



Planning Services

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6 November 2014

Dear Councillor Ward

Gladman Inquiry, Kirkbymoorside

Following the Public Inquiry into the 'Gladman 3' application last week, you have asked me to provide an explanation of why the Council did not have an updated 5 year supply calculation available for the Inquiry.

You are aware that the housing land supply position was not a reason for the refusal of the planning application and was not a matter which the Council was defending at the Inquiry. In short, from the consideration of the planning application through to the Inquiry, Officers were of the view that the District was not in the position where a five year deliverable supply of housing land could be demonstrated.

The report to the meeting of the Planning Committee which considered the application made it clear that at that point in time, a five year supply could not be demonstrated. In preparing for the appeal, a Statement of Common Ground between RDC and the appellant was agreed in July. This included agreement by both parties that the LPA could not demonstrate a five year supply of housing based on its quarterly update figure (at 30 June 2014). A supplemental Statement of Common Ground was subsequently agreed on the 16th October which reiterated the position and confirmed that the LPA could not demonstrate a 5 year deliverable supply.

The Planning Inspectorate (PINS) establishes deadlines for the submission of appeal/Inquiry material. You will be aware that a deadline for the submission of the LPA's Statement of Case and final Statement of Common Ground was established by PINS for early July. An extension to this deadline allowed the LPA to provide the updated (end of June) position and in submitting this documentation, the LPA made it clear that it would provide an updated supply figure for the Inquiry if requested to do so by the Inspector. The Inspector did not request the LPA to provide further updated supply information and in this respect, it must be assumed that the Inspector was content to proceed with the Inquiry in the light of the supply information available to him from both parties.

I appreciate that despite this sequence of events, Inquiry protocol and procedures (including timescales and the submission of additional evidence), this does not address your concern and dissatisfaction that Officers of this Council did not have an updated five year supply position calculated for the start of the Inquiry. I have explained and I am confident that you understand that this is not a calculation which can be rapidly arrived at by simply adding new planning permissions to an existing supply figure.

The time consuming element of the supply position is maintaining up to date completion information. Notwithstanding this and the fact that officers had not completed this work



in time to provide an update at the end of September, it was very clear to those Officers who undertake this work that they had no confidence that a five year supply could be demonstrated and that the position in this respect had not changed.

Officers were aware that planning permissions for 11 new homes had been granted between the period July – September. Even taking account of the ‘minded to approve’ supply at Broughton Road which came forward in this period and assuming no completions, a five year supply could not be demonstrated. Clearly, given the need to refer the Fitzwilliam Trust Corporation Sites to the Secretary of State, these could not be relied upon in any updated calculation. There was no justification for departing from the Statement of Common Ground in terms of the supply position and for introducing new evidence to the Inquiry. Furthermore, as I explained to you yesterday there was simply no time for an updated position to be properly calculated prior to the opening of the Inquiry following the confirmation (on the 15th October) that the Secretary of State would not be calling in the FTC sites.

During the Inquiry the Inspector clarified his understanding of the different positions of the LPA and the appellant in terms of the basis of the calculation of the five year supply; he confirmed that applications with a ‘minded to approve’ status could not be included in the 5 year supply; he was made aware of recent ‘minded to approve’ schemes and he noted that the Council’s five year supply calculation did not include a supply buffer required by national policy. I am confident that the Inspector has all of the information that he requires to inform his decision on the application.

It is clear from what you have said that feelings are running high in Kirkbymoorside. Given the very explicit public criticism of the Council’s team, I would be more than happy to clarify and address in writing, a range of wider matters/concerns if this would help you to respond to the concerns that local people are raising with you.

Yours sincerely,

Jill Thompson