Registered Architect

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 January 2015

Appeal Ref. APP/G2713/A/14/2217056

Land to the north of Stillington Road, Easingwold

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Gladman Developments Limited against the decision of Hambleton District Council.
 - The application, ref. 13/01703/OUT, dated 31 July 2013, was refused by notice dated 26 November 2013.
 - The development proposed is "residential development (use class C3) (up to 175 dwellings) with associated infrastructure and access, with all other matters reserved".
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Decision

1. The appeal is dismissed.

Background

2. There were eight reasons for refusal of the planning application.¹ Five of those – on affordable housing; public open space, sport and recreation facilities; children's services and facilities; foul and surface water drainage; and highways improvements – have been overcome by the conditions which could be attached to an outline planning permission or the terms of the executed section 106 obligation or both. One – on the adequacy of the community involvement undertaken by the appellant – remains a concern to the Council and is to be addressed in this decision.

Main Issue

3. The main issue in the appeal flows from the first two reasons for refusal and can be simply described as whether there is an adequate supply of housing land in Hambleton.
4. In fact, it is a somewhat complex issue, involving consideration of how the appeal proposal sits against Development Plan policy, whether the Development Plan can be considered up-to-date and consistent with the National Planning Policy Framework (NPPF), what is the full objectively assessed need for housing in the District, what is the 5-year supply of developable housing land, whether there is scope to restrain housing in one part of the District in favour of another and, last but not least, whether the appeal proposal would be sustainable development. The conclusions on all of those matters will go into the planning balance.

¹ Core Document 3.1.

Reasons

The Development Plan

5. The starting point is section 38(6) of the Planning and Compulsory Purchase Act 2004 – the determination of the appeal must be in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Hambleton comprises the Core Strategy (2007), the Development Policies Document (2008) and the Allocations Document (2010).² All were adopted before publication of the NPPF in 2012 but that does not in itself render the Development Plan out-of-date.
6. The relevant Policies are CP1, CP2, CP4 (and the accompanying Settlement Hierarchy), CP5, CP5A and CP6 in the Core Strategy³, DP8 and DP9 in the Development Policies Document.⁴ Easingwold is defined in the Settlement Hierarchy as one of five Service Centres, two of which (Northallerton and Thirsk) are given the prefix Principal.⁵ The appeal site lies outside the defined development limits of Easingwold and is not allocated for development.⁶ Three sites within the development limits are allocated for housing in the Allocations Document; in addition, one is allocated for mixed use, though planning permission has been granted for housing on all of it.⁷ The total area of land allocated or permitted for housing adds up to nearly 15 hectares.
7. Policy CP1 is a fairly general policy supporting proposals that satisfy twelve criteria which go towards sustainability. If there is conflict with CP1, it is because the proposal would mean the loss of an area of open countryside which is also, in part at least, best and most versatile agricultural land. Policy CP2 relates to minimising the need to travel; in so far as the Council considers the appeal site to be in a sustainable location, there does not appear to be serious conflict with this policy.
8. On the face of it, however, the appeal scheme conflicts with Policy CP4, which resists development outside development limits unless “an exceptional case can be made” and where one of six criteria are met. It could be argued that the proposal satisfies CP4 because it would provide affordable housing to meet a local need but it is open to debate whether the required “exceptional case” can be made. On the other hand, the criteria in the second part of Policy CP4, dealing with development outside identified settlements, appear to be aimed at a very much smaller scale of development than proposed here, giving the impression (not conclusively borne out by forensic analysis of the actual wording) that the required overall scale of development is provided for by allocations.
9. Policies CP5 and CP5A deal with the housing requirement for the District and the five sub-areas within it, Policy CP6 with how to achieve that – in particular, by channelling 51% of development towards Northallerton and Thirsk and at least two thirds of new housing in each sub-area within the service centre. The appeal site is outside the development limits of Easingwold and development is therefore to be permitted “only in exceptional circumstances to meet a specific local need”.

² Core Documents 111, 112 and 113.

³ Core Document 111, pp. 22-33.

⁴ Core Document 113, pp. 15-17.

⁵ Core Document 111, p. 27.

⁶ Core Document 112, p. 69.

⁷ Core Document 112, pp. 67-78.

10. Policies DP8 and DP9 in effect translate the Core Strategy Policies into Development Policies. DP8 sets out what development within defined development limits should achieve and DP9 repeats CP4's requirement that any proposal outside development limits will only be permitted in exceptional circumstances.

Can the Development Plan be considered up-to-date?

11. The NPPF is an important material consideration in the decision-making process. Paragraph 215 says that "due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework".
12. The most obvious area in which the Core Strategy is no longer up-to-date is in its housing requirement. That was based on the now revoked Regional Spatial Strategy (RSS), which deliberately concentrated housing development in the main urban areas of Leeds and Bradford and, as a result, constrained development in areas such as Hambleton.⁸ Accordingly, the housing requirement in the Core Strategy, which derives from the RSS, is not based upon the objectively assessed need for the area but upon a policy imperative to concentrate development in the main regional urban areas.⁹
13. The Council recognises this¹⁰ and is undertaking a review of its Core Strategy to address the change in circumstances. The housing requirement in the adopted Development Plan may not, however, be influential in this appeal if the supply of deliverable housing land can address the re-assessed requirement.
14. In addition to restraint in Hambleton, the Easingwold sub-area is itself a further area of restraint, with the intention of pushing development towards Northallerton and Thirsk and resisting what is seen as the threat of further in-migration from (or out-commuting to) York.¹¹ That too is seen as an approach consistent with the RSS – and also with the NPPF's golden thread of sustainability. Again, though, this may not be unduly significant if there exists an adequate supply of housing land within the District.
15. More specifically, Policies CP4 and DP9 are inconsistent with the NPPF, for various reasons. They appear to place an outright ban on market housing outside development limits, although the Council argued that CP4 had to be read in the context of CP1 and CP2. It is true that the second paragraph of CP4 looks for support for any proposal by means of "an exceptional case in terms of Policies CP1 and CP2". It does, however, appear to be straining the construction of the policies to suggest that they can admit of large-scale market housing outside development limits in order to help towards, for example, "a reduction in social inequalities ... within the community" (criterion iv of CP1) by providing "affordable housing [to] meet a local need" (criterion iii of CP4), or simply to improve "the vitality of the area" (criterion vii of CP1).
16. Moreover, the policies require the demonstration of exceptional circumstances, which may be thought a more onerous test than, for example, the very special circumstances to be shown if development in a green belt is to be allowed. Nor do they admit of a planning balance, in which the benefits

⁸ Core Document 109, pp. 7-12 – Table 2.1 and Policy YH1, probably most simply explained in para. 2.7.

⁹ Core Document 137, Table 2, reproduced in Document GDL/02/P, p. 10, Table 4.1, is a comparison between the RSS and trend-based projections.

¹⁰ Document GDL/04/A, Appendix 2, para. 1.4.

¹¹ Core Document 111, p. 16 – Spatial Principle 2.

of any proposal are to be weighed against its disadvantages, a matter the Courts have commented upon, albeit in a different context.¹²

17. Accordingly, Core Strategy Policies CP4, CP5, CP5A and CP6 may be seen as out-of-date in the context of the NPPF, or inconsistent with it. Again, however, that may count for little if there is an adequate supply of housing land to meet objectively assessed needs.

Objectively assessed housing need

18. It is accepted that the requirement in Core Strategy Policy CP5 (subsequently adjusted to 280 dwellings per annum (dpa)) does not represent the objectively assessed need in Hambleton. The Council commissioned Edge Analytics to provide the analysis to support housing evidence for its review of the Core Strategy. This analysis provides the starting point for the Council's case that it can show a 5-year supply of deliverable housing land. Moreover, Edge Analytics and Regeneris Consulting (for the appellant) provided a helpful note of the matters on which they agreed and disagreed.¹³
19. Both used the 2012-based sub-national population projections as the starting point for their demographic scenarios, with the difference between 212 dpa (Edge) and 204 dpa (Regeneris) being agreed as not material. Jobs growth scenarios did differ – jobs growth assumptions were 179 jobs per annum (Edge) and 215 (Regeneris) and the housing need flowing from that was different – 368 dpa (Edge) and 460 (Regeneris). This difference was agreed as being almost equally due to the different results from: 1) modelling jobs per annum; 2) Edge's assumed unemployment rate starting point of 5.8% compared to Regeneris's 3.8%; and 3) Edge assuming a commuting ratio falling from 1.03 to 1.00 whereas Regeneris used 1.00 throughout. Edge had not been asked about market signals but Regeneris allowed 105 dpa for this factor. The Council conceded that the Employment Land Review (ELR), used by Edge, potentially underestimated the number of self-employed workers and that, as a result, 30 dpa could be added to Edge's figure of 368.
20. Thus, the Council came to a housing need of 398 dpa, the appellant (adding for market signals) to 565 dpa. It is necessary to examine the reasons for the difference – unemployment rates, commuting ratios and market signals.

Unemployment rates

21. Regeneris used the unemployment rate from the 2011 Census, 3.8%, as the starting point, with a reduction to 3% by 2016 to reflect economic recovery. The 2011 Census ought to give an accurate picture but, in the context of the forecasts to be made, may suffer from being a single snapshot in time.
22. Edge took an average from the Annual Population Survey (APS) for the years 2009-2012, 5.8%, reducing to 2.9% in the period to 2026. The data was used to give an average over the recession years but the group samples are sufficiently small that each and every estimate is noted as being "unreliable".¹⁴ Some of the figures seem to illustrate that – for example, the unemployment rate goes from 8.5% for the year starting January 2011 to just 3.5% for the year starting April 2011, a 5% drop despite the nine months common to both; also, the year starting October 2012, at 8.0%, is 3% higher than the year starting three months earlier and 2.7% higher than that starting

¹² Core Document 138 – [2013] EWHC 1138 (Admin).

¹³ Core Document 136.

¹⁴ Core Document 139.

three months later. It is also difficult to see how one reaches an average of 5.8% unemployment; the likely most accurate average would be of all seventeen figures from the year starting January 2008 to that starting January 2012, which comes out at 5.3%. On the other hand, the average unemployment from the surveys overlapping the time of the 2011 Census is significantly higher than the Census figure which, given its scope, ought to be a reasonably accurate one.

23. All in all, the variations in the APS data, some of them difficult to explain, render the 2011 Census figure the safer one to use. This means that a figure of 3.8% unemployment should be built into the model in order to achieve a more robust forecast. Accordingly, with only 3.8% unemployed able to take up some of the forecast growth in jobs, not 5.8%, approximately another 30 dpa should be added to the Council's estimate, taking it to 428.

Commuting ratio

24. The commuting ratio from the 2001 Census was 1.03, meaning that 3% of Hambleton's working population went out of the District to their work. The figure from the 2011 Census was 0.93, suggesting that more than twice as many workers were now in-commuting than were out-commuting in 2001. The bald figure was rightly viewed with scepticism by Edge but the reason for it may well lie in the number of people with no fixed place of work. Regeneris found that, by excluding those workers, the commuting ratio became a much more believable 0.99. If that is correct, it means that in- and out-commuting is reasonably balanced, something which lends support to Regeneris's approach of using a flat-rate 1.00 ratio throughout. Accordingly, if there is no out-commuting to be clawed back, the forecast growth in jobs means that a further 30 dpa should be added to the Council's estimate, taking it to 458.

Market signals

25. The need for an uplift in housing provision in response to market signals is difficult to analyse with any certainty. The Planning Practice Guidance (PPG) indicates that relevant signals may include land prices, house prices, rents, affordability, rate of development and overcrowding; it then says that appropriate comparisons of indicators should be made and that a worsening trend in any will require an upward adjustment of planned housing numbers.
26. Hambleton has the fourth highest affordability ratio in the entire Midlands and North of England – 8.69 compared with an average across England of 6.72.¹⁵ It is worsening, but not appreciably, depending on how far back one looks; nor, with the same proviso, is it worsening at a rate significantly higher than other areas. There was a marked increase in both median house prices and lower quartile affordability ratios between 2000 and 2005. House prices in Hambleton rose more quickly than in both North Yorkshire and England; in the same period, the affordability ratio rose more than the national average but roughly the same as that in North Yorkshire. Between 2004 and 2013, the differences have not been unduly significant – the gap between national house prices and those in Hambleton has decreased slightly and the difference in affordability ratios between Hambleton and North Yorkshire has increased slightly, most obviously in the last two years.¹⁶ The relationship between all three measures fluctuates in the years between 2000 and 2013, hence the proviso.

¹⁵ Core Document 135.

¹⁶ Document GDL/02/P – Figures 5.2 and 5.3.

27. All told, the relative changes over time do not suggest that the housing market in Hambleton has operated sufficiently differently to the regional or national market to warrant a specific uplift in its housing requirement. Also, though not raised at the inquiry, there is something of a common thread to the affordability ratios; if one looks at the areas with the higher ratios, it is not difficult to detect, generally speaking, a bias towards attractive towns and rural areas conveniently located for major urban or employment areas.
28. There is an admittedly serious affordable housing shortfall in Hambleton, one which has been increasing over time. However, the evidence is not clear that the shortfall is significantly worse than in other areas, particularly neighbouring areas or that it has been increasing at a faster rate. There is also an acknowledged lack of delivery of housing over past years, sufficient to warrant a 20% buffer in relation to Development Plan provision; and there is evidence of concealed households and an apparently high number of young people living with parents. Again, though, there is no clear evidence that the figures vary significantly from regional or national ones.
29. On that basis, and notwithstanding the appellant's calculation of how to make an appropriate allowance aimed at reducing the affordability ratio, there is no compelling evidence of trends in Hambleton worsening at a noticeably faster rate than elsewhere in North Yorkshire or in England. It would be inappropriate, therefore, to add anything to the objectively assessed housing requirement to cater for market signals.

Conclusion on housing need

30. Put simply, analyses of the differences between the calculations lead to the conclusion that the annual housing requirement for Hambleton should be of the order of 458 dpa.

Housing land supply

31. If the requirement is for around 458 dpa, that translates into marginally more than 2,400 dwellings over five years with a 5% buffer, virtually 2,750 with a 20% buffer. The appellant wondered how the Council had managed, in its annual statistics, to 'find' a significant number of completions that had occurred in much earlier years,¹⁷ thus improving performance and reducing the apparent. On the other hand, the appellant and Council were agreed that that, in calculating from a 2012 base, as done above, there could be little to suggest a 20% buffer; the figure of around 2,400 is thus a reasonable one for the purposes of this decision.
32. The Council argued that it could show a supply of 2,696 – although the appellant questioned some of the assumptions on which that was based. I held a round table session (RTS) during the inquiry to investigate where the main differences lay. Again, a helpful note on areas of agreement and divergence was produced (covering requirement as well as supply); sixteen specific sites from the October 2014 Strategic Housing Land Availability Assessment (SHLAA) formed the basis for discussion at the RTS.¹⁸
33. There are four sites in Northallerton – 787, 795, 797 and 798 – all allocated in the Development Plan. Site 798 is not in dispute. Sites 795, 797 and 798 are

¹⁷ Document GDL107 – eg. the statistics for 2012/13 'found' 106 completions in 2006/7 that were not previously accounted for.

¹⁸ Core Document 140 is the note on Areas of Agreement and Divergence; Core Document 143 is the agenda for the RTS.

in a consortium and reliant on delivery of a link road, itself dependent on agreement with Network Rail about the bridge crossing of the Northallerton-Middlesborough railway (for which funding will be available from 2015/16). In addition, the appellant pointed to questions of infrastructure (who pays for what) and Environmental Impact Assessment (EIA) work still to be done. The appellant was sure that outstanding matters would be resolved and that the sites would deliver but nevertheless saw grounds for a cautious approach in estimating the actual number of dwellings. The owner of site 787 is not actively involved in the consortium but an early application would probably be refused on highways grounds. The Council reduced its estimate of completions within five years from 735 to 264,¹⁹ to be compared with the appellant's figure of 140. There are grounds for reducing the estimated delivery from sites 795 and 797 but it seems wrong to assume no dwellings from site 787 simply because its owners are not part of the consortium; to reduce the overall figure below 200 seems unduly pessimistic.

34. On site 769, in Bedale, capacity has been reduced to safeguard the existing allotments and, while there may be concerns about how long the Diocesan process might take, it seems unduly cautious to suggest that the 25 dwellings now anticipated could not be built within the 5-year period.
35. There are three sites in and Aiskew (762, 765 and 767) for which the Council estimates 183 dwellings and the appellant (originally) zero. On site 762, there have been pre-application discussions (of which the appellant was unaware) and an outline application is being prepared for 105 dwellings. The appellant urged caution about the time needed from the date of an outline permission for marketing, reserved matters submissions and then implementation – and suggested 40 dwellings might be appropriate (as opposed to zero originally). Site 765 has been available since 2010 but nothing has happened; thus, while the Council hoped for a start on site within two years, the appellant thought it unwise to rely on any dwellings coming forward in the period. There was no known developer interest on site 767, although the Council thought that interest in other sites suggested it could come forward and that dwellings could be delivered towards the end of the 5-year period; that possibility is enhanced by the prospect of a bypass, making Aiskew a more attractive development opportunity. All things considered, it is not unreasonable to envisage around 120 dwellings from these three sites.
36. On site 778, in Easingwold, the appellant reduced the delivery rate because of the extant permission for 22 dwellings to its north, which somehow seems to go against the logic of the promoting the need for housing on the appeal site and the suggested delivery rate. On site 803, the appellant anticipates a later start to development and a slower delivery rate (28 dpa in the last two years of the period compared with 15 in the third year followed by 35 dpa for two years); if an application is expected in the new year, then the Council's estimates do not appear unreasonable.
37. There is no developer yet for site 815 (though one is thought to be interested) so marketing, followed by reserved matters, will take time; it may therefore prove difficult to secure more than around 90 dwellings within five years. Site 808 is well-located in relation to Thirsk, the A1 and the A19, there is no other builder operating in Thirsk at present and the Council takes confidence from

¹⁹ Document 6 – the individual figures from the table concludes give 264 from 3 sites, although the following paragraph says 252; the figures from the table are those in Core Document 140.

progress to date on the site; even so, and even with two builders, the prospect of 300 dpa in the final three years of the period seems optimistic. A reduction to around 350 seems sensible.

38. The differences on sites 776 and 788 are so small (six dwellings and four) as to be of little moment in the present context, while the Council amended its position on sites 798 and 816, respectively from 170 and 15, to zero. Lastly, the allocation (SH4) for site 804 is for "independent housing with an element of close/extra care for the elderly", which ought to enable development to count towards the housing supply figures.²⁰
39. Thus, delivery over five years on the sites in dispute is likely to be no more than about 1,300 dwellings. That is to be compared with the appellant's estimate of 949 and the Council's updated estimate of 1,521. As a result, the Council's estimated supply for the period 2014-2019 drops to about 2,475, which is still just above the 5-year requirement (even if not materially so).
40. For the appellant, Mr Watts expressed a certain scepticism about the way the Council had gone about obtaining information for its estimates for the various sites. It had come from the owners or developers of sites with no meeting of the Housing Market Partnership, which can often highlight the optimistic views of individual developers. That may be so – but the exercise at the inquiry, analysed above, should ensure that estimated delivery is not put unduly high.

Scope for restraint

41. Given that land supply barely exceeds the objectively assessed 5-year housing requirement, there is no scope to consider whether housing might usefully be directed more towards some areas of the District than others. In essence, virtually all of the land that has been identified through the SHLAA will have to be developed if the 5-year requirement is to be met. Accordingly, there is no need to consider the matter further in the context of this appeal.

Sustainability

42. The appeal site is agreed to be a sustainable location, in terms of the services and facilities available in Easingwold. The Council's concern was more about the sustainability of Easingwold if it had to accommodate up to 175 additional dwellings. However, the executed section 106 obligation and the conditions which could be attached to an outline planning permission would, in effect, overcome those concerns. Accordingly, the Council accepts that social and economic advantages would flow from a grant of permission. The provision of 50% affordable housing could be seen as a particular advantage in an area where there is a significant need for such housing.
43. The Council's concern lay in the environmental role of sustainability. The proposed development would cause harm through the loss of countryside and of best and most versatile agricultural land. If land were needed for housing, then those losses might not be so different to such losses elsewhere around Easingwold or in Hambleton – but, at present, there is a 5-year housing land supply and no need to find additional land. Accordingly, one cannot conclude that the proposed development would be sustainable in the terms set out in paragraphs 7 and 8 of the NPPF.

²⁰ Document GDL105 anticipates an application for development in Use Class C2, which would not count towards housing supply figures – but it cannot be known what the decision on such an application would be.

Conclusion on main issue

44. The appeal proposal conflicts with adopted Development Plan policy in that the site is not allocated for development and sits outside the defined settlement boundary for Easingwold. It therefore runs contrary to Core Strategy Policy CP4 and Development Policy DP9. It could be argued that the proposal satisfies the criterion iii of CP4 by providing affordable housing – but, reading the policy overall and in its context, that is not an interpretation that can properly be applied.
45. The Development Plan can be considered out-of-date in terms of its housing requirement, set out in Policies CP5, CP5A and CP6 and flowing from the strategy of the revoked RSS. Policy CP4 is also inconsistent with the NPPF in setting an unduly onerous test for development in the countryside and failing to allow a planning balance to be undertaken. So too, for the same reason, is Development Policy DP9.
46. The full objectively assessed need for housing in the District can be said to be around 458 dpa, leading to a requirement for 2,400 dwellings over five years, including a 5% buffer. The present supply of developable land would enable a little over 2,400 dwellings. In other words, a 5-year housing land supply does exist, which means that the status of the Development Plan policies (out-of-date or inconsistent with the NPPF) carries little weight in the determination of this appeal.²¹
47. The absence of any meaningful surplus of developable land renders arid any discussion of the merit or otherwise of restraining housing in one part of the District in favour of another in the context of this appeal.
48. Lastly, the appeal proposal would be sustainable in economic and social terms but not environmentally, because it would mean the loss of countryside²² and best and most versatile agricultural land. If there were a shortage of housing land, then the environmental losses would have to be compared with those that would arise from the development of other sites; however, the analysis above shows no such shortage. Within the social limb of sustainability, great weight must go to the proposed affordable housing provision – 50% of the total of up to 175 dwellings; while very welcome, however, it is not something that can outweigh the other factors relating to both sustainability and the overall planning balance.
49. Taking all of the above into account, the appeal is to be dismissed because, in the first instance, the proposal conflicts with the Development Plan. The existence of a 5-year housing land supply reduces substantially the significance of the Development Plan being either out-of-date or inconsistent with the NPPF in certain respects. And the proposed development cannot be considered sustainable in the terms of the NPPF. Accordingly, there are no material considerations capable of outweighing the conflict with the Development Plan.
50. Additionally, it may be said that, while the available developable land is only just adequate to provide a 5-year supply, a review of the Core Strategy has begun and provides a more appropriate vehicle for consideration of the appeal

²¹ Similarly in the circumstances, the Council's approach, to focus new development "mainly to the south and east of the town" (Core Document 112, p.67, para. 5.4.7) cannot extend to the appeal site.

²² The NPPF, in the 5th bullet point of para. 17, says that the intrinsic character and beauty of the countryside is to be recognised; this must apply even in the absence of specific designations relating to nature conservation, protected species, heritage assets (natural or built) or archaeological interests.

site for future development. The analysis in this decision cannot, on the other hand, influence the Core Strategy review to any great extent, for two reasons in particular – it is not as exhaustive as one could expect in the review and time will have moved on by then, perhaps enabling different and more refined judgements on some matters.

Other matters

Community involvement

51. The Council argued that the lack of proper community involvement should count against the proposed development. It raised paragraph 66 of the NPPF in its support. However, that paragraph encourages rather than requires. It may well be that community involvement was not as great as it could have been; and that the development applied for did not meet some community aspirations in the way that it might have (even allowing for it being an outline application). On the other hand, it appears that some members of the community did not want to see any affordable housing at all, despite the need for it in the Easingwold area and the significant weight that could be given to the 50% provision of affordable housing in the appeal scheme when addressing the planning balance.

Neighbourhood Plan

52. The Easingwold Neighbourhood Plan has made a solid start. The findings of a questionnaire were published in October and the next stage is a detailed consultation in early 2015 to identify key issues. The Steering Group anticipates that the Plan can be completed by the end of 2015. Put simply, however, the Plan is not sufficiently advanced to carry great weight in this appeal. If the conclusion on the main issue had favoured the appellant, the progress of the Neighbourhood Plan could not itself have led to dismissal of the appeal.

Obligation and conditions

53. A not inconsiderable amount of time was spent on an obligation, executed at the end of the inquiry, and on suggested conditions, should the appeal be allowed. Between them, the obligation and conditions overcame several of the original reasons for refusal of the application. They do not, however, enable the conclusion on the main issue to be set aside.

Overall conclusion

54. None of these other matters affects the conclusion on the main issue, which leads to dismissal of the appeal.

John L Gray

Inspector

APPEARANCES

For Hambleton District Council

Jonathan Easton, of Counsel	instructed by Hambleton District Council.
He called	
Peter Boden PhD	Director, Edge Analytics Ltd.
Graham Banks BA(Hons) MRTPI	Planning Policy Manager with the Council.
Tim Wood BA(Hons) MRTPI	Development Manager with the Council.

For Gladman Developments Limited

John Barrett, of Counsel	Instructed by Phill Bamford of Gladman Developments Limited.
He called	
Darren Wisher BA MA Econ	Director, Regeneris Consulting
Michael Watts DipURP(Dist) MRTPI	Director, Nathaniel Lichfield & Partners, Manchester.

Interested Person

Michael Clarke	Vice Chair, Easingwold Town Council Neighbourhood Plan Steering Group
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Participating in the Round Table Session

For the Council

Graham Banks	
Tim Wood	
Suzanne Walters Thompson	Housing Manager with the Council.
BA(Hons) MA MRTPI	
Jonathon Easton	

For the Appellant

Michael Watts
Phill Bamford
John Barrett

DOCUMENTS

Core Documents

CDX List of all Core Documents.

Documents submitted to the inquiry by the Council

- 1 Re. Masham Road, Bedale (Allocation BH1, SHLAA site 769) – 1A) article from Darlington & Stockton Times, 11/11/14; 1B) questionnaire response from agent.
- 2 Re. Pig Farm, Aiskew (BH2, 765) – questionnaire response from owner.
- 3 Re. Ward Trailers, Easingwold (EH1, 780) – questionnaire response from developer.
- 4 Re. Kellbalk Lane and East of Oxenby Place, Easingwold (EH2, 778) and North of Meadow Spring Way, Easingwold (EH3, 779) – new planning application submission.
- 5 Re. York Trailers, Northallerton (NH1, 788) – questionnaire response from developer.
- 6 Re. North Northallerton (NM5A, 798; NM5B, 797; NM5D, 795) – Developer Consortium delivery position statement notes, 13/11/14.
- 7 Re. North of Sowerby Crescent, Stokesley (SH2, 803) – questionnaire response from developer.
- 8 Re. Cherry Garth, Thirsk (TH1, 810) – approved planning application floor plans for C3 extra care apartments.
- 9 Re. Westbourne Farm, Sowerby (TM2, 808) – email from developer on delivery rates, 17/11/14.
- 10 Re. Topcliffe Road, Sowerby – approved planning application for C3 extra care apartments and bungalows.
- 11 Guidance on Regional Econometric Model (REM), with email trail.
- 12 Email, 12/11/14, clarification on C2 provision.
- 13 Letter, 12/5/14, from Examining Inspector to Amber Valley Borough Council.
- 14 Re. Cleveland Lodge, Great Ayton (SH4, 804) – email, 18/9/14 attaching County Council model of accommodation with care and proposed site plan.
- 15 Extracts from the SHLAA, with hand-written amendments.
- 16 Response from Edge Analytics re. ELR source for jobs projections.

Documents submitted to the inquiry by the Appellant

- GDL101 Letter from Gladman to the Council, 10/11/14, re. delivery on Warmington Lane site, Middlewich.
- GDL102 Email from Barratt Homes & David Wilson Homes, 18/11/14, re. 5-year housing land supply assumptions.
- GDL103 Email from Barton Willmore, 18/11/14, re. Church Commissioners' site, North Northallerton.
- GDL104 Email from Home Builders Federation, 14/11/14, re. Housing Market Partnership involvement in the SHLAA.
- GDL105 Letter, 18/11/14, re. Cleveland Lodge, Great Ayton
- GDL106 Email, 20/11/14, re. projected housing delivery at the appeal site.
- GDL107 Past Completions Data for Hambleton, by NLP from HDC Annual Monitoring Reports.
- GDL108 Executed section 106 obligation (submitted after the close of the inquiry).

Other documents submitted to the inquiry

- MC1 Michael Clarke's statement to the inquiry, accompanied by three Easingwold Neighbourhood Plan documents – a) Report on the Public Consultation Survey carried out in August 2014; b) Report on Easingwold School Consultation Survey carried out in August 2014; c) Results of the Easingwold Consultation Forum held at the Galtres Centre on 23 October 2014.