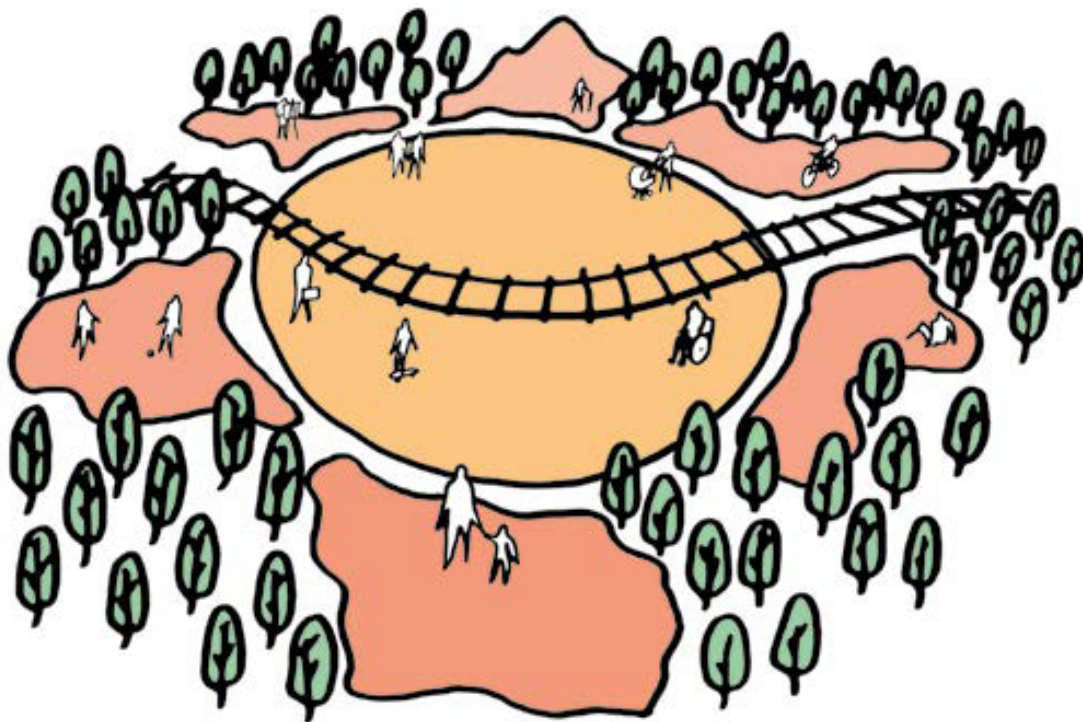


New Settlement (Maltkiln) Development Plan Document (DPD)



Submission Draft Consultation Statement

February 2024

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Introduction

Introduction 1

- 1.1** The development of the New Settlement is a key part of the district's growth strategy, providing much needed homes and jobs in a sustainable location along the York-Harrogate-Leeds rail line. The broad location for the settlement was established in the Harrogate District Local Plan 2014-35 (adopted 2020) after a rigorous process of consultation and examination. This Consultation Statement has been prepared in support of the New Settlement (Maltkiln) Development Plan Document (DPD)'s submission to the Secretary of State in accordance with Regulation 22 of the Town and Country Planning (Local Planning) Regulations 2012. It provides an overview of all consultations and stakeholder involvement that have informed the DPD.
- 1.2** On the 1 April 2023 North Yorkshire Council (NYC) was formed which assumed responsibility for administrating the area previously administrated by North Yorkshire County Council and the district councils of Harrogate, Craven, Hambleton, Richmondshire, Ryedale, Scarborough and Selby. Both Regulation 18 and Regulation 19 consultations were carried out by Harrogate Borough Council prior to Local Government Re-organisation. References to "the Council" therefore apply to the former Harrogate Borough Council when talking about activity prior to 1 April 2023.
- 1.3** This statement sets out;
- which bodies and persons the local planning authority (in this case the Council) invited to make representation under Regulation 18;
 - how those bodies and persons were invited to make representations under Regulation 18;
 - how any representations made at Regulation 18 have been taken into account; and
 - the number of representations made at Regulation 19 including a a summary of the main issues raised in those representations.
- 1.4** It is important that all sections of the community and stakeholders are provided with the opportunity to take part in the planning process at the earliest opportunity so that decisions can take account of the range of community views and reflect, as far as possible, the concerns and aspirations of the people affected by them.
- 1.5** This statement outlines how communities and stakeholders have been involved in the preparation of the DPD, how this engagement complies with the Council's Statement of Community Involvement (SCI) and how the issues raised have shaped and informed plan-making.
- 1.6** The Sustainability Appraisal, Habitats Regulation Assessment and Equality Analysis are an essential component and have been prepared and consulted on along with the main DPD documents as set out below. Individual comments made on these can be viewed at consult.harrogate.gov.uk/kse

Regulation 18 consultation - 19 October 2020 to 22 January 2021

- New Settlement DPD Consultation Reg 18
- Interim Sustainability Appraisal
- Habitat Regulations Assessment screening

Regulation 19 consultation - 3 October 2022 - 25 November 2022

- New Settlement (Maltkiln) DPD
- Equality Analysis
- Habitat Regulations Assessment
- Sustainability Appraisal

2 Statement of Community Involvement

Statement of Community Involvement

- 2.1** The starting point for consultation on development plan documents is the Statement of Community Involvement (SCI). This sets out how and when communities will be involved.
- 2.2** The SCI for the former Harrogate District was updated in August 2020 to reflect circumstances arising from the Covid-19 pandemic. This included a commitment to explore different ways of engaging with communities when established methods (such as events and exhibitions) are unavailable. For details please see [Harrogate statement of community involvement | North Yorkshire Council](#)
- 2.3** Chapter 3 of the SCI 2020 'Involving the Community in Planning Policy' sets out methods of engagement and the table below gives an overview of how the requirements have been met. Further detail of how communities and stakeholders were involved in each stage are found in the relevant chapters of this Statement.

Methods of Engagement set out in SCI 2020	Were Requirements Met at Regulation 18?	Were Requirements Met at Regulation 19?
Advertise and promote consultation on the Councils website	Yes The Council maintained a dedicated New Settlement DPD webpage with links to the consultation portal, kept up to date with key milestones and dates.	Yes The Council maintained a New Settlement DPD webpage with links to the consultation portal, kept up to date with key milestones and dates.
Use the consultation portal to update those registered consult.harrogate.gov.uk/kse	Yes The consultation portal was maintained and kept up to date.	Yes The consultation portal was maintained and kept up to date.
Send emails (or letters if no email address) to relevant parties who have requested to be on our database	Yes Emails were sent to all those registered on the consultation portal database with letters sent to all those with no email address.	Yes Emails were sent to all those registered on the consultation portal database with letters sent to all those with no email address.
Press Releases to local news outlets e.g. the Harrogate Advertiser series of newspapers and on social media including @HarrogateBC Twitter feed	Yes Press Release November 2020 Harrogate Borough Council Facebook Page posts across Nov 2020 including details of the extension of the consultation period to January 2021.	Yes Press Release 29 September 2022 @Harrogate BC twitter feed regular tweets were across October and November 2022 including details of the extension of the consultation period.

Statement of Community Involvement 2

Methods of Engagement set out in SCI 2020	Were Requirements Met at Regulation 18?	Were Requirements Met at Regulation 19?
	<p>Residents Newsletter articles and reminders</p>	<p>Harrogate Borough Council Facebook Page regular posts across October and November 2022 with links to the website and links to the consultation explanatory video</p> <p>Residential Newsletter articles and reminders.</p>
<p>Make documents available or inspection at the main Council Offices, relevant main libraries (where practical) and on the website</p>	<p>Yes</p> <p>All documents were made available to the Councils website, with physical copies available to view by appointment at the Civic Centre.</p> <p>As the Reg 18 consultation was carried out at time when restrictions arising from the Covid 19 pandemic were still in place it was not practical to drop copies within libraries.</p>	<p>Yes</p> <p>All documents were made available on the Councils website with physical copies at the Civic Centre and the following libraries;</p> <ul style="list-style-type: none"> • Harrogate, • Ripon, • Knaresborough, • Boroughbridge and • Poppleton
<p>Consult statutory bodies, Parish / City / Town Council's and key stakeholders</p>	<p>Yes</p> <p>Statutory bodies were consulted.</p> <p>Leaflets and posters were produced and distributed within the locality see Appendix 1.</p>	<p>Yes</p> <p>Statutory bodies were consulted.</p> <p>Leaflets and posters were sent to Parish Councils in the locality to help raise awareness, see Appendix 2.</p>
<p>Consult with residents groups and other interest groups where identified and we strongly encourage those to register on our database.</p>	<p>Yes</p> <p>Meetings were held with the Community Liaison Group (details of which are set out in para. 4.7 below) and a range of methods were used (see above) to encourage registration on our website. A range of interest groups are registered on the consultation portal and therefore all were notified of the consultation.</p>	<p>Yes</p> <p>Meetings were held with the Community Liaison Group (details of which are set out in para. 4.7 below). A range of interest groups are registered on the consultation portal and therefore all were notified of the consultation.</p>

2 Statement of Community Involvement

Methods of Engagement set out in SCI 2020	Were Requirements Met at Regulation 18?	Were Requirements Met at Regulation 19?
Undertake public exhibitions where practical and beneficial to the consultation being undertaken, and also to explore the use of webinars and online meetings where appropriate	<p>Yes</p> <p>Online meetings were held with the Community Liaison Group. An public exhibition was not practical given on-going restrictions arising from the pandemic but leaflets were produced and distributed as described above.</p>	<p>Yes</p> <p>Meetings were held with the Community Liaison Group. Public exhibition was not practical or beneficial given the nature of the Regulation 19 Consultation. A video was produced to help publicise and explain the content of the consultation.</p>

Table 2.1

Duty to Cooperate 3

Duty to Cooperate

- 3.1** The Council has an ongoing Duty to Cooperate with neighbouring authorities in regard to plan-making. The principle of a new settlement was established via policy DM4 of the adopted Harrogate District Local Plan. In submitting the Local Plan for examination, the Council provided a Duty to Co-operate statement that set out the steps that had been taken to fulfill its duty and concluded that there were no outstanding issues of strategic importance. This highlighted those bodies where on-going dialogue would be needed as the New Settlement DPD was being prepared, including City of York Council, Leeds City Council, Network Rail, Highways England (National Highways) and the former North Yorkshire County Council.
- 3.2** Discussions have taken place with these bodies throughout the preparation of the DPD and more detailed overview can be found in a separate Duty to Cooperate Paper.

Community Involvement at Key Stages of Plan Preparation

Pre-Regulation 18

- 3.1** Gillespies, supported by Cushman & Wakefield and Vectos, were commissioned by Harrogate Borough Council in 2018 to develop a concept framework for the delivery of a new settlement in the Green Hammerton/Cattal area. Stakeholder engagement was integral to this work, including the following key stages;
- **May 2018 Baseline Engagement:** This involved a combination of telephone interviews and group sessions with officers, transport stakeholders and land promoters to assist in understanding the key interests, issues and opportunities
 - **July 2018 Concept Visioning:** This was a half day Stakeholder Visioning Workshop to explore issues, opportunities, vision and ideas.
 - **September 2018 Concept Framework Development:** This was a half day Stakeholder Options drop-in session which provided an opportunity to comment on the emerging options.
- 3.2** This targeted engagement helped develop the evidence base, key themes and options for how the new settlement could look.
- 3.3** Whilst the starting point for consultation on development plan documents is the Statement of Community Involvement (SCI), the Council also developed a bespoke Engagement Strategy which outlined additional measures and methods that the Council aspired to use to make sure that as many people as possible could engage with the DPD and were not disadvantaged by circumstances arising from Covid-19 in particular.
- 3.4** In drafting this strategy, local Parish Councils, District Councillors and the campaign Group Keep the Hammertons Green (KTHG) were contacted and asked how they thought was best to engage with communities. The strategy was based upon their suggestions wherever possible. Internal consultation was also undertaken with the Council's specialists in communications and marketing, as well as looking at community data (e.g. age, education, digital inclusion statistics).

Formation of the Community Liaison Group

- 3.5** The New Settlement Community Liaison Group was set up in 2020 at the request of local communities and includes representatives from:
- Green Hammerton Parish Council
 - Kirk Hammerton Parish Council
 - Cattal, Hunsingore & Walshford Parish Council
 - Whixley Parish Council
 - Thornville Parish Meeting
 - Harrogate Borough Council (Ward Members)
 - North Yorkshire County Council (Ward Member)
 - Keep The Hammertons Green ⁽¹⁾
 - New Settlement Promoters (CEG ⁽²⁾ and Caddick Group)
- 3.6** The group's remit is to act as a sounding board for the development of the New Settlement DPD and provide a forum through which questions and issues relating to the DPD can be raised. It also affords an opportunity to ensure the local community to be kept up to date with progress on the DPD.

1 It should be noted that representatives from Keep the Hammertons Group withdrew from the group in May 2023 as the campaign group were no longer active.

2 It should be noted that CEG withdrew from the group following their decision not to pursue their planning application

3 Pre-Regulation 18

- 3.7** The group first met on the 23 November 2020. The group met many times during the development of the Regulation 19 Draft DPD and discussed a number of topic areas. The group fed constructively into policy development, suggesting proactive solutions to issues and problems. Their input has directly influenced policy in many areas, including the proposed strategic green gap policy as well as facilities, access and movement. It should be noted that the group have also assisted with ensuring constructive participation with the DPD within the wider community.

Regulation 18 Consultation

- 4.1** The Regulation 18 consultation ran from Monday 19 October 2020 to Friday 22 January 2021 (a little over 13 weeks) and set out three options for how the new settlement could look within the broad location as set out in Policy DM4 of the adopted Harrogate and District Local Plan 2020. The Regulation 18 consultation presented a 'preferred option'.
- 4.2** During this time, documents were published on the Council's Website and the consultation was publicised by the following methods:
- Emails/letters to all those on the Council's consultation database
 - Meetings with Parish Councils / community groups to raise awareness
 - Communications via the Council's social media channels
 - Articles/reminders in Council's Residents Newsletter
 - Press releases sent to all local news outlets
 - Posters displayed on Parish Notice Boards
 - A printed summary leaflet delivered in the area
- 4.3** It should be noted that Parish Councils and Community Groups also promoted the consultation through their own channels and were provided with additional leaflets to distribute after concerns were raised about the coverage of the leaflet.
- 4.4** The Engagement Strategy aimed to engage with younger people through engaging with schools. However, with ongoing challenges posed by the pandemic, this was not undertaken. However there is still scope for this to happen as part of detailed masterplanning and design code exercises. There was also no video, as the communications team were unable to support this due to additional workload pressures arising from the pandemic. However, the summary leaflet was succinct and accessible, providing a primarily visual overview of the questions being asked.
- 4.5** Responses were received from some 300 individuals and organisations via the channels outlined below. These can be viewed on the Consultation Portal [Planning Policy Consultation Portal - Keystone \(harrogate.gov.uk\)](https://www.harrogate.gov.uk/planning-policy-consultation-portal)
- 4.6** A summary of the responses can be found within Appendix 1.

5 Pre-Regulation 19

Pre-Regulation 19

- 5.1** Following the Regulation 18 consultation, a series of Technical Workshops were held which help to shape the policy themes and areas.

Technical Workshops

- 5.2** These meetings were attended by professional bodies, statutory consultees and departments of the former Harrogate Borough Council and North Yorkshire County Council. The topics discussed included housing, heritage, landscape, flooding and highways etc. which were fed back to the Community Liaison Group for their input.
- 5.3** These workshops, along with the input from the Community Liaison Group on specific topics, helped to shape the policy wording for the New Settlement (Maltkiln) DPD which went out to Regulation 19 consultation. Draft policies were shared with key stakeholders where appropriate to ensure they were robustly drafted and reflected the discussions.
- 5.4** In order to evidence the thinking behind the Draft policies, a number of background papers were produced and were published alongside the Regulation 19 Draft DPD:
- Access and Movement Topic Paper
 - Climate Change Strategy
 - Flood Risk Sequential Assessment
 - Heritage Impact Assessment
 - Strategic Green Gap Background Paper
 - Background paper - Viability Note
- 5.5** These can be viewed on the Consultation Portal <https://consult.harrogate.gov.uk/kse/>

Regulation 19 6

Regulation 19 Consultation

- 6.1** The Regulation 19 consultation ran from Monday 3 October 2022 until Friday 25 November 2022; originally it was due to close on the 14 November but an extension was granted following requests from the local community and Parish Councils.
- 6.2** The Regulation 19 Draft DPD was published on the Council's consultation portal where they could then comment on the various paragraphs of the DPD.
- 6.3** In addition there were a range of supporting documents in the form of PDFs including the;
- Sustainability Appraisal;
 - Habitats Regulations Assessment;
 - Equalities Assessment; and
 - Consultation Statement.

And the following Background Documents;

- Access and Movement Topic Paper;
- Climate Change Strategy;
- Flood Risk Sequential Assessment;
- Heritage Impact Assessment;
- Strategic Green Gap - background paper; and
- Viability Note.

There was also a PDF version of the New Settlement DPD for those that preferred to read in that format before commenting.

- 6.4** Comments on the DPD, Sustainability Appraisals, Habitats Regulations Assessment and Equalities Statement could be made via the portal, by email or sent through the post. While for ease a comment form was provided, those making representations did not have to structure their comments within this form.
- 6.5** In order to raise awareness and encourage engagement, the Council used the following methods:

Emails to registered consultees - the Council maintains a consultation database and all consultees listed on this database were invited to make comment on the New Settlement (Maltkiln) DPD Reg.19 Pre-Submission Draft. The consultation database includes both specific and general consultees as set out in the Council's Statement of Community Involvement and includes;

- Statutory consultees;
- Internal council stakeholders;
- Developers and agents;
- Parish and Town Councils;
- The general public;
- Local organisations;
- People who have registered on the Council's consultation database; and
- Duty to cooperate partners.

- 6.6** The consultation database is kept up-to-date to enable the Council to carry out consultation with the community.
- 6.7** Other methods were used to raise awareness and encourage participation. During this time, documents were published on the Council's Website and the consultation was publicised by the following methods:

6 Regulation 19

- Emails/letters to all those on the Council's consultation database
- Meetings with Parish Councils / community liaison group to raise awareness
- Communications via the Council's social media channels
- Articles/reminders in Council's Residents Newsletter
- Press releases sent to all local news outlets
- Posters and flyers were distributed to Parish Councils for display and/or delivery in the area, along with copies of the consultation documents
- Posters and flyers and copies of the consultation documents were distributed to the Civic Centre and following libraries;
 - Harrogate,
 - Ripon,
 - Knaresborough,
 - Boroughbridge and
 - Poppleton,
- An explanatory video and FAQ (frequently asked questions) were also produced and promoted through the website and the Council's social media channels.

6.8 The Parish Councils and Community Liaison Group also promoted the consultation through their own channels.

Consultation Period 7

Consultation Period

Consultation Outcomes

- 7.1** Over 800 responses were received from some 131 individuals and organisations, received via the portal, post and email. These can be viewed on the Consultation Portal <https://consult.harrogate.gov.uk/kse>
- 7.2** During the consultation period, a minor discrepancy between the PDF version of the DPD and the html version on the portal was identified. The html version was the version approved by Council and which included two minor amendments to the justification of two policies proposed by District Development Committee. The PDF version uploaded as a supporting document did not include those two amendments.
- 7.3** Once the Council were made aware, the correct PDF of the new settlement DPD was uploaded and an errata slip was added to the hard copy DPD document held at the Civic Centre, the libraries and by the Parish Councils.
- 7.4** A reminder email was also sent out to consultees to remind them of the consultation with a link to the portal.
- 7.5** At the time only a small number of comments had been received (three), these were reviewed and none related to the area of discrepancy. Legal advice was sought and actions taken were considered to be appropriate and proportionate with no parties disadvantaged.

Planning Application Consultation

- 7.6** The applicant for the planning application (reference 19/00017/EIAMAJ) centred around Cattal Station ran a consultation event around amendments to their planning application which also triggered letters to those who had previously commented on the planning application. While unrelated to the Regulation 19 consultation on the DPD, concern was raised that this had caused confusion locally. Whilst the Council cannot control when planning applications are submitted and when developers carry out pre-application consultation or the information that developers provide to residents, on this occasion the developer was asked to convey the message that the pre-application consultation was separate to the DPD. Residents were invited to view the DPD documentation as part of making their comments and the Council therefore does not consider any parties were prevented from making comments on the DPD as a result of the planning application consultation.

Extension of Consultation Period

- 7.7** Following requests from the local community and parish councils, the consultation period was extended from midnight on the 14 November to 25 November. The extension to the consultation period was advertised on Council's the website and social media pages with emails sent to consultees.

Key Issues from Regulation 19 Consultation

Summary of key issues 5

Summary of Key Issues

- 5.1** The summary of key issues raised, the Council's response and any proposed modifications are set out below, for ease these are presented in chapter and policy order. Please note these are a summary of the key issues raised and not all comments submitted as part of the Regulation 19 consultation. It should be noted that while comments from statutory consultees, Parish Councils and interest groups are attributed, comments submitted by individuals are not. Where comments raised are on the same key issue they have been grouped for a response.
- 5.2** Any comments received Equality Analysis, Habitat Regulations Assessment and Sustainability Appraisal have fed into the update of these documents.
- 5.3** As set out above the Regulation 19 consultation was held prior to the formation of North Yorkshire Council on the 1 April 2023. Comments received from the then District Councils and North Yorkshire County Council are attributed accordingly.
- 5.4** The proposed modifications are presented in the Schedule of Proposed Modifications for submission and consideration by the Inspector.

Whole DPD/General Principles/Introduction

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
It is remarkably imaginative, is addressing issues at scale and deserves to be supported.	Noted.	No amendment
Replacing 'should' with 'must' in all policies.	Noted.	Reviewed and amended as appropriate
<p>People without technical knowledge should not be asked to determine the legality or soundness of the DPD. (Nun Monkton Parish Council)</p>	<p>The remit of the Regulation 19 is set out in Planning Legislation; however it should be noted that the Council consultation asked for representations on any part of the publication draft of the New Settlement (Maltkiln) DPD and its supporting documents. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of the consultation is for you to tell us whether you think the plan is legally compliant and 'sound'. A definition of legally compliant and soundness was set out on the comment form.</p>	No amendment
<p>The plan should be re-examined as part of the new Council because:</p> <ul style="list-style-type: none"> • the new settlement is a long-term proposal and any decisions about the new settlement should be deferred until the new Council is in place as it will have responsibility for it. • creation of the new authority provides the opportunity for the new settlement to be considered alongside the housing and transport needs of the region as a whole. • the economic climate is so different now from when much of the evidence-base was built in 2014 - 2017; and with the Local Plan due for review anyway; address these matters in a more comprehensive NYC. 	<p>The adopted Harrogate District Local Plan including Policy DM4 is still in force and any planning applications will be assessed against it therefore it is important that the DPD is progressed to ensure that there is a policy framework to determine the relevant applications against.</p> <p>The principle of a new settlement in the Cattal area has already been rigorously tested through the local plan examination process and been found sound. There is no good reason to doubt that conclusion, or to presuppose that a later Local Plan would come to a different conclusion. As demonstrated in the Harrogate District Local Plan examination, this location represents a sustainable location on a railway line to serve demand in the housing market area. Additionally, a promoter is still in place to deliver the scheme. Therefore, re-opening debate on the merits of Maltkiln through a new Local Plan process would constitute unnecessary resource and delay. Stopping progression of the DPD would also undermine the ability of the Council to pursue a planned approach to the new settlement in the event of speculative planning applications in the area.</p>	No amendment

<p>The Pre-submission New Settlement (Maltkiln) DPD process is not legally compliant nor sound for the following reasons:</p> <ul style="list-style-type: none"> • disagree that there has been “rigorous consultation and examination”: • change in approach from HBC from not wanting to determine the planning application to both HBC and the promoter set on getting outline approval before 31/3/23 • changed from only giving weight to adopted policies to giving weight to emerging policies • lack of face to face consultation events • production of a wholly inadequate video • confusing and contradictory messages due to promoter also running consultation event • updated application only gave 14 deadline for comments – local residents being hurried to enable swift determination • error in published documents – HBC silently uploaded a new version of the DPD PDF day before notified the residents it was the hard copies only • data protection issues – PDF submission removed without notice • whole process appears rushed and significant confusion • withdrawal of the CEG application caused confusion in the community • application for new facility for Johnsons • portal is clunky and complex to use • Paragraph 1.4 of the Consultation Statement states - it is not necessarily the case that “the most votes win”. This is believed to be a negative statement and the language used could deter public participation. It appears issues have been predetermined. All representations should be welcomed and encouraged in a positive spirit. Democracy and inclusivity should be promoted by a caring Council • outline planning permission for Maltkiln was submitted (January 2019 before the local plan was finalised and before the Reg 18 consultation was carried out • closing comments deadline for revised application is Dec 2022 around submission of DPF enables Council to grant permission before submission and before end of HBC <p>(Comments received including from the Coalition of Parish Councils and Hunsingore Walshford and Cattal Parish Council)</p>	<p>The Regulation 19 consultation ran from the 3 October 2022 until 25 November 2022. The Pre-submission DPD is legally sound as the Regulation 19 consultation was carried out in line with the requirements of the legislation and the Council’s Statement of Community Involvement (SCI). The method of consultation is set out in Chapter 4 of this Consultation Statement. While it is understood the Promotor ran a consultation event on their planning application this was separate from the Regulation 19 consultation held by the Council.</p> <p>Chapter 5 sets out the consultation period; the errata slip issued on the hardcopies of the DPD and update of pdf version. This did not affect the html version on the portal. This chapter also explains the position of the two planning applications for new settlements in the broad location.</p> <p>An extension to the consultation period was subsequently approved.</p> <p>The local communities have been engaged with constructively and the Council have liaised with the Community Liaison Group throughout. The process has not been rushed and there has been significant amount of work including consultation with the Community Liaison Group, key stakeholders and Duty to Cooperate partners since the Regulation 18 consultation which ran from 19 October 2020 to 22 January 2021. The Council has also undertaken significant pieces of evidence base work which were included as part of the suite of consultation and background documents.</p> <p>The Council has promoted diversity and inclusivity and have not predetermined issues. Paragraph 1.4 is included to provide guidance and advice about how the Council will deal with representations and assure the community that the issues will be taken seriously.</p>	<p>No amendment</p>
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	<p>The Council cannot control when planning applications are submitted and when developers carry out pre-application consultation or the information that developers provide to residents. We did ask the developer, however, to ensure that they reiterated the message that the pre-application consultation was completely separate to the DPD consultation and there was still a need to submit comments to the DPD. Residents were invited to view the DPD documentation as part of making their comments so would have been able to see the content of the DPD at this stage.</p>	
<p>The documents that have been produced for such a significant project are very disappointing for the following reasons:</p> <ul style="list-style-type: none"> • aspirational rather than being a plan • no analysis and quantification • lack of interaction and in-depth consultation with the adjacent communities • too much involvement by politicians • lack of consultation with NYCC and the rail network 	<p>The DPD sets a clear and ambitious vision for Maltkiln, Policy NS1 sets out the development framework with Policy NS3 requiring a detailed master plan to be produced.</p> <p>The local communities have been engaged with constructively and the Council have liaised with the Community Liaison Group throughout the development of the Reg 19 Draft. The process has not been rushed and there has been significant amount of work including consultation with the Community Liaison Group, key stakeholders, including Network Rail and NYCC, and Duty to Cooperate partners since the Regulation 18 consultation which ran from 19 October 2020 to 22 January 2021. The Council has also undertaken significant pieces of evidence base work which were included as part of the suite of consultation and background documents.</p>	No amendment
<p>Consultation at Regulation 18 was unsound and the actions of the Council were unreasonable. Paras 4.1, 4.3 and 4.5 of the Regulation 19 Consultation Statement are incorrect or hidden as follows:</p> <ul style="list-style-type: none"> • extension of time was due to Christmas and Covid • incomplete mail drop • refusal to repeat the mail drop (notwithstanding reimbursement of the cost by the mailing house) • refusal to further extend the period of consultation to allow locals to undertake the mail drop so residents were not disadvantaged 	<p>The Pre-submission DPD is legally sound as the Regulation 18 consultation was carried out in line with the requirements of the legislation and the Council's Statement of Community Involvement (SCI). The Council does not believe that any parties were disadvantaged.</p>	No amendment

<ul style="list-style-type: none"> the Council failed to upload responses in a timely manner which did not allow transparency in identifying individuals and organisations who had responded. This process of managing representations is being repeated at this Regulation 19 stage. As such we are prevented from viewing (as at 24/11/22 the last comments we could access on the portal were dated 10/11/22) 		
<p>A stage in preparation of the DPD has been missed and should be carried out ahead of Regulation 19 Consultation. Regulation 18 consulted on 3 concept options. Having chosen a concept option the next stage (missing stage) of consultation should have been to consider settlement boundary options available within the chosen concept locality. As such we regard the DPD to be unsound. A new round of consultation should take place to arrive at a settlement boundary. (Comments received including from the Coalition of Parish Councils)</p>	<p>The Regulation 18 consultation presented a range of options as well as a preferred option. This preferred option included a more defined boundary which has not significantly changed. Further targeted engagement took place between the Reg 18 and Reg 19 consultation and therefore the Council disagree that a stage has been missed.</p>	<p>No amendment</p>
<p>Duty to cooperate partners Selby have no comments to make on the DPD (Selby DC)</p>	<p>Noted.</p>	<p>No amendment</p>
<p>Lack of consultation with Leeds CC and Wetherby Town Council</p> <p>The impact on Wetherby has been overlooked by the Council and there is not duty to cooperate evidence of consultation with Wetherby Town Council or Leeds City Council. Wetherby was also not a point where consultation documents could be viewed.</p> <p>The nearest town to the New Settlement is Wetherby. The DPD or supporting documentation have no evidence that Leeds CC have been consulted, and certainly no evidence that the impact on Wetherby has been considered at all. Currently there are three other town-sized new settlements proposed within 14 miles of this one - the combined population of the four settlements being 30-35,000. But the DPD has no evidence that there's been any assessment of the cumulative or strategic implications of this.</p> <p>(Comments received including from the Coalition of Parish Councils and Better Wetherby Partnership)</p>	<p>The principle of the new settlement in this location has already been established through the adoption of Policy DM4 within the Adopted Harrogate District Local Plan. Leeds City Council were engaged throughout this process and supported the Local Plan.</p> <p>Leeds City Council have been consulted during the preparation of the DPD in line with the Duty to Cooperate requirements and have agreed to sign a statement of common ground which outlines this engagement and the issues discussed.</p> <p>Both Leeds City Council and Wetherby Town Council were notified of the consultation and invited to make responses along with other Duty to Cooperate partners.</p>	<p>No amendment</p>
<p>There has been a failure of the Duty to Cooperate requirements as no evidence has been given about consultation that has occurred with Leeds or Selby which is needed because of the significant social and economic mobility by residents of the New Settlement with this major city and Selby will become the local area office for the New Settlement.</p>	<p>All the Duty to Cooperate requirements have been adhered to in the preparation of the DPD which includes consultation and engagement with Leeds City Council and Selby District Council.</p>	<p>No amendment</p>

	<p>Selby District Council submitted comments at Reg 19 which stated that they had no issues with the DPD.</p> <p>It is also important to note that the vision and policies within the DPD aim to make Maltkiln a distinct settlement in its own right, with services and facilities provided within the local centre which minimise the need to use services elsewhere.</p>	
<p>The DPD does not, in any way, "very carefully address the implications for nearby villages" as required by the Planning Inspector in his report on the Council's overall planning strategy (the 'Local Plan') in 2020.</p>	<p>The policies within the DPD have a variety of aims and one of them is to protect the neighbouring villages as well as creating important links to enable them to access the facilities and services within it. The Strategic Gap policy in particular has been developed after consideration of the concerns of the existing communities with the main aim of protecting the conservation areas of Green Hammerton and Kirk Hammerton and preventing coalescence.</p>	No amendment
<p>New Settlement will have an adverse impact on Wetherby for the following reasons:</p> <ul style="list-style-type: none"> • Infrastructure not built for increased traffic • Impact on air quality • Impact on existing medical facilities • No suitable parking for increase in vehicles • Impact on market town • Impact on wildlife and habitats 	<p>The principle of the new settlement in this location has already been established through the Adoption of Policy DM4 within the adopted Harrogate District Local Plan.</p>	No amendment
<p>Disagree with the statement "The land within and surrounding Maltkiln currently consists mainly of arable and pasture farmland" as follows:</p> <ul style="list-style-type: none"> • 100% of the land is grade A farming land • the location is also in the middle of several small and larger towns. • population of this proposed settlement is actually over twice the size of Boroughbridge, a market town, a third bigger than Tadcaster. • settlement would make it the 12th largest settlement in the whole of North Yorkshire 	<p>Noted. The principle of the new settlement in this location has already been established through the Adoption of Policy DM4 within the adopted Harrogate District Local Plan.</p>	No amendment
<p>Flaxby is a better alternative.</p>	<p>The principle of the new settlement in this location has already been established through the Adoption of Policy DM4 within the Adopted Harrogate District Local Plan.</p>	No amendment

<p>Disagrees with statement “offering excellent sustainable transport links to Harrogate, Knaresborough, York and Leeds.”</p> <p>No research carried out to support the locations of where the current residents in this area work, to enable a forecast where future residents in this proposed development would work and how they would then travel to work.</p>	<p>The principle of the new settlement in this location has already been established through the Adoption of Policy DM4 within the Adopted Harrogate District Local Plan.</p>	<p>No amendment</p>
<p>Support the decision that there should be a New Settlement in this area.</p>	<p>Support noted.</p>	<p>No amendment</p>
<p>The Council are currently over delivering on housing in the district, the Government’s own Housing Delivery Test revealed the Harrogate district needed 987 new homes to meet demand between 2018 and 2021 - but 2,682 were delivered, this was through the pandemic period too. In 2019/20 and 2020/21 the Council over delivered on houses by 47% against its own target of 637 new homes a year. 2022 will show similar over-delivery against the plan. The Authority Monitoring Report - April 2021 (dated December 2021) states as of 1st April 2021 the Council has been able to demonstrate a 7.4 years supply of deliverable housing land</p>	<p>To clarify, Harrogate’s Local Plan target of 637 homes per year is higher than the baseline figure that is set out in the government’s standard methodology. There is good reason for this and the figure reflects predicted population growth as well as the needs of the local economy and the needs of local people (in particular families and young people facing increasing difficulty in buying their own property due to lack of supply and high house prices). It also reflects a significant amount of historic under delivery in the Harrogate district from the beginning of the plan period. The Local Plan includes a growth strategy (which includes a new settlement) to meet the identified housing need, including affordable housing, in full and rates of delivery have increased since the Local Plan was adopted in 2020.</p> <p>More recent figures show that the shortfall has now been met. However, the Local Plan also includes a trajectory to show anticipated delivery of this housing and this clearly shows that delivery rates are estimated to be higher over the beginning of the plan period and lower in later years. So it is not anticipated that delivery will continue at current rates.</p> <p>In summary, the assertion that there is “over-delivery” in the Harrogate Local Plan area is misleading and the higher-than-plan-target delivery rates should not be cause for alarm as they reflect positive progress on addressing a significant shortfall and reflect a planned trajectory.</p>	<p>No amendment</p>
<p>The DPD should include a policy to protect and compensate residents from construction impacts prior to any planning proposal</p>	<p>It is not necessary to include a policy within the DPD to deal with the construction stage. Unfortunately, the construction of a new settlement will cause some</p>	<p>No amendment</p>

<p>being considered and these must have proper enforcement mechanisms before any application is passed. (Comments received including from Whixley Parish Council)</p>	<p>disruption however the Council will ensure that this is kept to a minimum through the use of appropriate planning conditions attached to the planning application and a S106 if necessary. If any conditions or requirements of the S106 are breached by developers, then enforcement action can be taken.</p>	
<p>The DPD is missing a number of key requirements such as details of emergency services required for such a population, crime issues with a pedestrian/ cycle environment, churches, sewage works.</p>	<p>Policy NS3 requires a master plan to be produced, with planning applications subject to consultation which will include Highways and the Police Architectural Liaison Officer.</p>	<p>No amendment</p>
<p>Para 1.2 states to the DPD being a starting point” but given the passage of time it should be more than this and confirm at least a requirement for primary infrastructure referenced. Mechanisms should be in place in the DPD to capture funds for offsite infrastructure and other contributions. (Comments received including from Hunsingore Walshford and Cattal Parish Council)</p>	<p>Whilst policies within the DPD, the Local Plan and associated Supplementary Planning Documents covering issues such as open space, village halls and education ensure that essential infrastructure is required to be provided by developers either on-site or by off-site infrastructure or financial contributions it is felt appropriate to include a specific infrastructure policy within the DPD which collates the requirements together for clarity. The Council will continue to work with all the infrastructure providers in the preparation of the DPD and consultation on any planning application as part of identifying the amount and the exact delivery mechanism. Any requirements will form part of a S106 legal agreement to ensure that they are provided at the right time.</p>	<p>Amendment Addition of new Policy NS38 : Infrastructure Delivery – wording can be found at the end of the document</p>
<p>Should be a new air quality policy.</p>	<p>Air quality is adequately covered by Local Plan Policy NE1 and therefore there is no need to repeat in the DPD.</p>	<p>No amendment</p>
<p>There are no measures for light-pollution in the DPD, but floodlighting, and potential noise, from pitches will need very careful assessment, in particular with regard to the Green/Countryside Gap and existing Conservation Areas. A Policy measure covering this would contribute to the overall effectiveness of the DPD.</p>	<p>Issues such as light and noise pollution are covered adequately by Local Plan Policy HP4 and Policy NE4 so there is no need for an additional policy within the DPD.</p>	<p>No amendment</p>
<p>Despite it being an objective, there is no proper consideration of stewardship policies. The Reg 19 document repeats the need for proposals to set out stewardship and management arrangements in perpetuity in several policies (NS9, NS10, NS12, NS26) however this is not enough. The TCPA recommends long term stewardship for a minimum of a 25 year plan whereas: the table at the end of the Reg 19 document shows the infrastructure project of public open space and sports grounds to have no long-term maintenance from 2033 or shows provision for a 10 year plan.</p>	<p>The need for proposals to set out stewardship and management arrangements are stated in policy and therefore have significant weight and the appropriate stewardship vehicle(s) will be considered when the precise of facilities are determined through the masterplan. For clarity, the Open Space SPD does not intend that maintenance will not go past the 10 year period, future maintenance would be expected after this time.</p>	<p>No amendment</p>

<p>The document should cover stewardship and management arrangements in far greater detail than it is at present.</p>		
<p>The engagement and stewardship objective cannot be achieved seeing as the community have not had an opportunity to challenge the DPF properly including the vague and insipid use of words such as 'consider' and 'may' and 'proposes'.</p>	<p>The Regulation 19 consultation was carried out in line with the requirements of the legislation and the Council's Statement of Community Involvement (SCI). The local communities have been engaged with constructively and the Council have liaised with the Community Liaison Group throughout. The Regulation 19 consultation has enabled the community to 'challenge' the use of any words within the DPD.</p> <p>The aspirations of all the vision and objectives are achieved through specific policy requirements within the DPD so disagree that the engagement and stewardship aspirations are unachievable.</p>	<p>No amendment</p>
<p>The DPD needs to make reference that the proposed new settlement of Maltkiln is located within a Minerals Safeguarding Area as shown on the adopted Minerals and Waste Joint Plan Policies map, located at Spectrum Spatial Analyst (northyorks.gov.uk). Potential applicants will need to refer to Policy S02 in the North Yorkshire County Council, the City of York and the North York Moors National Park Authority Minerals and Waste Joint Plan. Policy S02: Developments proposed within Safeguarded Surface Mineral Resource Areas need to be taken into account and a Mineral Assessment undertaken for the development area. Once the Minerals Assessment has been undertaken the results should be provided to the Minerals Planning Authority for consideration.</p>	<p>Noted. Amendment to Para. 1.3 recommended to reference the Minerals and Waste Joint Plan.</p>	<p>Amendment</p> <p>Amend Para 1.3 "the DPD should be read alongside the Local Plan 2014-35 (or any subsequent updates) <u>and Policy S02 of the North Yorkshire County Council, the City of York and the North York Moors National Park Authority Minerals and Waste Joint Plan.</u></p>

CHAPTER 2: VISION AND OBJECTIVES

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>The new settlement should not be referred to as a Garden Village as some key features of a Garden Village are missed in the NS plan such as:</p> <ul style="list-style-type: none"> • land value of the benefit of the community • a range of accessible jobs within an easy commute • community Engagement (poor to date) • opportunities to grow food • promote genuine local consent • make health a priority in planning and help decision makers understand the links between planning and health • Reduce car dependency and promote sustainable transport (Caddick) 	<p>Agree. The New Settlement should not be referred to as a Garden Village.</p> <p>Delete reference to the Garden Village in para 2.1 and throughout the DPD.</p> <p>Whilst many of the overall Garden Village principles are included within the DPD, Maltkiln is not officially a Garden Village settlement and therefore reference to a garden village will be removed.</p>	<p>Amendment Delete reference to the Garden Village within the DPD.</p> <p>Wording to be amended within Vision and para 8.6 to refer to settlement as follows;</p> <p>Amend vision as follows; Maltkiln is a garden village settlement with a distinctive identity where people want to live, work and spend time.</p> <p>Amend para. 8.6 as follows; The DPD seeks to deliver a garden village settlement with a distinctive identity where people want to live, work and spend time, providing high quality housing for future residents.</p>
<p>Specifically, how is 'commercially aware' (p7) being defined in relation to proposed and extant policies? (Coalition of Parish Councils)</p>	<p>It is not considered necessary to define 'commercially aware' within the DPD as it is a well-used term.</p>	<p>No amendment</p>
<p>The relation of policies to the DPD's policy boundary needs to be clarified. The policy status of the 'Broad Location for Growth' needs to be clarified (Coalition of Parish Councils)</p>	<p>Land within the Green Hammerton/Cattal area was identified as a broad location of growth within Local Plan Policy DM4. This policy also stated that the exact boundary, nature and form of the New Settlement within this broad location would be established through the preparation of the DPD. The Regulation 19 consultation identifies the exact boundary of the new settlement as required by Policy DM4. There is no need to clarify this within the documents and the policy maps are labelled appropriately.</p>	<p>No amendment</p>
<p>There is no policy hierarchy. Hence within the DPD, and in its relation to the Local Plan and the NPPF, it's impossible for anyone to know in advance which policy can be used to 'trump' another (Coalition of Parish Councils)</p>	<p>There is no policy hierarchy. Any planning application received would be considered against the National Planning Policy Framework, Local Plan and</p>	<p>No amendment</p>

	Development Plan Documents, these documents must be read as a whole.	
Local Plan policy DM4 includes the word 'exemplar'. For the DPD to be effective exemplar needs to be defined in DPD policy. As examples, we suggest non-residential development should be BREEAM 'Outstanding', and residential development to have BREEAM community assessment (Coalition of Parish Councils)	It is not considered necessary to define 'exemplar' in a specific policy. The vision, objective and policies within the DPD are considered to meet the requirements of DM4 and set out exemplary in relation to Maltkiln. The specific suggestion of BREEAM standards is addressed in the Climate Change policies section of this report.	No amendment
The expectation is that the new settlement will be an exemplar of sustainable design and layout. For Policy DM4 and the DPD to be effective, the priorities and their constraints need to be made clear within the policy framework itself. At present it reads as a 'wish list'. Overall, further work should be carried out and the draft plan re submitted for consultation with an extended evidence base. (Coalition of Parish Councils)	The Vision and Objectives will be achieved through the specific policies within the DPD. These policies detail the specific requirements that any planning application will have to meet. These specific policies will either stipulate the actual provision to be made or the evidence/submissions that would be required at planning application stage.	No amendment
The DPD is incomplete or inadequate with regard to the following stipulations of Local Plan policy DM4: <ul style="list-style-type: none"> • The provision of supporting transport infrastructure including managing the impact of traffic on the strategic and local road network • The phasing of development to ensure the provision of essential supporting infrastructure and facilities is provided ahead of or in tandem with the development it supports to address the impacts of the new settlement. • Appropriate measures to mitigate flood risk including the use of sustainable urban drainage systems. • The new settlement will be an exemplar of sustainable design and resource efficiency. It will incorporate high design and layout standards. • The relocation of the existing horticultural nursery as appropriate. • Quantum and mix of uses • Design code requirements for future applications • Housing types and tenures including affordable housing • Delivery partners, phasing and implementation (Coalition of Parish Councils)	These requirements are provided through specific policies within the DPD which will either stipulate the actual provision to be made or the evidence/submissions that would be required at planning application stage.	No amendment
"Maltkiln" is the developers name for their original planning application, that became stuck' to the DPD, without consultation.	Responses at Regulation 18 suggested that the new settlement should be given a name at an early stage	Amendment

<p>Malkiln is spelt differently throughout the document (Coalition of Parish Councils)</p>	<p>to provide a sense of identity and ensure clarity that it was a new settlement in its own right. No specific suggestions were put forward.</p> <p>Discussion with community representatives provided a clear steer on parameters for a name, i.e. that it should not reference any of the existing villages but should have historical links to the area. Malkiln meets these parameters and has been in common use through the planning application process and was therefore deemed an appropriate choice.</p> <p>The typographical errors in the spelling of Malkiln should be corrected.</p>	<p>The document to be updated with 'Malkiln'.</p>
<p>Create a new Objective relating to the historic environment to read: "Historic environment <u>Objective: To conserve and enhance the significance of heritage assets, including their setting, and respond positively to the historic landscape context of the area.</u> <u>Relevant policies: NS16, NS17, NS18, NS19, NS20, NS21</u>" (Historic England)</p>	<p>Noted. Additional objective added.</p>	<p>Amendment</p> <p>Add the following objective below Landscape and open space:</p> <p><u>Historic environment</u> <u>Objective: To conserve and enhance the significance of heritage assets, including their setting, and respond positively to the historic landscape context of the area.</u></p> <p><u>Relevant policies: NS16, NS17, NS18, NS19, NS20, NS21</u></p>
<p>Historic England support the following objectives:</p> <ul style="list-style-type: none"> • Design Quality and Local Character • Village Relationships • Landscape and Open Space <p>(Historic England)</p>	<p>Support noted.</p>	<p>No amendment</p>
<p>Under Sustainable Travel, the second bullet point, replace 'a network of safe and attractive walking and cycling routes' with 'A network of safe and attractive routes for those without a car' to make it more inclusive and demonstrate lack of discrimination and provide flexibility to include horse-riders where it is practical and appropriate to do so and embraces those who use a wheelchair or mobility buggy. (NY Access Forum)</p>	<p>The aim is to provide non-vehicular alternatives for those with and without a car. The current objective does not exclude those who use a wheelchair or mobility buggy.</p>	<p>No amendment</p>
<p>Disagree with the Sustainable Travel objective because:</p> <ul style="list-style-type: none"> • people will not choose to walk or cycle 	<p>Noted.</p>	<p>No amendment</p>

<ul style="list-style-type: none"> the A59 is dangerous to cross the village links have been confirmed as 'aspirational' and the routes for active travel appear to be planned for later on in the development. 		
<p>Petition submitted supports the Vision and objectives but disagrees that detailed plan can deliver the vision. (via Petition)</p>	<p>Noted.</p>	<p>No amendment</p>
<p>The Climate Change objective should be more ambitious with the focus not limited to net zero travel but extended to include construction emissions and operational emissions for all built development. Amend as follows: 'Reducing carbon emissions in pursuit of the Council's 2038 net-zero ambition through a focus on net zero carbon travel and <u>both construction and</u> operational emissions, <u>including throughout all built development</u>, and use of improving best practice to reduce embodied carbon throughout the whole life-cycle of development.' (CPRE North and East Yorkshire)</p>	<p>The net zero carbon focus of the objective already includes both travel and operational emissions. Construction emissions are not covered by the net zero ambition but, as they are an example of embodied/ life-cycle emissions, they are included in the objective with emissions to be reduced in-line with improving best practice. This accords with the approach to these emissions in policy NS8. The merits of this approach are discussed alongside NS8 issues.</p>	<p>No amendment</p>
<p>There is little more certainty now than when the Local Plan was adopted. As HBC have previously stated, comparing a new settlement to individual site allocations is comparing apples and pears. But the approach taken in the DPD seems to postpone effective consideration of the many interdependent and conflicting factors that will profoundly impact deliverability and exemplarity. They themselves seem to be treating this as a site allocation. Obviously, as the Local Plan clearly states that the DPD will address the 'quantum and mix of uses', this wasn't always the case. So, what's changed? (Comment received including from the Coalition of Parish Councils and Tockwith with Wilstrop)</p>	<p>The New Settlement (Maltkiln) DPD sets a clear and ambitious vision for Maltkiln and a policy framework to guide how it is developed. The DPD, once adopted, will form part of the Development Plan for the Harrogate District and will be used in the determination of planning applications in the area.</p>	<p>No amendment</p>

CHAPTER 3: SITE CONTEXT

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Amend para 3.4 to include wording about the fact that Johnsons would need to be satisfied that it can justify relocation based on the</p>	<p>Noted. The DPD references that the Nursery are seeking an alternative site.</p>	<p>No amendment</p>

income it will receive from selling existing land assets. Funding the purchase and development of the relocation site will be reliant upon securing sufficient funds from these existing landholdings. (Johnsons of Whixley)		
The site context provided in these four short paragraphs is wholly inadequate as the basis for developing a policy framework for the site. No consideration is given to the historic context of the site, or to the constraints and opportunities the site presents to the development of a new settlement. (Historic England)	The site context included within the DPD is intended to give a succinct oversight and is therefore felt to be sufficient. The historical context of the site has been fully considered in the development of the DPD and a Heritage Impact Assessment has been undertaken in consultation with Historic England.	No amendment
Para 3.4 Whilst not a matter of soundness of the DPD, the description of the Johnsons nursery land is currently inaccurate, referencing one site to the north east of Maltkiln. The nursery has a number of locations in this area, however they also have land used for growing elsewhere in the new settlement boundary. The description should be amended to reflect that they also have two sites to the south of the station. (Caddick)	Agree. Wording to be amended to reflect the other locations.	Amendment Amend the wording of Para 3.4 "Johnsons Nursery, a successful local business, currently occupies a number of sites within the Maltkiln New Settlement Strategic Allocation a site on the north east of Maltkiln . The Nursery has identified a re-location site and is currently working to secure planning permission."
The policy numbering on the Policies Map (Figure 1) no longer aligns with the actual policies. This needs to be corrected.	Noted.	Amendment Map and policy numbering amended

CHAPTER 4: DEVELOPMENT FRAMEWORK

NS1: Development Framework

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
To improve the framework further in the certain areas, the following inclusions and links to recognised standards are worth consideration: Section 4: Development Framework Reference to Harrogate Borough Council's landscape character assessments (or a site specific landscape strategy) to guide the protection of wider landscape character and setting, important views, scenic routes and gateways, 'soft' green boundaries and the transition of new settlement edges. This could also inform the landscape character and design within the site, and the use of local styles, materials and locally occurring native species. Guidance for the protection and retention of existing natural landscape assets and characteristics such as woodland, hedgerows, trees, water courses and the long-term maintenance and management of natural assets.	The DPD, once adopted, will form part of the Development Plan for the Harrogate District and will be used in the determination of planning applications in the area. Adopted Supplementary Planning Documents and guidance which includes the Landscape Character Assessment and Landscape Design Guide will continue to be a material consideration.	No amendment

<p>(Former NYCC)</p> <p>The FAQs accompanying this consultation (Reg19) states that the previous consultation (Reg18) gave a 'clear steer' towards location. This does not reflect the consultation.</p>	<p>The principles of delivering a new settlement and of this being within a broad location at Green Hammerton/Cattal are set within the local plan, and the DPD needs to accord with this. At DPD Reg 18 we consulted on three site options within this area and suggested a preferred option. The majority of respondents that engaged with the question felt that the suggested preferred option was the best (or perhaps the least bad) option. This is considered to provide a clear steer.</p>	<p>No amendment</p>
<p>It would be helpful if the wording to the supporting justification could be strengthened by cross referencing other policies in the plan which set out these details. (Former NYCC)</p>	<p>Noted.</p>	<p>Amendment</p> <p>Relevant Policy box to be added throughout the document to state linked policies.</p>
<p>Support the approach to Policy NS1, however the level of appropriate public transport and level of walking and cycling provision should be defined in the policy. These details should also be explained in the supporting justification to ensure that realistic alternatives to the private car will be available to all residents for most journeys and all local trips. (Former NYCC)</p>	<p>Policy NS1 is the overarching strategic policy and more detail about specific access and movement requirements are detailed in the policies within the Access and Movement chapter.</p>	<p>No amendment</p>
<p>With regard to "appropriate public transport" - How will planners assess whether the requirement for appropriate public transport been satisfied?</p> <p>There is no reference as to where people are going to work. The development cannot support even 10% of the employment needed for all the residents. Employment will be scattered across North Yorkshire, West Yorkshire and into York.</p> <p>Will the development support a sufficient critical mass of occupants to justify viable public transport given the vast number of destinations?</p>	<p>Proposals will be assessed against Policy NS30 Sustainable Travel and Connectivity, which sets out a requirement for Maltkiln to be designed and developed in a way that reduces the need to travel, including through provision of a bus service and Policy NS34 High Quality Public Transport: Bus Provision, which sets out requirements in relation to the provision of Bus services serving the settlement.</p> <p>The DPD will allocate land for employment uses and also include other services and facilities (schools, shops etc) where residents can seek employment. The location of the new settlement on the train line between York and Harrogate/Leeds provides a sustainable travel option for residents seeking employment in neighbouring towns and cities.</p> <p>The area is already served by existing public transport services (rail/limited bus services), so the development of additional homes will support these</p>	<p>No amendment</p> <p>Refer to representations and responses against policies NS30 and NS34 below.</p>

	existing services and will provide an opportunity to deliver enhanced connections to nearby settlements via improved bus services.	
Highways England's review of the Framework Travel Plan stated: The proposed public transport provision is not sufficient to cater for the large demand this settlement would require (provided in March 2019 in response to the outline planning submitted for Maltkiln).	National Highways (formally Highway England) has responded to the Regulation 19 consultation and whilst welcoming the commitment to the production of a Travel Assessment and asking for more information to be provided at different stages of the preparation and submission of the application they have not objected to the DPD and in particular the policies or objectives related to public transport.	No amendment
No bus route currently serves Cattal. The nearby route 22 is subsidised by the County Council and the bus through Tockwith is being cancelled.	It is recognised that existing bus services in the area are limited, however policy NS34 sets out the policy requirements for enhancement in order that the new settlement is better serviced.	No amendment
With regard to the bullet "a comprehensive network of walking and cycling routes", the only places residents are going to walk or cycle to is the primary school, GP and a corner shop. They will not be walking to work; they will not be walking to leisure activities. They will have to drive to get their secondary school children to and from after school activities.	The DPD includes Policy NS31: Walking and Cycling, which requires development to provide a network of direct footpaths and cycleways. By making active modes of travel an accessible option for residents of the new settlement, active travel will be encouraged.	No amendment
The A59 is dangerous to cycle on. This was highlighted by Highways England review of the FTP, in their report dated March 2019 it concludes "...however, without major improvements to the cycle provision along the existing A59 highway, cycle trips both east and west of the proposed development will remain significantly inhibited".	Policy NS31 seeks the creation of safe cycling and pedestrian crossing points over the A59. The DPD highlights that there is a longer term aspiration for improved cycle connections along the A59 corridor, with feasibility work underway to look at a fully segregated foot/cycleway alongside the rail line.	No amendment
Policy NS1 – add the following additional bullet point: "● locally distinctive, high quality, sustainable design which responds to the sites topography, natural and historic environment" (Historic England)	NS1 sets out the minimum Maltkiln must provide, emphasis on the design and local distinctiveness is recommended within NS3.	No amendment
The safeguarded land in the south east corner education use is an area of higher sensitivity where development would be likely to impact on the significance of the Grade II* Listed Old Thornville, located to the south-east of the site. Need to ensure that there is careful layout and design of buildings, positioning of playing fields, appropriate landscaping and boundary treatment, and the retention of a suitable buffer to avoid/minimise harm to Old Thornville through development in its setting. We therefore do not object to the identification of the safeguarded land in the DPD but would like to be consulted at an early stage should plans to deliver a secondary school come forward in this location in the future. Other more	Noted.	No amendment

intensive uses of this land would be considered inappropriate and should be avoided, in line with the recommendations of the HIA. (Historic England)		
Para 4.7 should be amended to read 'It is expected that all the required pre-school and primary education educational needs will be met on-site. The education authority (North Yorkshire County Council) have identified the requirement for two primary schools <u>both with nursery provision.</u>	Noted. Amendment recommended.	Amendment Amend Para 4.7 as follows: ".The education authority (North Yorkshire County Council) have identified the requirement for two primary schools <u>both with nursery provision...</u>
Allocation of a site that straddles the railway line will create severance, clearly cutting the community in two. Any increases to the current service of two trains per hour will serve to further cut the community in half.	The presence of the railway enables the new settlement to be a sustainable settlement with the principle of providing opportunities for non-car modes of transport at the heart. It is recognised within the policy requirements of the DPD that the crossing of the railway by foot, cycle and car is vital to enable these objectives to be achieved.	No amendment
This policy is not transparent, there is already a planning application submitted in 2019, stating for up to 4000 houses, which is a third bigger than the Council are suggesting in this DPD. There is no justification provided for the dwelling number. (Comments received including from Tockwith with Wilstrop Parish Council)	Applicants can seek planning approval for a scheme at any time. The DPD policies are not required to refer to or reflect pending planning applications. It should also be noted that the policy within the DPD requires 3000 dwellings as a minimum. The number of dwellings delivered on the site will be determined through the planning application process in line with the policies of the development plan.	No amendment
Uncertainty and inconsistency in references to the number of dwellings including use of 'minimum 3000 dwellings' and 'at least 3000 dwellings' and 'in the range of 2000 – 3000' in the new settlement background paper at para 2.28. (Comments received including from Tockwith with Wilstrop Parish Council)	Whilst there is a slight difference in the wording used, both Policy NS1 and DM4 state that there will be 'at least 3000 dwellings' so there is no inconsistency of approach.	No amendment
The new settlement should not exceed 3000 dwellings as there is no evidence provided that that the new settlement can support this level of development. In fact most of the documents provided evidence no more than this amount. (Comments received including from Tockwith with Wilstrop and Hunsingore Walshford and Cattal Parish Council)	The principle of the new settlement in this location has already been established through the Adoption of Policy DM4 within the Adopted Harrogate District Local Plan. This Policy states that there will be 'at least 3000 dwellings'. The number of dwellings delivered on the site will be determined through the planning application process in line with the policies of the development plan. The determination process will	No amendment

	ensure that the new settlement can support the level of development proposed.	
<p>The settlement boundary should be amended as follows:</p> <ul style="list-style-type: none"> extended to show and include land required for the link road to A168 southern boundary to west of Station Rd/Cattal St be moved to align with the southern verge of the access road to Cattal Grange and then follow the boundary in a SW direction to Cattal <p>(Comment received including from Hunsingore Walshford and Cattal Parish Council)</p>	It is not unusual for a DPD to require mitigation matters outside the boundary of the specific DPD but it is not necessary to amend the boundary to facilitate this. The boundary established in the DPD is considered to be the most sustainable, taking into account the availability, suitability and deliverability of the land involved.	No amendment
<p>The policy boundary is not coterminous with some of the policies, for example Policy NS36, the need to dual the A59. Either the policies, or the boundary should be amended</p> <p>(Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)</p>	The policy boundary map includes the A59 and land either side should dualling be required.	No amendment
<p>There is no rationale or justification provided that this is the optimum settlement boundary within the (former) broad location including assessment of other options. The DPD should be amended to identify further boundary assessments.</p> <p>(Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)</p>	The Regulation 18 consultation outlined options within the broad location and consulted upon a preferred boundary. In light of communities' concerns about the boundary on the eastern edge and desire for policy to ensure separation from the neighbouring villages, work was carried out to look at the areas around the proposed boundary and a green gap developed. Details of the work can be found in the Strategic Green Gap background paper.	No amendment
The information in para 4.2 and 4.3 is duplicated	Noted.	
The Development Framework (Fig 2) key needs to be amended to refer to Secondary provision rather than school	Agree.	Amendment Amend the key in Fig 2 as follows: 'Secondary School <u>Provision</u> '
<p>Figure 2 in Policy NS1 appears to be the proposed concept plan, which includes information on the proposed settlement boundary and the nature of the different development activities. However, further details would be required in the supporting justification to explain where details can be found in the DPD on matters relating to the proposed form of the development.</p> <p>(Former NYCC)</p>	<p>Policy NS1 sets out the allocation boundary. It also sets out the key components of development and infrastructure required. Figure 2 provides an indicative masterplan layout.</p> <p>Further sign posting to other relevant policies will be added to the justification, see opposite.</p>	Amendment Relevant Policy box to be added throughout the document to state linked policies
<p>This diagram is poor and has errors.</p> <ul style="list-style-type: none"> There is an arrow missing from the B6265 at Green Hammerton so it looks as though Station Road in Whixley is the main route north. 	Figure 2 is a high-level indicative development framework – it is not felt that the additional suggested detail is appropriate for this map. Detailed master planning is a requirement of the DPD.	No amendment

<ul style="list-style-type: none"> • The diagram should indicate a hierarchy of roads accessing the site. • The A59 is indicated as the main route, which is fine, but all other roads are shown the same. • There should be recognition here and elsewhere that the B6265 is the main route north and the new link road to the A168 is the main route to the south. 		
<p>Figure 2 shows the potential locations of the blue/green corridors based on known flood risk. We recommend these are informed by the results of any additional flood risk evidence and the results of any flood risk assessments, ensuring that the impacts of climate change are taken into account, and any results from any residual sources of risk (Environment Agency)</p>	<p>Figure 2 is an indicative development framework showing internal layout including key land uses, land parcels and corridors. The development framework is not intended as a final masterplan. A masterplan is required by policy NS3, which policy NS11 requires is based on site-specific flood risk assessment that addresses climate change. Further comments on masterplans are addressed at NS3.</p>	<p>No amendment</p>
<p>Concerns over the indicative internal layout which includes the key land uses, land parcels and corridors is shown on the Development Framework (Figure 2) for the following reasons:</p> <ul style="list-style-type: none"> • been developed separately to the current planning application and is not based on the same substantial body of technical evidence and constraints information as that used to masterplan the site for the planning application • including this plan provides an expectation to the public of the final layout e.g Para 4.7 noting that the requirement for onsite primary education facilities are indicated on the Land Use Framework plan, implying that is a set location. The exact location of these should be based on detailed masterplanning in conjunction with the overall layout and phasing of the settlement and should not be prescribed at this stage. • whilst we note including an indicative plan in the DPD can demonstrate broad principles for the development of the site, including reference to it in the policy, together with the minimum quantum of development implies that it should form the basis of any future application. Whilst it does reference it being an indicative plan, this could easily be done effectively in the supporting text, which would not imply a policy requirement to comply with the plan. • Maltkiln has yet to be designed in detail and would be delivered over several decades, it is essential that there is flexibility available at the detailed design and subsequent delivery stages to ensure the objectives set out in the DPD can be met and avoid 	<p>The policy makes clear that the figure shows an indicative internal layout to show key land uses, land parcels and corridors.</p> <p>It is appropriate for this to be included in the DPD as the process is different to the preparation of the planning application. Policy NS3 requires the submission of a master plan for the new settlement as part of planning application which can be informed by the technical evidence obtained by the applicant. It is important and appropriate that the DPD includes reference to the minimum requirements to ensure that the provision requirements of DM4 are achieved.</p>	<p>No amendment</p>

unintended barriers to implementation due to the DPD being over prescriptive. (Caddick)		
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NS2: Strategic Green Gap

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
Para 4.8 references NPPF para 170, however, this section of national policy relates to coastal protection and is not relevant.	Noted. This paragraph refers to the NPPF 2019, whereas NPPF (2021) Para 170 refers to coasts, amend to refer to updated NPPF para. 174.	Amendment Amend Para 4.8 to read: “... Planning policies and decisions should contribute to and enhance the natural and local environment byprotecting and enhancing valued landscape (paragraph 470 174).”
Support the principle of the Strategic Green Gap (CPRE)	Noted.	No amendment
To safeguard against encroaching and coalescence the proposed Green Hammerton Green Gap must be protected against further development.	This is the intention of the Strategic Green Gap. Policy NS2 states that the land covered by the designation should be kept free from development.	No amendment
<p>We support the principle of a Strategic Green Gap (SGG), but the implementation proposed in the DPD isn't justified or effective. It's inconsistent with local and national policies (NPPF para 139), incoherent with regard to other implications of the DPD, and, most importantly, can't demonstrate that it achieves the goal of protecting the rural setting of nearby villages.</p> <p>The Strategic Green Gap should be formally designated as Green Belt. NPPF (para 139) states that: 'New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions'. The test of exceptional circumstances has been met because the new settlement is in close proximity to several ancient villages with a well-defined settlement pattern, in a tranquil rural setting.</p> <p>Much of the justification for the DPD policy is in the Council's 'Strategic Green Gap Background Paper'. Unfortunately, some of that document's arguments are as opaque as its conclusions are clear. It</p>	<p>The designation of Green Belt at this location would not meet the NPPF criteria for Green Belt designation and is not necessary as Policy NS2 and the Strategic Green Gap provides the adequate policy protection to keep this area free from development, prevent coalescence and protect the rural setting of Kirk Hammerton, Green Hammerton.</p> <p>National planning policy is clear that new Green Belts should only be established in exceptional circumstances. Any proposals for new Green Belts should be set out in strategic policies. The extent of the Green Belt in Harrogate district is set out in policy GS4 of the adopted Local Plan. The justification to the policy concludes that whilst the extent of the Green Belt in the district has been established in earlier development plans it has not been found necessary to amend the extent of the Green Belt in order to deliver sustainable growth within the district.</p>	No amendment

<p>references the 'exceptional circumstances' in the NPPF paragraph quoted above in order to dismiss Green Belt as a model; but, curiously, omits to mention that a new settlement is one of those exceptional circumstances. Having made this omission, the document then uses arguments based on irrelevant comparisons with 'Local Green Spaces' and HBC's existing Green Belt policy GS4. Comments received including from the Coalition of Parish Councils, Tockwith with Wilstrop Parish Council and Nun Monkton Parish Council)</p>		
<p>The area formerly called the 'Broad Location for Growth' should be given status similar to Green Belt. (Comments received including from the Coalition of Parish Councils, and Nun Monkton Parish Council)</p>	<p>The broad location for growth is identified within Policy DM4 to enable the establishment of the exact boundary through the Regulation 19 consultation. There would be no evidence or justification to applying the 'Green belt' status to this land.</p>	<p>No amendment</p>
<p>The Strategic Green Gap should be extended as follows:</p> <ul style="list-style-type: none"> • north and south to retain integrity of both Whixley and Cattal • protect Grade 2 Listed Providence House and Whixley Gate (both to the north) and Grade 2 Star Listed Old Thornville and Cattal to the south • widen the Strategic Green Gap at its narrowest and most sensitive point, where the distance between the New Settlement and the Kirk Hammerton conservation area is less than 1,000 feet • land around Whixley Gate and fields between Whixley and Whixley Gate • properties at Princess Corner • the edge of the settlement would be better moved closer to the junction of Stephenson and Gilsthwaite Lane. • southern boundary should finish on ridge where the link road is proposed <p>(Comments received including from the Coalition of Parish Councils and Nun Monkton Parish Council)</p>	<p>As detailed in the Strategic Green Gap background paper, it is not appropriate to extend the Strategic Green Gap beyond the Eastern Edge for the following reasons:</p> <p>Extending the designation around the entirety of the new settlement would have the effect of creating a green belt around Maltkiln. National planning policy is clear that new Green Belts should only be established in exceptional circumstances. Any proposals for new Green Belts should be set out in strategic policies. The extent of the Green Belt in Harrogate district is set out in policy GS4 of the adopted Local Plan. The justification to the policy concludes that whilst the extent of the Green Belt in the district has been established in earlier development plans it has not been found necessary to amend the extent of the Green Belt in order to deliver sustainable growth within the district. Proposing the strategic gap designation around the entirety of the settlement would result in a 'green belt by the back door' and would not accord with national planning policy.</p> <p>Development of Maltkiln is a long term project, with delivery over a period of some 30 years. Whilst there is no expansion planned for the current Local Plan period (2014-2035), the Council does not wish to prejudice potential for future expansion in the longer</p>	<p>No amendment</p>

term by creating a buffer around the proposed settlement boundary. Landscape and heritage constraints would make the western edge the natural choice if any expansion was to occur, although any decisions would need to follow appropriate plan-making procedures and assessments. Plans must be positively prepared in order to meet the standards set out in order to be found “sound” at examination.

The Council needs to have good reason to propose restrictions on land through planning policy and must therefore consider each parcel carefully and thoroughly. It is not appropriate to propose such restrictions unless there is clear justification and during the DPD’s examination the Council must show that the policies are based on robust and credible evidence. The Council does not believe that there is sufficient justification for expanding the SGG beyond the area proposed. More specifically:

Land to the North: The A59 forms a natural boundary to the north of Maltkiln. Access and connectivity means that expansion to the north of the A59 is unlikely to be desirable. The risk of coalescence with Whixley Gate / Whixley is further reduced the fact that they are designated as open countryside in the Local Plan and are therefore not considered sustainable locations for development. Therefore only a limited amount of land to the north of the A59 has been identified as being part of the Strategic Green Gap.

Land to the South: There are no special reasons to protect land to the south of Maltkiln, i.e. between Maltkiln and Cattal. The risk of coalescence is limited by Cattal’s designation as open countryside and likewise the restrictions arising from flood risk and Cattal Bridge’s status as a Scheduled Ancient Monument.

We suggest policy text as follows:
"Owing to the exceptional circumstances outlined below, Strategic Countryside Gaps are to be created which will

The existing wording of Policy NS2 is considered sufficient as it has the same aim as the wording suggested.

No amendment

<p>i. Provide long-term protection against coalescence; ii. Protect the rural setting and separate identity of settlements; and iii. Retain the existing settlement pattern by maintaining the openness of surrounding land.</p> <p>Within the Strategic Countryside Gaps, land will be regarded as Open Countryside, and Local Plan policy GS3 will apply. In addition, planning permission will not be granted for the construction of new buildings or the change of use of existing buildings or land which would:</p> <p>i. Result in erosion of a physical gap between any of the following settlements: Whixley; Whixley Gate; Cattal; Kirk Hammerton; Green Hammerton; the New Settlement; or ii. Adversely affect the visual, rural character of the landscape. Exceptions to this policy will only be considered where it can be demonstrated that no suitable alternative location is available.”</p> <p>(Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)</p>		
<p>The argument based on prejudicing future expansion of the new settlement also seems unclear. This is partly because the relation of the new settlement to existing Local Plan policies isn't explicit - something which our modifications seek to address.</p> <p>Are future policy changes needed to facilitate further expansion of the settlement, or not? If future policy changes aren't needed, that would strengthen the argument for our proposals; if future policy changes are needed, that weakens the argument against our proposals (a Plan Review would be needed in any case). (Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)</p>	<p>The DPD, once adopted, will form part of the Development Plan for the Harrogate District and will be used in the determination of planning applications in the area. Para. 1.3 reads 'The DPD should be read alongside the Local Plan 2014-35 (or any subsequent updates)'. Thereafter the DPD will be subject to review.</p>	No amendment
<p>The DPD requires modifications to better align it with existing Local Plan policies. The evidential basis for the boundary definition is non-existent.</p> <p>The Strategic Green Gap document seems to be assessing the impact and occasional mitigation of pre-existing boundary choices. It doesn't show the reasonable alternatives that were considered; nor the criteria it used for assessing them. (For example, any evidence that the proposed gap offers a clear and distinct experience of</p>	<p>A clear steer was given during the Regulation 18 consultation that separation from existing communities was very important, as well as the need to ensure key heritage and landscape assets are protected and enhanced. This sentiment was confirmed through subsequent discussions with both the Community Liaison Group (CLG) and elected Members.</p>	No amendment

<p>leaving one settlement behind, while passing through another quite different and distinct area.) As noted in our submission for policy NS1, the boundary is very close to the Kirk Hammerton conservation area. No justification has been offered for the easternmost parcel of residential development, and the consequent boundary. Nor why the safeguarded land for the secondary school is where it is. (Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)</p>	<p>The proposed Strategic Green Gap accords with the relevant policies within the Local Plan and the justification for the boundary, including land that was not included, can be found in the Strategic Gap background paper included as part of the suite of Regulation 19 consultation documents.</p>	
<p>Welcome the first part of the policy which states that 'the designation should be kept free from development' for this strategic approach can help to prevent settlement coalescence and protect the distinctive rural character of the locality. However it is not clear within the policy and supporting justification how the matter of potential harm caused by a development proposal will be assessed. Information needs to be included within the supporting justification to make clear which other DPD policies will be applied as part of the assessed proposal. (Former NYCC)</p>	<p>Agree it is recommended that a relevant Policy Box to be added.</p>	<p>Amendment Relevant Policy box to be added throughout the document to state linked policies</p>
<p>Although the policy states that "provision or improvements to public rights of way will be supported in this area", it would be beneficial to strengthen the policy to state that provision and improvements to the public rights of way will be provided. This will enable safe and accessible routes between neighbouring towns and villages. Enhancements to the local transport infrastructure with for example new cycleways and pedestrian paths, would provide mental and physical benefits to users, improve air quality, reduce carbon emissions and contribute to the overall objective of the new settlement to be carbon negative. (Former NYCC)</p>	<p>Whilst there is reference to public rights of way in this policy, improvements to the existing and provision of new walking and cycling networks is covered under Policy 31: Walking and Cycling. In particular, this policy requires developers to provide a network of footpaths and cycleways to link the new settlement to the wider Public Rights of Way network.</p> <p>To provide linkages to this policy, the policy wording could be strengthened.</p>	<p>Amendment Amend the wording of the last paragraph of NS2 to read "Provision or improvements to public rights of way will be supported in this area provided if necessary"</p>
<p>Only 2 paragraphs to justify creation of this policy and no evidence to support its soundness.</p>	<p>The evidence to justify the Strategic Green Gap is contained within the Strategic Green Gap Background Paper.</p>	<p>No amendment</p>
<p>No objection to the principles but concerns about the extent of the gap as follows:</p> <ul style="list-style-type: none"> the lack of evidence to justify the area, the potential for its designation to prevent uses which would be beneficial to the existing villages and Maltkiln. background paper makes no reference to the current planning application, the extensive work carried out and the objections previously made. 	<p>Noted. The evidence to justify the Strategic Green Gap is contained within the Strategic Green Gap Background Paper.</p> <p>Any application for development within the strategic green gap will be determined on its merits in accordance with the policies in the Local Plan and DPD.</p>	<p>No amendment</p>

<ul style="list-style-type: none"> • buffer to the east of the site is not necessary to be as large in order to maintain the identity of the settlements, prevent their coalescence, protect the character of the Conservation Area or the landscape character. • potential uses such as public open space, sports fields and solar power generation should not be ruled out by its designation. <p>(Caddick)</p>	<p>Compared to other alternatives (Local Green Space and Green Belt), this approach allows for a more proportionate level of protection over a larger area of land which is deemed to be of strategic importance to the overall vision and objectives for Maltkiln. The boundary proposed is considered to strike the balance between achieving the objectives and ensuring that the designation is applied proportionally without prejudicing the potential for long term future growth of the settlement.</p> <p>The Strategic Green Gap approach does not prevent development for agricultural and recreational purposes.</p>	
<p>Disagree with the extent of area 1 in the Strategic Gap as it goes significantly further west than the eastern boundary of the site and well beyond what would be appropriate to maintain visual separation and avoid coalescence. The Strategic Gap should be reduced in width and solely run along the eastern boundary between the two settlements, it should not be included to the north of the new settlement as that does not contribute to any of the purposes raised in the background paper.</p> <p>We have amended a plan an alternative green gap extent to be read in conjunction with our objections.</p> <p>(Caddick)</p>	<p>Land to the north of the A59 does contribute to the objectives of the Strategic Gap in that it is important in protecting the rural character of Green Hammerton and ensuring there is no harm to its Conservation Area. It also prevents the extension of the settlement north of the A59 so preventing coalescence and ensuring that it is a new community in its own right.</p> <p>The background paper provides the justification for the inclusion of this area within the Strategic Green Gap.</p>	No amendment
<p>The SGG is not required and Policy NS2 should be deleted. Policy NS1 identifies the settlement boundary (shown on the policies map as a blue line) and sets out what is likely to be provided within the boundary. NS1 is clear that all built development is to take place within the blue line. Therefore all of the land outside the blue line is in the countryside.</p> <p>NS2 does not add anything to existing policies in the Local Plan 2014-2035 (LP). The LP defines places not in the settlement hierarchy as 'the wider countryside'. The SGG area would fall under this as it is not within the settlement confines (NS1) and LP policy GS3 Development Limits would apply and control development. GS3 is already extremely restrictive, including setting criteria for circumstances where there isn't an adequate supply of housing land</p>	<p>A clear steer was given during the Regulation 18 consultation that separation from existing communities was very important, as well as the need to ensure key heritage and landscape assets are protected and enhanced. This sentiment was confirmed through subsequent discussions with both the Community Liaison Group (CLG) and elected Members. The maintenance of a Strategic Green Gap on the eastern edge of the settlement is therefore considered to be required to meet the following objectives:</p> <ul style="list-style-type: none"> • To protect the distinctive rural character of existing villages and ensure that there is no harm 	No amendment

<p>that address coalescence, the character and appearance of the countryside and heritage assets, among other matters. Therefore GS3 would prevent the new settlement from merging with nearby settlements would protect the character and appearance of the countryside and heritage assets.</p> <p>NS2 does not add anything to GS3, is therefore unnecessary and should be deleted. NS2 just adds another layer of confusion to the overall policy position.</p> <p>(Respondents include representatives of some of the landowners affected)</p>	<p>to the Kirk Hammerton or Green Hammerton Conservation Areas</p> <ul style="list-style-type: none"> • To prevent coalescence between the New Settlement and Kirk Hammerton/Green Hammerton • To contribute to the achievement of the New Settlement's vision to be a vibrant new community in its own right, which provides new services and complements existing villages. <p>Local Plan Policy GS3 does not the same policy protection as Policy NS2 because it states circumstances where development within the countryside would be allowed. Policy NS2 provides specific restrictions about development that harm the open character of the landscape and also development for agricultural and recreational purposes.</p>	
<p>The extent of the proposed green gap is far too extensive and should not wrap around New Farm to the North.</p> <p>(Respondents include representatives of some of the landowners affected)</p>	<p>The Strategic Green Gap is needed to keep this area free from development, prevent coalescence and protect the rural setting of Kirk Hammerton, Green Hammerton. The extent of the area is evidenced and justified in the Strategic Gap background paper.</p>	No amendment
<p>No apparent protection for the land between Maltkiln and Green Hammerton</p>	<p>The designated Strategic Green Gap is located on the land between Maltkiln and Green Hammerton.</p>	No amendment
<p>No evidence is given that the boundary is the best for Green Hammerton. Rather it seems based on the most the developers are prepared to give up.</p>	<p>The Strategic Green Gap Background Paper – October 2022 which formed part of the suite of documents for the Reg19 consultation provides detail of why a strategic green gap has been proposed, along with the reasoning for the proposed extent.</p>	No amendment

NS3: Master-Planning Design Principles

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Amend the first sentence of Policy NS3 as follows: <i>"...conjunction with the community and other stakeholders..."</i> (Historic England)</p>	<p>Noted amendment recommended.</p>	<p>Amendment</p>

		Amend the first sentence of Policy NS3 “..conjunction with the community and other stakeholders ”
Add an additional design principle to read: “● <i>The layout and design should respond to, protect, and enhance, the historic and natural environment.</i> ” (Historic England)	Noted, amendment recommended.	Amendment Additional bullet point <u>The layout and design should respond to, protect, and enhance, the historic and natural environment.</u>
Due to the precise and technical nature required for design codes, we would expect these codes to be prepared by the Council in partnership with the community and key stakeholders. The details of the design code should be set out in a SPD. (Former NYCC)	The role of the DPD is to set a clear vision for Maltkiln and a policy framework to guide how it is developed. It sets out the key requirements, expectations and ambitions for the settlement, but it is expected that more detailed masterplanning and engagement will inform the development in subsequent phases. This a usual step to take as the DPD is a strategic document, just like the Local Plan. The design code and masterplan when prepared will be subject to community consultation and engagement.	No amendment
The only walking and cycling that will happen beyond the settlement will be to enjoy the countryside. Not to access work, not to access leisure activities, these destinations are simply too far away and unsafe to walk/ cycle to as the proposal does not include providing walking and cycle routes up and down the A59 and beyond to key towns/city of York. Again, this was highlighted by Highways England review of the FTP, in their report dated March 2019 it concludes “...however, without major improvements to the cycle provision along the existing A59 highway, cycle trips both east and west of the proposed development will remain significantly inhibited”	Policy NS3 states that development will deliver a walkable neighbourhood, where services and facilities are within a 20-minute walk of new homes, ensuring that there are sufficient walking links to the local centre and important facilities and services.	No amendment
Clarification is required as to how this policy approach aligns with the information provided in the supporting justification to Policy DM4, paragraph 10.16 (Former NYCC)	Agreed, an amendment will be made to the policy to state that it meets the requirements of DM4.	Amendment Amend Para 4.14 as follows ‘...community uses within the broad area of growth. <u>The DPD also addresses the matters required by para 10.16 of the Local Plan policy DM4.</u>
Strategic Policy Team: NS3 refers to the ‘provision of a centralised distribution hub as part of a last-mile strategy to manage and coordinate the distribution of deliveries within the settlement’. The	A last-mile delivery strategy is required by policy NDS5 where requirements are discussed further. This will be set out more clearly in NS3. Figure 2 is only intended to be an illustrative masterplan. Comments	Amendment Amend NS3 bullet 4 as follows:

<p>location of the proposed hub is not shown on Figure 2, and information is also required regarding the size and scale of the hub (Former NYCC)</p>	<p>regarding requirements are considered alongside NS5 issues.</p>	<p>“The need to accommodate a centralised distribution hub as part of a last-mile strategy to manage and coordinate the distribution of deliveries within the settlement <u>Include land necessary to manage and coordinate the distribution of deliveries within the settlement, in-line with the ‘last-mile’ strategy required by policy NS5.”</u></p>
<p>In addition to the local community the masterplans should be prepared with key stakeholders, including Public Health and supported by a Health Impact Assessment. (Former NYCC)</p>	<p>Agree. Many of the principles contribute to public health but it would be helpful to ensure that all aspects of public health are considered. Now the new North Yorkshire Council incorporates public health then it is not necessary to include them as separate stakeholders.</p>	<p>Amendment Add the following to the end of Policy NS3: <u>The masterplan should also be informed by a Health Impact Assessment.</u></p>
<p>In addition to recognising that “... a place making framework that will promote a distinct identity and strong sense of place”... Paragraph 4.11 could be strengthened by including a reference to creating “healthy, thriving and resilient communities” (Former NYCC)</p>	<p>Agree and justification amended accordingly.</p>	<p>Amendment Amend Para 4.11 to read: “...aims to facilitate the creation of a <u>healthy, thriving, resilient and</u> cohesive community that sits comfortably within its context..”</p>
<p>Supportive of the text which seeks to ensure areas identified at flood risk (predominantly river or surface water) will be incorporated into green blue infrastructure network, providing space for water to be stored or conveyed. Also supportive of referring to areas found to be at risk in the future as a result of climate change. (Environment Agency)</p>	<p>Support noted.</p>	<p>No amendment</p>
<p>Recommend applying a planning requirement to ensure that all local facilities are fully accessible to all residents by walking and cycling, using facilities fully or lightly* segregated from vehicle traffic and not relying on on-road lanes. *examples of light segregation provided in LTN 1/20 (Department for Transport)</p>	<p>Policy NS31 makes reference to LTN 1/20.</p>	<p>No amendment</p>
<p>The requirement for a detailed masterplan should be removed because no detail is provided on what would be required and how it can be complied with. Any scheme will be subject to consultation both by developers and the Council, as has been the case throughout the processes for the Local Plan, DPD and current outline planning application so it is not necessary.</p>	<p>It is necessary to require a detailed masterplan as they are integral in creating well planned and designed communities and developing a place making framework. Policy NS3 states the master planning principles which need to be addressed in the master plan.</p>	<p>No amendment</p>

<p>(Caddick)</p> <p>Support the need to reduce carbon and the environmental impacts but have concerns about the requirement to 'support delivery of net zero by 2038'. It is too vague and requires further information.</p> <p>(Caddick)</p>	<p>The full criteria 'A settlement that supports delivery of net zero by 2038 with design and layout informed by detailed strategies addressing emissions from buildings, transport, infrastructure and business uses during operation and throughout their life-cycles' provides more detail as does the policies contained within the Climate Change chapter.</p>	<p>No amendment</p>
<p>The third criteria of Policy NS3 which refers to a mix of 'fine-grained employment uses' is not defined in the DPD and is not a reference to be found in national or local planning policy. Clarification on this is required or the wording should be deleted.</p> <p>(Caddick)</p>	<p>Agree.</p>	<p>Amendment</p> <p>Amend Policy NS3 bullet 3 as follows:</p> <p>'..community's day-to-day needs with a mix of fine-grained employment uses'</p>
<p>The policy references 'The need to identify the main components of an holistic approved strategy for the whole settlement.' This sentence has no reference in national or local planning policy and it is not understood what is meant by this. The requirement should therefore be deleted.</p> <p>(Caddick)</p>	<p>The requirement should have read 'an holistic approved drainage strategy...' and is carried from policy NS11 along with the preceding bullet.</p>	<p>Amendment</p> <p>Amend NS3 bullet 8 as follows:</p> <p>'The need to identify the main components of an holistic approved drainage strategy for the whole settlement, as required by policy NS11;'</p>
<p>No objection to walkable neighbourhoods, but the Council have reduced the usual 20 minute neighbourhood to a 15 minutes neighbourhood as a place where most day trips from residents' home can be achieved within 15 minutes. A 20-minute neighbourhood is more deliverable and achievable given the size of the settlement and the railway line's influence on routing by walking or cycling. A 20-minute neighbourhood allows trips to and from a location within 20 minutes (i.e 10 minutes each way from a resident's home to for example, the shops and home again). Given the size of the new settlement this is more deliverable than the proposed 15-minute neighbourhood.</p> <p>(Caddick)</p>	<p>A 15-minute place is required by policy NS5. This issue is addressed alongside comments on NS5, and an amendment is proposed. NS3 bullet 14 will also be amended to accord with the change to NS5.</p>	<p>Amendment</p> <p>Amend bullet 14 of Policy NS3 as follows:</p> <p>'Development that delivers walkable neighbourhoods and a 15 minute a place where most day to day trips from residents homes can be achieved on foot without the need to drive a walkable and connected 20-minute neighbourhood, as required by policy NS5;'</p>
<p>The final criteria requires footpath connections to the surrounding countryside, Kirk Hammerton and Cattal. In order to deliver footpaths to the existing settlements, this will require land outside of the DPD, outside of the current planning application and the co-operation of landowners not currently involved in the process. This requirement should be amended to be an aspiration and for any planning</p>	<p>Footpath connections to the surrounding countryside, Kirk Hammerton and Cattal are critical in enabling a sustainable settlement to be developed and therefore needs to be required through the DPD. The DPD is not required to reflect the planning application but to acknowledge the fact that this requirement may</p>	<p>Amendment</p> <p>Add an additional text at the end of 4.11</p>

<p>application to make connections within and to the edges of the site to enable future discussions about wider connections to take place. (Caddick)</p>	<p>involve land outside the DPD boundary, the justification will be amended.</p>	<p>... landscape and existing local settlements. <u>With a network of connected walking and cycling routes which will involve land outside of the boundary of the settlement. An appropriate delivery mechanism will be explored in partnership with the relevant stakeholders.</u></p>
<p>Paragraph 4.16 states that if required, a new secondary school should be delivered on land within the settlement boundary as identified on the land use framework plan. This contradicts the wording in Policy NS1, which refers to an indicative layout. Paragraph 4.16 requires amendment to remove the exact location of a secondary school and in turn Policy N28 amending to provide flexibility when selecting a future location should a secondary school ever become necessary. (Caddick)</p>	<p>Para 4.16 actually says ‘...the DPD also safeguards land within Maltkiln adjacent to one of the primary schools for future secondary provision should this be required in the future’. It would be appropriate to amend the first part of the policy for clarification but reference to the general area of the safeguarded land is necessary to support the development framework.</p>	<p>Amendment Amend Para 4.16 as follows ‘...The land use framework <u>development framework</u> has provision for ...</p>
<p>A distribution hub is listed as being required to manage last mile deliveries, with land to be allocated in the masterplan. There are a number of options for the delivery strategy on site and therefore the plan should provide flexibility, rather than presuming that a distribution hub is the optimum solution for the new settlement. The requirement for this hub should therefore be deleted. (Caddick)</p>	<p>The requirement for a distribution hub in policy NS5 is being amended to require a last mile delivery strategy- this is set out alongside NS5 comments- as it is recognised that an acceptable approach may not require a distribution hub. However, it is considered that approaches would still be likely to require land and have a spatial dimension. As such this should be identified on the masterplan. Bullet 4 will be amended to reflect the updated requirement</p>	<p>Amendment Amend NS3 bullet 4 as follows: “The need to accommodate a centralised distribution hub as part of a last-mile strategy to manage and coordinate the distribution of deliveries within the settlement; <u>Include land necessary to deliver the ‘last-mile’ delivery strategy required by policy NS5</u>”</p>
<p>Bullet 5 should be amended as follows:</p> <ul style="list-style-type: none"> • The residential areas should be provided with accessible open space and green linkages, <u>including through tree-lined streets</u>, connecting throughout the settlement providing soft buffers between neighbourhoods as well as <u>providing a net gain</u> and enriching biodiversity, while providing accessible green spaces to residents 	<p>Agree it would be appropriate to make the suggested modifications to reflect NPPF para 131 and be in line with Policy NS13</p>	<p>Amendment Amend bullet 5 of Policy NS3 as follows: The residential areas should be provided with accessible open space and green linkages, <u>including through tree-lined streets where appropriate</u>, connecting throughout the settlement providing soft buffers between neighbourhoods as well as <u>providing a</u></p>

		net gain and enriching biodiversity, while providing accessible green spaces to residents
This section is so full of grammatical error as to be virtually incomprehensible, such as: "...create key visits (Vistas?)", "landmarks and gateways should be adopted at prominent locations" - meaning what, exactly?, "...intergrate sensitivity...", "...further bordering the A59 to the north..."?	Noted. The wording of this policy will be revisited to remove typographical errors. Visits should read Vistas.	Amendment Amend bullet 10 to read; "...create key visits vistas ..." Amend bullet 11 to read; " ...intergrate integrate sensitivity...", Amend para. 4.13 to read; "...further bordering bordering the A59 to the north..."
It is clear that the Council has little, or no experience of master planning of this magnitude and the preferred developer (Caddick) does not appear to have developed more than a couple of hundred houses, period. There is a concern that developments will be reviewed piecemeal with no master planning linking them together. Infrastructure will be forgotten, and the new settlement becomes a huge housing estate, with a plan that is not deliverable. Existing villages will suffer and because HBC ceases to exist from the 1 st April 2023, the new Unitary Authority (NYC) inherits the problem.	The DPD sets a clear and ambitious vision for Maltkiln, the policy framework seeks to guide how it is developed. The DPD, once adopted, will form part of the Development Plan for the Harrogate District and will be used in the determination of planning applications in the area.	No amendment
We highlight that areas indicated to be "green / open space" on the masterplan may interact with the green blue corridors. The masterplan should be informed by the results of any additional flood risk evidence and the results of any flood risk assessments, ensuring that the impacts of climate change are taken into account. For example, if areas of functional floodplain (FZ3b) are identified only essential infrastructure and water compatible development (as defined in NPPF Annex 3) may be appropriate. Care will be required if proposing multifunctional users in FZ3b to ensure that any development is compatible with policy and safe for users. (Environment Agency)	Figure 2 in policy NS1 is an indicative development framework. A masterplan informed by the framework is required by policy NS3. The policy requires the masterplan to show areas at risk of flooding now or in the future (due to climate change) are incorporated into the green blue infrastructure (GBI) network. Policy NS11 (4 th part) requires the masterplan to be based on a site-specific flood risk assessment and restates the requirements regarding land at flood risk being incorporated as GBI. It is considered that NS3 should more clearly refer to NS11.	Amendment to Policy NS3 Amend policy NS3 bullet 7 as follows: Areas at risk of...network, <u>in accordance with policy NS11.</u>
Supportive of the text which seeks to ensure areas identified at flood risk (predominantly river or surface water) will be incorporated into green blue infrastructure network, providing space for water to be stored or conveyed. Also supportive of referring to areas found to be at risk in the future as a result of climate change. (Environment Agency)	Support noted.	No amendment

CHAPTER 5: CLIMATE CHANGE
Chapter 5 Climate Change- General

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
Paragraph 5.3: Support the shared ambition that the new settlement is an 'exemplar of sustainable design and resource efficiency.' (CPRE North and East Yorkshire)	Support noted.	No amendment
Paragraph 5.5 states that delivery of the new settlement is expected to begin towards the end of the plan period and to continue beyond, with the majority of development expected to take place after 2035. However this contradicts the timeline in table 11.1 (delivery and phasing) where short-term actions are labelled 2023-2028 and only long-term actions are beyond 2033. (Former NYCC)	Table 11.1 is proposed to be removed from the DPD and incorporated into a Infrastructure Delivery Plan document. This document is an iterative document which will be updated accordingly including timescales.	No amendment
Net Zero Carbon Vision and Policy: It seems there is some lack of vision of what net carbon zero living could look like for residents and therefore, a lack of ambition in setting out the details of the policies needed to achieve this. We suggest that a full carbon policy audit, based on plausible assumptions, takes place to demonstrate to prospective developers how they go about building out the site to achieve a settlement that is capable of providing 'zero carbon living' for the vast majority of those who will take up residence there. (Zero Carbon Harrogate)	Policy NS4 sets out the net zero requirements in relation to the types of emissions that are being targeted. Policies NS5 to NS9 (as well as relevant parts of other policies) set out how applicants are required to demonstrate compliance with the net zero requirement and, therefore, enable net zero living. Detailed requirements that will contribute to delivering net zero are included in these policies where necessary. In other cases, mechanisms, such as technologies to be adopted, are not prescriptive in order to allow applicants flexibility to meet net zero in different ways.	No amendment
Public Health: The Maltkiln Proposal is an opportunity to create a future-proofed settlement. The Principles of the Plan should, therefore, be sufficiently flexible to respond to new/emerging guidance and technologies, and not fixed on the knowledge of today. Therefore, approaches to new housing could refer to The New Homes Policy Playbook (UKGBC 2021) and the Climate Emergency Design Guide (LETI 2020). (Former NYCC)	The documents identified provide guidance on policy development. The New Homes Policy Playbook (UKGBC 2021) and other similar guidance has informed the development of the DPD. Where necessary detailed requirements in response to climate change are included in the policies. In other cases, mechanisms, such as technologies to be adopted, are not prescriptive in order to allow applicants flexibility.	No amendment
If Maltkiln is to be an exemplar development in terms of carbon reduction, then the exemplar standards should be reviewed at the beginning of each phase of construction to ensure that the most up to date technology and standards are being used. What is best practice in 2023 may well not be best in 2028 etc.	Policy NS4 sets out the net zero requirements in relation to the types of emissions that are being targeted. Where necessary detailed requirements to achieve net zero are included in NS5 to NS9 (as well as relevant parts of other policies). In other cases, mechanisms, such as technologies to be adopted, are	No amendment

	not prescriptive in order to allow applicants flexibility in how net zero, as required by policy NS4, is achieved.	
Light pollution has become a major environmental issue because of the climate emergency. Energy is required to produce lighting, which results in the release of carbon emissions. Dark skies should be maintained for future generations	While light pollution has negative impacts these issues could also arise where lighting is powered by zero carbon energy. It is considered that existing local plan policies sufficiently address light pollution.	No amendment

NS4: Net Zero Carbon by 2038

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
The word 'should' should be replaced with 'must, shall or will' in order to give clearer instruction of what is required	Greater clarity that the measures in NS4 are required will be provided.	Amendment Amend NS4 as follows: "Proposals should are required to demonstrate how Maltkiln..."
The NPPF states that plans should be 'aspirational but realistic'. The suggestion is that we shouldn't be too aspirational; or that, when the going gets tough, the aspirations get ditched. But when it comes to Climate Change we think the plans should fully embody our aspirations. The plans should be aspirational and realistic (Comments received from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)	In order to be found 'sound' the DPD needs to be in accordance with the NPPF. It is considered that the NPPF requirement for plans to be aspirational but realistic is intended to ensure that plans are aspirational and realistic, as requested. It is considered that NS4 sets out aspirational and achievable requirements.	No amendment
CPRE North and East Yorkshire are fully supportive of this policy and are encouraged by its inclusion within the proposed DPD (CPRE)	Support noted.	No amendment
The policy should be amended to state 'net zero carbon by 2034' rather than by 2038 and 'carbon negative by 2040' as these are the targets of North Yorkshire County Council and, therefore, of the new unitary authority from April 2023. HBC will not exist beyond March 2023 and the DPD will be adopted by the new authority so these should be used. (Comments received from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)	It is not considered appropriate to change the net zero carbon target date within the DPD at this stage. The carbon negative ambition relates to all emissions considered under the influence of local authorities and concerns development types with capacity to store significant and measurable amounts of carbon, such as Carbon Capture and Storage. Whilst development of the new settlement would result in carbon storage e.g., through tree planting it is not considered appropriate to require a carbon negative development.	No amendment
Amend policy wording to state: <ul style="list-style-type: none"> 'how Maltkiln will achieve net zero carbon' rather than 'how Maltkiln supports delivery of net zero carbon' 'includes operational emissions etc.' rather than 'includes targeting operational emissions etc.' 	It is considered that 'supports delivery' and 'targeting' are more appropriate as these recognise that the elimination of certain type of emissions will be dependent on personal choice and individuals' behaviour. While the development can influence these	No amendment

	choices other factors outside the control of the applicant will also likely be relevant.	
Preparation, construction, maintenance and replacements emissions should be included in net zero strategies (Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)	These emissions are examples of embodied or lifecycle emissions, which the policy identifies are also being targeted. The extent of requirements to reduce these emissions is considered alongside NS8 comments.	No amendment
Highways: Support Policy NS4: Net Zero Carbon by 2038 which is targeting operational emissions from transport. (Former NYCC)	Support noted.	No amendment
No evidence from either HBC or new authority that they are really focused on delivery like specifying technology that must be used. It is box ticking when there is so much top class technology available. Earth Energy Bank technology or Air sourced heating must be used.	This policy is intended to set out the expected carbon performance of the development as a whole rather than setting out detailed requirements. Detailed climate change requirements are set out in policies NS5 to NS11 and, where relevant, other policies in the DPD. Inclusion of the technologies identified is considered alongside NS7 comments.	No amendment
Public Health - This principle of net zero carbon by 2038 is supported. The local plan policy could however go beyond its current aspiration regarding climate change. As well as meeting the minimum build standards improvements could be made to the surrounding infrastructure, in order to avoid the creation of micro-carbon neutral developments that do not address the underlying causes of issues in surrounding areas. (Former NYCC)	As set out in policy NS4, the requirement for net zero carbon goes beyond build standards and the emissions from buildings. It is not considered appropriate to require applicants to address carbon emissions that do not arise as a result of their development.	No amendment

NS5: Net Zero Carbon Movement and Active Travel

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
The word 'should' should be replaced with 'must, shall or will' in order to give clearer instruction of what is required	Para 1, para 1 bullet 6 and para 2 will be amended to provide greater clarity of expectations.	<p>Amendment Amend NS5 para 1 as follows: "Proposals should are required to be accompanied by a settlement-wide..."</p> <p>Amendment Amend NS5 bullet 6 as follows: "All homes should will include minimum..."</p> <p>Amendment Amend NS5 para 2 as follows:</p>

		“The strategy should will inform masterplan...”
This plan actually contradicts itself, because if a house is only expected to have 1 car or less then why does the DPD state the A59 may need to be made into a dual carriageway? Dualling is not consistent with net zero travel.	Net zero travel at Maltkiln is expected to still result in additional private vehicle movements on the A59. Policy NS36 requires land to be retained along the urban edge where it runs parallel to the A59 to facilitate dualling of this strategic east-west route. The supporting text explains that local plan modelling indicates dualling is not required to support development in the plan but that there may be a need further in the future.	No amendment
This policy is not achievable with the settlement in this location and is not supported by any facts or research for this area.	NS5 seeks to enable net zero carbon travel at Maltkiln. The Climate Change Act (2008) places a legal requirement on government to reduce UK carbon emissions by 100% by 2050. By definition, this includes eliminating emissions from transport in all areas of the country. It is recognised that achieving net zero travel by 2038 will be dependent on individual choices. NS5 is aimed at supporting and enabling net-zero choices from the outset and includes measures to support a range of net-zero travel options.	No amendment
The first bullet should be ‘Measures to ensure strategic movement between the settlement and key nodes beyond the site can be achieved by walking or cycling/micro-mobility. Alongside, para 5.24 of the supporting text should be amended to include provision for cycleways, micro-mobility routes and walkways to key local destinations such as York, Harrogate and Boroughbridge (where secondary school is located).	The policy enables zero carbon strategic movements between the new settlement and key off-site nodes through enhanced public transport, providing electric vehicle charging infrastructure and supporting car clubs. It is considered that investment in active travel infrastructure should be focussed on enabling shorter journeys where there is the greatest likelihood of this resulting in modal shift from cars to active travel. This approach is recommended in the New Settlement Climate Change Strategy. NS31 sets out specific walking/cycling improvements, including measures to support active travel to/from nearby villages.	No amendment
The assumption that people will use public transport is not supported by the actual availability of public transport. The nearest towns and cities that people will need to travel to are not all supported by current public transport.	It is recognised that the current level of public transport provision, particularly buses, would not be sufficient to support delivery of net zero carbon travel in the most sustainable way. In response, to encourage use, NS34 requires bus stop infrastructure throughout and an expansion of services to include additional local destinations. NS33 requires enhancements to Cattal station. Given these requirements and with homes being located within a	No amendment
The assumption that people will use public transport is not supported by current levels of use in the area. According to Census data, residents in the Green Hammerton / Cattal area are less likely to travel to work by sustainable modes such as public transport when compared with the national average. The Sustainability Appraisal		

<p>(pg. 142) identifies that much of the new settlement area has no convenient access to busses and a significantly greater proportion of people work from home- which could highlight the poor local transport access to employment.</p>	<p>15-20 min walk of a rail station it is not considered that existing levels of public transport use would necessarily reflect use at the new settlement. Where private car use is necessary the strategy supports the transition to electric vehicles allowing these journeys to be zero carbon as the power supply is decarbonised.</p>	
<p>Highways: Support the approach in NS5: Net Zero Carbon Movement and Active Travel, however, additional information is required in the supporting text to explain how this is demonstrated by site-wide infrastructure and how connections to a 15 minute place can be achieved. (Former NYCC)</p>	<p>Para 5.27 bullet 1 defines a 15-minute place and explains that the purpose is to create walkable neighbourhoods. Further requirements for infrastructure to support this are set out across the DPD, in particular policies NS30 and NS31. A reference to further requirements in other policies will be added to para 5.27 bullet 1.</p>	<p>Amendment Amend bullet 2 of Policy NS5 as follows:</p> <p>“Site-wide infrastructure will recognise and support the changing scope of mobility and demonstrate a walkable and connected 20-minute neighbourhood 15-minute place”</p>
<p>No objection to walkable neighbourhoods, but object to the reference to a 15 minute neighbourhood, in favour of a 20 minute neighbourhood. The Council have reduced the usual 20 minute neighbourhood to a 15 minutes neighbourhood as a place where most day trips from residents’ home can be achieved within 15 minutes. A 20-minute neighbourhood is more deliverable and achievable given the size of the settlement and the railway line’s influence on routing by walking or cycling. A 20-minute neighbourhood allows trips to and from a location within 20 minutes (i.e 10 minutes each way from a resident’s home to for example, the shops and home again). Given the size of the new settlement this is more deliverable than the proposed 15-minute neighbourhood. (Caddick)</p>	<p>Work undertaken on the Reg 18 Concept Framework indicates that the local centre can just be accessed from all parts of the settlement on foot within 15 minutes ‘as the crow flies’. However, in recognition that some lengthening of these routes by development is unavoidable, reference to the 20 minute neighbourhood concept would be more appropriate. This is where facilities/ services are accessible within a maximum of 20 minutes’ walk.</p>	<p>Amendment Amend paragraph 5.27 bullet 1 as follows:</p> <p>It should demonstrate a connected 15 minute place <u>It should demonstrate a walkable and connected 20-minute neighbourhood</u> that is highly permeable at the top of this hierarchy and more restricted at the bottom. In the context of the new settlement a 15-minute place is one where most daily trips can be made by foot from residents’ homes. <u>a 20-minute neighbourhood is one where trips to local services and facilities can be made on foot from all residents’ homes within 20 minutes.</u> The purpose is to create walkable neighbourhoods. This should be tested in the masterplan, <u>required by policy NS3,</u> and be based on actual routes and not ‘as the crow flies’. <u>Further requirements to support delivery of a 20-minute neighbourhood are set out across the DPD, in particular in policies</u></p>

		<u>NS30: Sustainable Travel and Connectivity and NS31: Walking and Cycling.</u>
A hierarchy of transport modes is promoted with walking at the top and car ownership at the bottom. This is not supported by evidence- there are currently no buses between York and Harrogate and there are no facilities such as leisure centres or cinemas within a reasonable cycling distance. The train service has recently been increased to two an hour but even if this could be increased further without massive investment it would simply serve to further cut this community in half. It is unsound to believe that each new household will not have a car.	The hierarchy gives priority to different modes to ensure appropriate infrastructure is provided to cater for journeys created by the development, which will support all modes and encourage active and sustainable modes. The bottom of the hierarchy is private car use rather than private car ownership. The hierarchy is not predicated on the idea that households will not have a car or cars, it is about supporting opportunities so that less journeys need to be made by car. Issues around current and future bus and train services are addressed under policies NS34 and NS33 respectively.	No amendment
The commitment to the travel hierarchy is commendable and we are glad to see the hierarchy includes car clubs and shared micro mobility. The networking of footpaths and safe cycle routes prioritized over car travel as a vital behaviour change nudge, in line with the targets set out in the York & North Yorkshire Routemap to Carbon Negative. (Y&NY LEP)	Support noted.	No amendment
Highways: We support the proposed sustainable hierarchy of road users; walking, cycling/micro mobility, public transport, on-demand transport, private vehicles. The supporting justification should explain that Travel Plans will be required to set out a target reduction of single occupancy private car trips. These Travel Plans should be reviewed every 5 years. (Former NYCC)	Support for the hierarchy in bullet 2 is noted. Travel plans are required by bullet 4 and already include a requirement to review every 5 years. Further requirements for travel plans are set out in NS30, including targets. For greater clarity NS5 bullet 4 and NS30 will be amended so NS5 indicates the need and basic aim of travel plans and NS30 sets detailed requirements. Supporting text para 5.27 bullet 8 will	Amendment Amend NS5 bullet 4 as follows: “ A settlement-wide Framework Travel Plan and subsidiary travel plans tailored to different character areas within the settlement that respond to the needs of different demographic groups and demonstrate how use of non-car

	also be amended to support the updated NS5 wording.	<p>infrastructure will be supported and encouraged <u>in order to meet sustainable travel targets. Further requirements for travel plans are set in policy NS30.</u> Applicants will agree the character areas for different travel plans with the LPA. Travel plans should be reviewed and updated at least every five years in perpetuity”</p> <p>Amendment Amend para 5.27 bullet 8 as follows: “How <u>travel plans will be used to support and encourage</u> use of non-car infrastructure will be supported and encouraged across all parts of the settlement <u>in order to meet sustainable travel targets</u> and in response to the needs of different demographic groups through travel plans tailored to each character area within the settlement;”</p>
The requirements for walking, cycling and micromobility are not clear and limited to within the new town.	The policy sets out the role of walking, cycling and micromobility in supporting net zero carbon travel. Detailed requirements for these modes are set out in policies NS31 and NS32.	No amendment
The A59 is unsafe to cycle on yet the DPD does not include major improvements to cycle provision along it. As a result, residents will not be leaving the new town on a bicycle other than for a leisure ride on the countryside roads.	This issue is considered as part of issues raised in relation to policy NS31.	No amendment
The proposed car parking standard - ‘1 place per home or less’ - still provides for many car journeys which will include many petrol and diesel-powered cars for several decades to come. We regard the proposition that a higher ratio should be allowed in the early years, with the suggestion that some spaces be subsequently rescinded, to present major implementation challenges. The reference to ‘car littering’ indicates an unwillingness to require householders to commit to lower car ownership through covenants. (Zero Carbon Harrogate)	The intention of the DPD is not to prevent car journeys but to provide for alternative modes to reduce dependency on cars whilst supporting the transition to electric vehicles. The DPD seeks to provide adequate parking, alongside a range of interventions that reduce the need to use cars. This policy seeks to provide parking in such a way that where it can be shown that parking provision is no longer required it can be put to other uses. Covenants are a legal matter outside the planning system and their use is not being investigated.	No amendment
A large settlement in a rural area is bound to generate significant private vehicle movements. This will not be significantly reduced by	The DPD includes policies to accommodate and mitigate the impacts of car use in recognition that	Amendment Amend NS5 para 1 bullet 5 as follows:

<p>one inadequate railway line. A reliance on cars in such a rural location must be recognised and ample parking provided</p>	<p>development will give rise to additional trips. The approach to parking will be amended to require provision in-line with existing standards where this is necessary- NS5 para 1 bullet 5 and NS37 will be amended to clarify the approach</p>	<p>“A car parking ratio of 1 space per home or less, unless applicants can demonstrate a clear car parking reduction strategy, including timescales, for how they will achieve the target if this is not achievable on first occupation. This strategy may include higher levels of provision in early years to avoid parking littering, but these should be largely unallocated spaces which can be reallocated to other uses over time in line with monitoring and review at least every five years in perpetuity;</p>
<p>The plan does not demonstrate that adequate parking will be provided. The restrictive parking approach must not cause over spill parking on surrounding roads. Parking spill is a problem now, as demonstrated in developments already in the area.</p>	<p>The approach to parking in NS5 para 1 bullet 5 and NS37 will be amended to require provision in-line with existing standards used across the district, where necessary. It is considered that this approach alongside significant investment to reduce reliance on cars will limit the potential for over spill. It is not considered appropriate to provide parking at levels beyond existing district-wide standards. The policy includes a requirement for monitoring to influence future levels of provision, however, this is based on providing up to the maximum, if necessary, at the outset and reallocating space where it can be shown that parking is not required. This will be clarified in an amended NS5 para 1 bullet 5 and NS37. It is considered that an approach of starting low and going higher, if needed, would be more difficult to deliver.</p>	<p>this is not achievable on first occupation. This strategy may include higher levels of provision in early years to avoid parking littering, but these should be largely unallocated spaces which can be reallocated to other uses over time in line with monitoring and review at least every five years in perpetuity; <u>A residential parking strategy showing that the design and delivery of development will achieve a settlement where residential parking needs can be met by a car parking ratio of one space per home (or less). Where this level cannot be shown to be adequate the strategy will include additional off-plot parking alongside measures that will be taken to reduce parking demand to target levels, including timescales, and, following monitoring and review at least every five years, reallocating the additional parking to other uses. Further requirements are set out in policy NS37;</u></p>
<p>The DPD should ensure that the new settlement is wholly self-sustaining in terms of parking. Reducing parking in order to limit car use is supported but to be effective there should be a monitoring framework that enables a feedback loop to limit the unintended consequences of good intentions by reacting to parking littering. (Tockwith with Wilstrop Parish Council; Coalition of Parish Councils)</p>	<p>The NS5 approach of targeting one space per home is based on evidence of the need to secure modal shift at Maltkiln in order to achieve the ambition of net zero carbon travel by 2038, which is set out in the New Settlement Climate Change Study. Rather than setting parking standards, NS5 outlines an ambition for parking levels and sets an approach that enables the ambition to be achieved but only where it is shown that additional parking is not required. Where this cannot be shown NS5, along with NS37, requires additional parking in-line with existing local plan policy TI3, which includes consideration of parking standards set by the highway authority. This will be clarified in an amended NS5 para 1 bullet 5, NS37 and relevant accompanying paragraphs.</p>	<p>Amendment Amend para 5.27 bullet 9 as follows: “Measures to achieve a car parking ratio ambition of 1 space per home or less. It is recognised that higher levels of provision may be necessary in early years to avoid car littering and ensure a high quality environment. However, the majority of spaces should be unallocated, with ownership vested in</p>
<p>Parking polices should meet NPPF paragraphs 107 and 108 and be evidence based. The approach of restricted residential parking is contrary to para 108. This states that maximum parking standards should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport. There is no clear and compelling justification that they are necessary for managing the local road network nor is or will be the NS comparable with a city or town centre or other location well served by public transport.</p>	<p>Local plan policy DM4 doesn't allocate a new settlement site. Instead, it identifies a broad location and requires preparation of a further DPD to allocate a site and set out new settlement specific policies, as necessary. Where appropriate these policies may depart from the local plan.</p>	<p>“Measures to achieve a car parking ratio ambition of 1 space per home or less. It is recognised that higher levels of provision may be necessary in early years to avoid car littering and ensure a high quality environment. However, the majority of spaces should be unallocated, with ownership vested in</p>
<p>This policy (along with policy NS37) limits car parking to one space per dwelling, with an option to provide a strategy in the early years. This strategy however references unallocated parking spaces that can be repurposed. This policy requirement is undeliverable, unjustified and inappropriate. The site is an allocation in the local plan, subject to the same policies as all other sites, including car</p>	<p>Local plan policy DM4 doesn't allocate a new settlement site. Instead, it identifies a broad location and requires preparation of a further DPD to allocate a site and set out new settlement specific policies, as necessary. Where appropriate these policies may depart from the local plan.</p>	<p>“Measures to achieve a car parking ratio ambition of 1 space per home or less. It is recognised that higher levels of provision may be necessary in early years to avoid car littering and ensure a high quality environment. However, the majority of spaces should be unallocated, with ownership vested in</p>

<p>parking ratios. The site was allocated based on its merits, the housing requirement and spatial strategy. It should therefore be subject to the same policies as all other sites.</p> <p>It is acknowledged that the site will be delivered over a number of years and reliance on the car could reduce, however the policy should make contingency for this in later phases, rather than applying restrictive policies at this time contrary to the local plan and without evidence on deliverability. None of the background papers provide any evidence that this has been considered by the highways authority, that it can be delivered in a suitable masterplan or that it is viable. The policy requirement should be deleted and the Councils local plan policies relied upon.</p> <p>(Caddick)</p>	<p>In response to DM4 the DPD includes an objective of reducing carbon emissions in-line with the Council’s 2038 net-zero ambition- including a focus on net zero carbon travel. The New Settlement Climate Change Strategy identifies that achieving net-zero carbon travel at Maltkiln by 2038 would require significant modal shift away from private cars. As such the DPD includes a range of interventions aimed at successfully delivering modal shift. Acknowledgement that reliance on the car could reduce is therefore welcome.</p> <p>It is recognised that despite net zero travel being required to be enabled from first occupation it may take time to secure modal shift. It is considered that the approach of permitting parking levels above the target alongside a strategy setting out actions to reduce parking need that includes the ability to reallocate unnecessary parking in response to monitoring recognises this. Nevertheless, it is considered that NS5 para 1 bullet 5 and supporting text should be amended to clarify requirements and ensure that where target levels cannot be shown to be adequate additional parking is provided in-line with standards in local plan policy TI3 and that parking should only be reallocated to other uses where shown to be no longer required. NS37 also includes this requirement. NS37 will also be amended so NS5 sets the overall approach and NS37 sets detailed requirements. Comments on unallocated parking are addressed under NS37. The planning authority has on-going discussions with the highway authority on transport matters at Maltkiln.</p>	<p>an appropriate stewardship vehicle, so that spaces can be reallocated over time if evidence of changing demand is revealed. Regular monitoring of their use through remote or traditional surveys, supported by provision of non-car infrastructure and services, and targeted travel plans to facilitate modal shift should enable this to happen. <u>That the design and delivery of development will achieve a settlement where residential parking needs can be met by a car parking ratio of one space per home (or less). Where this level cannot be shown to be adequate the residential parking strategy will include additional off-plot parking in accordance with local plan policy TI3: Parking Provision (or successor policies) to avoid parking littering. It will also set out measures that will be taken to reduce parking demand to target levels, including timescales, so that the additional parking can be reallocated to other uses in the future. This will include monitoring the use of additional parking regularly through remote sensors or traditional surveys to understand demand. This will inform review and, where relevant, update of the measures and consideration of whether parking land can be reallocated. Reviews will take place at least every five years in perpetuity.</u></p>
<p>Para 2.28: Simply measuring parking levels would be mis-leading. The effect of electric cars needs to be recognised- the use of sensors to measure traffic and parking levels would not do this.</p>	<p>The monitoring of parking levels is intended to inform the level of provision necessary in later stages and considerations of whether parking could be re-allocated for other purposes without causing undue problems, rather than to assess whether travel is zero carbon. In this context it is not relevant whether cars parked are electric or otherwise. Similarly measuring traffic levels is to help understand modal split and modal shift over time. This will be clarified in an amended para 5.27 bullet 9.</p>	

The approach of restricting residential parking has not been consulted upon or examined	The proposal is being consulted on as part of preparing the DPD and will subsequently be independently examined.	No amendment
The change from high street shops to out of town retail parks needs to be taken into account	Use of out-of-town retail, often car dependant, is recognised through DPD policies aimed at accommodating and mitigating the impact of additional private car trips.	No amendment
A car parking ratio of 1 space per home or less/ seeking to reduce car journeys is not necessary to deal with exhaust emissions given the move to electric cars.	The New Settlement Climate Change Strategy identifies that achieving net-zero travel at Maltkiln by 2038 would require significant modal shift away from private cars, in part because the transition to all car trips being powered by zero carbon sources is not expected to be complete. As such the DPD requires significant investment in alternatives. One space per home is targeted in support of this and will ensure that land not required for parking is used efficiently.	No amendment
It needs to be demonstrated that one space per home is a genuine climate change necessity and not a means to increase housing density because of viability		
Adequate allowance should be made for car parking within the settlement, both adjacent to houses and to shops and other facilities.	NS5 and NS37 alongside local plan policy T13 will ensure that adequate parking will be provided at homes, shops and other facilities in-line with existing standards used across the district.	No amendment
The DPD needs to make provision for lorry parking, in accordance with NPPF para 109	This issue is considered as part of issues raised in relation to policy NS37.	No amendment
Highways: Support the need to provide all homes with a minimum of 7kW smart Electric Vehicle (EV) charging on plot or within parking areas. This aligns with existing HBC Policy. (Former NYCC)	Support noted.	No amendment
Provision of the same number of >7kW chargers as there is homes will also be a behavioural nudge, ensuring that the transition away from combustion engines is as simple as possible for residents. (Y&NY LEP)	Support noted.	No amendment
The provision of delivery lockers, as well as the central mobility hub, at the Station is very much welcomed and should encourage last-mile delivery approaches. (Y&NY LEP)	Support noted.	No Amendment
A distribution hub is listed as being required to manage last mile deliveries, with land to be allocated in the masterplan. There are a number of options for the delivery strategy on site and therefore the plan should provide flexibility, rather than presuming that a distribution hub is the optimum solution for the new settlement. The requirement for this hub should therefore be deleted. (Caddick)	Para 1 bullet 7 and supporting text para 5.27 bullet 11 will be amended to require a last mile delivery strategy. It is recognised that an acceptable approach may not require a centralised distribution hub, however, it is considered that it would be likely to still require land and have a spatial dimension. As such it should be identified on the masterplan. Bullet 4 of policy NS3 will also be amended to reflect this	Amendment Amend NS5 bullet 7 as follows: "A distribution hub and proposals to manage last mile deliveries within the settlement. Land will be allocated in the masterplan to serve these purposes; A 'last-mile' strategy to manage and co-ordinate the distribution of

<p>Strategic Policy Team: Information is required regarding the location, size and scale of the centralised distribution hub required as part of the last-mile strategy. (Former NYCC)</p>	<p>updated requirement- this is set out in response to NS3 comments</p> <p>The requirement for a centralised distribution hub is being amended to reflect that there may be other acceptable ways to manage the 'last-mile' successfully. The location, size and scale of facilities required would be determined at application stage as part of considering the acceptability of the 'last-mile' strategy proposed in response to NS5. NS5 already includes reference to showing the land required within the site-wide masterplan to ensure sufficient land is set aside. This will be amended to reflect the updated approach.</p>	<p><u>deliveries within the settlement. Land necessary to deliver the strategy, for example land for a centralised distribution hub, will be identified on the masterplan required by policy NS3; and</u></p> <p>Amendment Amend para 5.27 bullet 11 as follows:</p> <p>“A last-mile <u>'last-mile' delivery strategy to manage and</u> co-ordinate the distribution of deliveries within the settlement. This should include <u>enable</u> allocation of a centralised distribution hub (use class B8) with onward deliveries made by foot, cargo-bikes or micro mobility as well as electric vehicles <u>in-line with the sustainable transport hierarchy, and provide easily accessible.</u> The settlement centre should include provision of drop off and collection facilities. This <u>includes identification of land necessary to deliver the strategy, for example for a centralised distribution hub (use class B8). Operation of the strategy will be addressed in Travel Plans for the site, as required by policy NS30, and planning conditions and/or S106 will be used to secure delivery and operation.</u>”</p>
<p>Highways: The 'last-mile' distribution hub should be secured by planning condition funded by the development and its operation set out in the Travel Plans for the site.</p>	<p>NS5 para 3 sets out that planning conditions and Section 106 agreements will be used to ensure that infrastructure and services consistent with the strategy are in place and operated. NS5 para 3 will be amended for greater clarity. Supporting para 5.27 bullet 11 will also be amended to reference travel plan requirements in policy NS30. This modification is set out above alongside other changes to bullet 11.</p>	<p>Amendment Amend NS5 para 3 as follows:</p> <p>“Planning conditions and/or Section 106...consistent with the <u>strategy net zero carbon movement strategy and all component strategies are is</u> in place...operated <u>effectively</u> in perpetuity.</p>

NS6: Smart Settlement

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
The policy wording should give clearer instruction of what is required and what is only suggested.	Agree. Para 1 will be amended to provide greater clarity that a smart settlement strategy is required and what this must contain.	<p>Amendment Amend NS6 para 1 as follows: “Proposals will demonstrate <u>are required to be accompanied by a smart settlement strategy that demonstrates:</u>”</p>
Caddick object to this policy. The requirement for data speeds at specific levels may not be deliverable. We have not seen any evidence from the Council that these are deliverable or viable. The policy should be reworded to require a telecoms and data strategy to be submitted, which can then be based on both a deliverable and viable scheme. (Caddick)	<p>Para 1 bullet 1: Local plan policy TI5 already requires development to enable fibre to the premises (FTTP), subject to viability, which would deliver the 1Gbps required by NS6. From December 2022 1Gbps has also been required through Part R of the Building Regulations, subject to a cost cap. Research carried out for Think Broadband (Jan 2023) identifies that in 2022 the proportion of new properties with a 1Gbps speed was over 99% and FTTP over 98%. 1Gbps is rapidly becoming the industry norm and this is reflected in the NS6 requirement to deliver this speed. It is understood that Openreach will now deliver full fibre on new developments of 19 or more homes at no cost to the developer. Para 1 bullet 2: It is recognised that upgrading existing infrastructure to be capable of delivering 100Gbps may require future retrofit work. As such the requirement will be amended to 10Gbps as this can be achieved with existing infrastructure. However, delivery of the infrastructure can be done in ways that make any future retrofits easier and cheaper, the bullet will be amended to require such approaches to be followed. A new bullet will also be added between bullets 2 and 3 to require broadband infrastructure that supports operation by multiple retail internet service providers, in-line with best practice, to enable consumer choice and competition. Accompanying text para 5.36 will be amended to reflect these updated policy requirements.</p>	<p>Amendment Amend NS6 para 1 bullet 2 as follows: “How the new...at least 400 Gbps <u>10 Gbps</u> with low latency in future, <u>and be built in such a way to allow upgrading to 100 Gbps and beyond as technology allows;-and</u>”</p> <p>Amendment Add new bullet after para 1 bullet 2 as follows: “<u>How the new settlement infrastructure will support multiple retail internet service providers to help ensure that broadband connectivity remains affordable for the occupiers of the buildings; and</u>”</p> <p>Amendment Amend para 5.36 as follows: “5.36 As very high-capacity telecommunications...the provision of <u>very</u> high-capacity upload and download speeds <u>broadband systems</u> throughout the settlement will be required from first occupation. <u>Since 2022 Part R of the Building Regulations has sought delivery of systems capable of 1Gbps. Broadband infrastructure at Maltkiln is required to deliver these speeds, as a minimum, through fibre to the premises (FTTP)- as set out in Local</u>”</p>

		<p><u>Plan policy T15. In addition, the infrastructure is also required to support the ability to upgrade fibre capacity to at least 10 Gbps with low latency in future. It is recognised that the demand for, and capacity to deliver, even greater speeds will inevitably increase but that upgrading beyond 10 Gbps is likely to require new technical solutions, such as PON and Backhaul. The system will, therefore, be built in a way that supports these further upgrades to 100 Gbps and beyond as technology allows, for example, by ensuring PONs can be easily accessed and replaced. The broadband infrastructure delivered is required to support multiple retail internet service providers to enable consumer choice and competition, which will help to ensure affordability.</u></p>
<p>The policy should require that broadband systems and connectivity will be fully upgradable across all neighbourhoods.</p>	<p>Para 1 bullet 2 requires broadband systems that can easily be upgraded to support higher speeds. It is not considered that a similar requirement for mobile connectivity is required since upgrading this infrastructure generally presents less challenges.</p>	<p>No amendment</p>
<p>Caddick objects to this policy. Matters such as 5G mobile coverage are outside the control of the applicant. (Caddick)</p>	<p>It is recognised that applicants may be unable to demonstrate that particular levels of mobile connectivity, such as 5G, will always be available as this would be dependent on the actions of third parties outside their control. Nevertheless, there are actions applicants can take to increase the likelihood that high-speed mobile capacity increases in tandem with increased demand as a result of the development. Para 1 bullet 3 and accompanying text will be amended to set out actions within an applicant's control. A new para will also be added to clarify that requirements of local plan policy T15, where not updated by this policy, continue to apply, for example in relation to the siting of infrastructure such as masts.</p>	<p>Amendment</p> <p>Amend para 1 bullet 3 as follows: That <u>How</u> site-wide 5G connectivity (or greater) will be available from first occupation across all neighbourhoods <u>delivered across all neighbourhoods, including any land-use implications and the actions that will be taken to increase the likelihood that capacity increases are delivered in tandem with development.</u></p>

		<p>Amendment Add new para after para 5.36 as follows: <u>“Applicants will need to show consideration of how mobile connectivity (5G or greater) will be delivered across all neighbourhoods and demonstrate the actions that will be taken to increase the likelihood that capacity increases are delivered in tandem with the development. This will include identifying any land-use implications, such as for masts, and, where necessary, making land available. Applicants should also engage early and work closely with mobile network providers to support delivery, including providing formal notification to industry through Mobile UK (or successor body). If delivery of adequate capacity is in doubt applicants should investigate alternative mechanisms, including through dialogue with mobile connectivity specialists within the economic development team of North Yorkshire Council.”</u></p> <p>Amendment Add new section to NS6 after para 2 as follows: <u>“Unless updated by this policy, proposals are also required to meet the requirements of Local Plan policy TI5, or successor policies”</u></p> <p>Amendment Add new para after para 5.37 as follows: <u>“Unless updated by this policy, proposals are also required to meet</u></p>
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		<u>the requirements of Local Plan policy TI5, or successor policies, including in relation to the siting of infrastructure such as masts.</u>
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NS7: Net Zero Carbon Energy Supply and Use

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
Please note that at 5.57, the York & North Yorkshire Local Enterprise Partnership (Y&NYLEP) has been misnamed – please rectify as above if possible. (Y&NY LEP)	The name of the organisation will be corrected.	Amendment Amend sentence 2 of para 5.57 as follows: “The Council...the York & North Yorkshire Local Enterprise Partnership (LEP) and other...”
The word ‘should’ should be replaced with ‘must, shall or will’ in order to give clearer instruction of what is required	Greater clarity on requirements will be provided. NS7 Paras 1, 2 ,3 and accompanying text paras 5.42, 5.43, 5.45, 5.48/5.49 will be amended. To aid presentation paras 5.41 and 5.42 will be combined. NS7 Para 2 and 5.45 are also being amended in response to comment below regarding requirements of Local Plan policy CC4. Amendments to NS7 para 3 and 5.48/5.49 are set out below in response to other comments on this section. Amendments to para 5.43 are set out below in response to comments regarding local area energy plans.	Amendment Amend NS7 Para 1 as follows: “Proposals should be accompanied are required to be supported by a settlement-wide...The strategy should will take account of reasonable projections...” Amendment Add para 5.42 to the end of para 5.41 and amend former 5.42 as follows: “5.41 As such it will...settlement itself. Proposals are, therefore, required to be...power and transport. The strategy will take account...with the 2038 net zero target. 5.42 Proposals should, therefore, be...power and transport. The strategy should take account...with the 2038 net zero target. Amendment Amend NS7 Para 2 as follows: “The strategy should is required to reduce greenhouse... accordance with the following energy hierarchy and. ” Amendment Amend accompanying text para 5.45 as follows:

		<p>“The strategy should is required to reduce greenhouse...energy hierarchy. The energy hierarchy is a concept widely used to set out the order in which energy issues should be prioritised. This approach is also required by Local Plan policy CC4.</p> <p><small>FOOTNOTE Emissions reductions should...</small></p> <p>FOOTNOTE: Policy CC4 of the Harrogate District Local Plan 2014-2035 defines the energy hierarchy as: 1 Energy reduction; then 2 Energy efficiency; then 3 Renewable energy; then 4 Low carbon energy; then 5 Conventional energy.</p>
<p>The idea of a settlement-wide Net Zero Carbon Energy Strategy is warmly welcomed, and the actions within this policy seem well thought out. (Y&NY LEP)</p>	<p>Support noted.</p>	<p>No amendment</p>
<p>It would be worth noting that the Local Area Energy Plan (LEAP) has now been completed and will be an available resource for developers to inform decisions on heating types and renewables installation that would be in line with a regional target for net zero (in line with the Harrogate District target methodology). The Plans will be published early in 2023, alongside an interactive tool that will make the outputs of the modelling more easy to navigate. (Y&NY LEP)</p>	<p>The publication of the North Yorkshire and City of York LEAP is noted. Reference to this and the underlying York and North Yorkshire Routemap to Carbon Negative will be added to the accompanying text at para 5.43 to highlight that the choice of energy and heating systems at Maltkiln should be informed by this work. Para 5.43 is also being amended in response to comments below on affordability.</p>	<p>Amendment Amend para 5.43 as follows: “In developing the strategy a range of scenarios and technologies should will be tested and the strategy should will be in-line with anticipated policy, including the Future Homes and Future Buildings Standards, trends towards decentralisation of energy supply and the growth in ultra-low emission vehicles (ULEVs). The strategy will demonstrate regard to the relevant ‘Reducing Emissions- Sector Action Plans’ within the York and North Yorkshire Routemap to Carbon Negative <small>FOOTNOTE 1</small> or successor documents, and incorporation of ‘low regrets’ actions and measures consistent with the ‘Medium Ambition Pathway’, as a minimum, within the North Yorkshire and City of York Local Area Energy Plans (LAEPs), including the subsidiary Harrogate and the Dales LEAP <small>FOOTNOTE 2</small> ,</p>

		<p><u>seeking to deliver actions aimed at new development.</u> The strategy should <u>will</u> also take advantage of site opportunities to support the local electricity grid and deliver a high-quality place, provide sufficient development viability to ensure delivery whilst also ensuring affordability for occupiers <u>and users of buildings.</u> in both the short and long term. <u>Further information on affordability is set out below.</u> <u>FOOTNOTE 1: York and North Yorkshire LEP (2023): York and North Yorkshire's Routemap to Carbon Negative.</u> <u>FOOTNOTE 2: York and North Yorkshire LEP; City of York Council (2023): North Yorkshire and City of York Local Area Energy Plans.</u></p>
<p>The RIBA document The Art of Building a Garden City (p. vii) states that: developing an energy strategy requires strong data on the expected carbon performance of a new community, and the interaction of site design and energy use of its buildings and transport systems. This carbon profile provides the benchmark for future performance assessments, and allows for clear evaluation of the likely energy consumption and carbon emissions. It is then possible to assess potential energy generation by mapping the renewable-energy potential of existing and new heat sources. This should provide a comprehensive picture of the opportunities and constraints of energy deployment, and allow for the best choice of technologies for generation, distribution and storage. (Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)</p>	<p>It is considered that the accompanying text to NS7 alongside other policies in the climate change chapter adequately addresses these issues. For example, para 5.42 identifies the need to capture energy use from transport alongside buildings; and policy NS5 requires site design that promotes walking and cycling over private vehicle trips for internal journeys. Para 2 bullet 2 requires investigation of using waste heat from a known source.</p>	<p>No amendment</p>
<p>Thousands of new houses in the Harrogate district have and are being built with no solar panels or heat pumps but do have gas fired boilers. The DPD must ensure this is not the case at the new settlement</p> <p>The policy should include a strong presumption (at the very least) against their being a gas supply to any of the buildings. (Zero Carbon Harrogate)</p> <p>Paragraph 5.40 states that proposed changes to the Building Regulations regime through the Future Homes and Future Buildings Standards mean that gas will no longer be used to heat</p>	<p>To meet Building Regulations in place since June 2022 new homes must have heat pumps or alternatively, if gas boilers are fitted, must also have solar panels. Accompanying text para 5.40 explains that a further tightening of Building Regulations, through the Future Homes and Future Buildings Standards (FHS and FBS), is proposed by government, which will end the use of gas boilers in new homes/buildings. These new rules are proposed to be in place by 2025.</p>	<p>Amendment Add new para between paras 5.50 and 5.51 as follows. Further text for this para is set out in response to other issues below: <u>"5.XX In considering a range of technologies as part of the development of the net zero carbon energy strategy, there should be a presumption against the use of gas.</u></p>

<p>new buildings from 2025. However, I understand that proposals include bringing gas to the area. This is a confusing and surely unnecessary cost?</p>	<p>The area around the new settlement currently has limited opportunities for gas connections, with 80-95% of properties having no mains gas supply. As a result gas-based systems would be more expensive to deliver at Maltkiln than elsewhere. This and the introduction of the FHS and FBS (likely to be prior to completion of any development) suggest that use of gas would be highly unlikely. Nevertheless it is agreed that a presumption against the use of gas should be highlighted alongside these issues in the accompanying text.</p>	<p><u>This reflects the introduction of the Future Homes and Buildings Standards but also significant uncertainty around de-carbonising gas-based systems in the timescale required by policy NS4, and the limited mains gas connections locally. Investment in gas supply is unnecessary and, as the vast majority of properties near Maltkiln have no mains gas supply, would be more expensive and reduce investment in more sustainable technologies.</u></p>
<p>Concern about the unspecified role of the gas network on site. In section 11 Delivery and Phasing, the provision of a new gas supply to the site is identified as a necessary short-term action. However, this is in conflict with para 5.40 which identifies that no new domestic or non-domestic dwellings should be receiving gas supply for heat from 2025. Suggest this connection is removed as a priority action to align better with national policy and local net zero strategies, and removing an unnecessary cost. (Y&NY LEP)</p>	<p>As explained above, delivery of a gas-based system is considered highly unlikely. The identification of a new gas supply to the site as a necessary infrastructure project in ch 11: Delivery and Phasing (Table 11.1) has been carried forward from earlier work prior to the preparation of the New settlement Climate Change Strategy in error and doesn't reflect the approach of policies in the Regulation 19 DPD. The reference will be removed, as set out alongside comments on chapter 11.</p>	<p>Amendment As a consequence of the above, amend DPD para 5.51 as follows: 5.51 Renewable...in the net zero carbon energy strategy.</p>
<p>The DPD doesn't give serious consideration to meeting energy needs through waste heat from Allerton Park. This is contrary to NPPF para 152, which requires policies to support renewable and low carbon energy and associated infrastructure; and para 155, which requires opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers to be identified. It has taken intervention from our new County Councillor for HBC to see the benefits of this approach. (Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)</p>	<p>NS7 para 2 includes energy hierarchy requirements. Bullet 2 requires proposals to demonstrate how opportunities to supply and use energy efficiently and cleanly have been realised. It specifically requires applicants to explore the potential of local energy sources, such as secondary heat. This requirement principally relates to the use of waste heat from the Allerton Waste Recovery Park and has featured in the policy from early drafts. To improve clarity the policy and accompanying text will be amended to include reference to the park.</p>	<p>Amendment Amend NS7 para 2 bullet 2 as follows: "2. Be clean:...including exploring <u>investigating the</u> potential to exploit local energy resources such as <u>including secondary heat (waste heat) from the Allerton Waste Recovery park;</u>"</p>
<p>If the development is having a district heat network installed it seems like more could be done to bring benefits to the inhabitants of the new settlement For example, using the heat network to de-ice pavements or roads in winter.</p>	<p>While the policy requires investigation of utilising waste heat from the park, for example, to power a heat network, the adoption of this approach is not mandated by the policy. Instead it requires consideration of this alongside/ against alternative approaches that could also be part of a net zero carbon strategy. As such it is not considered appropriate to include requirements to ensure heat networks deliver wider benefits. The accompanying text will be amended to clarify how strategies that do not adopt this approach should be justified.</p>	<p>Amendment Add to the end of the new para between paras 5.50 and 5.51 as follows. Preceding text for this new para is set out in response to other issues above: "... <u>Applicants are required to demonstrate investigation of the use of secondary heat (waste heat) from Allerton Waste Recovery Park, for example, to power a heat network. Where such technology does not form part of a proposed strategy this should be justified with reference to the aims set out above.</u>"</p>

<p>Consideration should be given to investing in district heating systems that utilise ground source heat pumps</p>	<p>The approach requires applicants to demonstrate a net zero carbon energy supply in-line with the Council's wider 2038 ambition but doesn't stipulate the technologies that must be used. Instead, applicants should consider a range of scenarios and technologies and justify their approach against wider aims, including supporting the local energy grid, supporting approaches in the North Yorkshire and City of York Local Area Energy Plans, and ensuring affordability for users etc. This flexibility is considered appropriate as it recognises that technological change, evolving best practice and changing costs may mean that approaches mandated today are no longer suitable when development takes place. It is recognised that district heating systems powered by communal heat pumps have a number of differences from traditional heat networks. Heat pumps, whether ground or air source, communal or individual for each building/residence, may be integral to heat supply at Maltkiln, however mandating their use would likely prevent the utilisation of waste heat from Allerton Park. Instead, the policy requires applicants to investigate their relative merits and justify the chosen approach.</p>	<p>No amendment</p>
<p>Heat pumps should be required in all buildings, or better.</p>		
<p>No evidence from either HBC or new authority that they are really focused on best means of delivery. It is box ticking when there is so much top class technology available, but none is being considered or used. Earth Energy Bank technology or Air sourced heating must be used in all dwellings</p>		
<p>There is no policy regarding PV units. The policy should require solar PV.</p>		
<p>The DPD needs to ensure that the new development will include solar panels and battery storage.</p>		
<p>Guidance should be added stating that dwellings should have south facing roofs with PV and where properties must face east/west hipped roofs must be used with PV. Where tree planting is proposed it should state that fully grown trees must not shade PV units where fitted, or where could be fitted. Neighbouring buildings should also not shade each other's PV units or potential for PV units</p>	<p>It is not considered necessary for the DPD to set out design guidance on successful incorporation of solar PV as this information is readily available elsewhere.</p>	<p>No amendment</p>
<p>Paragraph 5.51 states that renewable energy will play a vital role in the net zero carbon energy strategy. Best practice concerning renewable energy is to aim to produce more energy than consumed. This is not mentioned at all.</p>	<p>It is not necessary for a settlement to be self-sufficient in terms of meeting energy needs in order to have a net-zero carbon supply. Nevertheless para 5.51 acknowledges that provision of renewable energy will play a vital role.</p>	<p>No amendment</p>
<p>Welcome the inclusion of NS7 para 2 bullet 3 which recognises that proposals for net zero carbon energy generation projects will be supported, unless there is clear and demonstrable conflict with other development plan policies. This is considered appropriate as, whilst projects that will help the new settlement achieve the net zero target are to be encouraged, they still need to be delivered in a sustainable way which protects other social, economic and environmental objectives of the plan.</p>	<p>Support noted.</p>	<p>No amendment</p>

<p>(Historic England)</p> <p>NS7 para 2 bullet 3 emphasises the need to maximise production, storage and use of renewable energy and states that: the Council recognises the need to maximise these opportunities at the new settlement on-site or, if not possible, near site, in pursuit of the 2038 net zero target. What does 'near site' mean? The boundaries of the new settlement are being established that seek to mitigate impacts on the surrounding landscape and communities. Are considerations being given to another area of surrounding land not currently within the new settlement boundaries for the generation of electricity, and if so where and with what means? The Council need to be transparent on this and not simply rely on a single line hidden in the DPD.</p>	<p>This section highlights that while the DPD requires energy supply to be net zero carbon in-line with a specific timeframe and expects that renewable energy delivered by the development would be necessary to achieve this, proposals for renewable energy generation or storage will still need to meet other relevant development plan policies, principally local plan policy CC3. CC3 provides in-principle support for such proposals across the district but includes safeguards to ensure that schemes with unacceptable impacts can be refused. On-site is intended to mean within/ surrounded by other built development and near-site- not on-site but close by. The Council is not considering sites for such development. It is noted that NS7 only has effect for proposals within the DPD plan area but also that the Council does not control where proposals come forward. Policy CC3 applies districtwide.</p>	<p>No amendment</p>
<p>Caddick objects to para 2 bullet 4 of this policy as it is unclear in its current form. It states that it must be demonstrated that energy systems can be integrated with telecoms and electric vehicle infrastructure. There is no clarification given on how this is to be achieved and then shown. (Caddick)</p>	<p>Further explanation will be added to the NS7 accompanying text.</p>	<p>Amendment Add new para between paras 5.51 and 5.52 as follows: <u>"5.XX The increased use of electricity for transport and heating alongside traditional power needs, both at Maltkiln and in the wider local area, will place greater demands on the local electricity grid and may lead to difficulty in securing adequate capacity to serve Maltkiln. The strategy should, therefore, take advantage of opportunities to support the local electricity grid in order to reduce annual and peak energy demand through decentralised zero carbon energy generation and storage. The use of batteries at a settlement scale and/or at individual properties can play an important role in balancing supply and demand by storing locally generated energy so it can be used at peak times, thereby reducing peak demand from the grid.</u></p>

		<p><u>To enable this the strategy needs to demonstrate that energy systems can be integrated with the supporting telecoms necessary.</u>^{FOOTNOTE} <u>This will include integration with electric vehicle charging infrastructure to enable residents to use energy stored in electric car batteries to meet domestic power needs, for example, by charging vehicles when demand for power and prices are low and using this power at home during times of peak demand when prices are greater.</u> <u>FOOTNOTE: Telecoms requirements for Maltkiln are set out in policy NS6: Smart Settlement.</u></p>
<p>Support point 5 on monitoring, verification and reporting, which will hopefully overcome some issues with poor quality (i.e. short lifespans) and improper installation of building fabric and low carbon technologies installed as part of buildings, covering the 'performance gap'. (Y&NY LEP)</p>	<p>Support noted.</p>	<p>No amendment</p>
<p>Public Health: New developments must consider air quality (indoor and outdoor). The policy should include measures to secure satisfactory indoor air quality and prevent over-heating, informed by the PPG and the UK Air Quality Strategy. This should include monitoring and reporting of the in-use performance in order to reduce any performance gap, as follows: Measuring in-use performance and closing the performance gap: All developments shall put in place a recognised monitoring regime to allow the assessment of energy use, indoor air quality and overheating risk for 20% of the dwellings and at least 90% of the common parts for the first five years of their occupancy, and ensure that the information recovered is provided to the applicable owners and the planning authority. Overheating risk: All developments shall put in place a recognised monitoring regime to allow the assessment of energy use, indoor air quality and overheating risk for 10% of the proposed dwellings for the first five years of their occupancy, and ensure that the information recovered is provided to the applicable owners and the planning authority. (Former NYCC)</p>	<p>NS7 para 2 bullet 5 requires applicants to implement a recognised monitoring regime covering the aspects suggested, alongside a recognised quality regime intended to reduce the likelihood of identifying deficiencies at monitoring stage. It is noted that what appear to be alternative or contradictory amended wordings are suggested. As such there is uncertainty on the specific arrangements sought. It is also noted that NS7 requires monitoring of a greater proportion of dwellings and, through accompanying text para 5.54, requires information recovered to be shared with those suggested.</p> <p>It is considered that para 5.53 should be amended to highlight that policy NS10 includes policy requirements on how to minimise over-heating.</p>	<p>Amendment Para 5.53: Add the following footnote as follows: "5.53 To reduce...overheating risk ^{FOOTNOTE} matches the..." <u>FOOTNOTE: Planning policy requirements relating to minimising over-heating risk are set out in policy NS10: Climate Resilience.</u></p>

<p>Caddick objects to para 2 bullet 5 of this policy as it is unclear in its current form. No detail is provided on how monitoring should be carried out, furthermore, though the DPD states that 30% of dwellings and 30% of other buildings should be assessed every 5 years following occupation, there is no information on how this is to be done and recorded, and what the assessment is to measure. It is unclear how the Council will utilise this information, and no baseline on what the Council expects from this assessment. Therefore, our Client argues this policy needs further clarification.</p>	<p>The policy has not included specific monitoring requirements in order to ensure flexibility depending on the regime used.</p>	<p>No amendment</p>
<p>To achieve the ambitious target of net-zero by 2038, the Council should remove the word 'consider' in para 3 in so that applicants are required to deliver homes and buildings with carbon emission standards above the minimum standards expected to be required through Building Regulations at the time of construction. This will ensure the delivery of homes to the standard the Council actually hope to achieve. (CPRE)</p>	<p>While it will be necessary for homes and buildings to have net zero operational emissions as part of a net zero energy supply it is not necessary for them to deliver built fabric standards above the Future Homes and Future Buildings Standards (FHS/FBS) to achieve this. The policy will be amended to clarify that consideration is for higher fabric efficiency standards rather than carbon emissions more generally which could be interpreted as allowing operational emissions. The Council expects to achieve FHS/FBS levels of fabric efficiency as a minimum. The policy requires consideration of better fabric efficiency standards, such as Passive House, in the round alongside other factors relevant to delivering a net zero energy supply. The text identifies the benefits of higher standards, including in relation to energy costs and energy demand, and encourages their use. The accompanying text will be amended to clarify how strategies that do not adopt this approach should be justified.</p>	<p>Amendment Amend NS7 para 3 as follows: "Applicants should be required to consider delivering...with built fabric carbon emission standards above..." Amendment Delete para 5.49 and add the following to the end of para 5.48: "5.48 While the Future Homes...electricity grid. Achieving the Passive House heat demand target of <15kWh/m2/year is likely to cost more than constructing a home to the Future Homes Standard. However, research by the Passivhaus Trust FOOTNOTE (EXISTING) suggests that achieving Passive House standards can add as little as 9% to baseline costs, which is expected to reduce to around 4% if the standard is adopted widely. This analysis was published in 2019 and, therefore, doesn't account for additional costs of meeting the Future Homes Standard, nor does it include any costs associated with providing additional infrastructure to meet higher energy demand. Amendment Add the following to the end of para 5.50: "5.50 The Council encourages...of a scheme. Where built fabric standards better than the Future Homes and Future Buildings Standards do not form part of a proposed strategy this</p>
<p>The DPD needs to ensure proper regard is given to the energy efficiency of new housing. New development should include the highest standards of insulation and the policy should require the 'Passive' house standard. Future residents will appreciate the benefits of this approach as energy prices are going to keep rising.</p>	<p>It is agreed that the text should better explain the context and assumptions in the study as well as the percentage uplifts identified. It is noted that the study is based on properties constructed before 2019, which doesn't account for additional costs associated with the FHS. Unfortunately, the work by Unlock Net Zero has not been found. It is recognised that there may be technical and delivery challenges with Passive House, however, the policy seeks consideration of these in the round alongside challenges associated with meeting energy needs, including at peak times, and the wider benefits of reducing heating demand as part of a net zero carbon energy strategy. The policy requires consideration of this approach but does not mandate its use. Favouring delivery that meets the FHS is</p>	
<p>Para 5.49 of the DPD references additional costs of building to Passivhaus. This is, however, an incorrect representation of the work. The DPD reference is based on an assumption that cost efficiencies would be achieved over time if Passivhaus was widely adopted across the construction industry. Work commissioned by Unlock Net Zero found there is a significant uplift in construction costs to achieve Passivhaus standard and a heat demand target of <15kWh/m2. This is challenging in both technical terms and delivery terms, even if the cost uplift can be accommodated. Therefore, while acknowledging the benefits of the Passivhaus standard, our Client objects to it in favour of more deliverable housing standards, such as the Future Homes Standard which achieves a high standard but which is less onerous and less prescriptive. (Caddick)</p>		

	noted. The accompanying text will be amended to clarify how strategies that do not adopt this approach can be justified.	<u>should be justified with reference to the aims set out above.”</u>
NS7 para 3 includes: Any buildings not designed to achieve the Future Homes or Future Building Standards should demonstrate how they achieve a minimum 20% reduction in carbon emissions relative to Building Regulations Part L requirements expected at the time of construction. A 20% reduction in carbon emissions cannot, by definition, deliver ‘net zero carbon living’, as required by DPD objectives (Zero Carbon Harrogate)	NS7 requires applicants to develop an energy strategy that delivers net zero carbon energy supply by 2038, in-line with DPD objectives. It is recognised that a 20% improvement in fabric energy efficiency over any base standard would not meet this requirement alone since other power needs would remain that would need to be met by zero carbon sources. Development that meets the FHS/FBS is considered zero-carbon ready and adoption of these are strongly promoted by requirements in NS7. Nevertheless these will not be mandated until 2025. The requirement for a minimum 20% improvement if proposals are not mandated, and don’t chose to adopt these standards, will ensure energy demand is reduced.	No amendment
Non-residential development should be BREEAM ‘Outstanding’, and residential development should be subject to BREEAM community assessment (Coalition of Parish Councils)	Local Plan policy CC4 requires non-residential development across the district, including at Maltkiln, to meet BREEAM ‘Excellent’. Further requirements to deliver on ambitions for the new settlement are set out in the DPD policies and supported by evidence. It is not considered appropriate to follow a different approach to BREEAM without evidence for the additional requirements. NPPF restricts the use of sustainability standards for new housing to the government’s national technical standards. The BREEAM community assessment assesses sustainable design in the masterplanning of new communities. It is considered that the DPD policies set out a suitable place-specific framework to ensure a sustainable settlement and, while a useful guide to assess performance, it is not considered appropriate to require adherence to the BREEAM tool. The need to meet the BREEAM requirement of CC4 as well as other relevant aspects will be clarified. Amendments to NS7 para 2 and 5.45 acknowledging CC4 are set out above alongside other changes to this paragraph.	Amendment Add new section to NS7 between paras 3 and 4 as follows: <u>“Proposals are required to meet, as a minimum, recognised sustainability standards for buildings set out in Local Plan policy CC4, or successor policies.</u> Add new para between 5.50 and 5.51 as follows: <u>“Proposals are required to meet, as a minimum, recognised sustainability standards for buildings set out in Local Plan policy CC4 or successor policies. Policy CC4 requires non-domestic developments to achieve a minimum standard of BREEAM Excellent.”</u>
Public Health - Due to current energy shortages and the rising costs of living the delivery and maintenance of new sustainable	NS7 para 4 requires the net zero carbon energy strategy to demonstrate that it will deliver systems and	Amendment Amend NS7 para 4 as follows:

<p>energy systems could consider inclusivity and affordability. This would support the creation of an integrated, mixed-community settlement, rather than one that is only accessible to the more affluent. (Former NYCC)</p>	<p>energy that are affordable for the occupiers/ users of buildings, with further explanation in the accompanying text at para 5.55. Affordability is also highlighted at para 5.43 albeit with slightly different wording. Policy will be amended to remove a grammatical error and paras 5.43 and 5.55 will be amended to remove any inconsistencies. Amendments to para 5.43 are set out above alongside other changes to the paragraph.</p>	<p>“Proposals will...energy is are affordable for...” Amendment Amend para 5.55 as follows: “5.55 Proposals will need...users of buildings in both the short and long term, both in terms of...”</p>
<p>Public Health E energy supply must be maintained to prevent seasonal health issues related to the weather, such as cold and damp homes, which particularly affect children and older people. (Former NYCC)</p>	<p>Noted. The policy requires energy systems to be delivered and maintained in perpetuity.</p>	<p>No amendment</p>

NS8: Embodied Carbon, Circular Economy and Life-cycle Emissions

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>The word ‘should’ needs to be replaced with ‘must’ to provide greater clarity regarding what is required</p>	<p>Agree. Greater clarity in paras 1 and 2 would be helpful.</p>	<p>Amendment Amend NS8 para 1 as follows: ‘Proposals should are required to be accompanied by...’ Amend NS8 para 2 as follows: ‘Detailed proposals...applications, will are required to be accompanied by...’</p>
<p>The York and North Yorkshire LEP (Y&NYLEP) strongly welcome the provision of circular economy within the DPD and happy to see recognition of materials and design for re-use and demolition as key aspects of this. (Y&NY LEP)</p>	<p>Support noted.</p>	<p>No amendment</p>
<p>The policy should require emissions from preparation, construction, maintenance and replacements, as well as other embodied/ lifecycle emissions to be net zero to meet the 2038 objective. (Comments received including from the Coalition of Parish Councils; Tockwith with Wilstrop Parish Council and CPRE North and East Yorkshire)</p>	<p>It is widely acknowledged that the technologies, materials and supply chains needed to reduce embodied emissions are still in their infancy and although these are continually developing there is uncertainty that policy requiring elimination of these emissions would be sound due to deliverability concerns. Inclusion of the policy ensures that these emissions will be reduced and allows improving best</p>	<p>No amendment</p>

	practice to inform consideration of proposals in order to maximise carbon reduction.	
<p>Support reductions in embodied carbon, however, there is no detailed policy either to indicate how mineral-based materials, such as tarmac, bricks, concrete-based products and steel will be minimised, or supplied only by manufacturers who have converted to low/zero carbon methods. These methods are in their infancy, and in the short to medium-term it will be necessary to actively promote the use of plant-based alternative materials, for instance by adopting timber-framed and timber-clad buildings. But the document is silent in this respect. (Zero Carbon Harrogate)</p>	<p>Support for inclusion of policy covering this issue is noted. As highlighted, approaches with low embodied emissions are in their infancy. It is therefore not considered appropriate to set out detailed policy requirements for how high-carbon materials must be minimised as these would need to be deliverable today but would then likely fall behind best practise as products and supply chains improve. Instead the policy requires applicants to demonstrate how emission reductions have been maximised allowing proposals to be considered against up-to-date guidance and best practice. Reference to plant-based (biobased) materials is addressed below.</p>	<p>No amendment</p>
<p>Section could be strengthened with more recognition of the opportunities for local supply chains for materials that sequester carbon (i.e. biobased circular construction materials – please see the ‘Circular Biobased Construction in the North East and Yorkshire’ report for more details) (Y&NY LEP)</p>	<p>Agree. As biobased construction is increasingly recognised as one of the most effective ways of decarbonising the building industry, which can also contribute to circular economies, it is considered appropriate to clarify that strategies should seek to maximise use of biobased materials.</p>	<p>Amendment Amend NS8 to add a new bullet after bullet 2: 'and <ul style="list-style-type: none"> • <u>Actions taken to maximise use of biobased construction materials, where appropriate; and...</u> Add the following to para 5.65: <u>“The strategy should...later. Biobased construction materials are generally derived from plant matter that has been processed into a functional product. Use of these materials is an effective way to decarbonise construction and support circular economies. When sourced locally, use of these materials can also reduce transport emissions. Strategies should investigate and, where appropriate, maximise use of biobased materials and support local biobased supply chains.</u> ^{FOOTNOTE} Circular economy approaches...” <u>FOOTNOTE: Further information can be found in: York and North Yorkshire LEP (2021): Circular Biobased</u></p>

<p>Section could be strengthened with more recognition of community assets that could be installed/designed in from the start to encourage more circular lifestyles on the development (please see the Circular Towns guide for more information). (Y&NY LEP)</p>	<p>Agree. Information will be added to the accompanying text to clarify that the requirement for circular economy approaches to be based on defined principles should include encouraging more circular lifestyles, and to signpost further relevant information and guidance.</p>	<p><u>Construction in the North East and Yorkshire</u> Amendment Amend para 5.65 and create new paragraph as follows: The strategy...later. Circular economy approaches...principles. <u>5.66 Circular economy approaches should inform the design and delivery of development at all stages and be based on clearly defined principles, including encouraging more circular lifestyles within Maltkiln. A circular settlement is one that makes use of circular economy principles throughout the community, for example, in homes, businesses and facilities, including schools.</u> ^{FOOTNOTE} <u>FOOTNOTE: Further information and guidance on circular towns can be found through the York and North Yorkshire LEP, including in: York and North Yorkshire LEP (2023): Circular Towns Guide</u> 5.66 <u>5.67</u> While embodied carbon..."</p>
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NS9: Supporting Inclusive Flexible Living and Working

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>The word 'should' should be replaced with 'must, shall or will' in order to give clearer instruction of what is required</p>	<p>Agree. Paras 1, 2 and 3 will be amended to provide greater clarity.</p>	<p>Amendment Amend NS9 para 1 as follows: "Proposals should <u>are required to</u> be accompanied by..." Amendment Amend NS9 para 2: Applicants should <u>are required to</u> demonstrate, for example..." Amendment Amend NS9 para 3:</p>

		Applicants should are required to demonstrate how proposals...
Paragraph 5.71 assumes people will work from home. This practice is already reversing, and employers are adopting at a minimum a hybrid model, therefore residents will still need to commute to work even part of the week.	The paragraph highlights recent trends towards more home working but makes clear that home working will not be suitable for all residents. It also recognises that, going forward, some of those who are able and wish to work from home may do so all of the time while others may do so only some of the time i.e. through a hybrid arrangement. The section does not suggest that home working will eliminate the need for residents of Maltkiln to commute to places of work.	No amendment
If people could work from home 100% of the time, why would they choose to live in this new settlement which will be a building site for the next 20-30 years, with no bustling town centre and not a rural idyllic Yorkshire village? It will have nothing to attract those types of residents.	Policy NS9 requires submission of a strategy demonstrating how delivery of the new settlement will maximise opportunities to work from home. The strategy is required to include a number of elements that would help to make Maltkiln a viable and attractive place to work from home. This includes the provision of retail, services and community facilities in the local centre. Use of these facilities by home workers will help to increase the vitality and vibrancy of the local centre. Paragraph 5.78 recognises that an attractive environment is also necessary to attract those looking to work from home. Requirements to deliver an attractive environment are set out in other policies of the DPD.	No amendment
Paragraph 5.72 states that working from home would help to reduce carbon emissions associated with commuting, however, working from home with the attendant heating and lighting may actually increase carbon emissions.	It is generally accepted that commuting to a workplace that also requires heating and lighting albeit shared would currently on average be more carbon intensive than not commuting. In addition policies in the DPD require operational emissions from buildings at Maltkiln to be reduced in-line with the 2038 net-zero target.	No amendment
Exemplary standards should be provided. Replace 'All homes will, as a minimum, meet the Nationally Described Space Standards' with 'All homes will, as a minimum, meet the Nationally Described Space Standards or as defined in the Local Plan, or any revisions to these documents whichever is the best.	A requirement for new homes to meet, as a minimum, the Nationally Described Space Standards (NDSS) is set out in the local plan. The requirement is restated here to clarify that while the design of homes can support home working this should not be achieved in ways that would not meet these standards. Where internal space standards can be justified para 130 of NPPF states that the NDSS can be required. Adherence to alternative standards is not supported by NPPF. If the NDSS is updated the current policy wording ensures that proposals would need to meet	No amendment

	the new standards. Requiring the NDSS as a minimum does not prevent proposals with greater levels of space from being delivered.	
Private outdoor space in the form of gardens is required for young children, care at home etc. and should be universally required to facilitate this.	Policy NS22 requires proposals to deliver a mix of dwelling type, tenure and sizes that reflect evidenced need locally in-line with the local plan, which requires a focus on smaller properties. It is not always appropriate to deliver a private garden for every property, particularly certain smaller properties. Therefore, it is not considered that private gardens should be universally required. Local plan policy HP4 already requires all residential development to incorporate appropriate private and/or communal outdoor amenity space.	No amendment
Public Health: The policy could clarify how homes will be designed and built to ensure resilience against climate change. Issues around the resilience of current and future homes are outlined here: https://www.local.gov.uk/our-homes-are-not-ready-climate-change . A plan for meeting these needs and challenges would strengthen the policy. (Former NYCC)	This policy is included to deliver on ambitions associated with the climate change priority of supporting inclusive flexible living and working. Paragraph 5.7 explains that this is one of four climate change priority areas that also include climate resilience. Policy NS10 sets out requirements to deliver on the climate resilience priority. Further consideration of this comment is set out alongside NS10 comments.	No amendment
Public Health: The provision of a “mix of housing types, size and tenures that ensures a diverse and multi-generational community...” is fully supported. Building homes that can flexibly respond to the changing needs of occupants helps people remain independent and able to live and work in their own homes for longer. (Former NYCC)	Support noted.	No amendment
Our Client understands the inclusion of a policy which supports flexible living and working however feels there is too great a focus on shared work spaces within the community. Our Client recognises that this type of workspace is not suitable for many industries which instead may require more private home working spaces. It is likely that many people will work from home, therefore provision in the home is likely to be more important than shared spaces. (Caddick)	The justification identifies that the design of homes is important alongside the provision of facilities (para 5.72) and also explains that an appropriate balance between space at home and co-working spaces should be demonstrated (para 5.76). The policy requires provision of shared spaces in response to assessments of likely demand as home working space cannot always be delivered or used as intended. Shared working facilities commonly include provision of private spaces that can be booked for whole or part days as required.	No amendment

<p>Paragraph 5.76 seeks to impose further requirements outside of the policy for a five year review on demand for flexible workspace. This is impractical and undeliverable. (Caddick)</p>	<p>The requirements discussed in the paragraph are set out in bullet 3 of the policy- provision based on likely demand and demand reappraised at least every five years. Details of how the requirement is undeliverable are not set out. It is considered important to base provision on demand but to also recognise that forecasting is likely to be imprecise and a variety of factors may change demand levels throughout the delivery of the settlement.</p>	<p>No amendment</p>
<p>Paragraph 5.73 provides a conflict in requiring that all homes meet NDSS. Whilst our Client does not object to the principle of this, it would be preferable for the NDSS to be relaxed selectively to allow space to be provided within dwellings specifically for home offices/work spaces. In particular, flexibility in applying the NDSS to enable rooms to be multipurpose and avoid home offices being oversized where they could be categorised as bedrooms. This would ensure that the new homes truly allow for flexible working and living. (Caddick)</p>	<p>Local plan policy HS5 requires all new housing to meet the Nationally Described Space Standards (NDSS) to ensure new homes provide a reasonable level of internal space to undertake typical day-to-day activities at a given level of occupancy. It is not considered appropriate to support lower levels of internal space at Maltkiln. It is recognised that it's not possible to ensure that dedicated home office spaces are used as such. Where used as an additional bedroom, more typically in homes with fewer bedrooms, this can lead to inadequate internal space for occupants. The approach seeks to avoid this outcome.</p>	<p>No amendment</p>

NS10: Climate Resilience

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>The word 'should' should be replaced with 'must, shall or will' in order to give clearer instruction of what is required</p>	<p>Paras 1, 4 and 5 will be amended to provide greater clarity.</p>	<p>Amendment Amend NS10 para 1 as follows: 'Proposals should are required to be accompanied by...' Amendment Amend NS10 para 4 as follows: "The strategy should will be monitored. The strategy should will be reviewed..." Amendment Amend NS10 para 5 as follows: "Applicants should will demonstrate arrangements... Stewardship arrangements should will consider opportunities..."</p>

<p>Paragraph 5.85 discusses the need to use appropriate climate change allowances to understand future flood risk. The EA is supportive of this text and links to the published guidance. In combination with policy NS11 part (e), we are satisfied that reference is made to the relevant requirements, including the need to consider a 'credible maximum' for new settlements. (Environment Agency)</p>	<p>Support noted.</p>	<p>No amendment</p>
<p>There is no reference to risks from wind. In anticipation of increased wind velocity and gusting as a result of climate change policy should ensure the new settlement is resilient to increased wind. (Hunsingore Walshford and Cattal Parish Council)</p>	<p>NS10 requires submission of a resilience strategy that firstly requires the identification of specific climate threats expected to arise at Maltkiln and secondly requires these to be mitigated. The approach is favoured over requiring specific measures that may not be necessary as it ensures investment in resilience is focussed on addressing identified threats.</p>	<p>No amendment</p>
<p>New developments must consider indoor air quality. The policy should include appropriate measures to secure satisfactory indoor air quality and prevent over-heating, informed by the PPG and the UK Air Quality Strategy. This should include monitoring and reporting of the in-use performance in order to reduce any performance gap. (Former NYCC)</p>	<p>The policy includes a general requirement for new buildings to not overheat in recognition that this is a significant resilience risk. Specific technical requirements to limit over-heating are set out in the Building Regulations (Part O). It is not considered appropriate to set further limits through planning policy. Instead this policy seeks to ensure that the limits are achieved in the most sustainable way. Monitoring requirements similar to those requested are included in policy NS7. These are sign-posted in the justification for NS10 (para 5.96). Consideration of proposed wording is set out alongside NS7 key issues.</p>	<p>No amendment</p>
<p>The strategy needs to allow for the energy used in creating buildings that do not overheat against the energy used on the occasions that overheating occurs. For example, simple fans may be adequate and only required a few days a year. Maintenance and replacement of heat pumps etc. also needs to be included in climate change whole life considerations.</p>	<p>Minimum requirements for over-heating performance are set out in Building Regulations (Part O). The regime does not allow the standards to be unmet on the basis that less energy may be used to mitigate the poor performance of the building. The cooling hierarchy approach set out in NS10 seeks to minimise the need for operational energy use to maintain acceptable conditions.</p>	<p>No amendment</p>
<p>The policy could clarify how homes will be designed and built to ensure resilience against climate change. Issues around the resilience of current and future homes are outlined here: https://www.local.gov.uk/our-homes-are-not-ready-climate-change A plan for meeting these needs and challenges would strengthen the policy. (Former NYCC)</p>	<p>The climate risks for new homes identified in the article are being addressed by DPD policies: flood risk (NS11), overheating and water conservation (NS10). At a neighbourhood level the article promotes urban greening through green infrastructure strategies and use of sustainable drainage systems (SuDS). Green blue infrastructure strategies are required by policy</p>	<p>No amendment</p>

	NS12. SuDS requirements are set out in NS11 and NS12.	
<p>Consideration should be given to including guidance and links to recognised standards for incorporating drought resilience for new planting, particularly street trees, incorporating natural shelter and shade within streets, POS and public buildings such as schools. (Former NYCC)</p>	<p>The policy requires all development to demonstrate consideration of opportunities to reduce water use and para 5.95 explains that this includes planting that doesn't require potable water use. While some measures discussed in 5.95 are referenced in the policy, potable water use for plants is not. The policy will be amended to ensure each of the measures discussed in 5.95 are referenced in policy.</p> <p>The policy also requires demonstration that open space and other areas within the public realm will remain safe and operational. Para 5.91 explains that this would require plant species chosen for their suitability to the projected climate, spaces and streets with year-round micro-climates that incorporate shading and publicly accessible cool buildings. It is considered that requirements for trees to provide shading, where required, in public areas and for tree-lined streets should be clarified in the policy- this amendment is set out in response to other comments below.</p> <p>The policy requires specific risks at Maltkiln to be identified and adequately mitigated, inclusion of generic standards is therefore not considered appropriate. Specific guidance on delivering drought resilient planting, street trees and shaded public areas has not been identified.</p>	<p>Amendment Amend NS10 para 3 bullet 4 as follows: “... All development will demonstrate consideration of opportunities <u>incorporation of measures, where appropriate,</u> to further reduce water use, including: <u>water sensitive landscapes and public spaces that minimise potable water use,</u> rainwater harvesting, making use of smart infrastructure and use of water efficient appliances”</p>
<p>CPRE North and East Yorkshire highlight that the policy does not specifically mention incorporating trees for climate resilience. NPPF para 131 states planning policies should ensure that new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees and that existing trees are retained wherever possible. This should be revised to reflect the NPPF.</p> <p>NYCC Landscape: Suggest that a requirement for tree-lined streets, including management and maintenance should be added. (CPRE and former NYCC)</p>	<p>Agree. The policy and supporting text will be amended to clarify the requirements for trees to provide shading, where required, in public areas and for tree-lined streets.</p> <p>Disagree that this policy should be used to specifically encourage the wider incorporation of trees within the development. While tree planting provides wider resilience benefits the policy is focussed on mitigating specific risks arising at Maltkiln. This will be considered further alongside NS12: Green and Blue Infrastructure key issues.</p>	<p>Amendment Amend bullet 3 as follows: ‘Integration of measures to demonstrate that... safe and operational, including where necessary, <u>These will include trees for shading including, where appropriate, tree-lined streets and, where necessary, the</u> use of building foundations that can accommodate...’</p> <p>Amendment Amend paras 5.90 and 5.91 as follows: ‘5.90 The strategy...and operational. <u>Measures will need to include trees for shading, ensuring that planting</u></p>

		<p><u>will provide adequate cooling in the necessary timeframe. Streets should be tree-lined unless it can be demonstrated this would be inappropriate. The strategy should include, where necessary, use of building foundations that can accommodate the growth of large shade giving trees close to properties and infrastructure.</u></p> <p>'5.91 Where necessary, this should include...properties and infrastructure. The following measures...'</p>
<p>To accord with NPPF paragraph 131: Add 'Shade giving trees' must not shade possible locations for PV units such as roofs. The policy should acknowledge the shading effects of PV units- PV units themselves will shade roofs. Evergreens must not be used to avoid shading buildings in the winter.</p>	<p>Whilst it is agreed that solar panels should not be installed where they would receive insufficient sunlight, preventing all tree planting where the trees may come to shade roofs on the basis that these are potential solar locations is not considered appropriate and may unduly prevent tree-lined street, as required by NPPF para131. Development that incorporates passive design, such as maximising winter solar gain, is required through policy NS7.</p>	<p>No amendment</p>
<p>Encouraging to see reference to water efficiency and quantity in relation to climate resilience, with an aim of achieving the stringent 110 litre per person target (compared to the 125 litres per person). The EA supports this approach (Environment Agency)</p>	<p>Support noted</p>	<p>No amendment</p>
<p>Paragraph 5.93 states that Yorkshire is not currently under water stress. This is not correct, Yorkshire has had a hosepipe ban since August 26th, 2022 and this is set to go into 2023. The dictionary defines water stress as the physiological stress experienced by a plant as a result of a lack of available moisture. With a trend to below normal rainfall, crops are likely to suffer water stress, even in the fertile north.</p>	<p>This discussion of water stress relates to considerations for the supply of water to homes and businesses rather than whether plants are water stressed. In this context the Environment Agency has defined water company areas that are under water stress. The Yorkshire Water area has not been defined as such. Clarification on use of the term water stress will be added to the paragraph.</p>	<p>Amendment Para 5.93: Add footnote after 'water stress' as follows: "While Yorkshire...water stress^{FOOTNOTE} forecasting...key objective. <u>FOOTNOTE: The Environment Agency has defined water company areas that are under water stress. The Yorkshire Water area is not currently defined as under water stress. Further information can be found in: Environment Agency (2021): Water Stressed Areas Classification"</u></p>

<p>From para 5.92: Recommend that reference to the Abstraction Licencing Strategy is included in this section. It is noted that it is referenced elsewhere in the document (Environment Agency)</p>	<p>Para 5.92 discusses limiting water use at dwellings in the new settlement, rather than how needs for potable water will be met. The Infrastructure Delivery Plan includes a section on water infrastructure to include both the supply of clean water and the treatment of wastewater. Discussions are on-going with Yorkshire Water. The Environment Agency are a statutory consultee and will be consulted on any future stages of the new settlement and planning applications.</p>	<p>No amendment</p>
<p>The EA note that there is only one reference to water quality in the climate resilience section and acknowledgement that water quality could be impacted by climate change. This could be further developed to consider how the DPD might support the protection and enhancement of water quality as a priority for the new settlement. For example using SuDS Nature Based Solutions and grey and rainwater harvesting systems in the development to improve resilience to climate change, contribute towards requirements of River Basin Management Plans and Water Framework Directive (WFD). Also draw your attention to the ADEPT guidance on Preparing for a Changing Climate: Good Practice Guidance for Local Government, which is designed to assist local government with preparing for the impacts of climate change. (Environment Agency)</p>	<p>The climate resilience policies in the DPD refer to the new settlement.</p> <p>However, following further consultation with the Environment Agency amendments are recommended to Policy NS12 Green and Blue Infrastructure and its justification.</p> <p>Amendments recommended are an additional bullet point within Policy NS12 in reference to SuDs and an additional paragraph at Para. 6.17 to reference Local Plan Policy NE2 Water Quality with a link to government guidance for developers.</p>	<p>No amendment to Policy NS10. See below for amendments to NS12.</p>

NS11: Flood Risk and Drainage

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Flooding of Ox Moor Lane in Cattal impacts people over a considerable area. The parish Council has consistently promoted "in real time" warning signage to reduce trip generation and vehicle right offs. The DPD should require the new settlement to provide a Just-in-time flood warning system to replace the existing manually operated signage, positioned in the following locations:</p> <ul style="list-style-type: none"> • at the junction of the C278 with Walshford roundabout; • north of Stephenson Lane along Station Road; • south of the bridge on Cattal Moor Lane <p>(Hunsingore Walshford and Cattal Parish Council)</p>	<p>Existing flooding of the highway in Cattal is recognised. As this is an existing issue and development proposals cannot increase this risk (to be approved national policy requires proposals to demonstrate flood risk is not increased elsewhere) it is uncertain at this stage whether a requirement for a developer contribution to provide this infrastructure would meet the relevant Community Infrastructure Levy (CIL) Regulations. If found to be necessary at application stage it is considered that NS11, NS38 and local plan policy T14 provide a satisfactory policy basis for seeking a developer contribution.</p>	<p>No amendment</p>
<p>Sequential Report: The Environment Agency (EA) highlight that the NPPF and PPG set out when the Sequential and Exception Tests are required in Local Plan preparation. For sites within flood risk areas, these should be applied at the plan making stage before a development site is allocated. This would infer that a flood risk assessment should be produced prior to the site being allocated in the Local Plan. (Environment Agency)</p>	<p>Sequential testing has taken place alongside the preparation of the DPD, as set out in the (Reg 19) Sequential Report. The test is based on a strategic flood risk assessment (SFRA) (NPPF para 162). Policy NS11 requires proposals to be supported by a site-specific FRA (NPPF para 167). The NS11 approach to FRAs was developed with input from the EA who were given opportunity to include specific technical requirements. Following Reg 19 consultation a further meeting with the EA has taken place where it was agreed that NS11 para 2 part b includes adequate safeguards to ensure EA requirements for an FRA can be met.</p>	<p>No amendment</p>
<p>Sequential Report: The EA welcomes preparation of the Flood Risk Sequential Assessment report to justify the sequential test and sequential approach within the site, in conjunction with the relevant policies. It may be useful to summarise any alternative site options and provide a comparison of flood risk with those sites. (Environment Agency)</p>	<p>Support noted. Site options considered as part of DPD preparation are discussed from para 3.11 (pg11). Sequential consideration of these sites is set out from para 4.3 with a comparison of flood risk across the sites in Tables 4.1 to 4.3. EA support for section 4.3 onwards, set out below, is noted.</p>	<p>No amendment</p>
<p>Sequential Report: Paras 5.104 and 5.105 of the DPD introduce the Report. As Lead Local Flood Authority (LLFA) North Yorkshire County Council (FORMER NYCC) notes this Report, which acknowledges that in order to accord with the wider sequential approach in the adopted local plan the current assessment would need to identify a site where delivery could occur without developing on land at risk of river flooding (flood zones 2 and 3) but also that, due to updated national policy, the aim should be</p>	<p>Support noted. In response to other comments paras 5.104 and 5.105 will be amended to clarify that the Sequential Report discusses historical work carried out as part of local plan preparation as context for the current work alongside setting out the current sequential assessment.</p>	<p>Amendment Preplace first sentence of DPD para 5.102 with: "5.102 Therefore, <u>in-line with paragraph 159 of the National Planning Policy Framework (NPPF) (2021), this policy seeks to ensure that development is directed away</u></p>

<p>widened to a site where delivery could occur without developing land at risk from all sources now or in the future. The report concludes that each option includes sufficient land to ensure that no development takes place on land at risk of surface water flooding (or river flooding) now or in the future. (Former NYCC)</p>		<p><u>from areas at risk of flooding, whether now or in the future, and if any acceptable development is necessary in such areas, ensure it is made safe for its lifetime without increasing flood risk elsewhere.</u> In achieving...”</p>
<p>Sequential Report: When read alongside the Reg 19 DPD, the EA notes that the draft DPD (5.105, pg. 39), states that the Sequential Test in the existing Local Plan (as used in the Harrogate Local Plan) is outdated when compared to the NPPF and PPG (Environment Agency)</p>	<p>The adopted Local Plan (LP) was prepared under NPPF (2012). Since then national policy and guidance on sequential testing has been updated- as recognised by para 5.105. LP policy DM4 requires the DPD to allocate a site in the broad location. In preparing the DPD three options within the broad location have been sequentially tested in-line with updated NPPF and PPG, as set out in the Sequential Report (section 4), and a sequentially acceptable site is proposed for allocation- EA support for this section, set out below, is noted. Paras 5.104 and 5.105 will be amended to clarify that the Sequential Report discusses historical work carried out as part of local plan preparation as context for the current work alongside setting out the current sequential assessment.</p>	<p>Amendment As a consequence of the above, amend para 5.103 as follows: “Paragraph 161 of the NPPF National Planning Policy Framework (NPPF) (2021) requires...”</p> <p>Amendment Amend DPD paras 5.104 and 5.105 as follows: “5.104 In identifying... demonstrates that the allocated allocation site is sequentially acceptable. Further information on the sequential approach <u>This work, including a sequential consideration of site options within the broad location for growth that informed site selection,</u> is set out in...Sequential Assessment ^{FOOTNOTE}. The report firstly summarises how...carried out to inform site selection. <u>In addition to the current sequential assessment, the report also discusses the wider sequential approach that was used to support allocations in the adopted local plan and the sequential considerations that took place during local plan preparation to inform the identification of a broad location for growth.</u>”</p>
<p>Sequential Report: Para 5.105 of the DPD: The EA is supportive of recognition in this paragraph that Sequential Test requirements in NPPF and PPG have been updated since the local plan was adopted. (Environment Agency)</p>	<p>Support noted. Paras 5.104 and 5.105 will be amended to clarify that the Sequential Report discusses historical work carried out as part of local plan preparation as context for the current work alongside setting out the current sequential assessment. It is considered that para 5.102, which sets out the aims of policy NS11, should also be amended to more clearly set out aims of the policy with reference to NPPF terminology.</p>	<p>“5.105 The report explains that...the wider local plan sequential approach <u>used to inform local plan allocations,</u></p>

		<p>the current assessment would need...(flood zones two and three). However, to reflect updated national policy <u>it also acknowledges that since local plan preparation national policy and guidance on sequential testing have been updated</u> with more explicit requirements for sequential testing to take account of all sources of flood risk and the predicted impacts of climate change, this aim was widened to identifying a site where delivery could occur without developing on land at risk of river or surface water now or in the future. <u>As a result it explains that the aim of the current assessment was widened- to seek to identify a site where delivery could occur without developing on land at risk of flooding from all sources both now and in the future as a result of climate change.”</u></p>
<p>Sequential Report Paras 2.28 to 2.30: This discusses the application of the Sequential Test within the Harrogate Borough. There is no mention of future flood risks as a result of climate change, and an over-reliance on the existing EA flood zones (which do not take into account the effects of climate change). The application of the Sequential Test should take the effects of climate change and all sources of flood risk into account. (Environment Agency)</p>	<p>This discusses historic work that took place during preparation of the Local Plan (LP) to support the identification of the broad location in LP policy DM4, rather than current work to support preparation of the DPD. The LP was adopted in 2020. The report acknowledges that since LP preparation national policy and guidance have been updated, and demonstrates that up-to-date requirements are met by the current assessment, which is set out from 4.3 onwards. EA support for this section, set out below, is noted.</p>	<p>No amendment</p>
<p>Sequential Report: The EA understand that candidate areas have been considered as part of a new settlement background paper, where flood risks have been considered. Also understand that the current site is shown to be at generally low flood risk, with planned development taking place outside flood risk areas. Whilst we believe that the current site is likely to be at generally low flood risk, it is important to ensure that the Sequential Test has been robustly applied. (Environment Agency)</p>	<p>The report explains that a New Settlement Background Paper was prepared to support preparation of the Local Plan (LP). The paper investigated allocating a new settlement site in the LP but concluded that a broad location should be identified instead and a site within this area allocated in a future DPD. The New Settlement DPD seeks to allocate such a site based on the sequential assessment of sites set out in the Sequential Report. EA support for the relevant sections (4.3 onwards),</p>	<p>No amendment</p>

	set out below, is noted. Recognition that the chosen site is generally at low flood risk is welcome.	
Sequential Report: Para 3.10 suggests that development would only take place in Flood Zone 1, which ignores the effects of climate change and other sources of flood risk. The para is also contrary to NS11 in the DPD, which states that development would only take outside of areas at risk from river or surface water flooding now or in the future. The Sequential Report should be amended. Recommend that the section also refers to the intention to create green blue corridors within the site to ensure that only certain compatible development (open space) will be considered in areas found to be at flood risk (Environment Agency)	Para 3.10 describes historical conclusions that were drawn during the preparation of the Local Plan, prior to updated national policy and guidance on sequential testing. Para 5.3 sets out the conclusions of current work, which align with the DPD- explaining that each site option can deliver the new settlement whilst ensuring that no development will take place on land at risk of river or surface water flooding currently or in the future due to climate change. Para 5.7 identifies the creation of green blue infrastructure in areas found to be at flood risk.	No amendment
Sequential Report: The EA is supportive of section 4.3 onwards, which provides further commentary of the parameters of the Sequential Test, including accounting for climate change. Tables 4.1 to 4.3 provides flood risk details to supplement the assessment of available sites. Our understanding is that there are 3 sites with overlapping sections, which assists in supporting the application of the Sequential Test and delivery of other Local Plan policy in light of the limited flood risks identified. (Environment Agency)	Support noted	No amendment
Sequential Report: As the Lead Local Flood Authority (LLFA) NYCC welcomes the approach and the assessment of surface water flood risk and considers that the Flood Risk Sequential Report demonstrates a sound and reasonable approach (Former NYCC)	Support noted	No amendment
Sequential Report: There has been no consideration of the bigger flood picture locally- the areas not within the Option 3, such as along the Kirk Hammerton Beck and the River Nidd. The Environment Agency flood maps show land along the Nidd from Kirk Hammerton to its confluence with the Ouse at Nun Monkton is in flood zones 2 and 3, as are many tracts of flat land in its vicinity. (Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)	Guidance in the Planning Practice Guidance (PPG) explains that the aim of the sequential approach is to ensure that areas at little or no risk of flooding are developed in preference to area at higher risk as this is the most effective way of delivering development that is not exposed to flood risk now or in the future. As such sequential considerations are based on the flood risk characteristics of potential development sites rather than flood risk over a wider area where this doesn't impact the development land. To ensure new development does not increase risk to existing land uses off-site, national policy requires the determination of all applications by planning authorities to ensure that flood risk is not increased elsewhere. This requirement is reflected in NS11,	No amendment

	which also sets specific criteria for a flood risk assessment and drainage strategy that will aid an effective consideration of whether the national policy requirement is met by specific proposals.	
Sequential Report: The sequential approach does not follow advice in the Strategic Flood Risk Assessment (SFRA) (2016 and 2018) produced by JBA, which states that its strategic recommendations “provide only a guide based on the flood risk information used in the Level 1 SFRA. Information regarding local, site-specific information is beyond the scope of this addendum. It is HBC's responsibility to carry out sequential testing of each site using the information provided and more specifically using their local, site specific knowledge and advice from the EA.” (Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)	The quote relates to strategic recommendations about whether to allocate specific sites within the local plan as part of the sequential assessment of local plan site options. The sequential assessment of DPD site options were not part of this exercise and are set out in the Sequential Report accompanying the DPD. The SFRA provides sufficient data on which to base the current assessment as the site is acknowledged to be generally at low risk and there is sufficient land for the site layout to incorporate an avoidance approach based on a site-specific flood risk assessment, to ensure that development will not be at risk over its lifetime.	No amendment
Sequential Report: The Council has not consulted residents of nearby villages on their experiences of flooding in the area to understand what really happens. The consultants who produced the SFRA (2016 and 2018) recommended this as part of sequential testing. Residents of Kirk Hammerton, Cattal, Hunsingore and Nun Monkton have site-specific knowledge and are very aware of the rapid river level changes and flooding episodes caused by the River Nidd, which have increased in frequency. (Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)	It is considered that the flood risk datasets that the sequential test is based on provide a proportionate and satisfactory understanding of flood risk at the proposed site for sequential considerations. Development proposals are required to be based on a more detailed understanding provided by a site-specific flood risk assessment (FRA). Policy NS11 para 2 part c requires the FRA to identify and take account of local sources of flood risk information on-site and nearby. Residents will be able to comment on the site-specific FRA as part of the planning application process.	No amendment
Sequential Report: Table 5-4 in the SFRA (2016) identifies 23 areas within the Harrogate district where there has been flooding incidents that have required a response from the Emergency Planning Team. Of these three (Cattal, Kirk Hammerton, Whixley) are in the new settlement broad location and close enough to be further affected by the development. This would suggest this is not an appropriate area for this development	Policy DM4 in the adopted local plan requires the DPD to allocate a site within the broad location. Flood risk within the broad location was compared against other options during local plan preparation, also discussed in the Sequential Report. Given the nature of the incidents reported at each location in Table 5-4, it is considered unlikely that the new settlement has potential to contribute to events at Whixley but it is recognised that, without adequate policy, there is potential to impact Kirk Hammerton and Cattal. Policy NS11 requires proposals to not increase flood risk and sets detailed requirements for an acceptable drainage strategy.	No amendment

<p>The EA is pleased previous comments have been incorporated into the DPD. The site is shown to be generally at low flood risk, although there are some corridors where risk is shown. The document recognises that for a development of this scale the level of flood risk evidence required is high, and that existing flood risk data will require further interrogation. Owing to the limited level of known or anticipated risk, our understanding is that the preparation of further evidence (perhaps modelling) and suitable flood risk assessment(s) will be considered at a later stage. The suggested DPD policy and guidance show that areas required for flood storage and conveyance will not be used for the built development (houses, roads, etc.), although some may be used for landscaping and green development (landscaping, recreational uses), or for management of surface water and drainage. (Environment Agency)</p>	<p>Support noted</p>	<p>No amendment</p>
<p>The EA consider that it would be useful to add numbering and/or sub-headings within policy NS11 so it is easier to refer to sections and/or parts (Environment Agency)</p>	<p>It is agreed that it would be useful to number the paragraphs within the policy.</p>	<p>Amendment Amend NS11 so that the paragraphs are numbered one to four.</p>
<p>Para 5.100 states that around 10% of the site is in flood zone 3a. This is not correct, it is clearly much more than that, nearer 20% at least. I was confirmed by a planning officer at HBC that site CA4 in the New Settlement Background Paper (2017) most closely relates to the site proposed for allocation, albeit the detailed boundaries are not the same. The SFRA (2016) identifies CA4 as being within flood zone 3a.</p>	<p>The SFRA (2016) calculated flood zones within site CA4 as: 97.7% within flood zone (FZ) 1, with the majority of the remaining area in FZ3a (i.e., 0.22% in FZ2; 2.08% in FZ3a; 0% in FB3b). Comparison of maps 3.1 and 3.2 in the New Settlement Background Paper (2017) with the settlement boundary on the DPD policy map suggests site CA5 most closely relates to the development site, although boundaries are not the same- any suggestion of CA4 has been made in error. Analysis for Sequential Test suggested the FZ3 proportion of option 3 as 5-10%. Nevertheless, the paragraph will be updated to identify a calculated proportion based on the detailed boundaries of the development site (using SFRA data), which is actually 0.5% (flood zones 2 and 3)</p>	<p>Amendment Amend para 5.100 as follows: “...The Council's strategic flood risk assessment (SFRA)(41) suggests that while the new settlement site has a low risk of flooding overall, with around 90% of the area within the lowest risk zone for river flooding (flood zone one), around 10% of the site is at high risk of river flooding (flood zone 3a). It also highlights that the site contains small but noteworthy areas at risk of surface water flooding <u>indicates that, although the allocation site contains an area at risk of river flooding and several areas at risk from surface water, the site overall is at low flood risk. The area shown as at risk of river flooding is close to the Kirk Hammerton Beck in the east of the site and represents approximately 0.5% of the allocation. Whilst surface water risk affects a greater area, the vast majority of the</u></p>

		<u>site is at little or no risk- the areas of risk are centred on lower lying land close to the beck or other permanent or semi-permanent surface water features, such as ponds.</u>
There is no recognition of the impact that existing flooding of Ox Moor Lane in Cattal has on people across the broad location, which will also impact people in the proposed new settlement. (Coalition of Parish Council, HW Hunsingore Walshford and Cattal Parish Council and Tockwith with Wilstrop Parish Council)	It is recognised that parts of Ox Moor Lane in Cattal are at high risk of river flooding (flood zone 3a). The provision of a link road, as required by policy NS36, will provide a more resilient alternative route to the south.	No amendment
The policy should make clear that the risk of off-site flooding (all sources) should not increase as a result of the new settlement, with the aim of reducing off-site flooding in order to accord with NPPF	Para 1 parts b and c requires proposals to demonstrate that they would not increase flood risk or reduce resilience to flooding impacts and that they would use reasonable opportunities provided by development to reduce flood risk and increase resilience. However it is agreed that there should be greater clarity about these requirements.	Amendment Amend NS11 para 1 part 'a' as follows: "Ensure that people and property within the development are resilient...impacts of flooding <u>over the lifetime of the development</u> through a strategy..."
There is concern that protections within the policy do not extend to villages downstream of the development	NS11 para 1 will be amended to employ similar terminology to that in NPPF. This includes changes to part a as a consequence of changes to para 2 part e, set out below. These requirements will be explained in para 5.107. The existing text in para 5.107, as amended in response to comments below, will be deleted and added to 5.108.	Amendment Replace NS11 para 1 parts b and c with: <u>"b. Not increase flood risk elsewhere, and use reasonable opportunities provided by the development to reduce the causes and impacts of flooding.</u>
There is concern that the new settlement will increase flood risk, in particular in the following locations: Kirk Hammerton; Moor Monkton; Cattal: The River Nidd regularly floods at Cattal, this seems to be overlooked. The extra water coming from any development will have to flow to the Nidd and will increase flood risk. It will also put further pressure on the York flood defences; The A59 at Skipbridge: When the flood gates are closed to York the water backs up and floods the land around Skipbridge. This will be made worse by the addition of 4000 houses and associated run-off; Pool Beck (including Pool Beck bridge on Pool Lane to Nun Monkton): New developments in Green Hammerton empty surface water in the Pool Beck. Flooding along Stoned Horse Lane has got worse in recent years even before these developments and there's increased water-logged ground. The bridge over the beck on Pool Lane is the only road in or out of Nun Monkton. It would be very dangerous if Nun Monkton is cut off. (Comments received including from Nun Monkton Parish Council)	Detailed requirements in paras 2f and 4d will also be amended to reflect changes to para 1, as set out below.	Amendment Add existing para 5.107 to para 5.108 to create a single paragraph (as amended and set out below) and create new para 5.107 as follows: <u>"5.107 To accord with NPPF paragraph 159 proposals need to ensure that people and property are resilient to the impacts of flooding over the lifetime of the development, and, to deliver development that accords with the sequential assessment findings, this should be achieved through a strategy that avoids development on land at risk of flooding now or in the future. In-line with NPPF paragraphs 161 and 167</u>
There should be policy measures to address flooding implications for nearby villages outside the current DPD boundary, including Hunsingore and Tockwith- both of which are impacted in times of flood and should be shown on the policies map. (Coalition of Parish Councils, Hunsingore Walshford and Cattal Parish Council and Tockwith with Wilstrop Parish Council)	The requirement to demonstrate development does not increase flood risk elsewhere relates to areas outside the development site whether they are within the DPD plan area boundary or beyond. It is not necessary to show Hunsingore and Tockwith on the policies map as they are beyond the DPD plan area boundary.	

		<u>proposals must demonstrate they would not increase flood risk elsewhere but would use opportunities provided by the development to reduce the causes and impacts of flooding.</u>
There's no evidence in the DPD to show that the potential to increase flood risk, for example at Kirk Hammerton; Cattal; the A59 at Skipbridge; Pool Beck bridge; Moor Monkton, has been investigated, quantified and mitigated. (Nun Monkton Parish Council)	When determining all applications, national policy (NPPF para 167) requires planning authorities to ensure that development does not increase flood risk elsewhere. This requirement is applied to the new settlement though NS11 para 1. This would be assessed through a site-specific flood risk assessment (FRA) and a drainage strategy specific to the detailed development proposed. NS11 para 2 sets requirements for the FRA and para 3 sets requirements for the drainage strategy to aid effective consideration of whether specific proposals would increase flood risk. NS11 also requires proposals to identify and take opportunities that the development provides to reduce the causes and impacts of flooding.	No amendment
The fact that a flood risk assessment is required means that such a study has not been completed before selecting option 3 as the site. This research absolutely must be carried out before allocation to ensure that option 3 is appropriate and the development can be safe. This needs to be carried out now to understand impacts on existing villages not as an afterthought. (Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)	Allocation of the site is based on flood risk data in a Strategic Flood Risk Assessment. A site-specific flood risk assessment (FRA) will be required at planning application stage in order to accord with national policy (NPPF 167), which requires all applications on sites of 1 hectare or more to be supported by an FRA.	No amendment
A detailed flood assessment should be undertaken before the new settlement is approved to ensure the building of 4000 houses plus employment and infrastructure buildings do not cause a flood further downstream. It needs to investigate how the York flood defences impacts this area and how the development will affect this	NS11 para 2 requires applications to be supported by detailed flood risk assessment and para 3 requires a drainage strategy. These documents will be used to understand how proposals would affect flood risk elsewhere. NS11 ensures that these documents need to be judged as acceptable before an application is approved and development can proceed. Consideration would be made against the NS11 requirement not to increase flood risk.	No amendment
The site-specific flood risk assessment should be undertaken independent of the developer before a new settlement is decided	National planning guidance (PPG para 20 25/08/2022) explains that a site-specific flood risk assessment (FRA) is carried out by (or on behalf of) a developer to assess flood risk to and from a development site and should accompany a planning	No amendment

	<p>application. The FRA will be reviewed by the application case officer as well as the Environment Agency, the lead local flood authority (North Yorkshire County Council) and relevant others. Other interested parties will also be able to comment on the assessment.</p>	
<p>Para 2 part b: This requires proposals to be supported by a flood risk assessment that "is based on appropriate evidence of the flood risk characteristics of the Kirk Hammerton Beck and its tributaries to the satisfaction of the Environment Agency". This research and data is needed before choosing a preferred option to enable a decision based on the facts of whether option 3 is appropriate for the development on the scale intended. The Kirk Hammerton beck floods along the whole main road through Kirk Hammerton, as shown in the photographs of Chapel Street and the war memorial (Chapel St./Mill Lane triangle) supplied. Option 3 (or any other option in the area) is not a responsible move with future rainfall events set to worsen.</p>	<p>Supporting text in para 5.107 explains that further investigation of the beck and its tributaries is required to ensure that development accords with the sequential test findings, which relate to not developing on land at risk of flooding now or in the future. This is due to uncertainty caused by limitations within the EA flood zones model that arise along the beck as it flows through the allocation site. While this work would be needed to refine flood zone data along the beck, the existing surface water dataset already provides a sufficient understanding of the areas alongside the beck that would be affected by flooding under given rainfall events for current purposes, highlighting surface water flooding in these areas. As such, the work is not related to whether the site can accommodate the development, since the sequential test has already found that there is sufficient land within the site to deliver the minimum level of development required without developing land at risk now or in the future. The dataset limitations identified are not present along the beck as it passes through Kirk Hammerton, where the risk of river flooding is acknowledged. In-line with national policy and NS11, proposals would need to demonstrate they would not increase flood risk elsewhere, including in Kirk Hammerton. It is considered para 2 part b should be amended to clarify that the FRA is to provide further evidence to supplement what already exists, as already set out in the guidance at para 5.107. In response to comments above para 5.107 is being added to 5.108. This will be amended to explain that meeting sequential test requirements relates to detailed site layouts.</p>	<p>Amendment Amend para 2 part b as follows: "Is based on appropriate further evidence of the...Agency"</p> <p>Amendment Add the following to the beginning of para 5.108: <u>"Proposals are required to be based on a detailed site-specific flood risk assessment that addresses all potential sources of flood risk. This will include further investigation of the Gelsthorpe Gutter/Kirk Hammerton Beck and tributaries. This is to overcome limitations associated with the Environment Agency's Flood Map for Planning arising from the extent of the modelling within this dataset and will inform detailed site layouts so that sequential test findings are met.</u> The Environment Agency will need to be satisfied...prior to further assessment."</p>

<p>References to surface water flooding should be extended to also include ground water flooding.</p>	<p>The policy requires proposals to be based on a site-specific flood risk assessment that addresses all sources of flood risk. Surface water flooding, alongside river flooding, is specifically highlighted in recognition that these sources are likely to create the greatest risk. It is considered that guidance at para 5.107 should be amended to reference 'all sources' to align more closely with the policy wording. In response to comments above para 5.107 will be added to 5.108, which will be amended</p>	
<p>The broad location area has been in agricultural use for hundreds of years, some back to Roman times. A substantial area within the broad location will have existing drainage arrangements disturbed. A historical survey of existing drainage in the broad location should be carried out to comprehensively map and assess what is there at present and how it flows. This should inform the mitigation measures proposed. (Comments received including from the Coalition of Parish Councils, Hunsingore Walshford and Cattal Parish Council and Tockwith with Wilstrop Parish Council)</p>	<p>NS11 Part 2 requires a site-specific flood risk assessment that includes all sources of potential flood risk. It must identify and take account of all local sources of flood information as well as identify existing vulnerabilities both on-site and nearby, opportunities to increase resilience.</p>	<p>No amendment</p>
<p>Para 2 part e- climate change allowances: The EA is satisfied that NS11 part 'e' and para 5.111 makes suitable reference to relevant requirements, including that both central and upper end (as a 'credible maximum') peak river flow allowances should be used. We are supportive of the clarity in the policy in relation to CC allowances. Also support links to published guidance provided alongside NS10 in para 5.85 (Environment Agency)</p>	<p>Support noted</p>	<p>No amendment</p>
<p>Para 2 part e climate change allowances: This section refers to 'the longest timeframe available'. The EA is unsure of the interpretation for this. The PPG (para 006) identifies residential development would normally have a minimum lifetime of 100 years and while it doesn't identify a specific lifetime for new settlements it does suggest a lifetime of beyond 100 years. In such cases the EA would expect to see that a suitable lifetime is agreed with the planning authority. If this is the intention it is recommended that this is clarified. (Environment Agency)</p>	<p>Agree. Part 'e' and supporting justification text will be amended to clarify that appropriate climate change allowances need to cover a sufficient timeframe or epoch to provide an understanding of future flood risk over the whole lifetime of the development. The justification will be amended to highlight that a suitable lifetime would need to be agreed with the planning authority. It is considered that the overarching requirement in NS11 para 1 bullet 'a' should also be amended to reflect these updated detailed requirements, this is set out above alongside</p>	<p>Amendment Amend para 2 part 'e' as follows: "Is based on...climate change allowances for the longest time frame available in order to understand how climate change may is expected to affect future flood risk over the lifetime of the development"</p> <p>Amendment Replace para 5.110 with:</p>

<p>Para 2 part e climate change allowances. In general the EA would recommend that longer lifetimes are assessed to ensure that the sustainability of the new settlement is sound taking climate change into account, or to ensure that sufficient scope for future adaptation is incorporated. You may wish to reflect within the policy wording that if future risks (i.e. beyond 100 years) are identified, that sufficient ability to adapt to those flood risk impacts should be incorporated. There is no existing information to indicate that the site is particularly sensitive to flood risk impacts, however this should be confirmed through the results of a flood Risk Assessment. (Environment Agency)</p>	<p>other para a modifications. Other references to 'longest timeframe' will be removed.</p> <p>Following amends to NS11 para 1 and 2 indicating that development needs to be safe for its lifetime through an avoidance approach, with the lifetime to be agreed with the planning authority, it is not considered that further policy amends are required to achieve this outcome, however, further information will be added to updated justification test at para 5.110 to highlight where risks arising beyond 100 years are identified proposals should ensure that development incorporates sufficient ability to, as a minimum, adapt to the impacts.</p>	<p><u>“5.110 To understand flood risk over the lifetime of the development in-light of climate change impacts, and deliver development that accords with the sequential assessment findings, the flood risk assessment will need to be based on appropriate up-to-date climate change allowances for peak river flow and peak rainfall intensity. While national guidance in the Planning Practice Guidance (PPG) (Paragraph six; 15 August 2022) states that residential development has an assumed lifetime of at least 100 years, it suggests that new settlements should be anticipated to have a lifetime beyond 100 years. The assumed lifetime of development to be used in an acceptable flood risk assessment will need to be agreed with the local planning authority. If risks arising beyond 100 years are identified proposals should ensure, as a minimum, that sufficient ability to adapt to those impacts is incorporated.</u></p> <p>Amendment Amend paras 5.111 and 5.112 as follows: 5.111 <u>The Environment Agency produces guidance on climate change allowances and their use. This should be reviewed to ensure that up-to-date guidance is being followed</u> <small>FOOTNOTE 1 (EXISTING)</small>. For peak river flow the 2080s allowances currently provide the longest time frame available. These <u>look the furthest ahead and</u> relate to the period 2070 to 2125 and should be used. Within these the central. Central and upper end</p>
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		<p>allowances...with the upper end used as a sensitivity test ^{FOOTNOTE 2 (EXISTING)}.</p> <p>5.112 For peak rainfall intensity the 2070s allowances currently provide the longest time frame available. These look the furthest ahead and relate to the period 2061 to 2125 and should be used. Within these the <u>The</u> upper end allowances should be used for both...additional impacts as a result of urban creep ^{FOOTNOTE 4 (EXISTING)}.</p>
<p>Para 2 part f: This section refers to ‘opportunities for the development to increase resilience.’ If the intention is for the policy to look at where the development can reduce flood risk on-site or elsewhere, then the EA recommends a slight rewording using similar terminology to NPPF paras 161(c) and 164(b). (Environment Agency)</p>	<p>Agree that, for greater clarity, this requirement and the associated text in para 5.113 should be slightly reworded to employ similar terminology to that in NPPF. It is considered that the overarching requirement in NS11 para 1 bullets b and c should also be amended to reflect these updated detailed requirements, this is set out above alongside other para a modifications. Para 4 part d will also be amended to reflect these updated detailed requirements, as set out below.</p>	<p>Amendment Amend para 2 part f as follows: “Identifies existing...as well as opportunities for the development to reduce flood risk overall and increase resilience.”</p> <p>Amendment Amend para 5.113 as follows: “5.113 The flood risk assessment should also... as well as indicating whether where development could provide opportunities to improve reduce flood risk overall and increase resilience.”</p>
<p>There’s no proper data-based evidence that the surface water from the proposed settlement and the impact it will have on the current situation has been properly considered. There is concern about the impact increased flooding caused by the development will have on Cattal, Kirk Hammerton, Moor Monkton, the A59 at Skipbridge and the road to Nun Monkton at Pool Beck bridge. (Comments received including from the Coalition of Parish Councils, Hunsingore Walshford and Cattal Parish Council, and Tockwith with Wilstrop Parish Council)</p>	<p>Policy NS11 requires proposals to demonstrate that development will not increase flood risk elsewhere. The detailed design of drainage systems to achieve this would be dependent on the detailed design of the overall development and therefore cannot be fully set out in DPD policy or prior to allocation. Instead para 4 sets criteria for drainage proposals to be assessed against, which includes provisions requiring sufficient on-site storage to accommodate more than the 1 in 100 year rainfall event and limiting discharge rates from the site.</p>	<p>No amendment</p>
<p>The DPD needs to explain how the drainage and surface water run off from 4000 or so new build properties into the River Nidd and its tributaries downstream would be managed to mitigate the increased flood and water pollution risks. HBC needs to do this work before allocating the site. (Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)</p>		

<p>Para 5.118 cites required discharge restrictions from the Swale and Ure drainage board but it is not possible to ascertain whether these can be achieved without research data such as the 2D hydraulic modelling, which has not been carried out. HBC should do this work to establish if the site can meet the restrictions before allocating it. If the restrictions cannot be met the site is not viable. It is not up to the developer to determine if the restrictions can be met. There is concern that without modelling key infrastructure will not be costed. (Comments received including from Nun Monkton Parish Council)</p>	<p>The discharge rate identified in para 5.118 of the supporting text is commonly used as a proxy for assessed green field runoff rates by internal drainage boards and others in areas of the Harrogate district. Discharge to watercourse, meeting this or very similar flow restrictions, is a common drainage approach on green field sites delivering major and minor development in the district. As such it is considered that there is little risk this cannot be met, a view supported by the lead local flood authority, the Environment Agency and the site promoter. If modelling is required this would be identified through the production of the site-specific flood risk assessment required at the application stage and can, therefore, be secured as part of the planning application process.</p>	<p>No amendment</p>
<p>The EA is pleased that sustainable drainage systems (SuDS) will be used throughout the development. We recommend that the following guidance documents are referenced in the supporting text at para 5.114: The SuDS Manual (www.gov.uk); The EA's Approach to Groundwater Protection- in particular Position Statement G13 concerning SuDS (Environment Agency)</p>	<p>Agree. Reference to the documents identified will be added to the paragraph.</p>	<p>Amendment Amend para 5.114 to add the following footnotes: "In-line with...Environment Agency. FOOTNOTE 1, FOOTNOTE 2 <u>FOOTNOTE 1: Environment Agency/ CIRIA (2015): The SuDS Manual</u> <u>FOOTNOTE 2: Environment Agency (2018): The Environment Agency's Approach to Groundwater Protection. In particular: Position Statement G13: Sustainable Drainage Systems"</u></p>
<p>The following excerpt from the SuDS Manual needs to be considered carefully: " Development often alters natural drainage by replacing free draining ground with impermeable surfaces, gullies, pipes, sewers and channels. Also, it can remove vegetation and compact the ground. These changes increase the total volume and flow of runoff and may make areas more susceptible to flooding locally but also exacerbate river flooding."</p>		
<p>Para 3 part h and text para 5.114 requires the development to be 'in accordance with relevant SuDS guidance produced by the lead local flood authority, NYCC and the EA'. It is not appropriate to allocate a site where HBC has not investigated and confirmed that these can be met.</p>	<p>It is the responsibility of applicants to design an acceptable drainage scheme for the development they wish to carryout. Policy NS11 sets criteria to assess acceptability. The guidance is aimed at those designing scheme as well as decision makers assessing acceptability.</p>	<p>No amendment</p>
<p>Para 3 part b: In its role as LLFA, NYCC notes that in explaining this provision para 5.114 states that discharge of surface water should follow the hierarchy in Building Regulations. We wish to highlight that this hierarchy includes a further two options: 3: to a surface water sewer, highway drain or another drainage system; 4: to combined sewer. It is understood that existing public surface</p>	<p>Agree. The drainage hierarchy will be set out in full in the supporting text. Information will also be added to explain why the policy seeks to secure a strategy incorporating only discharge options at the top of the hierarchy, using the information supplied.</p>	<p>Amendment Amend para 5.114 as follows: "In-line with...Building Regulations FOOTNOTE 1 and accord with...Agency. <u>Although the hierarchy includes use of combined sewers and public</u></p>

<p>water drainage and combined sewers are limited and, as such, these destinations are unlikely to be viable, however, this can only be fully determined through a site-specific FRA and drainage strategy. To ensure the DPD is sound and legal the justification text should reference the full hierarchy and explain how and why connections to sewers and other drainage infrastructure can be discounted from the policy. (Former NYCC)</p>		<p><u>surface water drainage, it nevertheless discourages these approaches in favour of more preferential options. Given that these existing surface water infrastructure are limited and, as such, are unlikely to be viable destinations, and that, notwithstanding limitations, the need for connections to public sewers should be designed out through effective masterplanning and a holistic approach to surface water management, it is considered that acceptable solutions should employ only discharge to the ground and/or discharge to a surface water body unless there is clear evidence this is inappropriate.</u> <u>FOOTNOTE 1: The drainage hierarchy in Part H of the Building Regulations is: 1. Discharge into the ground (infiltration); 2. Discharge to a surface water body; 3. Discharge to a surface water sewer, highway drain, or another drainage system; 4. Discharge to a combined sewer.</u></p>
<p>As Kirk Hammerton Beck flows through the new settlement the addition of tarmac roads, paths, drives etc. can only add to the volume of run off the beck receives, despite the plan stating that surfaces and planting will mitigate. The beck is prone to flooding within Kirk Hammerton and the development could make the main road past the village hall impassable.</p>	<p>Alongside 'planting and surfaces' required by the DPD, NS11 para 3 part e requires the drainage strategy to demonstrate that any discharge to watercourses is limited to an acceptable flow rate (no greater than the green field rate) and there is sufficient storage on-site for the 1 in 100 year rainfall event plus allowances for climate change and the potential for urban creep.</p>	<p>No amendment</p>
<p>Para 5.113: The statement using the word 'should' does not mean the research and or data is available or had been completed to make a considered decision using facts on the flood risk assessment if the site 'Option 3' is appropriate for development on the scale intended. Surely this research and ensuing data would be done to choose a preferred option, not the other way around.</p>	<p>National policy requires a site-specific flood risk assessment (FRA) to be submitted to support a planning application. Para 5.113 discusses NS11 para 2 bullet f, which requires the FRA to identify vulnerabilities and look for opportunities to increase resilience so this can influence detailed proposals. Allocation of the site is based on a strategic FRA and sequential assessment that finds that development</p>	<p>No amendment</p>

	can take place without developing on land at flood risk.	
Para 5.118 identifies the Swale and Ure Drainage Board. Reference should also be made to the Ainsty Drainage Board as the River Nidd is at the boundary of the Ure and Ainsty boards and the drainage from the settlement impacts both drainage boards. (Hunsingore Walshford and Cattal Parish Council)	Para 5.118 highlights a view expressed by the Swale and Ure Drainage Board in relation to potential discharge of surface waters to the Kirk Hammerton Beck and is included because the beck is within their area. Para 5.117 and associated footnote highlights that the views of both boards will be considered when determining acceptable flow rates in recognition that each has assets nearby.	No amendment
The plan is not sound on drainage issues as it only references Gilsthorpe Beck/Kirk Hammerton Beck. There are two important water courses which the settlement impacts which have not been referenced. These are: 1. To the west of Cattal village which runs north south into the River Nidd beneath the red brick bridge; and 2. To the north of Cattal village which runs west to east to the River Nidd south west of Old Thornville The river valley slopes naturally from the ridge high point around Cattal Grange and Stephenson Lane southwards to the river Nidd. Residents express concern about increased surface water run off. (Comments received including from the Coalition of Parish Councils, Hunsingore Walshford and Cattal Parish Council and Tockwith with Wilstrop Parish Council)	The Gelsthorpe Gutter/ Kirk Hammerton Beck is referenced in NS11 para 2 part b (and para 5.107) to highlight a need for further investigation of the extent of river flooding around this watercourse where it passes through the new settlement to ensure development doesn't take place on land at risk. This is not necessary for the watercourses highlighted as these are wholly outside the new settlement boundary where development is not planned. It is also referenced in para 5.118 in relation to establishing acceptable surface water discharge rates in recognition that it drains parts of the pre-developed site. It is considered that this reference should be widened in recognition that other watercourses also drain the site.	Amendment Amend para 5.118 as follows: “... The Kirk Hammerton Beck running through, which runs through the new settlement, and other watercourses that may drain the pre-developed site, including those to the north and west of Cattal, are within the drainage district of the...”
The policy should specify the frequency of road sweeping and gully cleaning to prevent blockage of drains, especially in-light of requirements for tree-lined streets	It is considered that this would not be an appropriate planning policy as the applicant may not have control of these matters in the longer-term, for example, when highways are adopted by the highway authority. Para 3 part g requires an acceptable drainage strategy to include adequate whole-life management and maintenance arrangements.	No amendment
The EA consider it would be useful to include policy ensuring safe access and egress is available in light of any flood risks identified. Given the limited nature of flood risk at the site it would seem practical to ensure that primary access routes are dry in times of flood.	Agree. A requirement relating to safe access and egress will be added to NS11 para 4. It is agreed that due to the limited flood risk present this should seek to ensure that primary access routes remain dry. Supporting text para 5.121 will also be amended. This is set out below alongside other changes to the paragraph.	Amendment Amend NS11 para 4 to add new bullet between bullets b and c: “Ensures safe (ideally dry) access and egress routes are available at all times;”
The EA highlights that para 4 part d potentially duplicates an earlier section in NS11 (para 2 part f) which also talks about reducing flood risk overall	The reference to reducing wider flood risk/ flood risk overall in para 4 seeks to ensure the masterplan takes opportunities identified through the flood risk	Amendment Amend para 4 part d as follows:

<p>(Environment Agency)</p>	<p>assessment to meet the overarching requirements set out earlier in the policy. Para 4 part d and supporting text in para 5.122 will be amended to reflect updated requirements in para 2 part f sought by the EA and set out above.</p>	<p>“Takes reasonable opportunities provided by the development <u>and improvements in green blue infrastructure and other infrastructure</u> to reduce wider flood risk and increase resilience <u>the causes and impacts of flooding.</u></p> <p>Amendment Amend para 5.122 as follows: “5.122 The design of...to flood risk and drainage, <u>drainage, green blue infrastructure and other infrastructure</u> should incorporate reasonable approaches <u>measures</u> that will reduce wider...addressed.”</p>
<p>For consistency with the Sequential Test findings, in particular the intention to create green blue infrastructure corridors the EA recommend that it’s made clear certain compatible development (open space) will be considered in areas found to be at flood risk (Environment Agency)</p>	<p>Agree. The justification will be amended to clarify that water compatible development, such as open space, could be appropriate in-line with national policy, subject to meeting the tests in national policy. The paragraph is also being amended in response to comments above regarding safe access/egress.</p>	<p>Amendment Add the following to the end of para 5.120: <u>“Certain water compatible development, such as open space, may be appropriate in flood zones two and three and areas at risk of surface water flooding. In-line with the Planning Practice Guidance, water compatible development proposed in flood zone 3b- or on land at the same level of risk of surface water flooding (1-in-30 years/ 3.3% AEP)- should be designed and constructed to:</u></p> <ul style="list-style-type: none"> • <u>Remain operational and safe for users in times of flood;</u> • <u>Result in no net loss of floodplain storage;</u> • <u>Not impede water flows and not increase flood risk elsewhere.”</u> <p>Amendment Amend para 5.121 as follows “5.121 ...Discreet isolated areas...should also be avoided <u>where possible but where this is not</u></p>

		<u>possible this should be robustly justified, and satisfactory mitigation included. Development will need to ensure that safe access and egress routes are available at all times in light of flood risk from any source throughout the lifetime of the development. Given the limited nature of flood risk at the site these routes should be dry in times of flood</u>
In its role as LLFA, NYCC considers that the approach to exclude all new development from areas associated with surface water flood risk, currently or in the future, and to ensure that these areas include green and blue corridors is justified (Former NYCC)	Support noted	No amendment
Caddick note that this policy restricts development that may fall within a future flood zone. Throughout the policy there is reference to expected increases in flooding due to climate change and the necessity of up-to-date climate change allowances, however, we consider that restricting future development in areas which may or may not flood is unsound. The outline application should be considered based on current flood zones and if they change any reserved matters application would have to have regard to them. It is inappropriate to apply sequential or exception tests to flood zone one on an outline application based on a potential future change. (Caddick)	NPPF para 161 requires plans to apply a sequential, risk based approach to the location of development taking into account all sources of flood risk and current and future impacts of climate change, achieving this through sequential testing. Guidance in PPG (para 23 25 Aug 2022) explains that the sequential approach is aimed at ensuring that areas at little or no risk from any source are developed in preference to higher risk areas, and that this means avoiding so far as possible development in current and future medium and high risk areas, as defined in PPG. The sequential assessment of site options identified that the allocation site can accommodate the minimum level of development required by policy DM4 whilst not developing on land at risk now or in the future. Criteria in NS11 seeks to ensure development accords with these findings. It is noted that avoidance is considered the most effective means of ensuring climate resilience in relation to increased future flood risk. Policy aims in relation to NPPF requirements will be clarified by amendment to para 5.102, as set out above.	No amendment
The EA consider it would be useful to set out expectations around watercourse crossings and the presumption in favour of avoiding the use of culverts due to adverse impacts including on the environment and flood risk. The existing Local Plan policy CC1	Agree. It is considered appropriate to highlight in policy NS11 that following adoption of the DPD there is a continuing requirement for proposals to accord with Local Plan policy CC1 (part six) in relation to	Amendment Amend policy NS11 to add the following requirements to create a new para at the end of the policy:

<p>offers satisfactory text. Descriptive text should be added to the justification. (Environment Agency)</p>	<p>culverts and canalisation. This will also be highlighted in the justification</p>	<p><u>“5. Proposals are required to meet the requirements of Local Plan policy CC1 (or successor policies) in relation to culverts and canalised watercourses.</u></p>
<p>In its role as LLFA, NYCC highlights that in reviewing policy NS11 against local plan policy CC1 it is noted that provisions in CC1 relating to culverting and canalisation of watercourses have been omitted from NS11. It is recommended that NS11 is amended to require it is read in conjunction with CC1</p>		<p>Amendment Add new supporting para after para 5.123 as follows: <u>Proposals are required to meet the requirements of Local Plan policy CC1: Flood Risk and Sustainable Drainage in relation to culverts and canalised watercourses. Building over existing culverts or the culverting or canalisation of water courses will not be permitted unless it can be demonstrated to be in the interests of public safety or to provide essential infrastructure, and there will be no detrimental effect on flood risk and biodiversity. Where feasible, development proposals should incorporate re-opening of culverts, modification of canalised water courses and consideration of mitigation measures to achieve a more natural and maintainable state.</u></p>

CHAPTER 6: GREEN AND BLUE INFRASTRUCTURE
NS12: Green and Blue Infrastructure

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Loss of habitat, horticulture and farming land, local flora and fauna.</p>	<p>Noted The principle of development was established under the Local Plan 2014-2035 adopted 2020. In addition, Policy NS13 requires at least 10% net gain in biodiversity value.</p>	<p>No amendment</p>

<p>Recognition that green and blue infrastructure plays an important role in sustaining and enhancing our quality of life is welcomed. Since it is difficult for all green and blue infrastructure to provide the full spectrum of benefits, we would recommend that in the master-planning work, there is the provision of two typologies</p> <ol style="list-style-type: none"> 1) Functional such as SUDS and 2) Publicly accessible and engaging safe spaces e.g. open green space. Inappropriate provision could lead to inadvertent exposure to environmental hazards. <p>(Former NYCC)</p>	<p>Noted.</p> <p>Policy NS3 sets out the need for high quality accessible open space and SuDS wetland for integrated water management. It is recommended the bullet point is separated out for clarity.</p>	<p>Amendment</p> <p>Within NS3 Add separate bullet point for SuDs.</p> <ul style="list-style-type: none"> • <u>Sufficient high-quality accessible open space should be provided including the provision of parks and gardens, natural and semi-natural green space, outdoor sports facilities, amenity green space, provision for children and young people, allotments and community gardens etc.</u> • <u>Sustainable drainage systems (SuDS) wetland will be integrated for water management, amenity and biodiversity, as part of green blue infrastructure;</u>
<p>Reference to Natural England's Green Infrastructure Principles of 'What', 'Where' and 'How', linked to baseline evidence and assessment methods set out within the England's Green Infrastructure Mapping Database: https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Principles/GIPrinciples.aspx Reference to Harrogate BC's Green Infrastructure Strategy (Former NYCC)</p>	<p>Noted</p> <p>The DPD, once adopted, will form part of the Development Plan and will be used in the determination of planning applications in the area. The Development Plan includes adopted Supplementary Planning Documents and guidance which includes the Green Infrastructure SPD.</p>	<p>No amendment</p>
<p>Welcome Policy NS12 and the requirement for a GBI strategy to be provided at each stage of development. We previously stated that this could help manage the quality of surface water discharges to the water environment. We are pleased to see reference to water management and environment enhancement within the supporting text. We note that this could be made more explicit within the policy text to encourage these elements specifically.</p> <p>These strategies provide the opportunity to provide/ create wildlife corridors, flood alleviation and water quality buffers and should be designed at the outset. (Environment Agency)</p>	<p>Noted</p> <p>Recommend additional text to reference opportunities.</p>	<p>Amendment</p> <p>Additional para. after 6.6 <u>The Green Blue Infrastructure strategy could provide opportunities to provide and create wildlife corridors, flood alleviation, water quality buffers and informal recreation opportunities.</u></p>
<p>Water Quality and Water Resources Further clarity is required on the following areas. Recommend that the water policies reflect the requirements of the Humber River Basin Management Plan and</p>	<p>The Local Plan Policy NS2 refers to water quality and requires developers to undertake a thorough risk assessments of the impact of proposals on surface and groundwater systems considering appropriate</p>	<p>Amendment</p> <p>Additional para. after 6.16</p>

<p>WFD. The potential impacts on water quality should be appropriately considered within the DPD.</p> <p>Para. 6.16 Welcome the reference to the Water Framework Directive (WFD) and the Humber River Basin Management Plan. We note that this refers to the BNG strategy as an opportunity to address the objectives for these water bodies. While this is true, this section could be strengthened. The waterbody here has a poor status for phosphorus therefore, appropriate wastewater management is key to ensure the development doesn't increase the level of nutrients entering into the water body.</p> <p>The Kirk Hammerton Beck is a tributary of the River Nidd from Crimple Beck to the River Ouse. This waterbody is classified as moderate because it has been heavily modified and has failures due to phosphates and priority hazardous substances. Providing habitat opportunities along Kirk Hammerton Beck would help with the efforts to address the heavily modified status of the overall waterbody. Further information can be found on the Catchment Data Explorer here: Nidd from Crimple Beck to River Ouse Catchment Data Explorer Catchment Data Explorer (Environment Agency)</p>	<p>avoidance measures before incorporating appropriate mitigation measures where necessary.</p> <p>DPD Policy NS11 requires the design and development of proposals to be based on a detailed site-specific flood risk assessment, along with a drainage strategy which incorporates sustainable drainage systems (SuDs).</p> <p>While under Policies NS12 and NS13 a blue green infrastructure strategy and a settlement wide Biodiversity Net Gain strategy will give chance to explore habitat opportunities along Kirk Hammerton Beck and opportunities to reconnect the beck with its flood plain as part of SuDs opportunities where it flows through land which is part of the red-line area.</p> <p>Further information is recommended to be added to the supporting text to ensure it is clear the proposals need to be considered in conjunction with the Local Plan which specific reference to the construction phase.</p>	<p><u>6.17 Local Plan Policy NS2 refers to water quality and requires developers to undertake a thorough risk assessment of the impacts on surface and groundwater systems in order to prevent pollution through both the construction and operational phases of development to prevent contamination of any watercourses.</u></p> <p>Further advice is available here Pollution prevention for businesses - GOV.UK (www.gov.uk)</p>
<p>The proposed development will generate extra traffic resulting in increased pollution. Improvements to the highway through the adoption of flood swales including blue and green corridors with seasonally planted wildflowers would help absorb pollution thus preventing it from entering into local water courses.</p> <p>We advise that the DPD is updated to make formal reference to wastewater management and other improvements that would be beneficial in securing protections and enhancements to water quality, e.g., swales and green-blue infrastructure. This should be referenced within Para 6.16 and expanded on within Para 6.10 regarding water management.</p> <p>(Environment Agency)</p>	<p>Noted</p> <p>Additional text recommended at Para. 6.10 and 6.16 to reference waste water management.</p>	<p>Amendment</p> <p>Additional para. after 6.10 (before 6.11)</p> <p><u>The green blue infrastructure strategy provides an opportunity for water quality improvements. Waste water management and other improvements will be beneficial in securing protections and enhancements to water quality.</u></p> <p>End of 6.16 <u>., providing opportunities to improve water quality through waste water management.</u></p>

<p><u>Water resources</u> It is encouraging to see reference to the relevant plans such as the '25 Year Plan, draft Water Resource Management Plans (dWRMP), Regional Plans and WFD.' It is also encouraging to see reference to climate resilience in relation to water efficiency and quantity with an aim of achieving the stringent 110 litre per person target (compared to the 125 litres per person). The EA supports this approach as outlined in Policy NS10 Climate Resilience. (Environment Agency)</p>	Support noted	No amendment
<p>We note that there is no mention of the Drainage and Wastewater Management Plans which planning departments should be involved with through discussions with Yorkshire Water. This should be reflected within these sections of the DPD and any measures signposted appropriately. (Environment Agency)</p>	Policy NS11 covers flood risk and drainage specific to the DPD policy area. In addition, Local Plan Policy NS2 refers to water quality and requires developers to undertake a thorough risk assessments of the impact of proposals on surface and groundwater systems considering appropriate avoidance measures before incorporating appropriate mitigation measures where necessary.	No Amendment
<p>Amend b) as follows: "Respond to the existing natural and historic environment context of the site and embed quality design to create a distinctive sense of place." (Historic England)</p>	<p>Noted, amendment recommended</p> <p>Currently reads; b) Embed quality design to create a distinctive sense of place;</p>	<p>Amendment</p> <p>b) <u>Respond to the existing natural and historic environment context of the site and Embed embed</u> quality design to create a distinctive sense of place.</p>
<p>Bullet d) Further clarity is required regarding what is meant by 'above ground water features'</p>	<p>Noted</p> <p>Amendment recommended to clarify above-ground as opposed to below-ground.</p>	<p>Amendment</p> <p>d) Incorporate SuDS using above ground above-ground water features to maximise opportunities to benefit people and wildlife;</p>
<p>The DPD should include a strategy for preventing accidents involving open water and for swimming lessons.</p>	Detailed design for areas of open water will be considered as part of future master planning and planning applications.	No amendment
<p>Replace the current wording of e) 'provide attractive walking and cycling routes' to 'provide attractive routes for a wide range of non-motorised users' see justification above (NY Access Forum)</p>	<p>Noted</p> <p>While walking and cycling does not prohibit other means of non-motorised users, recommend the wording in amended to refer to non-motorised users.</p>	<p>Amendment</p> <p>Change wording to refer to; 'provide attractive walking and cycling routes for a wide range of non-motorised users'</p>
<p>and in point i) 'to connect with green infrastructure beyond the settlement boundary' add 'into the rights of way network'. (NY Access Forum)</p>	Noted. Recommend amendment	<p>Amendment</p> <p>point i)</p>

		'to connect with green infrastructure beyond the settlement boundary into the rights of way network; and
<p>Concern about light pollution and impact on dark skies of area between Knaresborough/Harrogate and York. Settlement would have an effect on light pollution.</p> <ul style="list-style-type: none"> • Artificial lights impact habitats for nocturnal wildlife. • New studies to suggest that direct exposure to light at night can have serious health implications. • The night sky is something that we are losing that's vital to preserve for future generations. <p>No discussion on the impact and control measures that are required to minimise light pollution. The area currently has no light pollution. One of the criteria is to be 'mindful of dark skies'. This criteria is weak and has no definition, a proper impact and mitigation strategy is required. The lack of consideration for this issue indicates the poor approach to the scheme in understanding the setting of the development and is hence unsound to this regard.</p>	<p>The general amenity of the new settlement and its wider setting will be considered as part of master planning and at each detailed stage of planning application submission.</p> <p>Issues such as light pollution are covered by Local Plan Policy HP4 and Policy NE4 so there is no need for an additional policy within the DPD. The impact of light spill will be considered especially in relation to ecologically sensitive areas.</p>	No amendment
<p>The strategic guidance for green and blue infrastructure and for biodiversity net gain (BNG) is fully supported. To ensure compliance with emerging legislation and policy (mandatory BNG, Local Nature Recovery Strategy) it would be beneficial to establish clear guidance for developers. This should make developers aware of the requirement to complete an Ecological Impact Assessment and a BNG assessment from the outset (alongside the outline planning application and masterplan) with an indication of how much BNG will be necessary within each phase of the development. This would ensure that the developer of each phase understands what they need to provide from the outset (in terms of compensation for habitat loss and provision for net gain). Sufficient land should then be available to achieve the 10% target through the masterplan approach. (Former NYCC)</p>	<p>Noted</p> <p>The development framework and master-planning design principles both emphasis the requirement to make biodiversity enhancements, with further information set out in Policy NS13 which requires the submission of a settlement wide BNG strategic which delivers at least 10% net gain in biodiversity value.</p> <p>The DPD is to be read alongside the Harrogate District Local Plan 2014-2035 (adopted 2020), Policy NE3: Protecting the Natural Environment is supported by the Council's Providing Net Gain for Biodiversity SPD (adopted 2021).</p>	No amendment
<p>NPPF para 131 states planning policies should ensure that new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards) and that appropriate measures are in place to secure the long-term maintenance of newly planted trees and that existing trees are retained wherever possible. This should be revised to encourage the provision of trees within community orchards, allotments and open space and provide details for their long-term maintenance.</p>	<p>It is considered that the requirement for green blue infrastructure strategies to deliver on the aims set out provide sufficient policy encouragement for tree provision. However, it is considered that the justification text could provide further encouragement by more clearly explaining the general climate change benefits of incorporating of trees. Tree-lined streets are addressed in policy NS10.</p>	<p>Amendment Replace para 6.10 bullet 5 with:</p> <p>"Climate change adaptation and mitigation. By delivering a well connected GBI framework, people can be encouraged to travel in a more sustainable way. It can provide shade and shelter and help water</p>

(CPRE)		management; <u>An accessible and connected GBI network can encourage less polluting travel behaviour. Tree planting, for example, in community woodlands or orchards, allotments and other public open spaces, absorbs carbon from the atmosphere, provides shading and shelter and contributes to water management"</u>
The strategic guidance for green and blue infrastructure and for biodiversity net gain (BNG) is fully supported. To ensure compliance with emerging legislation and policy (mandatory BNG, Local Nature Recovery Strategy) it would be beneficial to establish clear guidance for developers. This should make developers aware of the requirement to complete an Ecological Impact Assessment and a BNG assessment from the outset (alongside the outline planning application and masterplan) with an indication of how much BNG will be necessary within each phase of the development. This would ensure that the developer of each phase understands what they need to provide from the outset (in terms of compensation for habitat loss and provision for net gain). Sufficient land should then be available to achieve the 10% target through the masterplan approach. (Former NYCC)	<p>Noted</p> <p>The development framework and master-planning design principles both emphasis the requirement to make biodiversity enhancements, with further information set out in Policy NS13 which requires the submission of a settlement wide BNG strategic which delivers at least 10% net gain in biodiversity value.</p> <p>It is recommended the wording of the policy is strength to ensure a GBI strategy must be produced to inform each stage of development.</p> <p>It is important to note that the DPD is to be read alongside the Harrogate District Local Plan 2014-2035 (adopted 2020). Policy NE3: Protecting the Natural Environment is supported by the Council's Providing Net Gain for Biodiversity SPD (adopted 2021) which sets out guidance.</p>	<p>Amendment</p> <p>A Green Blue Infrastructure (GBI) strategy should must be produced to inform each stage of development.</p>
Paragraph 6.6 of the justification text for policy NS12 states Doodle Hill should include distinct destination points in accordance with Policy NS15. We comment on policy NS15 separately, however note reference in the supporting text to this policy, which should also be amended. (Caddick)	One of mechanisms to protect the SSSI is to provide distinct destinations as part of the Green Blue Infrastructure of the New Settlement. Doodle Hill and Cattal Belt have been identified as distinct destination points.	No amendment

NS13: Biodiversity Net Gain

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
Loss of habitat not a net gain	The policy requires a settlement wide Biodiversity Net Gain strategy. A BNG strategy, an Ecological Impact	No amendment

<p>There is no reference the Great Crested Newt population to be found in Whixley Gate, or loss of habitat for endangered bird species.</p> <p>There is also evidence of badgers in the locality and a great number of species of birds that are under threat, many more than Harrogate Council's commissioned wildlife report. (Comments received including from Whixley Parish Council)</p>	<p>Assessment and completed metric for all habitats must be submitted with an application to evidence how the required net gain will be delivered across the whole site.</p> <p>Survey reports will need to include data search with North and East Yorkshire Ecological Data Centre, which whom records of protected species can be registered.</p>	
<p>As drafted the Policy requires at least 10% biodiversity net gain across the site. Agree with the need to provide biodiversity mitigation and enhancement, however it is considered that this can be provided in a more comprehensive manner through a wildlife strategy for the site, rather than an arbitrary net gain figure. (Caddick)</p>	<p>The policy requires a biodiversity net gain strategy that delivers at least 10% net gain in biodiversity value. The 2021 Environment Act is seeking to introduce mandatory 10% BNG in January 2024.</p> <p>The BNG strategy will be required to set out how mandatory 10% net gain will be delivered within the development site or on land closely related to the site.</p>	No amendment
<p>The scale and phasing of the site does not lend itself to applying BNG to each phase in isolation and as such a settlement wide mitigation strategy should be devised in accordance with the Council. The masterplanning work can create wildlife corridors, ecological areas and links to the wider area, that can produce a more effective enhancement. Equally the phasing of this may not exactly match the phases of development and as such a flexible approach will be required. (Caddick)</p>	<p>The policy requires a settlement wide Biodiversity Net Gain strategy which delivers at least 10% net gain in biodiversity value.</p> <p>The BNG strategy to be incorporated into phasing plans.</p>	No amendment
<p>The policy is very specific in requirements of bats, swifts and hedgehogs, however we can see no evidence in the background papers for this need and how the Council have determined the levels of provision. These matters can be picked up in the wildlife strategy and it is considered that deleting these and making reference in the supporting text would be a more appropriate mechanism for delivery of a comprehensive strategy based on evidence. (Caddick)</p>	<p>A number of species are in decline, in part, due to modern construction methods and layouts which reduce access to bats, swifts and birds and reduce foraging routes through gardens for hedgehogs.</p> <p>Identifying bat and swift bricks, hedgehog passes and bird boxes ensures mitigation for vulnerable species is built into a development scheme, it is therefore important that it is highlighted in the policy to ensure it forms part of the wider BNG provision.</p>	No amendment
<p>BNG units and metric Acknowledge and support the inclusion of Policy NS13 on Biodiversity Net Gain (BNG) in the DPD document. We recommend the wording in Para 6.15 is updated to clearly reference the three types of high-level habitat/ biodiversity units which include; Habitat Units, Hedgerow Units and River Units) and explain these are unique and can't be summed, traded or converted.</p>	<p>Noted</p> <p>Paragraph 6.15 refers to the Council's Supplementary Planning Document, Providing Net Gain for Biodiversity which sets out the process to calculate and evidence biodiversity net gain.</p>	No amendment

<p>The three biodiversity unit types (outlined above) must be reported separately (when reporting net gains or losses) and not summed up to give an overall biodiversity unit value i.e., a minimum of 10% net gain must be demonstrated for each of the biodiversity unit habitat types present on the development site.</p> <p>The latest version of the metric should be used to carry out the baseline assessments and clearly stated the latest version has been used when reporting net gains or losses. It should be noted that versions of the metric are not comparable and therefore, it is important that the same version of the metric is used to calculate both the baseline and post development 30-year management plan for the compulsory biodiversity units and clearly stated within the text of the report.</p> <p>(Environment Agency)</p>		
<p>Part d of the policy states “<i>enhance riparian habitats and take opportunities to help deliver Water Framework Directive objectives.</i>” Paragraph 6.16 within the justification section for the policy also states, “<i>The Biodiversity Net Gain strategy provides an opportunity to help address these objectives by enhancement of the riparian habitat of the onsite streams or, if appropriate, to provide off-site enhancement on Syke Dike or directly on the River Nidd.</i>” (EA)</p> <p>We support this approach but recommend further clarity is provided by highlighting opportunities for both in channel and riparian habitats should be sought.</p> <p>(Environment Agency)</p>	<p>Noted</p> <p>The policy requires a settlement wide Biodiversity Net Gain strategy, this provides an opportunity for channel and riparian habitats, while further detail could be added to the policy or its justification it is considered this express detail is not required at this stage.</p>	<p>No amendment</p>

NS14: Open Space and Sport Provision

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Money paid by the developer to provide sports etc. should be spent on-site. However, if funds are spent off-site in neighbouring villages and towns it should be demonstrated that the funds meet a genuine need of a substantial number of residents of the new settlement and cannot be met on-site</p>	<p>Noted</p>	<p>No amendment</p>
<p>Where developer funded sports provision is spent off-site walking and cycling/micromobility routes should be provided to access the provision</p>	<p>Giving priority to walking and cycling routes within the new settlement is fundamental to delivering the vision for the new settlement and this includes the accessibility to key destinations such as the sport provision. Policy NS3: Master Planning Principles</p>	<p>No amendment</p>

	and Policy NS31: Walking and Cycling both state the need to provide these.	
There should be facilities for secondary school age children, such as, skate board parks, casual games and sport areas.	As per the Objectives of the DPD, the Local Plan and the Open Space SPD, it will be expected that the New Settlement should provide for all typologies of open space (excluding cemeteries). The specific provision of open space provision including the extent, type and location will be required to be identified as part of the detailed masterplan required under Policy NS3.	No amendment
The DPD only mentions outdoor sports facilities but should also specify indoor facilities such as leisure-centre / swimming-pool and sports for older people appropriate to the scale, sustainability, and identity of the new settlement. These should be included early in the Phasing / Funding to agree with the settlement Vision (Comments received including from the Coalition of Parish Councils, Nun Monkton Parish Council and Whixley Parish Council)	The Council has to be guided by Sport England who advise on what is needed based on the size of the development. The Sport England consultation response to the planning application highlights that the predicted population level is not sufficient to require the provision of a swimming pool or sports hall however the developer would be expected to make financial contributions to existing facilities. Policy NS29: Social and Community Facilities also states that provision will be required for multi-functional spaces that cater for the needs of different ages and abilities and this is likely to include a flexible community centre/room.	No amendment
To ensure compliance with the NPPF and adaption to climate change, the policy should refer explicitly to the provision of trees within the criteria listed for on-site provision. Open space is often 'open in character' and as such, opportunities to provide 'shade' for families or spectators should be considered at the design stage. (CPRE)	Agree. Provision of trees for shading on open space and in other areas of public realm are required by policy NS10. However it would be beneficial to state explicitly in this policy alongside referencing the requirements of NS10	Amendment Amend the NS14 bullet 3 under 'All open spaces provided on-site should be:' as follows: 'Water efficient and climate change resilient <u>Climate resilient, as required by policy NS10, including through provision of shade giving trees and water conservation measures'</u>
Specific requirements for tree-lined streets with measures in place would be beneficial to secure long-term maintenance and management as per NPPF para 131. (Former NYCC)	Noted it is recommended that bullet 5 of NS3 is amended to reference the need for tree-lined streets were appropriate.	Amendment Amend NS3 bullet 5 The residential areas should be provided with accessible open space and green linkages, <u>including through tree-lined streets where appropriate</u> , connecting throughout the settlement providing soft

		buffers between neighbourhoods as well as providing a net gain and enriching biodiversity, while providing accessible green spaces to residents
For open space and sport provision, the development of guidance on the quality and quantity for POS is recommended, and Sport England Guidelines could support guidance on multi-use games areas and playing fields. The inclusion of guidelines for formal play provision, quality and quantity. Reference to Fields in Trust guidelines for LAP, LEAP, NEAP. (Former NYCC)	The quantity and quality of open space required is governed by the adopted Open Space and Village Halls SPD. Whilst it may be useful to add reference to the Sport England and Fields in Trust guidelines, the standards are laid out in the SPD which sets out the need to follow best practice which would feed into the master planning.	<p>Amendment</p> <p>Amend Para. 6.18</p> <p>Within Maltkiln provision will be made for sufficient high-quality accessible open space in response to the requirements set out in the Harrogate District Local Plan and the Provision for Open Space and Village Halls Supplementary Planning Guidance. <u>The SPD states that for strategic sites, the SPD standards should be a starting point and the actual amount and design of on-site provision will be established as part of wider master-planning which may should take into account other guidance and best practice such as that provided by Sport England and Fields in Trust.</u> The open space network will respect and enhance the existing natural features and will create new ones. They will manifest as a response to existing drainage, land form, ecology and recreation.</p>

NS15: Protecting Aubert Ings SSSI

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>The following views should be protected:</p> <ul style="list-style-type: none"> both on-site and off-site, across the development with unnecessarily tall tree species should be avoided over the new settlement from Doodle Hill from Station Road at both 54o00'34.77"N, 1o19'14.66"W and 54o00'29061N, 1o19'16.04W 	<p>Policy NS3 refers to the need for master planning.</p> <p>The detailed master plan requires the existing site conditions such as landscape topography to be used to create key views of the surrounding countryside.</p>	No amendment

	Tall trees should not be avoided as large, mature, open grown native tree species form an important element of the landscape.	
Land alongside the River Nidd, including Aubert Ings SSSI, is at risk of harm due to flooding with the increase in effluent and run-off, of town proportions. None of this is mentioned in this policy, when this is the single biggest risk to the survival of this area.	Policy NS11 requires applicants to demonstrate that development will not increase flood risk, as required by NPPF para 167. Policies NS12 and NS13 will secure green and blue infrastructure and biodiversity net gain strategies which may benefit Aubert Ings SSSI, which is a floodplain meadow. In addition Local Plan Policy NE2 requires developers to undertake risk assessments on the impact development proposals would have on surface and groundwater systems considering appropriate avoidance measures before incorporating appropriate mitigation measures, where necessary.	No amendment
There is no evidence to suggest that the provision for two areas of open space as alternatives to the SSSI (Doodle Hill and Cattal Belt) is the most appropriate mitigation. There is no evidence of landowner agreement and where areas are outside of the current planning application boundary, there is no evidence of their deliverability so reference to these two specific areas should be removed. Removing these therefore provides flexibility for alternative deliverable options. (Caddick)	One of mechanisms to protect the SSSI is to provide distinct destinations as part of the Green Blue Infrastructure of the New Settlement. Doodle Hill and Cattal Belt have been identified as distinct destination points however this does not mean that the whole area needs to be put aside for this purpose. The use of destination points is about providing alternative attractive areas rather than the SSSI to walk to with dogs.	No amendment
Paragraph 6.20 of the justification for this policy should make clearer that the SSSI is close to Cattal village, not Cattal station. (Caddick)	Para. 6.20 reads; <i>Aubert Ings SSSI is an area of unimproved grassland a short walk from Cattal within a meander of the River Nidd.</i> The paragraph refers to Cattal, not Cattal station.	No amendment

CHAPTER 7: HERITAGE ASSETS

NS16: Designated Heritage Assets- KH Conservation Area, Old Thornville, Providence House

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
Whixley Conservation Area should be included as it contains a number of Listed buildings including the Church of the Ascension.	The Whixley Conservation Area was not identified in the Heritage Impact Assessment as a heritage asset	No amendment

(Comments received including from Whixley Parish Council)	that would be impacted by the proposed development at Maltkiln. It is felt that Whixley Conservation Area is sufficiently removed from the proposed boundary, including by the A59, that there will be no impact to mitigate via a specific policy. There are no long distance views or features identified in the CAA that suggest a policy is needed.	
<p>Suggested amends to policy wording from Historic England:</p> <p>(a) Amend the first sentence as follows: “...designed in a manner which <u>avoids or</u> minimises impact to the setting ...”</p> <p>(b) Add the following additional factor to the second list of bullet points under policy NS16: “● architectural style, detailing and materials”</p> <p>(c) Amend the penultimate factor in the second set of bullet points under the policy as follows: “● landscaping, including retention of existing trees and bungalows <u>hedgerows</u>”</p> <p>(d) Add the following additional text to the end of the first bullet point in the list of asset specific considerations for Kirk Hammerton Conservation Area: “Keeping buildings below the brow of the hill along the line of Westfield when viewed from the village.”</p> <p>(e) Add the following additional bullet point to the list of asset specific considerations for Kirk Hammerton Conservation Area: “● Impact on the rural character of Gilsthwaite Lane.” (Historic England)</p>	<p>Suggested amendments serve to add more detail and strengthen the policy.</p> <p>However, it is felt that it is not appropriate to include a clause minimising the impact on the rural character of Gilsthwaite lane as this is likely to need to be balanced with other factors such as providing links within the site and active travel opportunities.</p>	<p>Amendment Amend the first sentence of NS16 as follows “ ...designed in a manner which <u>avoids or</u> minimises impact to the setting ...”</p> <p>Add the following additional bullet to the second list of bullet points: <u>● architectural style, detailing and materials</u></p> <p>Amend the penultimate factor in the second set of bullet points as follows: ● landscaping, including retention of existing trees and <u>bungalows hedgerows</u></p> <p>Add the following additional text to the end of the first bullet in the list of asset specific considerations: ... new development. <u>Keeping buildings below the brow of the hill along the line of Westfield when viewed from the village</u></p>
<p>Impact on Kirk Hammerton Conservation Area: Settlement boundary on the eastern edge along Gilsthwaite Lane is too close to Kirk Hammerton village, being less than 1000 feet from the edge of the Village Conservation Area. The eastern edge of the settlement boundary would be better being in line with the NW corner of Thornville and the eastern edge of Johnsons Nursery.</p>	<p>The proposed boundary and proposed strategic green gap has been drawn with consideration of the Kirk Hammerton Conservation area in mind (see SGG Background Paper and HIA) and it is felt that the policies as written provide appropriate protection of the Kirk Hammerton Conservation Area and associated views.</p>	<p>No amendment</p>
<p>Suggested amendments to policy justification:</p> <p>Amend Paragraph 7.5 as follows and delete paragraph 7.6:</p>	<p>Suggested amendments serve to add useful detail to the justification text.</p>	<p>Amendment Replace Para 7.5 as follows:</p>

“Listed buildings are those that have been designated because of their special architectural or historic interest. Conservation Areas are areas designated by local planning authorities for their special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. The setting of heritage assets can have a positive or negative influence on their overall significance. As such, when proposing development within the setting of a heritage asset, it is important to avoid or minimise harm to those elements which make a positive contribution to its setting, and where possible enhance them.”

Add the following additional text to the end of paragraph 7.7:

“The considerations outlined in Policy NS16 were informed by the Heritage Impact Assessment undertaken as part of the evidence base to the New Settlement DPD. Any planning application for this site affecting heritage assets or their setting must be supported by a proportionate and up-to-date heritage statement. Advice on understanding the significance of heritage assets and the design of development is given in the Harrogate District Heritage Management Guidance Supplementary Planning Document (SPD).”

(Historic England)

~~Listed Buildings are those that have been identified as having special architectural or and historic interest. Setting forms a part of overall significance and therefore where development is proposed within the setting of listed building, it is important that steps are taken to minimise harm to those elements that contribute positively to setting. Where, proposals directly affect a listed building, it is important that works are specified so that special interest of the asset is conserved.~~

Listed buildings are those that have been designated because of their special architectural or historic interest. Conservation Areas are areas designated by local planning authorities for their special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. The setting of heritage assets can have a positive or negative influence on their overall significance. As such, when proposing development within the setting of a heritage asset, it is important to avoid or minimise harm to those elements which make a positive contribution to its setting, and where possible enhance them

Delete Paragraph 7.6

~~Conservation Areas are areas of special architectural and historic interest, the character of which it is desirable to preserve or enhance. Setting forms a part of overall significance and therefore where development is proposed within the setting of conservation areas, it is important that steps are taken to~~

		<p>minimise harm to those elements that contribute positively to setting</p> <p>Add the following to the end of 7.7:</p> <p>... of place. <u>The considerations outlined in Policy NS16 were informed by the Heritage Impact Assessment undertaken as part of the evidence base to the New Settlement DPD. Any planning application for this site affecting heritage assets or their setting must be supported by a proportionate and up-to-date heritage statement. Advice on understanding the significance of heritage assets and the design of development is given in the Harrogate District Heritage Management Guidance Supplementary Planning Document (SPD)</u></p>
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NS17: Designated Heritage Asset- Cattal Bridge

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>The policy should be amended as follows:</p> <p>(a) Amend the second and third sentences of the policy as follows: <u>“Consideration must be given to the potential impacts of possible increased traffic upon the structure and fabric of the bridge, and the potential need to take appropriate measures to manage its usage and secure the long-term future of the bridge. Should any such measures be identified as necessary, they must be agreed in full consultation with NYCC Highways and Historic England and obtain the required consents.”</u></p> <p>(c) Add the following additional text at the end of the policy: <u>“An appropriate programme must be put in place to monitor and report on the condition of the bridge both during and post construction of Maltkiln.”</u></p> <p>(Historic England)</p>	<p>Agree</p>	<p>Amendment</p> <p>Amend NS17 as follows: Cattal Bridge is a Scheduled Monument, located to the south of Cattal, on Cattal Moor Lane.</p> <p>During the development of Maltkiln, consideration must be made of the potential impacts of possible increased traffic upon the structure and fabric of the bridge and the potential need for works such as an altered road layout / signage. Should any such works be identified as being required, then such works must be agreed in full consultation with NYCC</p>

		<p>Highways and Historic England (under whose jurisdiction the Scheduled Monument falls)-</p> <p><u>Consideration must be given to the potential impacts of possible increased traffic upon the structure and fabric of the bridge, and the potential need to take appropriate measures to manage its usage and secure the long-term future of the bridge. Should any such measures be identified as necessary, they must be agreed in full consultation with NYC Highways and Historic England and obtain the required consents.</u></p> <p><u>An appropriate programme must be put in place to monitor and report on the condition of the bridge both during and post construction of Maltkiln</u></p>
<p>Significant concern at the impact of traffic flows on the bridge as follows:</p> <ul style="list-style-type: none"> • policy should be justified by including an assessment of the maximum traffic-flow the bridge itself, and its setting, can sustain. This would offer an effective comparison against the modelling of proposed solutions, including a Link Road (policy NS36 - also not currently within the policy boundary) • not sustainable to build any housing until the infrastructure is in place giving access onto the A168 for all vehicles involved in the development whether builders, machinery, supply vehicles and then householders. <p>(Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council))</p>	<p>NS17 has been drafted to address concerns about the impact of the development on Cattal Bridge and requires consideration and consultation with highways and Historic England. That said, the policy could usefully be amended to clarify that assessments should be undertaken which feed into the travel assessments required under Policy NS36: Highway Mitigation and Improvements.</p>	<p>Amendment</p> <p>Add the following paragraph to the justification text after para. 7.9 to be 7.11</p> <p><u>A full assessment of the impact on Cattal Bridge and possible mitigation strategies will be required as part of the consideration of the highway impacts of the scheme, and this should be detailed in the travel assessments required under Policy NS36: Highway Mitigation and Improvements.</u></p>
<p>The Policy omits Cattal Bridge's Grade II listing and further contextual information:</p> <ul style="list-style-type: none"> • The bridge is also a rare monument-type, largely unaltered since the 18th Century; 	<p>Whilst the SAM listing affords a significant level of protection and further contextual information was included in the HIA, agree it would be helpful to include further contextual information in the justification text.</p>	<p>Amendment</p> <p>Add the following paragraph to the justification text after para.7.9, to be 7.10</p>

<ul style="list-style-type: none"> It is considered to be of archaeological importance because it has not been widened or strengthened and will thus retain original constructional details that have frequently been lost from other bridges. Apart from repairs following vehicle impacts, mainly to the parapets, it is effectively unaltered and has not been strengthened. 		<p><u>It should also be noted that Cattal Bridge is also Grade II Listed. Listed Buildings and structures are those that have been identified as having special architectural and historic interest. Setting forms a part of overall significance and therefore where development is proposed within the setting of listed building, it is important that steps are taken to minimise harm to those elements that contribute positively to setting. Where, proposals directly affect a listed building, it is important that works are specified so that special interest of the asset is conserved.</u></p>
<p>Cattal Bridge is a historic, listed bridge and given the increase in traffic from the development the supporting justification will need to provide information for the need for the developer to maintain Cattal Bridge. The bridge will continue to need signalling but as this places a significant constraint on capacity it should be taken into account in any assessment work. This should ensure that traffic to/from the south can be accommodated in another way (it is understood upgrading of Whixley lane to provide a new vehicle link is being considered to provide a vehicle link to the south (A1(M)). (NYCC)</p>	<p>A full assessment of the impact on Cattal Bridge and possible mitigation strategies will be required as part of the consideration of the highway impacts of the scheme. These could include developer contributions, development requirements or alternative traffic schemes, all of which must comply with the CIL regulations. At this stage it is not appropriate to suggest that there is a need for the developer to maintain Cattal Bridge</p>	<p>No amendment.</p>
<p>NS17 Designated heritage asset - Cattal Bridge</p> <ul style="list-style-type: none"> Residents are worried at the potential damage that could be caused to the bridge. Calls are made for it to be repaired including the approach structures. Some 4 years ago the south west parapet was damaged (by a bus) and it still awaiting repair. It is understood that Harrogate and Historic England produced a scheme for repairs to the approach roads 10/15 years ago. The scheme must be sitting in someone's desk or on their computer. The New Settlement provides an opportunity for the scheme to see the light of day through the DPD and controls available to be introduced within it. Pedestrian safety should also be of paramount importance. An assessment of the impact of increased traffic flow should be carried out and any mitigation measures added to the policy. (Hunsingore Walshford and Cattal Parish Council) 	<p>It is felt that the policy as drafted, with the modifications suggested by Historic England as detailed above, will provide sufficient protection for the bridge.</p>	<p>No amendment.</p>

NS18: Designated Heritage Asset- Church of St. John the Baptist

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Trees and views:</p> <ul style="list-style-type: none"> The Settlement boundary should not risk impinging on views from the junction of Station Road and Cattal Grange Road. A Hockneyesque view waiting to be painted. The planting of unnecessarily tall trees should be avoided to protect views of the spire <p>(Hunsingore Walshford and Cattal Parish Council)</p>	<p>The policy as drafted addresses this concern, as development of Maltkiln, including green infrastructure and any associated planting, should respect and minimise impact on the setting of this asset.</p>	<p>No amendment</p>
<p>Support:</p> <p>Historic England support the intention of this policy to minimise impacts on the setting of the Church of St John the Baptist and to explore opportunities to maintain views of the church spire. Providing views of the spire will help with place making and the legibility of the new settlement.</p> <p>(Historic England)</p>	<p>Noted.</p>	<p>No amendment</p>

NS19: Designated Heritage Asset- Milestone near Providence House

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Support and emphasis on avoiding harm:</p> <ul style="list-style-type: none"> Support for reference made in the policy to the need to obtain the appropriate consents should development proposals for the new settlement require the relocation of the Grade II Listed milestone. Every effort should be taken to first avoid, then minimise, and only where necessary and justified, mitigate the harm caused to its significance through development. 	<p>Noted. It is felt that the policy as drafted addresses this concern.</p>	<p>No amendment</p>

NS20: Designated Heritage Asset- Archaeology

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
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<p>The evidence base to the DPD should include a proportionate assessment of the archaeological significance of the area as required by Local Plan Policy HG4. (Historic England)</p>	<p>The Sustainability Appraisal that informed the choice of options considered archaeological significance. Additionally, substantial investigation has been undertaken as part of planning application 19/00017/EIAMAJ.</p> <p>The policy was drafted following a workshop with Historic England and the County Archaeologist and parties then agreed that the policy was appropriately drafted to ensure that archaeological significance was appropriately and proportionately addressed.</p>	<p>No amendment</p>
<p>Investigations to date indicate the new settlement site was a major farming area in Roman times. It also suggests the area was probably a major Roman road junction with roads to York, most likely to the Pennines and Bainbridge Fort through Whixley, and north and south via Rudgate. The road through Whixley would give access from York to the Pennines and may pre-date the Romans, supporting the export of sheepskin coats and, in Roman times, lead etc. Therefore, the whole site needs to be investigated.</p> <p>Clause 7.14 need to delete current text and insert; In view of the possibility of extensive archaeology, an archaeological investigation will be required. In those cases where development affecting sites of archaeological interest is acceptable in principle, mitigation of damage will be ensured through preservation of the remains in-situ as a preferred solution. When in-situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before or during development. Subsequent analysis, publication and dissemination of the findings will be required to be submitted to the local planning authority and deposited with the Historic Environment Record.</p>	<p>The policy contains a proportionate approach to archaeology in line with the adopted Local Plan (Policy HP2) and national policy.</p>	<p>No amendment</p>
<p>Archaeological investigations should take place before preparation of a site-wide masterplan and inform the contents of the masterplan</p>	<p>Noted – the policy requires that archaeological investigations should be undertaken at an early stage of the detailed master planning for each phase of Maltkiln's development.</p>	<p>No amendment</p>
<p>Protection should be given to the following specific areas of archaeological interest:</p> <ul style="list-style-type: none"> • The area clearly marked "Roman Barfs" (just south of Whixley Gate) on the OS map SE44341 56578 • Rudgate/Station Road/Deer Street/Cattal Street is a Roman road. It is believed the verges and ditch/land formation should be preserved. 	<p>It is felt that the policy as drafted provides appropriate provision for investigation and protection of archaeological sites.</p>	<p>No amendment</p>

<ul style="list-style-type: none"> • High ground south west of the station fronting Rudgate is believed to be the location of a Roman tower. • (Comments received including from Hunsingore Walshford and Cattal Parish Council and Whixley Parish Council) 		
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NS21: Non-Designated Heritage Assets

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Whixley Gate to be added as a non-designated heritage asset. Built on the site of Whixley Hospital in the late 1990s great care was taken to ensure that properties were built on the old hospital footprint, mature trees remain giving the site an established feel. (Comments received including from Whixley Parish Council)</p>	<p>It is not felt that the Whixley Gate meets the criteria for designation as a non-designated heritage asset.</p>	<p>No amendment</p>
<p>This policy does not have a plan in place on how enhancement of non-designated heritage assets are to be considered in accordance with NPPF.</p>	<p>The proposed policy requires that detailed master planning must take into account the impact of development upon the significance of the heritage assets, in line with national and local policy. This includes both direct impact upon the fabric of the buildings and impact in setting.</p>	<p>No amendment</p>
<p>Spelling mistake – amend Cattle to Cattal (Hunsingore Walshford and Cattal Parish Council)</p>	<p>Typographical error to be corrected.</p>	<p>Amendment a. Cattle Cattal Grange farmstead and cottages</p>
<p>The master plan should protect views from Cattal Grange access road and cottages south and south west, particularly the views of Hunsingore church spire woodland to the foreground. (Hunsingore Walshford and Cattal Parish Council)</p>	<p>Policy NS18: Church of St John the Baptist, Hunsingore ensures that Development of Maltkiln should respect the impact on the skyline and provision of views towards the church; and otherwise minimise impact on the setting of the heritage asset.</p>	<p>No amendment</p>
<p>Support the identification of the non-designated heritage assets listed in this policy. These assets were identified by the Heritage Impact Assessment and consideration of should be given to the effect of development proposals on their significance in line with paragraph 203 of the NPPF.</p>	<p>Noted.</p>	<p>No amendment</p>
<p>A significant Undesignated Heritage Asset is Rudgate, the historic north-south road running through the site. Long thought to be Roman in origin, even if this is now in doubt, it is clearly a route of great antiquity. The route and its character as a country lane should be protected, even if down-graded and largely used by pedestrians, cyclists and horse-riders.</p>	<p>It is not felt that the road meets the criteria for designation as a non-designated heritage asset. Moreover, it is not felt that appropriate to include a clause protecting its character is appropriate as this is likely to need to be balanced with other factors such</p>	<p>No amendments</p>

	as providing links within the site and active travel opportunities.	
As well as St John's church, Allerton Castle (Grade I) is also visible from the site and views towards it should also be respected and celebrated.	It is not felt that development in line with the proposed DPD boundary will impact upon Allerton Castle. It should be noted, however, that existing historic environment designations and the Historic Environment policies within the adopted Local Plan will offer a degree of protection to cultural heritage assets and their settings.	No amendment

CHAPTER 8: HOUSING

NS22: Housing Mix and Density

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
This chapter should include guidance on the development of design guides, codes and quality with reference to the National Design Guide/National Design Code and NPPF. Design must not be compromised due to infrastructure costs/profitability. (Comments received including from former NYCC)	<p>Policy NS1: sets out the minimum Maltkiln must provide, with Policy NS3: setting out the need for a master-plan to be produced.</p> <p>The broad design principles are to be set out as part of the master-planning stage. Planning applications for each phase or housing development will consider more detailed design; applications to be determined in accordance with the Development Plan which would include the DPD and Local Plan.</p> <p>An amendment is recommended to add an additional bullet to NS3 to make reference to the NPPF text on design.</p>	<p>Amendment</p> <p>Add additional bullet to NS3.</p> <ul style="list-style-type: none"> • <u>Provision of a clear design vision to create high quality, beautiful and sustainable buildings and places.</u>
Concern the developer is not a recognised national or regional volume house builder. (Better Wetherby Partnership)	The DPD seeks to set a clear and ambitious vision for Maltkiln and a policy framework to guide how it is developed. The DPD, once adopted, will form part of the Development Plan for the Harrogate District and will be used in the determination of planning applications in the area.	No amendment
The DPD could specify the housing numbers, including details on the mix and density at each phase over the life span of the development to ensure equitable access to homes throughout. Given that the timeframe of the development is due to extend beyond the Local Plan period, it would be beneficial to link the requirements to updated evidence as each phase is brought	The DPD, once adopted, will form part of the Development Plan and will be used in the determination of planning applications in the area. The DPD has been written to compliment the adopted Local Plan and ensure policies are not duplicated. The DPD will be reviewed periodically.	No amendment

<p>forward. This will ensure that both up-to-date needs and demand are met. (Former NYCC)</p>		
<p>Policy does not address the housing needs of the district.</p> <ul style="list-style-type: none"> • Need for homes for an ageing population, bungalows and adapted homes. • What evidence is there that people will stay in their current home? • What assisted living or bungalows will be provided? • With the realisation already that there are viability issues so cannot meet 40% affordable homes, is the support for an aging population realistic. • Policy is too vague, needs to state how many, as a minimum, houses for the ageing population should be built and how many must be adaptable. • Recent development in Green Hammerton have not provided houses for an aging population. <p>If delivery of houses for aging population affects viability, then this is the wrong location to meet the housing needs of the district.</p>	<p>The policy requires the mix to reflect the policies in the Local Plan and have reference to the latest evidence base and local assessments of housing need. The Harrogate and District Local Plan 2014-2035 was adopted in 2020. This ensures each phase delivers the mix to meet the latest evidence and assessments of local housing need. Policy NS22 requires some dwellings to be built to be accessible and adaptable, the policy has been written to reflect the wording in Local Plan. Local Plan Policy HS1 requires, on developments of 10 or more dwellings, 25% of the market units to be built to be accessible and adaptable homes.</p> <p>In relation to assisted living Policy NS24: Specialist Housing requires specialist housing for older people and/or people with support needs.</p> <p>Para. 8.7 notes that the Housing and Economic Development Needs Assessment (HEDNA) will be updated periodically over the lifetime of the DPD. The HEDNA provides an integrated evidence base regarding future development needs across uses. It provides a consistent, objective assessment of need for housing (OAN) following approach prescribed by the Government in PPG.</p> <p>Para. 8.9 sets out that a significant and increasing proportion of older people are owner-occupiers living in mainstream housing. Most people will, if they are able to do so, remain in their own homes, possibility adapting them for their changing needs. Providing homes designed and constructed so they can be adapted in the long term will help meet this need.</p> <p>The HEDNA identified a need for housing for an aging population and the policy has been written to ensure each phase or housing development seeks to deliver a range of house types, tenure and sizes that reflect and respond to identified local housing need.</p>	<p>No amendment</p>

	It's not clear from the comment which residential schemes are referred to; the current Harrogate District Local Plan was adopted in 2020.	
Policy wording needs to be tightened, 'should' needs to be replaced with 'must'.	The wording has been written to complement the wording in the Harrogate District Local Plan as the DPD should be read alongside the Local Plan 2014-35 (or any subsequent updates).	No amendment
The provision of a "mix of housing types, size and tenures that ensures a diverse and multi-generational community..." is fully supported. Building homes that can flexibly respond to the changing needs of occupants helps people remain independent and able to live and work in their own homes for longer. (Former NYCC)	Support noted.	No amendment
Ensuring that the right mix of dwellings are provided at each development phase will be key for the settlement to meet the needs of a diverse community. The DPD could specify the housing numbers, including details on the mix and density at each phase over the life span of the development to ensure equitable access to homes throughout. (Former NYCC)	The Policy wording requires that the mix should have reference to the latest evidence base and local assessments of housing need. Requiring each phase to provide a mix in line with the latest evidence / local need ensures the new settlement will continue to meet the needs of the community.	No amendment
The policy states that "the final number of Accessible and Adaptable market dwellings delivered on site should reflect the policies in the Local Plan". It would be beneficial to link the requirements to updated evidence as each phase is brought forward. (Former NYCC)	The HEDNA sets out the housing need and will be updated periodically, the policy has been written to ensure it is in line with the adopted Local Plan policies and delivers the mix and type of housing identified.	No amendment
25% of homes should be accessible under the definitions within Building Regulations, etc. (Better Wetherby Partnership)	As set out at para. 1.3 <i>The DPD should be read alongside the Local Plan 2014-35 (or any subsequent updates)</i> . Policy NS22 requires the number of accessible and adaptable dwellings to reflect the policies in the Local Plan (currently set out in Policy HS1 and HS2). Local Plan Policy HS1 requires 25% of market dwellings to be built to be accessible and adaptable. Policy HS2 refers to affordable housing. DPD Policy NS23 sets out the accessible and adaptable requirements for affordable housing.	No amendment

<p>'All dwellings to be wheelchair accessible or adaptable.' 8.7 delete 'over the lifetime of this DPD'. 8.10 replace with 'all homes must be wheelchair accessible or wheelchair adaptable in accordance the standards of the latest building regulations, or better (currently M4(3))'.</p>	<p>The HEDNA sets out the housing need, the policy has been written to ensure it is in line with the adopted Local Plan policies and delivers the mix and type of housing identified.</p> <p>Foot Note 45 refers to any subsequent compatible standard set nationally.</p>	<p>No amendment</p>
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NS23: Affordable Housing

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>The development of a new settlement provides a unique opportunity to provide the homes that are essential to meet the needs of the local community. It should also attract and retain the working age population in our rural area, as set out in the report of the Rural Commission for North Yorkshire (July 2021). The Plan should specify that the developer would be expected to meet the required need, as set out in the latest Local Plan policy, supported by an up-to-date evidence base. Where affordable homes are unable to be brought forward in early stages they should be provided in latter phases (Former NYCC)</p>	<p>Policy NS22 requires each phase or housing development to deliver a range of housing types, tenure and sizes that reflect and respond to identified housing need. While Policy NS23 requires a percentage of affordable housing to be delivered in line with the policies in the Local Plan.</p> <p>The DPD, once adopted, will form part of the Development Plan and will be used in the determination of planning applications in the area. The DPD has been written to compliment the adopted Local Plan and ensure policies are not duplicated.</p> <p>It is acknowledged that future phases may deliver differing levels of affordable. An additional policy Infrastructure Policy (Policy NS38) is proposed to provide further clarity on the delivery of infrastructure and the information required of the developer at each stage of development.</p>	<p>Amendment</p> <p>Para. 8.17 The earlier phases have significant infrastructure requirements, as set out in Policy NS1 Development Framework, therefore early dialogue and up to date viability evidence and costing will be needed for each phase. <u>Infrastructure Delivery Policy NS38 sets out the information required.</u></p>
<p>Policy wording should be amended as follows:</p> <ul style="list-style-type: none"> removing reference to viability and demonstration of need, include 'require' and 'must' in place of 'expects' and 'should' delete references to building regulations clauses and insert 'latest and best standards of the building regulations or better' 	<p>The wording has been written to complement the wording in the Harrogate District Local Plan as the DPD should be read alongside the Local Plan 2014-35 (or any subsequent updates).</p> <p>Foot Note 46 refers to <i>any subsequent compatible standard set nationally.</i></p>	<p>No amendment</p>
<p>Viability impacting the delivery of affordable housing.</p> <ul style="list-style-type: none"> Local Plan policy HS2 requires 40% affordable housing on all qualifying greenfield developments. The DPD is contrary to this 	<p>Noted.</p>	<p>Amendment Addition of new Policy NS38: Infrastructure Delivery</p>

<p>because viability issues mean the new settlement can't then deliver them.</p> <ul style="list-style-type: none"> Affordable housing is being sacrificed to make such a large development and associated infrastructure works affordable. The viability assessment has not been updated at the time of consultation. Given that the costs of all the infrastructure has not been costed out nor do the costs include inflation, and external funding has not been agreed, is it even possible to achieve the minimum 20% affordable housing stated in this policy? 40% affordable housing cannot be achieved on this site, with such huge infrastructure costs. The Council are not being honest in this document on how much affordable housing will be achieved. The Planning Inspector should be requesting further information on the minimum percentage of affordable homes this new settlement must achieve. <p>(Comments received including from the Coalition of Parish Councils, Nun Monkton Parish Council and Tockwith with Wilstrop Parish Council)</p>	<p>In response to representations an Infrastructure Delivery Policy is proposed which would sit within Chapter 11 Delivery and Phasing.</p> <p>Policy NS38 is proposed to replace the Infrastructure Table and sets out the information required to support each phase of development to ensure effective delivery of infrastructure as and when required.</p>	<p>see Appendix 1 for detailed wording) proposed</p> <p>Para. 8.16 amended as follows;</p> <p>... This is not unique to Maltkiln but is reflective of the challenges around delivery of any large strategic sites in any part of England, particularly new communities. <u>It is acknowledged that future phases may deliver differing levels of affordable housing, with the Infrastructure Delivery Policy NS38 which sets out the information required.</u></p>
<p>There is no demand in this area for 1200 affordable homes (40% of 3000). Affordable homes are often sought by young people and there is no sufficient infrastructure to support it.</p>	<p>Disagree. In terms of infrastructure, Infrastructure Delivery Policy NS38 is proposed to ensure timely delivery of infrastructure to support the new settlement.</p>	<p>No amendment</p>
<p>The allocation of affordable homes should be to those with a local connection particularly as Whixley is short of affordable homes especially for older single people.</p> <p>(Comments received including from the Coalition of Parish Councils, Tockwith with Wilstrop Parish Council and Whixley Parish Council)</p>	<p>Affordable housing will continue to be allocated in accordance with the Council's approved principles, as set out the Council's Affordable Housing SPD.</p> <p>The Council currently works with Registered Providers (RPs) for the management and delivery of all new affordable housing developments in the District and regularly engages with them and monitors their performance.</p> <p>Affordable homes are allocated to potential homeowners with a local connection. The Harrogate district is sub-divided into 16 areas comprising each parish and a homeowner is initially found within that area to ensure local residents are offered a first refusal. If a homeowner isn't found, then the connection is open wider to the district.</p>	<p>No amendment</p>
<p>The supporting text refers to the incorrect OAN figure.</p>	<p>Text to be amended to provide more clarity.</p>	<p>Amendment</p>

<p>(Comments received including from the Coalition of Parish Councils, and Tockwith with Wilstrop Parish Council)</p>		<p>Amend para 8.14 as follows: ... dwellings per annum. <u>The annual supply figure to be updated in line with annual monitoring.</u>) The impact of affordable housing provision... Local Plan Viability update and CIL viability assessment May 2018.</p>
<p>Measures required to prevent second homes and holiday lets. (Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)</p>	<p>Noted. Policy NS22 identifies housing mix and requires development to reflect the policies in the local plan and have reference to the latest evidence base.</p>	<p>No amendment</p>
<p>A site-specific affordable housing policy should be produced with a lower level and viability clause. Object to percentage of affordable housing being applied. The Councils own viability evidence as demonstrated that 40% is unviable and therefore compliance with the policy will not be possible. (Caddick)</p>	<p>The New Settlement (Maltkiln) Development Plan Document would form part of a suite of development plan documents used to determine applications within the Policy Boundary as indicated on Maltkiln Policy Map.</p> <p>The policy has been written to ensure it stays in step with the Harrogate and District Local Plan policy on affordable housing. Local Plan Policy HS2 is therefore the starting position and sets out that the Council will require 40% affordable housing on all qualifying greenfield developments including mixed use schemes, subject to viability and the demonstration of the need for affordable housing.</p> <p>While the reference to a lower percentage range in the justification acknowledges the viability issues around delivering a new settlement an amendment to Para. 8.16 is recommended for clarification. The amendment to reference an Infrastructure Policy (Policy NS38) which is proposed to sit within Chapter 11 Delivery and Phasing.</p>	<p>Amendment</p> <p>Para. 8.16 amended as follows;</p> <p>“The Local Plan policies set the targets to address affordable housing need across the district. Currently this is set at 40% subject to viability. Reflecting the significant viability challenges associated with bringing forward new settlement proposals, flexibility of provision will be necessary and it is anticipated that delivery of affordable housing <u>could be lower will be within a range of 20-40%</u> depending on final infrastructure requirements and phasing proposals. This is not unique to Maltkiln but is reflective of the challenges around delivery of any large strategic sites in any part of England, particularly new communities.</p> <p><u>It is acknowledged that future phases may deliver differing levels of affordable housing in in with the Infrastructure Delivery Policy NS38 which sets out the information required.</u></p>

<p>Affordable housing need</p> <ul style="list-style-type: none"> • Clear policy need giving the absolute minimum percentage of affordable housing for each development in this settlement and the overall percentage this development MUST achieve. • DPD is contrary to the Local Plan. HEDNA identifies a requirement that affordable housing should be 30% of all new build. If this new town cannot achieve at least 30% [HS2 Policy for brownfield sites] then it is in the wrong location. • 20-40% is too vague and not ambitious. • Concern the affordable housing provision is to be reduced from 40% to 20%. • Concern this lower percentage will transfer to the Harrogate District Local Plan. • Most will be built after 2035, new settlements role in delivering current housing needs is therefore limited. • If 40% is unachievable via the new settlement, why not prioritise different solutions to what is described as a serious problem? • Need for affordable housing for first time buyers and single occupancy renters. <p>(Comments received including from the Coalition of Parish Councils, Hunsingore Walshford and Cattal Parish Council, Nun Monkton Parish Council and Tockwith with Wilstrop Parish Council and Better Wetherby Partnership)</p>	<p>The New Settlement (Maltkiln) Development Plan Document would form part of a suite of development plan documents used to determine applications within the policy boundary, as indicated on the Maltkiln Policy Map, Strategic Allocation.</p> <p>The policy has been written to ensure it stays in step with the Harrogate and District Local Plan policy on affordable housing. Local Plan Policy HS2 is therefore the starting position and sets out that the Council will require 40% affordable housing on all qualifying greenfield developments including mixed use schemes, subject to viability and the demonstration of the need for affordable housing. While the reference to a lower percentage range in the justification acknowledges the viability issues around delivering a new settlement. An Infrastructure Policy (Policy NS38) is proposed to sit within Chapter 11 Delivery and Phasing.</p> <p>However, while any application received within the area covered by the Harrogate and District Local Plan will continue to be determined in accordance with those adopted policies, the DPD does not and will not set policies outside of the DPD policy boundary.</p> <p>The policy requires the final tenure mix, size and type of affordable housing to be determined through negotiation taking into account up-to-date needs assessments and characteristics of the area.</p>	<p>Amendment as above</p>
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NS24: Specialist Housing

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>The need for specialist housing and it's siting and design must be agreed at master planning stage, adjusted as required over the life of the development.</p>	<p>Noted. Policy NS24 states specialist housing shall be delivered adjacent to the local centre.</p> <p>Policy NS3 sets out the master-planning design principles. An amendment to Para. 8.24 is recommended to reference NS3.</p>	<p>Amendment</p> <p>8.24 ...However it is recognised that there is also a need for housing for people with support needs whatever their age. In order to promote mixed and multi-</p>

		generational communities it is important to ensure specialist housing, where there is an identified need, is provided within Maltkiln. <u>Policy NS3 sets out the master-planning principles.</u>
Welcome the approach to specialist housing but the wording to the supporting justification could be strengthened by including details on accommodation standards, site layout requirements and the eligibility criteria. (NYCC)	Policy NS24 states specialist housing shall be delivered adjacent to the local centre with Policy NS3 setting out the master-planning design principles, the detailed design would be considered as part of a planning application in consultation with and in line with the guidance set out by Health and Adult services.	No amendment
Policy NS24: Specialist Housing mentions 'the siting and design of the accommodation shall be provided in line with Local Plan policies'. More details would be required in the supporting justification to explain which policies should be considered. Furthermore, paragraph 1.3 states that 'The DPD should be read alongside the Local Plan 2014-35 (or any subsequent updates).' It would be helpful to explain in the supporting justification how Policy HS4: Older People's Specialist Housing in the adopted Harrogate Local Plan 2014- 2035 is expected to interact with this draft DPD Policy NS24. (NYCC)	The DPD, once adopted, will form part of the Development Plan for the area and will be used in the determination of planning applications in the area. Local Plan Policy HS4 relates to older people's specialist housing and will be considered in the determination of planning applications where older people specialist housing is proposed, however the DPD policy is wider. Local Plan policies around design, amenity etc. will also be relevant in the consideration of any planning application.	No amendment
The policy wording makes reference to 'evidenced need' and Paragraph 8.26 refers to the Housing and Economic Development Needs Assessment (HEDNA). For completeness it would be helpful to include the other relevant evidence documents e.g., local housing strategies. New wording for Para. 8.26 recommended. (NYCC)	Noted. Amendments suggested recommended, however reference to North Yorkshire County Council to be replaced with North Yorkshire Council.	Amendment Amend Para 8.26 to read: 8.26 - Where the proposals include specialist housing, consultation will be required with the <u>North Yorkshire Council's health and adult Health and Adult Services</u> , to ensure that the identified need for specialist accommodation is fully considered and addressed within the development proposals. <u>The Health and Adult Services regularly carry out an independent Housing Needs Assessment and the findings from the assessment should be considered in full.</u>

NS25: Self and Custom Build Housing

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
5% of plots should be self-build. (Better Wetherby Partnership)	DPD Policy NS25 requires at least 5% of dwelling plots to be made available for sale to self-builders.	No amendment

CHAPTER 9: LOCAL CENTRE

NS26: Local Centre

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
Whilst Para 9.2 sets out the requirements of local plan policy DM4 in relation to the local centre, which includes the provision of on-site education, the policy does not include provision of education and the DPD doesn't include provision of on-site secondary education.	Policy DM4 does not make specific reference to education provision having to be part of the local centre as it states "requires the provision of on-site education..... and a local centre". The on-site education provision is expected to be on top of the 3ha required for the Local Centre. On-site education is covered by Policy NS28 which makes reference to on-site primary provision and either financial contributions or on-site provision for secondary education.	No amendment
As the policy requires preparation of a design code for the local centre, the Council should prepare a design code and masterplan as part of the DPD- this should be subject of public consultation	The role of the DPD is to set a clear vision for Maltkiln and a policy framework to guide how it is developed. It sets out the key requirements, expectations and ambitions for the settlement but it is expected that more detailed masterplanning and engagement will inform the development in subsequent phases. This a usual step to take as the DPD is a strategic document, just like the Local Plan. The design code and masterplan when prepared will be subject to community consultation and engagement.	No amendment
The Policy requires a broad range of services and facilities, however, specifically lists the type of uses required. The list of uses should be amended: <ul style="list-style-type: none"> to show a list of appropriate uses that could be included, rather than explicitly requiring them all to be provided. extra care should be expanded to include specialist housing so it provides more flexibility and a wider range of delivery models. (Caddick)	The list of uses is appropriate to enable the provision of a healthy local centre that supports the needs of the residents and provides and therefore the Council would expect them to be provided. However, to provide some flexibility it would be appropriate to remove some of the references to the specific examples which are provided in the brackets and	Amendment Amend bullet point <ul style="list-style-type: none"> business and commercial uses (including office space, banks, post office etc)

<ul style="list-style-type: none"> to include the provision of a pharmacy. The recently published Pharmaceutical Needs Assessment 2022-2025 (Pharmaceutical needs assessment North Yorkshire Partnerships (nypartnerships.org.uk)) sets out the current and future pharmaceutical service needs in North Yorkshire (NYCC) 	<p>make reference to possible examples within the justification.</p> <p>Policy NS24 does not make reference to the need for specialist housing to be in the local centre and whilst it may be appropriate for this form of housing to be provided adjacent to the local centre, it should not form part of the local centre and therefore should be deleted from the list of possible local centre uses.</p> <p>Policy NS24 references specialist housing to be delivered adjacent to the local centre, it does not make reference to the need for specialist housing to be in the local centre, therefore it should not form part of the local centre and therefore should be deleted from the list of possible local centre uses for clarity and ensure its in line with Policy NS24.</p> <p>It is recommended that the wording is amending to refer to health and community facilities within the policy but with pharmacies included as an example within the justification text.</p>	<ul style="list-style-type: none"> health and community facilities (including a health centre, faith spaces and arts/cultural facilities); ... extra care <p>Amend para 9.4 as follows: '...education, health, retail, community...'</p> <p>Amend para 9.7 as follows: '...facilitate a mixture of fine-grained employment uses <u>(including office space, banks, post office)</u>, education, shops and community <u>and health services (including provision for GPs, community health, dentists and pharmacy) as appropriate</u>'</p>
<p>Policy requires that the planning and design of community facilities should be undertaken 'in partnership with the Council, local community and other key stakeholders'. It is not known what partnership refers to or how this would work in practice and should be amended. It is a vague aspiration and should not be a policy requirement. (Caddick)</p>	<p>It is imperative that the planning and design of the community facilities is undertaken in consultation and engagement with the local community and delivery partners and therefore the wording is appropriate</p>	<p>No amendment</p>
<p>There must be footpaths and cycle paths and a safe crossing of the A59 (traffic light crossing and a bridge or underpass) to allow the success of the local centre.</p> <p>(Comments received including from Whixley Parish Council)</p>	<p>Policy NS31 makes requirements to ensure that priority will be given to walking and cycling routes within the new settlement connecting to key destinations, including the local centre, Cattal Station, bus stops, schools and employment as well as safe crossings over the A59.</p>	<p>No amendment</p>
<p>There should be a series of sub-centres to have convenience stores and "village hall" facilities, to encourage a greater sense of local community.</p>	<p>It is envisaged that a local centre at the heart of the settlement and located around the railway station will provide sufficient levels of facilities for the new residents. If there are too many facilities throughout the settlement then the viability could be impacted. Policy NS3 requires development that delivers 20 minute walkable neighbourhoods where most day-to-day trips from residents' homes can be achieved on foot within 20 minutes</p>	<p>No amendment</p>

<p>The design code should take into account the historic character of the centres of small local towns, such as Boroughbridge and Easingwold, in line with Section 12 of the NPPF. The reference to "contemporary" buildings is inappropriate - they should be of good design and take into account local character.</p>	<p>Contemporary buildings can still be of good design and be reflective of local character and should not therefore be dismissed.</p>	<p>No amendment</p>
<p>The policy and subsequent Design Code should seek to prevent the proliferation of Hot Food Takeaways and establishments that promote high fat, high sugar diets within the Local Centre and within an agreed proximity of routes to local schools. This will ensure that the community centre promotes healthy lifestyles and prevents the creation of obesogenic environments. (NYCC)</p>	<p>Whilst it is recognised the importance of healthy lifestyles there is no evidence provided to suggest that the restricting of such uses within the local centre is required within the policy. The policy states that the design code should be prepared in partnership with the Council, local community and other key stakeholders so commitment to this could be included as part of this process.</p>	<p>No amendment</p>

NS27: Employment

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>This policy assumes all residents will work in and around walking distance to the train stations on this route which is highly improbable. An assessment needs to be undertaken of where residents will work to show the new settlement is in a location which can support the employment of the local population</p>	<p>The Council is unable to control where residents of the settlement work however it is important that Maltkiln should provide sufficient employment land to provide for a wide range of employment opportunities. The level of employment land provided by the Policy is based on the Concept Framework evidence base work undertaken for the Regulation 18 consultation.</p>	<p>No amendment</p>
<p>Lack of evidence that this is the best location for employment development within the new settlement. It should be on the other side of the railway and/or to the west of the settlement to avoid the impact on residents of the new settlement and nearby villages.</p> <p>If the employment zone and local centre are genuinely for providing work for the settlement then why put it so close to the rail station when it would be better placing dwellings closer to the station for those who travel to work outside of the settlement. (Comments received including from the Coalition of Parish Councils, Tockwith with Wilstrop Parish Council)</p>	<p>It is important that the employment land is within walking distance of the local centre and the railway station to increase the sustainable travel opportunities. The development framework is indicative and Policy NS3 requires the submission of a masterplan for the settlement.</p>	<p>No amendment</p>

<p>This Policy states that 'all necessary' infrastructure to enable the provision of Ultrafast Fibre to the Premises should be provided however this should be put in place by providers. The responsibility of the developer cannot include the providers infrastructure and should be limited to enabling access to that when it is in place. (Caddick)</p>	<p>This policy is no different to Local Plan Policy TI5 which requires all necessary infrastructure to enable the provision of FttP.</p>	<p>No amendment</p>
<p>Existing traffic regulation orders will be infringed if employment land is developed to the south of the railway line and the extent of employment trips will be restricted due to the issues at Cattal level crossing. (Hunsingore Walshford and Cattal Parish Council)</p>	<p>There will be a need to review all the existing traffic regulation orders as part of the development of the new settlement.</p>	<p>No amendment</p>
<p>The provision of 'Good Work' and inclusive employment opportunities for all (including those normally excluded) will be essential to create healthy and thriving communities. Any development should attract the kind of businesses that support access to fair and good quality employment so that public and commercial spending is re-invested back into the local community. The policy and subsequent design code should promote equitable access to local services (including employment) so that there are rural solutions targeted towards those living without access to affordable public transport.</p>	<p>Policy NS26 states that design codes should be prepared for the local centre and consideration given to schemes such as community asset management. Policy NS27 seeks to provide a balanced range of employment opportunities and ensure local accessibility to them. Planning policy cannot dictate the individual business which would occupy any employment premises.</p>	<p>No amendment</p>

NS28: Education

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>A new on-site secondary school should be included in the plans because: Cannot be exemplar or sustainable without one Uncertainties about the capacity of Boroughbridge because of its own development Pupils will have to travel by car or bus as there is very limited public transport between this area and no pedestrian and cycle access. This will increase car traffic which is not consistent with the aim to reduce car dependency On site provision would reduce vehicle movements and encourage walking and cycling Community use of secondary school facilities will not be possible if provision is off-site Does not meet Local Plan Policy DM4 or DPD Policy NS1 without it</p>	<p>The Council have been working with Education colleagues to identify the educational infrastructure required to support the level of growth proposed in Maltkiln. They have indicated that the development is not projected to generate sufficient number of pupils to warrant the need for a secondary school on-site. Nevertheless, for the proper and long term planning of the area, the Council consider a cautious approach should be taken and have safeguarded land for a secondary school if it is needed. Local secondary provision will be kept under review through the Plan period to determine whether a secondary school at Maltkiln is required and when it will need to be delivered</p>	<p>No amendment</p>

1000 primary school places are needed so all these children will need a secondary school Exclusion based on narrow 'mathematical formula'		
Support the inclusion of a primary school onsite (Comments received including from Whixley Parish Council)	Noted	No amendment
There is no capacity in the local primary schools at present and none in the future.	The requirement to provide 2 primary schools is to mitigate the impact of the development and ensure that there is no impact on the existing schools	No amendment
Subject to the suggested change below we support this policy, in particular the criteria that will be used to evaluate the future location and design of schools. Para 9.17 – 9.19: (a) Amend criteria n. as follows: “n. any site specific issues e.g. flood risk, protection/enhancement of biodiversity or heritage, air quality” (b) Add an additional criterion to evaluate the location and design of schools to read: “q. landscaping and boundary treatment” (Historic England)	Agree - wording to be amended as suggested	Amendment Amend NS28 criteria n. as follows: “n. any site specific issues e.g. flood risk, protection/enhancement of biodiversity or heritage , air quality” Add an additional criterion to evaluate the location and design of schools to read: “q. landscaping and boundary treatment ”
Object to the inclusion of safeguarded land for secondary school as there are consequences for viability. The inclusion of a secondary school on this particular land has not been assessed in either the HBC viability work or Johnsons own viability work. Relocation of the business is reliant on securing sufficient funds from the development of this site and therefore should be included in the residential/mixed use development options for the site. As this site represents 40% of Johnsons ownership the use of the site for education would not generate sufficient income to enable the relocation to a single site. Include the Thornville site for residential /mixed use development instead of safeguarded education land. (Johnsons of Whixley / Landowner)	The land is shown as secondary school on the development framework which is merely indicative. A whole site masterplan is required to determine the final layout of the new settlement which will need to look at the site holistically not as separate parcels of land. This work which will also include whole plan viability work will be expected to involve collaboration with all landowners. It would be anticipated that as part of this there would be some form of equalisation agreement to ensure that critical infrastructure is provided equally amongst all landowners.	No amendment
Concerned about the plan to use Boroughbridge High for secondary education for the following reasons: DPD states that 520 secondary school places will be needed however Boroughbridge High has 600 pupils so school would be doubled Discrepancies in the numbers - DPD states that 13 new classrooms would be needed but based on 30 per classroom, the number should be 17	Unsure where the reference to 520 secondary school places or 13 classrooms is within the DPD as the only reference made to the actual requirement of secondary school places is within the Delivery and Phasing table which details 11 classrooms at Boroughbridge High School. The analysis has already been undertaken by NYC Education as part of the preparation of the DPD and in their response to the planning application. This	No amendment

<p>has all the development planned for Boroughbridge and other villages been taken into account what work has been done to determine extending Boroughbridge High is the best option rather than building a new secondary school children will need to be bussed in, picked up by parents which doesn't meet the sustainable goals A comprehensive analysis of secondary school provision for the catchment and edges of the catchment for Boroughbridge High School to take into consideration the number of children currently living in the area, new developments underway and planned developments in the local plan, to confirm at the earliest stage if a new secondary school is required. (Coalition of Parish Councils)</p>	<p>analysis takes account of the future capacity of Boroughbridge High School (numbers and space) as well as any housing developments that have planning permission or are allocated in the catchment area of Boroughbridge High. Work on infrastructure requirements, costings, delivery and implementation continues throughout the preparation of the DPD and is an iterative process. The delivery and phasing section of the DPD shows initial information with regard to this and identifies that primary education provision will be delivered at the start of the process (short term) however the actual timing is to be agreed with NYC Education and will be based on up to date information such as the actual and future capacity of existing schools and permitted developments. As noted in Policy NS28 requires appropriate trigger points for delivery of the different educational phases and any financial contributions will need to be established as part of the Infrastructure Delivery Plan and provided for in a Section 106 agreement.</p>	
<p>Post Sept 2022, Boroughbridge High School will not have a Sixth Form and the DPD makes no reference to post 16 education, when Government Policy states that all children should stay in education up to 18. There should be a policy in the DPD to deal with further education provision in particular 16-19 year olds. (Coalition of Parish Councils)</p>	<p>From September 2022 it is understood Post-16 courses and pastoral support are provided at King James School in Knaresborough. In addition, there are other Post-16 courses available at other settings within the county.</p>	No amendment
<p>There is no transparency as to how full the local schools currently are or where the new children will be expected to travel to primary school. A clear, sound plan is needed for the primary education provision for the early stages plus costs for extending local schools who have present capacity issues. (Coalition of Parish Councils)</p>	<p>Work on infrastructure requirements, costings, delivery and implementation continues throughout the preparation of the DPD and is an iterative process. The delivery and phasing section of the DPD shows initial information with regard to this and identifies that primary education provision will be delivered at the start of the process (short term) however the actual timing is to be agreed with NYC Education and will be based on up to date information such as the actual and future capacity of existing schools and permitted developments. As noted in Policy NS28 requires appropriate trigger points for delivery of the different educational phases and any financial contributions will need to be established as part of the Infrastructure Delivery Plan and provided for in a Section 106 agreement.</p>	No amendment

<p>Unclear how the approach in paras 9.17 and 9.18 would work. If numbers in 2025 don't satisfy NYCC Education but numbers by 2035 do, how would the on-site school be delivered if contributions for off-site provision have already been used? At what point will it trigger that a new secondary school is required?</p>	<p>Based on the housing trajectory for the New Settlement DPD it is anticipated that if it is required then it is likely to be delivered towards the end of the Plan period. Regular monitoring will be undertaken to establish the need and appropriateness and if necessary the delivery timescales and triggers for the on-site secondary school. The actual indicators and frequency of monitoring will be established by NYCC Education in liaison with HBC. This work will also establish the triggers for payment of off-site contributions towards Boroughbridge High School if required. A decision would be made about the best delivery mechanism for secondary education before the trigger point for off-site contributions would be met.</p>	<p>No amendment</p>
<p>As drafted, DPD Policy NS28 is conflicted about the provision of secondary education and not effective because: a final decision needs to be taken based on evidence before DPD adopted lack of appropriate and evidenced triggers need for revised draft for consultation Duty to cooperate failure - two different departments (HBC and NYCC) of the soon to be same authority are pursuing opposing policies conflicts with Policy NS1 which states education should be on-site (Coalition of Parish Councils)</p>	<p>As stated in para 9.17 NYCC Education (now NYC) have indicated that the development is not projected to generate sufficient number of pupils to warrant the need for a secondary school (for either 3000 or 4000 homes) however because of the proper and long term planning of the area, the DPD takes a cautious approach and identifies safeguarded land for a secondary school if needed. This is not a failure to meet the Duty to Cooperate legal requirement as there has been extensive engagement with the Education Authority who support the safeguarding approach taken. The approach taken is a sensible and responsible approach and one that is common when dealing with the delivery of large settlements and the associated infrastructure over a significant period of time when circumstances could change. The key to the success of this approach is effective monitoring and as stated in para 9.17, local secondary school provision will be kept under review throughout the Plan period to determine whether a secondary school at Maltkiln is required and when it will need to be delivered. The actual indicators and frequency of monitoring will be established by NYC Education in liaison with the planning policy team. As the housing trajectory suggests that if needed it will be towards the end of the plan period it would be unreasonable and irresponsible to require the on-site provision whilst there is a level of uncertainty.</p>	<p>No amendment</p>
<p>If the secondary school is not needed for the plan period and well beyond, the policy should be amended to state that Boroughbridge will be the settlement's secondary school, and the 'land safeguarding' measure removed. The development layout should then be modified and more Green Gap added to the east</p>	<p></p>	<p></p>

(Comments received including from Tockwith with Wilstrop Parish Council)	To ensure that all options are covered it is therefore necessary to make reference in the policy to the safeguarded land as well as the alternative of off-site financial contributions to Boroughbridge High School. Effective monitoring including the establishment of development triggers will ensure that the appropriate developer contribution is required. A developer cannot be expected to fund the same piece of infrastructure (e.g school place) twice so a decision will be made to ensure this does not happen.	
The need for additional peak time travel for pupils (or not, depending on the location of the school) will also need to inform the traffic management assessments. As part of the full and proper investigation underpinning this policy the resulting traffic movements for the Boroughbridge solution are to be modelled, and any mitigation etc measures specified in policy NS37	Noted – Policies relating to Access and Movement require measures to reduce car usage and fully consider impacts of travel.	No amendment
The formal measure of 'safeguarding' land seems to be political as the policy suggests it is not needed. The easternmost residential parcel should be relocated to the current 'safeguarded' land, and the boundaries amended accordingly to give more 'Gap' to the east (Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)	As stated in para 9.18, if the safeguarded land is not needed for a secondary school then the site will be released for additional open space. As detailed in responses to Policy NS2 above, the boundary of the Strategic Green Gap is sufficient to meet the objectives of the policy and there is no reason to extend it. For many reasons including landscape impact and impact on Aubert Ings SSSI, it would not be appropriate to replace land safeguarded for secondary use, which would contain large amounts of open land, with higher density residential development.	No amendment
Object to the inclusion of the safeguarded land for secondary provision for the following reasons: flexibility in location is required fixing the location at this stage is premature when substantial growth would be required to justify the school on-site more appropriate to include as part of future master-planning, associated land acquisition and funding work demand for school places generated by the outline planning application is below the level to sustain a school on-site and no certainty that future expansion would increase the demand consequences for viability has not been assessed in either HBC or own viability work	The land is shown as secondary school on the development framework which is merely indicative. A whole site masterplan is required to determine the final layout of the new settlement which will need to look at the site holistically not as separate parcels of land. This work which will also include whole plan viability work will be expected to involve collaboration with all landowners. It would be anticipated that as part of this there would be some form of equalisation agreement to ensure that critical infrastructure is provided equally amongst all landowners.	No amendment

<p>(Caddick)</p> <p>With regards a secondary school it is noted that all work on the strategic gap has been based on an extension of the settlement and residential proposals in these areas. There is no evidence to suggest that any future school provision could not go in these areas, or indeed outside the boundary of the new settlement. In order to maximise delivery, it should be considered as an appropriate use outside the boundary of the new settlement, particularly with regards playing fields and car parking provision. (Caddick)</p>	<p>The Strategic Gap policy requires that land within this designation is kept free from all development, except essential development for agriculture and recreation. The Strategic Gap background paper assesses the impact of development as a whole on the rural setting of Kirk Hammerton, Green Hammerton and their Conservation Areas. Secondary school provision therefore would be detrimental in this area.</p>	<p>No amendment</p>
<p>We welcome the assertion made in paragraph 9.18 that if the safeguarded land is not required to provide secondary school provision it will be released for additional open space. Given the high sensitivity of this land in terms of the potential impact of development in this location on the setting of Old Thornville, aside from retaining the land in agricultural use, the provision of appropriately designed open space would be preferable. (Historic England)</p>	<p>Noted</p>	<p>No amendment</p>
<p>Object to Paragraphs 9.17 and 9.18 which prescribe the locations for primary schools because it should instead be established as part of a planning application which fully takes into account phasing and infrastructure considerations. (Caddick)</p>	<p>Policy NS1 states that the Figure 2 is an indicative internal layout which includes the key land uses, land parcels and corridors. It also notes that that boundary, form and nature of the new settlement is established through the DPD but masterplans will be produced at each detailed stage of planning application submission. Policy NS28 provides a list of criteria which will be used to evaluate the future location and design of schools.</p>	<p>No amendment</p>
<p><i>“appropriate early years provision”</i> I don't believe there is more information on this. When, what? This isn't included on the delivery and phasing table. The early years provision currently is poor, with the local nursery only taking from 2years old but is very limited on spaces. Tockwith (10 minutes drive) is the only local option that takes younger but is at capacity and has limited space. Ethleburger's doesn't take funded places. This would need to be delivered early in the NS.</p>	<p>Noted – this will come forward as part of the schools.</p>	<p>No amendment</p>
<p>NYCC support the approach to school provision set out in the DPD, but suggested wording amendments to cover: reference to a 52 place nursery reference of a 52 place nursery with opportunity of expansion to a 78 place facility</p>	<p>Agree with the amendments suggested.</p>	<p>Amendment Amend Policy NS28 as follows: '.....To meet the educational needs of the population of Maltkiln, the following</p>

amendment of 'secondary school school' to 'secondary school provision'
 reference to Community use Policy instead of Community use Agreement because of difficulties in imposing legal agreements on future operators of the schools. A Community Use Policy would be required stating that the intention is that the playing pitches at Maltkiln would be made available for community use, as many schools are, but only where a hire or licence agreement is put in place with the user. This puts it more in control of the School/Trust who can agree hire arrangements individually with local clubs and these can be reviewed regularly around the schools own needs
 reference made to the recommended minimum external area requirements for Primary and Secondary Schools BB103 (Former NYCC)

will be requires to be provided as shown on the Development Framework:

- appropriate early years provision
- one 420 space primary school (2.40ha) **with a 52 place nursery**
- one 420 space primary school **with a 52 place nursery** which includes site for future expansion to 630 **including a 78 place nursery** (3.50ha)
- financial contributions and land required towards secondary school provision at Boroughbridge High School or provision of secondary ~~school~~ **provision** on-site within the safeguarded land shown on the Development Framework whichever is necessary.

NS28 para. 3 amend as follows;
 All proposals for the provision of new schools ~~Development of the new schools~~ should ensure that they conform with and fulfill the requirements of the most recent DfE Output Specification, General Design Brief (51) **and be informed by the recommended minimum external area requirements for primary and Secondary Schools BB103.** ~~and must submit~~ **The Council's Education Site Suitability Checklist** as part of any planning application **should also be completed.**

The use of school facilities for other community uses such as sport, meeting spaces, learning, outdoor, arts and business should be encouraged ~~and formalised through the use of Community Use Agreements where appropriate~~ **through the use of a Community Use Policy and formalised with the future operators of the school(s)**".

		<p>Appropriate trigger points for delivery of the different educational phases and any financial contributions need to be established as part of the Infrastructure Delivery Plan and provided for in a Section 106 agreement <u>including the provision of serviced land.</u></p> <p>Amend the justification to NS28 as follows:</p> <ul style="list-style-type: none"> • Para 9.17 – ‘.....secondary school <u>provision</u> on-site.....safeguarded land for a secondary school <u>provision</u> if it is needed. • Para 9.18 – ‘.....safeguarded secondary school <u>provision</u> site is not required.....’ <p>Para 9.20 – ‘.....formalised through the use of Community Use Agreements (CUA) <u>a Community Use Policy (CUP)</u>. The use of <u>CUPs</u> CUAs will help</p>
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NS29: Social and Community Facilities

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
Facilities should be provided to meet the needs of all age groups	Noted – it is felt that the policies as drafted ensure this.	No amendment
Dwellings should have adequate gardens	It is felt that the DPD as drafted ensures appropriate access to green infrastructure, open space and brings people closer to nature.	No amendment
Social activity meeting placed must be included as a prerequisite for a new town of this size to encourage and build a community spirit and discourage it becoming a soulless commuter town.	Noted Policy NS29 stipulates the need for social and community meeting places	No amendment
Plans should include a commitment to build an additional GP practice as the existing health provision would not be able to cope. The capacity at the current GP should be identified to plan a clear timeline for a new GP surgery.	Noted The Council have been and will continue to engage with the Integrated Care Board (ICB) to ensure that the health and wellbeing needs of the ne settlement will be met in the best and most sustainable way. This is likely to include some form of GP provision on site.	No amendment

<p>The Policy notes that certain facilities have been identified as being 'required'. It is uncertain how this decision can be made at such an early stage with little evidence to support it. The facilities may be preferred, however this does not necessarily mean that they are required or that they are deliverable.</p> <p>The policy should be required to provide flexibility to carry out the appropriate assessments at the time of delivery, with a list of preferred uses outlined in the policy (Caddick)</p>	<p>Agree that facilities should not be required if they are not needed but still need to make sure that the policy has enough weight to ensure the facilities that are needed are provided.</p> <p>It would be appropriate to amend the policy wording to state that if evidence suggests that the facilities are needed then they should be provided</p>	<p>Amendment Delete the following wording : “The following social and community infrastructure provision has been identified as being required within Maltkiln: <ul style="list-style-type: none"> • Health care facility incorporating GP consulting rooms, dentist, pharmacy • Flexible community centre/room • Nursery” </p>
<p>Nursery facilities for under 2s is needed as existing provision is at capacity or a distance away. The policy should clearly set out that the first phase of development should include one.</p>	<p>Noted It is proposed to amend the policy wording to acknowledge that there needs to be engagement with appropriate stakeholders to establish the exact requirements and timing of the delivery of facilities such as nurseries. (See proposed wording above)</p>	<p>and replace with:</p>
<p>Uncertainty about when these facilities will be built so policy should be modified to be clear what facilities must be included in the development and in which phases, including agreeing who will fund these.</p>	<p>Further infrastructure work on firming up the exact infrastructure requirements including phasing, funding and delivery mechanisms is ongoing and will form part of the Submission of the DPD.</p>	<p><u>“The Council will continue to engage with the relevant stakeholders to establish the exact requirements, timing and mechanisms for delivery for social and community infrastructure provision. These facilities are likely to include facilities for, but are not restricted to,:</u> <ul style="list-style-type: none"> • <u>Health care facilities incorporating GP consulting rooms, dentist, pharmacy</u> • <u>Flexible community centre/room nursery</u> </p>
<p>This policy misses the opportunity to create centres of excellence that will draw in off-site support and reduce the burden on other centres across the district, and or nearby surrounding villages. This policy fails and needs to re-examined.</p>	<p>Whilst it is important that the policy provides flexibility and provision for multi-functional spaces it does not exclude the development of centres of excellence if these are required and justified.</p>	<p>No amendment</p>
<p>This policy is too vague and lacks substance – developers should make a substantial financial contribution to ensure facilities can be built and established at an early stage to avoid a soulless empty development which relies on facilities in other areas. (Comments received including from Whixley Parish Council)</p>	<p>The developer will be expected to provide on-site provision and/or financial contributions towards existing provision to ensure that the needs of the future residents are met. Developers however cannot be expected to fund facilities that are not required. The Council is working with key stakeholders including the Integrated Care Partnership to ensure that the correct provision is made at the correct time and in the correct place. The size, type, location, cost and delivery trigger will form part of the Infrastructure</p>	<p>No amendment</p>

	Delivery Plan which is an iterative plan that is prepared alongside the submission and implementation of the DPD.	
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CHAPTER 10: ACCESS AND MOVEMENT

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
Trips to nearest supermarkets will use unsuitable roads for increased traffic as follows: Cattal Street, in particular the single track bridge. Gilsthwaite Lane through Kirk Hammerton,	The local centre, accessible by a range of transport modes will include a range of services and facilities, including retail.	No amendment
CYC have no specific concerns on the general extent of the Matkilmn DPD. Officers have reviewed the Movement and Access document produced. The document puts forward a good policy and analysis case for the settlement and, given its distance and position in relation to York, CYC would expect the traffic impact of the development on York to be relatively low. However, a complete Transport Assessment for the scheme does not form part of these consultation documents and therefore trip generation/ distribution/ assignment and mode split is not defined. CYC would require further engagement from the developer and Harrogate DC before any concerns CYC may have about the impact of Maltkilns on its transport network are resolved. In the event that Maltkilns imposes an adverse impact on York, CYC would look to resolve this through the detailed application process. A Statement of Common Ground is in the process of being agreed which sets out the above. (City of York Council)	Noted	No amendment.
Integrated Passenger Transport The Draft New Settlement DPD for Maltkiln includes the measures we would want to see from the IPT perspective at this time. There are concerns about the routing of services within the development, but this an issue for a more detailed discussion at a point further into the planning process. (NYCC)	Noted	No amendment

NS30: Sustainable Travel and Connectivity

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
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Road improvements are mentioned but they are not quantified.	This policy provides the strategic transport policy however the specific highway mitigation and improvements are referenced in Policy NS36.	No amendment
The policy should include a requirement for facilities to integrate transport modes, including a bus lay over at the railway station and taxi rank, integrated timetabling and electric bus charging	Modal integration is picked up through the specific policies within the remainder of the chapter, including the creation of mobility hubs, the purpose of which it to ensure effective modal integration	No amendment
The policy should include a requirement for generous parking facilities at Cattal station	Car parking requirements for Cattal station are set out in policy NS37 so there is no need to include in this policy as well.	No amendment
The policy should include measures to discourage off-site parking by new settlement residents and bus and rail users.	A key priority is to reduce the need to travel. Layout and service provision should reduce the need to travel and facilitate short, local trips by non-car modes. Policy NS37 sets out the car parking policy for Maltkiln, and importantly looks to secure enhanced parking arrangements for Cattal station that will represent a significant improvement on existing provision,	No amendment
In travel plans journey times quoted should be door to door	Noted.	No amendment.
Historic England support the policy subject to the following change Amend third bullet point as follows: “● Providing a safe, <i>attractive</i> , integrated and direct network of footpaths and cycleways...” (Historic England)	Agree.	Amendment Amend the NS30 bullet 3 to read: “● Providing a safe, attractive , integrated and direct network of footpaths and cycleways...”
The Council has not considered if there is capacity on the trains for the high number of expected passengers or provided evidence that the rail improvements will be possible due to the train line being constrained by large sections of single track and short platforms.	Recent improvements have resulted in increased capacity with trains running at 2 per hour. The Council has had and will continue to have active dialogue with both Network Rail (and the train operator where appropriate). No significant capacity issues have been identified.	No amendment
Highways: We welcome a Framework Travel Plan (FTP) for the proposed settlement. Supporting justification in an accompanying paragraph should state that developers will be required to include specific target reductions such as single occupancy private car trips and that other sustainable travel targets are included. Additionally, measures should be included to demonstrate how these targets will be achieved. These targets should be secured by the LPA prior to finalising the FTP with a regular review to ensure that targets are being met and an agreement of the mitigation approach where they are not. (NYCC)	Support for a Framework Travel Plan is noted. Supporting text para 10.11 already seeks settlement-wide targets including modal split and trip generation. Requirements for travel plans are also set out in NS5. For greater clarity NS30 para 2 bullet 7 and NS5 will be amended so NS5 indicates the need for and basic aim of travel plans, including meeting sustainable travel targets, and NS30 sets detailed requirements. To support this, paras 10.11 and 10.12 will also be amended and will discuss targets further.	Amendment Amend NS30 para 2 bullet 7 as follows: “The preparation of a settlement wide Framework Travel Plan and subsidiary travel plans, as required by policy NS5. Travel plans will respond to the needs of different demographic groups, include relevant elements of the net zero carbon movement strategy and be reviewed and updated at least every five years in

perpetuity. Character areas for subsidiary travel plans will be agreed with the LPA and should include each
~~to cover all residential area,~~
employment areas, schools,
~~employment sites,~~ **the** local centre and
the rail station.

Amendment

Replace paras 10.11 and 10.12 with the following:

~~10.11 A settlement wide Framework Travel Plan shall be prepared in order to set out the actions and measures that will be put in place to support sustainable travel. It should include settlement wide targets (modal split and trip generation) and also include measures to demonstrate how each phase of the development will contribute towards meeting the overall trip budget as well as proposals for on-going trip monitoring.~~

“10.11 A settlement-wide Framework Travel Plan and subsidiary travel plans tailored to different character areas, demonstrating how use of non-car infrastructure will be supported and encouraged in order to meet sustainable travel targets, are required by policy NS5. Travel plans will respond to the needs of different demographic groups, such as those with reduced mobility, demonstrating measures to support their adoption of more sustainable travel behaviour.”

~~10.12 Subsidiary travel plans will be required that are tailored to different character areas, such as individual land~~

uses, to demonstrate how the development will contribute to sustainable travel and the mitigation of any significant traffic impacts. Subsidiary travel plans should include measures to demonstrate that the support needed by different demographic groups, such as those with reduced mobility, to enable sustainable travel behaviour will be provided.

Further information on travel plans is set out in policy NS5: Net Zero Carbon and Active Travel.

“10.12 The settlement-wide plan will identify settlement-wide sustainable travel targets, to be agreed by the planning authority in discussion with the highway authority, such as for trip generation, modal split, reduced single-occupancy private car trips etc., alongside measures demonstrating how these targets and the overall trip budget, as required by policy NS37, will be met. Travel plans will include all relevant elements of the net zero carbon movement strategy and all component strategies, such as the ‘last-mile’ and residential parking strategies, and demonstrate how each phase of development will contribute to meeting the targets. Travel plans will also demonstrate effective approaches to monitoring progress in meeting targets that will inform reviews and regular updates. Where monitoring identifies targets are not being met adequate mitigation would need to be agreed. Further information on monitoring elements of the net zero carbon movement

		<u>strategy is set alongside policies NS5 and NS6.</u>
Highways: We agree with the requirement for a safe and integrated direct network of footpaths and cycleways throughout the development to encourage active travel. Our comments on NS5 in relation to identifying infrastructure required to demonstrate that a 15-minute place can be achieved should also be considered. (NYCC)	Support noted. Relevance of this requirement as well as other in the policy to delivery of a 15-minute place is recognised. These links will be set out in the supporting text.	Amendment Amend para 10.5 as follows: “ A key priority is to reduce the need to travel <u>Key priorities are to reduce the need to travel, promote active and sustainable travel and as required by policy NS5, deliver a 20-minute neighbourhood.</u> Layout and service...”
There has been no engagement with Network Rail and North Yorkshire Highways in capacity modelling/traffic and transport work and there has only been a high-level analysis of the road network. (Comments received including via Petition)	The Council has had and will continue to have dialogue with both Network Rail and the highway authority as part of preparing the DPD. High level traffic modelling work was undertaken as part of the Local Plan that established the principle and quantum of a new settlement at this location. More detailed modelling work will be required to support future planning applications.	No amendment
The commitment to the travel hierarchy is commendable and we are glad to see the hierarchy includes car clubs and shared micro mobility. Footpath and cycle networks: It would be useful to see if there are ways that the development can be connected to the Poppleton Bar Park and Ride via sustainable means (e.g. cycle lanes) to further encourage low-carbon transport decisions. (Y&NY LEP)	Support for the modal hierarchy is noted. The Park and Ride at Poppleton can currently be reached using the train from Cattal station to Poppleton followed by a 10-minute walk. There is also a longer-term aspiration for improved cycle connections along the A59 corridor, with feasibility work underway to look at a fully segregated foot/cycleway alongside the rail line that links Knaresborough to York via Poppleton.	No amendment
Insufficient consideration is being given to existing junction arrangements along the A59 between junction 47 and the York outer ring road. In particular the junctions with Moor Monkton and Nun Monkton and the B6225. (Hunsingore Walshford and Cattal Parish Council)	Policy NS36 sets out the requirements for highway improvements and through a combination of the need to agree access arrangements for the A59 (first bullet) and the acknowledgement that through more detailed transport assessment work, additional measure may be required, it is considered that this matter is addressed.	No amendment
The rail aspect also focusses on pedestrian movement but does not consider the freight to the employment centre. (Comments received including via Petition)	Freight movements are not significant on this route.	No amendment

Cattal bridge has a weight limit and is regularly flooded, so the only serviceable bridge is to the east on the A59 which will become pinch point. (Comments received including via Petition)	The proposed link road aims to provide an alternative route to Cattal Bridge.	No amendment
The traffic constrictions, even if all proposed infrastructure improvements are made, cannot bear the traffic from 3000 homes. (Petition)	Disagree. Evidence to support the development of Maltkiln indicates that with mitigation, development can be accommodated.	No amendment

NS31: Walking and Cycling

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
Modification requested: Change bullet point 4 to read ‘a circular multi-user green loop around the community linking with Cattal, Kirk Hammerton and Green Hammerton as indicated on the Development Framework’. (NY Access Forum)	Agree. Inserting the phrase ‘multi user’ better reflects the description set out in the justification	Amendment Amend Bullet 4 to read: “A circular multi-user green loop to provide a route around the community, linking with Cattal, Kirk Hammerton and Green Hammerton as indicated on the Development Framework”
This policy is contrary to NPPF para 122a, which states that: applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas (Comments received including from the Coalition of Parish Councils, Hunsingore Walshford and Cattal Parish Council and Nun Monkton Parish Council)	Disagree. The policy refers specifically to giving priority to walking and cycling.	No amendment
Not sufficient that improved cycle connections along the A59 corridor are a longer term aspiration – specific requirements should be included.	The policy justification recognises that feasibility work is needed and is underway before a firm proposal can be concluded. It is likely that these conclusions will be made well within the life of the new settlement and the policy facilitates the necessary connections	No amendment
All references to ‘walking and cycling’ should include micro mobility. ‘Replace walking and/or cycling’ with ‘walking and/or cycling/micro mobility’. (Comments received including from Coalition of Parish Councils)	Agree	Amend as appropriate
Specific requirements for key cycle/ pedestrian/ micro mobility connections to/from the New Settlement - not just within it - are to be specified within the measures proposed. Should include routes to Boroughbridge, Harrogate, York and Wetherby	Reference is made to out of settlement links (eg to Cattal, Kirk Hammerton and Geen Hammerton, plus longer term aspirational links to York.	No amendment

<p>Specific active travel connections to/from the New Settlement required - not just within it. Key transport infrastructure has not been considered as there is no requirement for links to the wider National Cycle Network or improved paths and footways along local roads in neighbouring areas.</p> <p>(Comments received including from the Coalition of Parish Councils, Nun Monkton Parish Council and Tockwith with Wilstrop Parish Council)</p>		
<p>Walking and Cycling improvements needed include:</p> <ul style="list-style-type: none"> • safe crossing of the A59 required to allow pedestrian and cycle access from/to Whixley, Green Hammerton. This could include a bridge or under-pass. • pedestrian and cycle access to secondary schools at Boroughridge and Wetherby • footpaths and cycle-ways for residents is essential including over the bridge in Cattal; to the level crossing and along Station Road. • new bridge at Skewkirk, which would facilitate sustainable (foot and cycle) travel between the New Settlement and Tockwith • cycle-path along the new link road and along the A168 linking to the existing cycle path at Walshford • provision of a continuous footpath along Station Road and a traffic light crossing of the A59 • no safe cycling routes outside of the local area. <p>(Comments received including from the Coalition of Parish Councils, Hunsingore Walshford and Cattal Parish Council, Tockwith with Wilstrop Parish Council and Whixley Parish Council)</p>	<p>Through a combination of policies NS30, NS31 and NS35 walking and cycling measures will be put in place to ensure the provision of a safe, direct and integrated walking and cycling network, including safe access across the A59</p>	<p>No amendment</p>
<p>None of these policy requirements including the green loop are within the outline planning document submitted by Caddick and outside their ownership so are not deliverable.</p>	<p>Whilst the land may not currently be in the control of Caddick, the Council can have dialogue with other landowners to support the delivery of these schemes.</p>	<p>No amendment</p>
<p>The green loop footpath shown on figure 2 should follow Cattal Grange access road allowing enjoyment of these views and introducing them to Cattal Grange cottages. (Hunsingore Walshford and Cattal Parish Council)</p>	<p>Figure 2 Development Framework is an indicative plan only and does not prescribe a route. More detailed feasibility work will be undertaken to identify route and delivery options.</p>	<p>No amendment</p>
<p>Figure 2: Development Framework shows a 'green loop' that links with the river bank of the River Nidd. If additional infrastructure (paths, benches, etc...) are expected, we would highlight that the Environment Agency may have additional comments to make. A</p>	<p>Noted</p>	<p>No amendment</p>

Flood Risk Activity Permit may also be required for any new infrastructure adjacent to the River Nidd. (Environment Agency)		
Whixley should be included in the list of linked villages within this policy and the justification text. Comments received including from the Coalition of Parish Councils, Tockwith with Wilstrop Parish Council and Whixley Parish Council)	The focus here is on providing a circular loop linking the new settlement to villages in close proximity. Whixley village (as opposed to Whixley Gate) sits beyond the envisaged loop.	No amendment
Policy should set out criteria to be met to demonstrate 'legibility' is achieved. (Comments received including from the Coalition of Parish Councils and Tockwith with Wilstrop Parish Council)	Policy NS3 requires the provision of legible walking and cycling routes that provide safe and direct connections to key destinations within the settlement and beyond	No amendment
Walking and cycling facilities must be exemplary and must be required early in the development of the settlement. The policies and measures requiring this need to be clear and ambitious, with unambiguous targets for individual routes. (Comments received including from the Coalition of Parish Councils, Hunsingore Walshford and Cattal Parish Council, Nun Monkton, Tockwith with Wilstrop Parish Council)	The policy requires that <i>'Walking and cycling provision should be provided from the earliest phases of development in order that early occupiers of the new settlement get into the habit of choosing these modes of transport ahead of the private car'</i> .	No amendment
The Public Right of Way network in the area of the proposed development must be safeguarded and incorporated into any proposed development for this area. (NYCC)	Agreed	No amendment
No assurance that promised transport infrastructure is deliverable (land ownership is not secured). (Comments received including from Nun Monkton Parish Council)	Through the viability work the Council is satisfied that the scheme, including wider infrastructure is deliverable. The majority of land required to deliver the new settlement is available. The Council has compulsory purchase powers that it can seek to utilise to deliver transport infrastructure if that is required.	No amendment
While the DPD allocates tens of millions to road traffic infrastructure - including over £20m on yet another round of improvements to the A1(M) J47 - it allocates just over £2m to walking and cycling infrastructure. Cycle routes are not yet designed and costed so how can they be secured? (Comments received including from Nun Monkton Parish Council)	The Delivery and Phasing chapter in the DPD advises work on infrastructure requirements, costings, delivery and implementation continues through the preparation of the DPD and is an iterative process. The £2m referred to appears to relate to the initial information set out in Table 11.1 which to a new pedestrian/cycleway footbridge having an indicative cost of £2,309,647. Table 11.1 sets out indicative costs across a number of infrastructure projects.	No amendment
As Active travel includes horse riders and bridle paths and the proposed green loop incorporates bridleway 1521/1/1, bullet point 7 should be changed to read 'creation of safe pedestrian, cycling and <i>horse riding</i> points over the A59.'	Agree	Amendment Amend bullet point 7 to read 'creation of safe pedestrian, cycling and horse riding points over the A59.'

<p>The last sentence of paragraph 10.16 should be amended to read 'safe crossing points over the A59 <u>for non-motorised users</u> should be agreed as part of the master-planning process'. The justification for the inclusive term 'non-motorised users' is the recognition that safe provision is owed to all vulnerable road users, not just some of them. (NY Access Forum)</p>		<p>Amendment Amend last sentence of para 10.16 to read read 'safe crossing points over the A59 for <u>non-motorised users</u>...'</p>
<p>Paths team: The plan in Appendix 1 indicates the current legally recorded Public Right of Way network in the area of the proposed development, and it is stressed that these routes must be safeguarded and incorporated into any proposed development for this area. We would support efforts to achieve greater connectivity between various housing developments, by the diversion of existing routes or the creation of new routes, leaving wide corridors to allow connection to future neighbouring developments.</p>	Noted	No amendment
<p>Highways: We support the need for direct, safe, and integrated walking and cycling routes within the development, plus the proposed cycle route plan. We also welcome pedestrian and cycling facilities and infrastructure throughout the settlement and in its vicinity ie linking to existing Public Rights of Way PROWs and crossing points. We support the proposed circular green loop around the community, linking with Cattal, Kirk Hammerton and Green Hammerton as indicated on the Development Framework. Our comments on NS5 in relation to identifying infrastructure required to demonstrate that a 15-minute place can be achieved should also be considered. (NYCC)</p>	Support noted. Relevance of some of the requirements, at least in part, to delivery of a 15-minute place is recognised. This connection will be set out in the supporting text.	<p>Amendment Amend para 10.13 as follows: <u>"Walking and cycling should be the natural choice Policy NS5: Net Zero Carbon Movement and Active Travel requires delivery of a 20-minute neighbourhood where walking cycling and micromobility are the preferred choice for accessing local..."</u></p>
<p>NYCC Public Health - When considering measures for increasing walking within the settlement and the provision of the footpaths, consideration should be given to ensuring these routes are inclusive for the whole community, e.g. the provision of benches to ensure people with less mobility can walk safely, the inclusion of navigation markers and design elements to aid visually impaired users. (NYCC)</p>	Para 10.13 of the justification states that routes should be designed to ensure they are easily accessible for all including for users of wheelchairs, mobility scooters and those with pushchairs. Para 10.15 also states that an attractive public realm should be provided with opportunities for seating.	No amendment

NS32: Cycle Parking and Storage

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
Support the provision for safe, secure cycle parking, including provision for non-standard and electric bikes in convenient and accessible locations, integral to the wider public realm. (NYCC)	Noted	No amendment
Too much cycle storage is proposed which is more appropriate for an urban location. It should be reduced and treated as multipurpose storage. (Caddick)	Disagree. The DPD is seeking to ensure that walking and cycling is the natural choice for localised trips, adequate, convenient parking at home is required to support this aspiration. The residential requirement reflects LTN1/20	No amendment
Increase cycle parking. <ul style="list-style-type: none"> • These are current cycle parking standards, as cycling is a key mode of transport more parking for bikes should be provided • Should be across open space e.g. secure cycle parking at park/sports fields etc. Should be included within Table 7.1. • School - 1 cycle rack per 5 children is insufficient. (Comments received including from CPRE and Whixley Parish Council)	<p>The residential cycle parking and retail standards are more generous than set out in current NYC highways guidance, but do align with LTN1/20 and standards sought elsewhere for new settlements.</p> <p>The school requirements reflect current NYC standards more generally and are reflective of standards required in other new settlements. These are already more generous than suggested by LTN1/20.</p> <p>Whilst it is recognised that it is desirable to have cycling parking at sports pitches/parks, it is considered that this will be a bespoke consideration and not one where standards would be set out in the table.</p>	No amendment

NS33: High Quality Public Transport – Rail Infrastructure

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
Capacity of services. The new settlement has been justified by the rail links however current capacity is not sufficient and there is not the capacity for significant expansion.	Recent improvements have resulted in increased capacity with trains running at 2 per hour. The Council has had and will continue to have active dialogue with both Network Rail (and the train operator where appropriate). No significant capacity issues have been identified.	No amendment

Increasing services would increase road congestion associated with the level crossing at Starbeck when approaching Harrogate	Increased service capacity has already been introduced. The impact on Starbeck crossing of that change is muted by the fact that there was already two trains per hour running through that as there was additional trains that went to Knaresborough	No amendment
Limited parking at Cattal or Hammerton station. Parking improvements are required at Cattal station as well as provision of footbridge to cross the platforms.	Parking improvements and step free access to the rail station are a key requirement of this policy	No amendment
The rail service is the only public transport option to York or Harrogate. Existing residents rely on lifts to the station to use this. As Rudgate/ Station Road/ Cattal Street will become the main arterial route through the new settlement this will create serious traffic issues for residents from outside the settlement wishing to use the station	As shown on the development framework (Fig 2) in policy NS1, a new arterial route through Maltkilm incorporating a new railway bridge is required. NS33 requires the closure of the level crossing at the station and provision of step-free access to the platforms. NS33 will be amended to clarify this level crossing will close.	Amendment Amend NS33 para 3 bullet 1 as follows: “Cattal station : The level crossing should be closed and replaced with step-free access to provided to serve the station platforms”
<p>Concerns about deliverability because of issues outside of Council's control and does not address capacity issues:</p> <ul style="list-style-type: none"> • changes to the station, level crossing and other areas under the control of Network Rail will be dependent on negotiations with Network Rail and other operators. • policy requires specific alterations to be made early in the process, which could prevent delivery of the first phases if agreement cannot be reached. • line is single track in many places thus making more frequent services impossible without huge public infrastructure line improvements. • restrictions of number of carriages, due to platform length at some stations. • not frequent enough, takes longer than the car (Cattal to Leeds) • Current line doesn't have sufficient capacity • aspires to be an exemplar in sustainability but premised on rail travel when this is clearly impossible without unviable levels of investment in the current line. • rail electrification is mentioned but that is a long way off and not likely to increase the number of trains • No evidence that the proposed rail improvements will be effective, as neither North Yorkshire Highways nor Network Rail have been engaged in modelling the capacity for 4000 or 3000 homes. • Location of station is a benefit and improvements in and around are beneficial and desirable, but should not delay development 	<p>Recent improvements have resulted in increased capacity with trains running at 2 per hour. The Council has had and will continue to have active dialogue with both Network Rail (and the train operator where appropriate). No significant capacity issues have been identified.</p> <p>The justification to the policy recognises that delivering enhanced facilities for Cattal Station will be dependent on achieving agreements with Network Rail and landowners. Where such agreements cannot be reached, alternative provision may be proposed in close proximity to Cattal Station</p>	No amendment

<p>progressing if there are delays in discussion with Network Rail and Northern as the landowners and operators respectively. (Comments received including from Caddick)</p>		
<p>Object to closure of Parker Lane to vehicles</p> <ul style="list-style-type: none"> No evidence or consultation to justify. This is a direct link between Kirk Hammerton Residents living on both sides of the rail line. Also a direct link for Kirk Hammerton residents travelling to the care home along Kirk Hammerton Lane and to Green Hammerton for the doctors surgery, post office, village shop and many other facilities. The 'closure' of Parker Lane Crossing to vehicles should be removed from the Policy, there is no evidence this is deliverable. 	<p>The closure of Parker Lane has been included at the request of Network Rail as it represents a safety risk. Any timescale for closure will be agreed with Network Rail</p>	<p>No amendment</p>
<p>No Park & Rail or Park & Bus, need for more car parking</p> <ul style="list-style-type: none"> Missed opportunity for a P&R P&B near Cattal Station to Harrogate and York Generous car parking needed (NPPF, DPD Cl10.1 'appropriate facilities that encourage public transport use'). Improvements referenced in this policy are supported. Existing station parking is poor, currently on verge. It's imperative that proper parking for the station is in place before construction starts. This could be temporary in the first instance if necessary. The document mentions park and rail how does this fit with the vision. <p>(Comments received including from Whixley Parish Council)</p>	<p>This policy, together with Policy NS37 addresses the points being made.</p>	<p>No amendment</p>
<p>Station expansion / improvements</p> <ul style="list-style-type: none"> Opportunity to increase the station capacity and attractiveness, extending the platforms, waiting and arrival facilities. Space needed for future station expansion must not be compromised by development to or around the station inc. new bridges. This is not clear in the policy and needs to be re-examined. 	<p>Noted.</p>	<p>No amendment</p>
<p>Support for the provision of delivery lockers, central mobility hub, at the Station and should encourage last-mile delivery approaches. (Y&NY LEP)</p>	<p>Support noted.</p>	<p>No amendment</p>
<p>Cattal Station is not big enough to support a settlement of this size, particularly given the emphasis on rail in the DPD.</p>	<p>The policy clearly outlines requirements for significant station enhancements.</p>	<p>No amendment</p>
<p>We support the principle of policy NS33: High Quality Public Transport – Rail Infrastructure.</p>	<p>Noted.</p>	<p>No amendment</p>

NS34: High Quality Public Transport – Bus Provision

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Current bus routes are not commercially viable and the quality of the bus service is insufficient. Policy NS34 should be more specific about the routes, regularity and speed of the likely bus services the development should fund as well as more detail on the cost of providing bus transport to inform developer contributions.</p> <p>(Comments received including from the Coalition of Parish Councils, Tockwith with Wilstrop Parish Council, Better Wetherby Partnership)</p>	<p>It is acknowledged that existing bus services in the area are limited, in part that is a direct result of the attractiveness of the rail line. However, the policy looks to secure enhanced service provision. New models of bus provision e.g. demand response are also required to be explored and can augment more traditional service provision.</p>	<p>No amendment</p>
<p>Policy NS34 requires provision early in the development, however paragraph 10.35 states that this should be from first occupation. The scheme will be designed to facilitate access to bus services, however these services should not need to be deliverable upon first occupation as this would lead to an excessive and unsustainable front loading of the call on developer's bus subsidies. It would be more realistic and sustainable to plan for the introduction of bus services to coincide with home occupations of sufficient critical mass to justify those services, to be established as part of a planning application.</p> <p>(Caddick)</p>	<p>The Infrastructure Delivery Plan has been prepared to support the DPD and its purpose is to list key infrastructure costs. Appropriate trigger points for delivery of these facilities and any financial contributions will be established and provided for in Section 106 agreements. A new Infrastructure Delivery Policy is to be prepared to guide the phasing of the infrastructure provision.</p>	<p>Amendment</p> <p>Amend paragraph 10.35 as follows: 'It is important that bus services are provided provide from first occupation early in the development process so that new residents and those visiting for work or leisure.....'</p>
<p>Bus Provision. We agree that developer contributions should be sought to ensure that bus infrastructure and facilities are provided. We also recommend that the developer offers bus stops within the preferred 400m distance for all residents and employees of the settlement in order to encourage bus use.</p> <p>(Former NYCC)</p>	<p>Noted.</p>	<p>No amendment</p>

NS35: Street Hierarchy

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>The link road and its provision together with the other primary infrastructure described earlier is the best example.</p> <p>(Hunsingore Walshford and Cattal Parish Council)</p>	<p>Noted.</p>	<p>No amendment</p>

Policy NS35: Street Hierarchy - We support the segregation of pedestrian and cycling routes in this policy. (Former NYCC)	Noted.	No amendment
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NS36: Highway Mitigation and Improvements

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Concerns about impact of the New Settlement on the following junctions/highways:</p> <ul style="list-style-type: none"> the junction at Nun Monkton is already very dangerous bridge is to the east on the A59 will become a pinch point. capacity at multiple junctions on A59. E.g. Green Hammerton (York Road), Kirk Hammerton, Nun Monkton, and Moor Monkton. 	A number of specific mitigation measures have been identified in policy NS36 to address a range of matters. This policy also acknowledges that further mitigation may be required as a result of more detailed transport assessment work.	No amendment
<p>Historic England object to the required junction improvement at Whixley crossroads, the potential duelling of the A59 and the new vehicular access onto the A59 which could cause harm to the significance of the Grade II Listed.</p> <p>Modification sought: Providence House and milestone on the A59 - We would request that an additional paragraph is added to the justification text for Policy NS36 to acknowledge that the location and design of these proposed highway mitigation and improvements should seek to avoid, or failing that minimise and mitigate, harm to the historic environment. (Historic England)</p>	The potential impact of highway works on this heritage asset is covered under Policy NS16	No amendment
The link road is integral to the new settlement and would require construction prior to the development starting.	Noted	No amendment
Policy refers to creation of link road between Maltkiln and A168. Although a specific route and connection point to the A168 is not shown, it appears possible that the route will cross an area at flood risk, based on the EA Flood Map for Planning. We recommend that the reference to new infrastructure should ensure that flood risk (including impacts of climate change) is taken into account. Any new infrastructure must also show that it is safe and will not increase flood risk elsewhere. Suggest either the changes are made here in Policy NS36, or that these requirements for new infrastructure are noted specifically in Policy NS11.	A specific route for the link road has not been identified yet. Feasibility work will be required to establish the exact route which will include consideration of issues such as flood risk.	No amendment

<p>(Environment Agency)</p> <p>Concerns about traffic modelling:</p> <ul style="list-style-type: none"> • No examination, modelling or assessment • North Yorkshire Highways have not been engaged in modelling capacity. • only been a high-level analysis of the road network • highway impacts refer only to traffic between the new settlement and the A1(M) • increased traffic in the York direction not considered properly • doesn't reflect the latest settlement layout - for instance the employment site is now over the rail-line and to the east of the settlement, closer to Kirk Hammerton. • The plan does not demonstrate sufficient provision has been made to support a town of this size. • One bridge over the railway line doesn't allow for future road closures. <p>(Comments received including from Nun Monkton Parish Council and Whixley Parish Council)</p>	<p>High level traffic modelling work was undertaken as part of the Local Plan that established the principle and quantum of a new settlement at this location. More detailed modelling work will be required to support future planning applications. The policy recognises that as a result of this modelling work, set out in a transport assessment, may indicate that further mitigation measure are needed</p> <p>The high level modelling work was jointly procured by the former Harrogate Borough Council and former North Yorkshire County Council Highways. Dialogue has continued with the highways authority.</p>	<p>No amendment</p>
<p>Additional modelling work required as follows:</p> <ul style="list-style-type: none"> • effects of A59 traffic east of the settlement. In particular, the crossroads junction of Church Lane and Marston Lane; the Pool Lane junction; and the A59/B6265 junction west of Green Hammerton • the A59/A1237 roundabout towards York • effect of proposed link-road on Cattal Bridge • determine likely through-routes, for example Station Road and Clockhillfield Lane • impacts and possible mitigation measures for early stages of construction • Should consider accidents <p>(Comments received including from the Coalition of Parish Councils)</p>		<p>No amendment</p>
<p>Further mitigation measures should include:</p> <ul style="list-style-type: none"> • two clear lanes at the bottom of Station Road from Whixley. • vehicles turning left (east) are blocked by vehicles waiting to turn right and mount the pavement to pass. • dualling of the A59 • traffic calming/road safety measures on Station Road, Rudgate and Clockfield Lane • traffic calming and weight limitations through Cattal, Kirk Hammerton and road to Whixley 		<p>No amendment</p>

<ul style="list-style-type: none"> • additional main road access from the A59 • A59/B6265 junction should be improved, in part to discourage use of other routes taking traffic through Whixley • weight limit on B6265 • further crossing points to avoid isolating the south part of the District from the New Settlement 		
<p>Provision should be made for traffic calming on the roads leading to Whixley, to discourage their use, and the A59/B6265 junction should be improved to encourage drivers to use the better roads.</p>	<p>Policy NS35 and Policy NS36 references various highway mitigation measures, improvements and design guidance. Detailed transport assessment work will consider further the extent of any additional measures that will be needed.</p>	<p>No amendment</p>
<p>The policy should include more detail on:</p> <ul style="list-style-type: none"> • the extent/limits of the Policy's 'A59 Corridor' • what further work would be required for Junction 47 A1(M) • mitigation needed for junctions eastwards along the A59 • mitigation relating to deterring through routing • Consideration of the existing level crossing at Kirk Hammerton Station <p>(Comments received including from the Coalition of Parish Councils and Nun Monkton Parish Council)</p>	<p>Reference to the A59 corridor in the context of the first bullet is the extent included within the policy map boundary and not outside of that.</p> <p>Mitigation measures required for Junction 47 were identified and agreed with Highways England as part of the preparation of the Local plan.</p> <p>Detailed transport assessment work will consider further the extent of any additional measures that will be needed.</p>	<p>No amendment</p>
<p>Measures, or a new policy, to control construction activity throughout the various phases of development are required. In particular, existing traffic orders on minor roads around the Strategic Countryside Gap (see submission for policy NS2) should be protected.</p> <p>(Comments received including from the Coalition of Parish Councils)</p>	<p>Construction activity is dealt with via a construction management plan that will be required by condition on the overall planning application and specific phasing applications.</p>	<p>No amendment</p>
<p>The policy as drafted explicitly requires improvements that are not currently deliverable by the developer, for example a link to the A168. This may be delivered through other mechanisms but discussions and agreements would need to be reached between the Council and landowners. The policy therefore needs rewording to avoid any presumption of infrastructure delivery on land which is currently outside the Council or the developer's control.</p> <p>(Caddick)</p>	<p>Whilst the land might not be directly in the control of the principal promoter and Council at this time that is not to say that a) this position will remain the same through time and or b) the Council may at some future date seek to use its compulsory purchase powers to deliver the necessary infrastructure. The Council will continue to work with landowners to provide certainty over development</p>	<p>No amendment</p>
<p>The DPD does not set out direct measures to safeguard air quality. Direct policy measures required, particularly for sensitive existing areas such as Whixley Gate.</p> <p>(Comments received including from the Coalition of Parish Councils)</p>	<p>Policies to address air quality matters are set out in the adopted Harrogate District Local Plan.</p>	<p>No amendment</p>

<p>30% of the infrastructure costs identified relate to roads. This conflicts with the objectives for a development which does not rely on cars. (Comments received including from Nun Monkton Parish Council)</p>	<p>This comment refers to the Delivery and Phasing Table 11.1 which set out indicative costs. A new Infrastructure and Delivery Policy, Policy NS38 is proposed which will require developer to provide for, or contribute towards, infrastructure and mitigation measures. The policy would require an Allocation Wide Infrastructure Delivery Strategy, Phasing Strategy and Financial Appraisal, along with other documents deemed necessary by the LPA to be submitted.</p>	<p>Amendment Addition of new Policy NS38 : Infrastructure Delivery -see Appendix 1 for the detailed wording proposed</p>
<p>The Local Access Forum welcomes future engagement with the anticipated Transport Assessment for each phase of the development, and stresses that ‘the needs of all road users’ should be incorporated into every stage of design. In particular it would like to advise the necessity of future-proofing land take for the possibility of a grade separated crossing of the A59, and connecting routes for non-motorised users along the A59 corridor. (NY Access Forum)</p>	<p>Noted.</p>	<p>No amendment</p>
<p>Support this policy (Former NYCC)</p>	<p>Support noted.</p>	<p>No amendment</p>
<p>The commitment to producing a TA applicable to the delivery of the improvement scheme at A1(M) J47 is welcomed. Moving forward, this TA will need to be reviewed in detail and approved by both the local highway authority and National Highways before it can be accepted. Proactive consultation on the content of the TA applicable to A1(M) J47 would be welcomed by National Highways.</p>	<p>Noted.</p>	<p>No amendment</p>

NS37: Minimising Car Usage

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Disagree with the approach to limit car park spaces to one per household:</p> <ul style="list-style-type: none"> will actually cause increased street parking and congestion provision proposed has not been consulted on or examined. provision does not meet the intentions/criteria of the NPPF (2021). no clear and compelling justification that it is necessary for managing the local road network. no evidence of a genuine choice of transport modes, now and in 30 years time 	<p>The policy targets one space per home or less but does allow additional off-plot parking alongside a strategy to reduce parking need where one space per home is considered unachievable. Policy NS5 also sets out this requirement. NS37 and NS5 will be amended so NS5 sets the overall approach and NS37 sets detailed requirements. Amendments to NS5 will include measures in response to these issues and are discussed further with other NS5 issues.</p>	<p>Amendment Amend NS37 para 4 as follows: “A car parking ratio of 1 space per home or less, unless applicants can demonstrate a clear car parking reduction strategy, including timescales, for how they will achieve the target if this is not achievable on first occupation. This strategy may include higher levels of</p>

<ul style="list-style-type: none"> No evidence that the measures in the policy are justified and effective, nor whether there has been consideration of the implications for nearby villages. Reference cited is London, not applicable to a rural village. (Comments received including from Hunsingore Walshford and Cattal Parish Council, Tockwith with Wilstrop Parish Council and Whixley Parish Council) 		<p>provision in early years to avoid parking littering, but these should be largely unallocated spaces which can be reallocated to other uses over time in line with monitoring and review at least every five years in perpetuity;</p> <p><u>A residential parking strategy, as required by policy NS5, identifying measures to be taken to deliver development where residential parking needs can be met by a car parking ratio of one space per home (or less). Where the strategy includes additional parking, these should be off-plot and predominantly not individually unallocated. Off-plot residential parking spaces will be:</u></p> <ul style="list-style-type: none"> <u>Located and designed to reduce the potential for crime and anti-social behaviour;</u> <u>Easily accessible and near to the homes they serve, particularly where they may serve needs arising from homes built to the wheelchair accessible or adaptable standards;</u> <u>Owned and managed by an appropriate stewardship body that enables residents to apply and, where appropriate, secure individually allocated parking in response to their needs;</u> <u>A sufficient size to provide easy access to the sides and back of vehicles for loading/unloading.</u>
<p>This policy (along with policy NS5) limits car parking to one space per dwelling, with an option to provide a strategy in the early years. This strategy however references unallocated parking spaces that can be repurposed. This policy requirement is undeliverable, unjustified and inappropriate. The site is an allocation in the local plan, subject to the same policies as all other sites, including car parking ratios. The site was allocated based on its merits, the housing requirement and spatial strategy. It should therefore be subject to the same policies as all other sites.</p> <p>It is acknowledged that the site will be delivered over a number of years and reliance on the car could reduce, however the policy should make contingency for this in later phases, rather than applying restrictive policies at this time contrary to the local plan and without evidence on deliverability. None of the background papers provide any evidence that this has been considered by the highways authority, that it can be delivered in a suitable masterplan or that it is viable. The policy requirement should be deleted and the Councils local plan policies relied upon. (Caddick)</p>	<p>Policy NS5 also sets out this requirement and it is noted that these comments are also made on NS5. To reduce duplication NS37 and NS5 will be amended so NS5 sets the overall approach and NS37 sets detailed requirements. Comments relating to the overall approach are discussed alongside NS5 issues and addressed in changes to NS5. The requirement for additional parking to be largely unallocated is considered necessary to support the ability to reallocate space where parking is no longer required. Reallocation of unnecessary parking space would help to encourage more sustainable modes and ensure land is used efficiently. Further requirements for off-plot parking, largely taken from the existing supporting text, will be added to the policy to help ensure high levels of usability, as far as possible similar to driveway parking.</p>	<p><u>Amendment</u> Amend paras 10.46 and 10.47 as follows:</p> <p>“10.46 The level of car parking provided in Maltkiln is an important factor <u>Arrangements for car parking, in particular residential parking, and</u></p>
<p>Measures need to be taken to prevent parking spill. Focus needs to promote PARK&RIDE options with BUS&RAIL direct into Harrogate and York.</p>	<p>The approach to residential parking is also set out in policy NS5. To reduce duplication NS37 para 4 and NS5 will be amended so that NS5 sets the overall approach and NS37 sets detailed requirements. This will include amending NS5 so that where target levels cannot be shown to be adequate, provision in-line with existing standards used across the district will be required. It is considered that this approach alongside significant investment to reduce reliance on cars will limit the potential for over spill. The priority for internal trips to the rail station is walking and cycling/micromobility in-line with the hierarchy in NS5. Parking provision for the station in NS37 provides opportunities for park and ride from nearby villages. Provisions in NS33 provide opportunity for multimodal bus and rail journeys.</p>	<p><u>Amendment</u> Amend paras 10.46 and 10.47 as follows:</p> <p>“10.46 The level of car parking provided in Maltkiln is an important factor <u>Arrangements for car parking, in particular residential parking, and</u></p>

electric vehicle charging will be important factors in influencing **whether** residents and those visiting Maltkiln for work or leisure ~~to~~ make more sustainable travel choices. A ~~more~~ **restrictive considered** approach to **residential** car parking is important to **encourage net zero-carbon travel and** support the principle of the trip budget. Therefore the ambition is for 1 space per home or less. However, it is recognised that higher levels of provision may be necessary in early years to ensure a high quality environment. The majority of spaces should be unallocated, with ownership vested in an appropriate stewardship vehicle, so that spaces can be reallocated over time if evidence of changing demand is revealed. Regular monitoring of their use through remote or traditional surveys, supported by provision of non-car infrastructure and services and targeted travel plans to facilitate modal shift should enable this to happen. **Policy NS5: Net Zero Carbon Movement and Active Travel requires a residential parking strategy showing that the design and delivery of development will achieve a settlement where residential parking needs can be met by a car parking ratio of one space per home (or less). Where this level cannot be shown to be adequate the strategy will include additional off-plot parking, in accordance with local plan policy T13: Parking Provision, alongside measures that will be taken to reduce parking demand to target levels, including timescales, and, following monitoring and review at least every five years, reallocating the additional parking to other uses.**

Further information on monitoring is set out in policies NS5 and NS6.

10.47 Unallocated parking that serves residential needs should be easily accessible and near to the homes they serve. **Where a parking strategy includes parking above the targeted level, the additional parking will predominantly not be allocated to individual dwellings but will be easily accessible to the homes they are intended to serve.** This is particularly important **where they may serve needs arising from homes built to the wheelchair accessible or adaptable standard** for dwellings designed as wheelchair accessible or wheelchair adaptable homes, where the use of 'disabled-only' restrictions should also be considered. Management of unallocated parking by a stewardship vehicle must include the ability for residents, where appropriate, to apply and secure a 'disabled-only' restriction, for example, if their needs change. **To support future reallocation to other uses they will be owned and managed by an appropriate stewardship body. This body will have arrangements for residents to apply and secure individually allocated parking in response to their needs, including responding appropriately to accommodate needs that change over time, such as the ability to secure disability parking, where appropriate. These off-plot spaces will be a sufficient size to provide easy access to the sides and back of vehicles for loading/unloading so that they are as usable as typical driveway parking.**

Lorry parking needs to be provided in accordance with the NPPF 109. There is a local lorry parking shortage as evidenced by parking at Skip Bridge.	If there is evidence of a need for lorry parking associated with the development this will be sought through the planning application process.	No amendment
The Policy also includes the provisions of a vehicle trip budget and any applications that exceed that should be refused. This approach is considered unsound. Any application will be supported by a TA, provision is in place in policies for these to consider any necessary mitigation and to ensure suitable development. (Caddick)	The Policy requires that the trip budget is set via a Transport Assessment and in agreement with the Local authority. The budget will be set taking into consideration capacity issues and mitigation measures. If we are to effectively manage trip rates on the wider network and for the trip budget to mean anything, schemes should be delivered in line with it.	No amendment
The proposed car parking standard - '1 place per home or less' - still provides for many car journeys which will include many petrol and diesel-powered cars for several decades to come. We regard the proposition that a higher ratio should be allowed in the early years, with the suggestion that some spaces be subsequently rescinded, to present major implementation challenges. Furthermore, the reference to 'car littering' indicates an unwillingness to require householders to commit to lower car ownership through covenants. (Zero Carbon Harrogate)	The intention of the DPD is not to prevent car journeys but to provide for alternatives modes to reduce dependency on cars whilst supporting the transition to electric vehicles. The DPD seeks to provide adequate parking, alongside a range of interventions that reduce the need to use cars. This policy seeks to provide parking in such a way that where it can be shown that parking provision is no longer required it can be put to other uses. Covenants are a legal matter outside the planning system and their use is not being investigated.	No amendment
Support provision of delivery lockers, central mobility hub and inclusion of car club. (Y&NY LEP)	Support noted.	No amendment
Trip levels should be agreed at the outset and monitored for Cattal Bridge in line with those suggested for the A59. (Hunsingore Walshford and Cattal Parish Council)	See earlier comment regarding additional modelling and transport assessments	No amendment
The mobility hub has been listed as offering transport solutions without any information being made available.	Noted. There is no one size fits all as noted in the policy so the components will need to be reflective of and adaptive to Maltkiln and be clearly set out in the settlement wide travel plan	No amendment
Highways: Minimising car usage - We welcome the approach of a central mobility hub located at Cattal Station which is linked to satellite mobility hubs, plus a car club with dedicated car parking spaces at convenient locations around the settlement. Additionally we would encourage the developer to ensure that shared mobility schemes are set up with car clubs prior to occupation of the settlement. Clarification is required however on the current car parking infrastructure at Cattal Station with an understanding of future demands. (Former NYCC)	Noted.	No amendment

CHAPTER 11: DELIVERY AND PHASING

Infrastructure (general issues

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Concerns that infrastructure will not be in place before the development commences and will impact on the existing stretched and inadequate services with particular reference to education and health. (Comments received including from Nun Monkton Parish Council)</p>	<p>Policies within the Regulation 19 consultation document require educational facilities (Policy NS28) and other services, including a GP facility (NS29).</p> <p>The assessment of infrastructure requirements undertaken to inform the Infrastructure Delivery Plan includes analysis of the capacity of existing local services and facilities.</p> <p>Appropriate trigger points for delivery of these facilities and any financial contributions will be established and provided for in Section 106 agreements.</p> <p>It is acknowledged that further detail will be required in order to finalise infrastructure requirements and agree appropriate trigger points. As such it is proposed that an Infrastructure Delivery Policy is prepared and added to the DPD, to ensure timely delivery of infrastructure</p>	<p>Amendment</p> <p>Addition of new Policy NS38 : Infrastructure Delivery -see Appendix 1 for detailed wording proposed</p>
<p>Concern regarding viability of the proposed development. (Hunsingore Walshford and Cattal Parish Council and Nun Monkton Parish Council)</p>	<p>The HDLP was supported by viability evidence, which found that delivery of the settlement would be viable. A review of the HDLP viability evidence has been undertaken to support the preparation of the DPD, taking account of recent changes in costs, market changes and legislative/policy changes.</p> <p>The review shows that delivery of this site, as with any large Strategic Site is likely to be challenging but that it is unlikely that the changes in national policy and the requirements of the DPD would render the site undeliverable.</p> <p>A modification is proposed to take account of the fact that further detailed viability analysis will be required from site promoters, in order to finalise infrastructure requirements and agree appropriate trigger points.</p>	<p>Amendment</p> <p>Addition of new Policy NS38 : Infrastructure Delivery -see Appendix 1 for the detailed wording proposed</p>

	As such it is proposed that an Infrastructure Delivery Policy is prepared and added to the DPD, to endure timely delivery of infrastructure	
There are no details of emergency services required for such a population, Police, Fire, and Hospital.	The services listed are funded through Council tax payments on residential dwellings and therefore do no impact on the viability of the scheme.	No amendment
Existing broadband in this rural area would not meet the standard required for a town of this size.	Policy NS6: Smart Settlement requires all buildings within the new settlement to be able to access high capacity broadband	No amendment
There is no clear constructive plan to handle foul water, no sewerage works etc.	Yorkshire Water have been fully engaged in the development of the IDP. Further detailed work relating to the provision of clean and waste water infrastructure is ongoing and will inform the updated IDP which supports the DPD.	No amendment
<p>No evidence is given to justify the infrastructure that has been identified.</p> <p>The costings for the infrastructure are inadequate and realistic and up to date costings should be provided as well as reference to the provenance of the Indicative Costs</p> <p>(Comments received including from the Coalition of Parish Councils and Nun Monkton Parish Council)</p>	<p>The Infrastructure Delivery Plan has been prepared to support the DPD and its purpose is to list key infrastructure costs but does not present an appraisal and as such does not include all costs. It is a live document which will continue to be updated, any errors or mistakes will be picked up in the updated document which will be submitted along with the DPD</p> <p>Appropriate trigger points for delivery of these facilities and any financial contributions will be established and provided for in Section 106 agreements.</p> <p>It is acknowledged that further detail will be required in order to finalise infrastructure requirements and agree appropriate trigger points. As such it is proposed that a modification is made as detailed opposite</p> <p>The HDLP was supported by viability evidence, which found that delivery of the settlement would be viable. A review of the HDLP viability evidence has been undertaken to support the preparation of the DPD, taking account of recent changes in costs, market changes and legislative/policy changes.</p>	
We recommend that a new policy be prepared which sets out how the Council will secure the provision of, or financial contributions towards infrastructure delivery. This policy should link to the schedule of proposed infrastructure works as well as include details relating to the phasing (Former NYCC)	Agree, the DPD will include a policy to deal with infrastructure delivery	<p>Amendment</p> <p>Addition of new Policy NS38 : Infrastructure Delivery -see Appendix 1 for the detailed wording proposed</p>
A request was made at Regulation 18 for a capital contribution towards the provision of additional compaction equipment at the	The Infrastructure Delivery Plan has been prepared to support the DPD and its purpose is to list key	No amendment

<p>Household Waste Recycling Facilities to improve operating efficiency and help to minimise the impact of additional waste inputs to the facility resulting from the proposed development (Former NYCC)</p>	<p>infrastructure costs. It is a live document which will continue to be updated. It is acknowledged that further detail will be required in order to finalise infrastructure requirements and agree appropriate trigger points which will be done as part of the submission work. Further work will be undertaken to establish the need for the Household Waste Recycling Facility and it will be incorporated into the next iteration of the IDP if necessary.</p> <p>An Infrastructure Delivery Policy has been prepared and will be added to the DPD, to ensure timely delivery of infrastructure so will also cover the need if necessary.</p>	
<p>The EA is reviewing the Flood and Coastal Erosion Risk Management (FCRM) Programme for North Yorkshire. Whilst there are currently no specific schemes or projects identified in the immediate proximity to the development site, it is possible that as the programme is developed that connections may be made, more likely within the river catchments than the site itself. We would like inclusion of wording that allows future discussions to take place if the emerging FCRM Capital Programme, or any existing or future strategy, indicates that the site could provide a contribution to delivery (Environment Agency)</p>	<p>Given the nature of the site it is likely that any schemes within the catchment but outside the site would be downstream. As proposals are required to avoid development on land at flood risk and not increase risk elsewhere, it is uncertain at this stage whether a requirement for a developer contribution to provide this infrastructure would meet the relevant Community Infrastructure Levy (CIL) Regulations. If found to be necessary at application stage it is considered that NS11, NS38 and local plan policy T14 provide a satisfactory policy basis for seeking a developer contribution.</p>	<p>No amendment</p>
<p>The table should be amended to include:</p> <ul style="list-style-type: none"> • fees interest charges, contingencies and date of the valuations/costings. • headings, page numbering and rectifying errors • updated costs plus inflation. • exact split of s106 and external funding. • name external funding body and state funding agreements • provision for extending current primary schools for early stages. • provision for community infrastructure such as parks, village hall, library • where and when costs originated • provision for dualling the A59 • provision for extending current primary schools for early stages 	<p>The table is an extract from the Infrastructure Delivery Plan (IDP) which has been prepared to support the DPD. Its purpose is to list key infrastructure costs but does not present an appraisal and as such does not include all costs (e.g. contingencies and professional fees). The Infrastructure Delivery Plan is a live document which will continue to be updated, any errors or mistakes will be picked up in the updated document which will be submitted along with the DPD.</p> <p>The table will therefore form part of the IDP instead of the DPD and an Infrastructure Delivery policy will be prepared to ensure the timely delivery of infrastructure.</p>	<p>Amendment</p> <p>Move Table 11.1 from the DPD to the IDP</p> <p>Addition of new Policy NS38 : Infrastructure Delivery -see Appendix 1 for the detailed wording proposed</p>

<ul style="list-style-type: none"> provision for community infrastructure such as parks, village hall, library clear timelines should be forecast and agreed for the key infrastructure, and aligned with the houses being built <p>(Comments received including from Hunsingore Walshford and Cattal Parish Council and Nun Monkton Parish Council)</p>		
<p>Phasing is defined in 3 year groups. The first is 2023 to 2028. Nothing is going to happen until at least 2025 so this should be adjusted and some of the measures could be required before any houses are occupied. The Table does not provide any indication of how many houses will be built in each time frame making it difficult to comment on the appropriateness of the timing of the infrastructure works.</p> <p>(Comments received including from Hunsingore Walshford and Cattal Parish Council, Nun Monkton Parish Council and Whitley Parish Council)</p>	<p>Noted. These comments will be considered in the updating of the IDP which will be submitted as supporting evidence to the DPD.</p> <p>Appropriate trigger points for delivery of these facilities and any financial contributions need to be established and provided for in a Section 106 agreement. The table will not be contained within the DPD. An updated version will sit within the IDP which provides supporting evidence to the DPD</p>	<p>Amendment</p> <p>Move Table 11.1 from the DPD to the IDP</p> <p>Addition of new Policy NS38 : Infrastructure Delivery -see Appendix 1 for the detailed wording proposed</p>
<p>Various queries relating to Access and Movement information within the table:</p> <ul style="list-style-type: none"> A59 Eastern Roundabout, Skatemoor Lane (link to A168), railway over bridge - should all be developer funded. bus service improvements, station improvements and new cycle routes - funding should be in early phase station improvements – funding should be in the early phase gas supply – no gas connection according to Caddick education provision should be critical not necessary. A1(M) junction improvement – is this still required? No figure is included to settle the ransom with Network Rail for the provision of the bridge over the railway line. 	<p>Noted. These comments will be considered in the updating of the IDP which will be submitted as supporting evidence to the DPD.</p>	<p>No amendment</p>
<p>Concern about the unspecified role of the gas network on site. In section 11 Delivery and Phasing, the provision of a new gas supply to the site is identified as a necessary short-term action. However, this is in conflict with para 5.40 which identifies that no new domestic or non-domestic dwellings should be receiving gas supply for heat from 2025. Suggest this connection is removed as a priority action to align better with national policy and local net zero strategies, and removing an unnecessary cost. (Y&NY LEP)</p>	<p>The relative high cost of delivering mains gas connections at Maltkin and the introduction of the Future Homes and Future Buildings Standards mean that the delivery of a gas-based system is highly unlikely. The identification of a new gas supply as a necessary infrastructure project in Table 11.1 has been carried forward from earlier work prior to the preparation of the New settlement Climate Change Strategy in error and doesn't reflect the approach of policies in the Regulation 19 DPD. The reference will be removed.</p>	<p>Amendment</p> <p>Remove row relating to Gas Supply from Table 11.1</p>
<p>If the development is to achieve its aim of a high modal split then significant investment will be needed. Work on site will also need to be phased from the outset in order to provide facilities including</p>	<p>An Infrastructure Delivery Policy has been prepared and will be added to the DPD, to ensure timely delivery</p>	<p>Amendment</p>

<p>retail, leisure, health centre and schools in order to reduce the number of vehicle trips to and from the site. Clarification is required on the phasing approach, the number of rail crossing and an understanding of the current and future requirements on the car parking infrastructure and accommodation at Cattal Station. (Former NYCC)</p>	<p>of infrastructure. The policy requires the submission of a phasing strategy for each phase/application.</p> <p>The IDP is an iterative document and discussions with transport providers will continue throughout all stages of development.</p>	<p>Addition of new Policy NS38 : Infrastructure Delivery -see Appendix 1 for the detailed wording proposed</p>
<p>The figures provided for education in column 9 of Table 11.1 are developer s.106 education contributions, which must be clarified. The second column that relates to provision at Boroughbridge High School needs to say whether the provision should be on-site or financial contributions plus land for the expansion of Boroughbridge High School. (Former NYCC)</p>	<p>Noted. These comments will be considered in the updating of the IDP which will be submitted as supporting evidence to the DPD.</p> <p>Appropriate trigger points for delivery of these facilities and any financial contributions need to be established and provided for in a Section 106 agreement.</p> <p>The table will not be contained within the DPD. An updated version will sit within the IDP which provides supporting evidence to the DPD</p>	<p>Amendment</p> <p>Move Table 11.1 from the DPD to the IDP</p>

VIABILITY

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>Concerns about viability impacting the delivery of affordable housing including:</p> <ul style="list-style-type: none"> Local Plan Policy HS2 requires 40% affordable housing but DPD is contrary to this because viability issues mean the new settlement can't then deliver them. viability assessment has been updated at the time of consultation. infrastructure has not been costed out or the costs include inflation, and external funding has not been agreed so difficult to achieve the minimum 20% affordable housing 40% affordable housing cannot be achieved on this site, with such huge infrastructure costs. The Council are not being honest in this document on how much affordable housing will be achieved. Planning Inspector should be requesting further information on the minimum percentage of affordable homes this new settlement must achieve. The interim SA 2020 casts doubt on the 40% ambition Appendix 1 'Stage 5 Viability Technical Report' 	<p>The starting point is the percentage of affordable housing to be in line with policies in the adopted Harrogate and District Local Plan, which requires 40% affordable housing on all qualifying greenfield developments including mixed use schemes, subject to viability and the demonstration of the need for affordable housing.</p> <p>At Para. 8.16 of Policy NS23 it is acknowledged that this is subject to viability, it is recommended this paragraph is amended to provide greater clarity.</p> <p>The policy has been written to ensure it stays in step with the Local Plan policy on affordable housing, currently the starting position is that the Council will require 40% affordable housing on all qualifying greenfield developments including mixed use schemes, subject to viability and the demonstration of the need for affordable housing.</p>	<p>Amendment</p> <p>Para. 8.16 amended as follows;</p> <p>"The Local Plan policies set the targets to address affordable housing need across the district. Currently this is set at 40% subject to viability. Reflecting the significant viability challenges associated with bringing forward new settlement proposals, flexibility of provision will be necessary, and it is anticipated that delivery of affordable housing could be lower will be within a range of 20-40% depending on final infrastructure requirements and phasing proposals. This is not unique to Maltkiln but is reflective of the challenges around delivery of any large strategic sites in</p>

(Comments received including from Nun Monkton and Tockwith with Wilstrop Parish Council)	Viability work will be updated as part of the submission work. At this point the S106 infrastructure requirements will be finalised further to enable further clarification of the affordable housing target as they are closely related.	any part of England, particularly new communities. <u>It is acknowledged that future phases may deliver differing levels of affordable housing with the Infrastructure Delivery Policy NS38 which sets out the information required.</u>
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CHAPTER 12: MONITORING FRAMEWORK

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
<p>A framework for monitoring is set out at page 90 - 100 - the table should include a column for sanctions which should be included and identified.</p> <p>Monitoring is mentioned frequently in the DPD and in some cases for it to occur in perpetuity. Should the cost of monitoring be from the public purse? Concern is expressed that there is no baseline data provided against which to measure.</p> <p>(Hunsingore Walshford and Cattal Parish Council)</p>	<p>At this stage, a range of monitoring indicators have been drafted, these will be finalised once the policies have been finalised throughout the course of the examination in public.</p>	<p>No amendment</p>

HABITATS REGULATIONS ASSESSMENT

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
The Habitats Regulations Survey appears to be a desktop report, and fails to identify the Great Crested Newts colony at Whixley Gate. A field study is needed before this evidence can be used in effective policies and positive plan-making As was shown recently - ironically, at the A1(M) J47 works - failure to do this can have expensive implications for delivery. (Coalition of Parish Councils)	The Habitats Regulation Assessment has been carried out by specialist consultants who are experienced in undertaking robust assessments in line with the regulations.	No amendment

SUSTAINABILITY APPRAISAL

Please note that responses received in relation to the Regulation 19 Sustainability Appraisal can be found the Submission Draft Sustainability Appraisal Report.

EQUALITY ANALYSIS REPORT

Key Issue (Comment or Suggested Modification)	Response	Amendment to the DPD
The Equality Analysis Report is unsound and does not address some aspects of the Equality Act adequately rendering the DPD not legally compliant. Policies NS4 NS5 NS30, NS37: Households that the EA would apply to are likely to need two or more cars. The inadequate parking particularly affects disabled, LGBQI+, Pregnancy, Parents with Young children etc. Adequate parking should be provided, especially for disabled, LGBQI+, Pregnancy, parents with Young children. Particular attention needs to be addressed to working unsocial hours, returning from leisure activities late at night etc.	Residential parking approach required through NS5 and NS37- assessed through NS37. The Equality Analysis found that the approach has potential for negative impacts on the protected characteristics (PCs) of disability and age, identifying it could reduce equality of opportunity but would not be discriminatory. In response the DPD includes guidance on how the approach should be delivered so that the potential for these impacts is mitigated. The analysis did not find the potential for negative impacts on the PCs of sexual orientation or pregnancy. The nature of the negative impacts suggested for these groups is not set out.	No amendment
The Equality Analysis Report is unsound and does not address some aspects of the Equality Act adequately rendering the DPD not legally compliant. Policies NS4, NS26, NS28: A genuine choice of transport modes needs to be demonstrated, now and in 30 years' time. Policy NS30: Integrated transport needs to be provided. Particular attention needs to be addressed to working unsocial hours, returning from leisure activities late at night etc.	Policy NS30 sets out overarching requirements for sustainable travel and connectivity. This and the detailed requirements in policies NS31 to NS37 seek to ensure a genuine choice of transport modes. These policies also include measures to integrate transport including, central and satellite mobility hubs (NS33, NS37), co-locating cycle parking with core bus stops (NS34), and cycle parking at rail station (NS32).	No amendment

<p>The Equality Analysis Report is unsound and does not address some aspects of the Equality Act adequately rendering the DPD not legally compliant. Policies NS26 and NS28: Show how, for example, disabled people reliant on public transport would access the railway station, local centre and schools. Particular attention needs to be addressed to working unsocial hours, returning from leisure activities late at night etc.</p>	<p>Railway station: policy NS33 requires the station to provide inclusive accessibility, including for users of wheelchairs and mobility scooters. Local centre: policies NS33 NS37 require a central mobility hub at Cattal station and NS26 requires the local centre to be adjacent to the railway line. This will be amended to clarify that the centre should be adjacent to the rail station. Schools: policy NS28 requires public transport accessibility to be considered when determining location of schools. It is considered that reference to inclusive accessibility/ accessibility to all should be added to policies NS26 And NS28 to address further needs at the local centre and schools respectively.</p>	<p>Amendment Amend policy NS26 para 1 as follows: “Services and...single centre <u>accessible to all, including users of wheelchairs and mobility scooters,</u> at the heart of... adjacent to the railway line <u>Cattal railway station,</u> well served by...”</p> <p>Amend NS28 bullet h as follows: “<u>inclusive accessibility and the</u> siting of building entrances, frontages;”</p>
<p>It should be shown how the intentions and requirements of the Equality Act will be met in relation to policy NS26.</p>	<p>Equality analysis work took place alongside the development of the DPD and informed its content. This work is set out in the Equality Analysis Report that accompanies the Reg 19 DPD. For policy NS26 the analysis concludes that the policy will have medium positive benefits for advancing equality of opportunity in relation to age and disability, and low positive benefits for fostering good relations in relation to all groups.</p>	<p>No amendment</p>

NS38: INFRASTRUCTURE DELIVERY

Policy NS38: Infrastructure Delivery

The Council will require developers to provide for, or contribute towards, the infrastructure and mitigation measures necessary to support the delivery of the Maltkiln New Settlement Strategic Allocation.

Applications for development of the Maltkiln New Settlement Strategic Allocation must provide development in line with the requirements set out within the Harrogate District Local Plan and this DPD, including an allocation wide masterplan (as required by Policy NS3).

A Strategic Allocation wide Infrastructure Delivery Strategy, a Phasing Strategy and a Financial Appraisal and any other documents deemed necessary by the LPA to demonstrate compliance with this policy should be submitted to the Local Planning Authority for approval as part of the planning application. These documents will be a material consideration in the determination of the planning application and all subsequent applications. All applications determined should accord with the approved documents unless otherwise agreed by the local planning authority.

Infrastructure Delivery Strategy

The Allocation-wide Infrastructure Delivery Strategy will demonstrate that the development of the Maltkiln New Settlement Strategic Allocation will deliver, in a timely manner, sufficient infrastructure to cater for the needs of the Strategic Allocation as a whole and also mitigate to an acceptable level the effects of the whole development upon the surrounding area and community; this will include:

The infrastructure, as set out in the Council's Maltkiln Strategic Allocation Infrastructure Delivery Plan and all other infrastructure identified in technical assessments to mitigate the impact of the development, to be implemented before or alongside development in accordance with a Phasing Strategy approved by the local planning authority.

Sustainable transport measures and other infrastructure requirements, including measures to mitigate impacts upon the local and Strategic Road Network.

Phasing Strategy

The Allocation-wide Phasing Strategy will set out the proposed phasing of the Strategic Allocation, including the relevant land uses and infrastructure delivery for each phase.

Financial Appraisal

An Allocation-wide Financial Appraisal, in a format to be agreed in advance with the local planning authority and in accordance with relevant guidance, reporting on financial viability issues associated with the development.

Phase specific requirements

To be acceptable, planning applications that cover a phase or part of the Strategic Allocation Area must be accompanied by an application-specific Masterplan and Delivery Statement for approval by the local planning authority that relates to the application site Phase and sets out:

1. Site-specific infrastructure requirements and how these relate and adequately contribute to the Allocation-wide Infrastructure Delivery Strategy;
2. Details of proposed development and its phasing, proposed triggers/thresholds for the delivery of associated infrastructure and how in each case these relate and adequately contribute to the Allocation-wide Spatial Masterplan, Infrastructure Delivery Strategy and to the Phasing Strategy and conform with the policies of the Development Plan; and
3. A Financial Appraisal in a format to be agreed in advance with the local planning authority and in accordance with relevant guidance, reporting on financial viability issues associated with the development and its relationship and contribution to the Allocation-wide Financial Appraisal and justifying the form and content of the proposals applied for in respect of the relevant phase or part (including the amount and type of affordable housing and, if applicable, land reserved for custom or self-build homes).

Justification

A comprehensive approach to development of the Maltkiln New Settlement Strategic Allocation is required in order to ensure the effective delivery of common infrastructure in a co-ordinated and timely manner.

HDLP Policy TI4 Delivery of New Infrastructure sets out an expectation that developers will make reasonable on and off-site provision and or contributions towards infrastructure and services in order to cater for the needs generated by development. The policy states that new infrastructure must be operational no later than the appropriate phase of development for which it is needed. Policy TI4 was informed by an Infrastructure Delivery Plan which identified the infrastructure and services required to support the level of planned growth in the district, informed by an assessment of infrastructure requirements/capacity.

Building upon the information contained within the HDLP IDP, a Maltkiln Strategic Allocation Infrastructure Delivery Plan (IDP) has been prepared, seeking to provide updated information in relation to infrastructure requirements. The information within the IDP, along with technical assessments undertaken by developers and site masterplanning work, will further inform the assessment of infrastructure requirements to cater for the needs of the Strategic Allocation Area as a whole and also mitigate to an acceptable level the effects of the whole development upon the surrounding area and community.

The Maltkiln Strategic Allocation Infrastructure Delivery Plan (IDP) contains a schedule of Infrastructure requirements and should be used as the starting point for discussions regarding infrastructure provision. The Infrastructure Delivery Plan will be updated by the Council as and when required.

Requirements for applicants to prepare an allocation wide infrastructure delivery strategy, Phasing Strategy and financial appraisal should be discussed with the Council early at the pre-application stage and submitted to the Council for approval. The approved allocation wide infrastructure delivery strategy, Phasing Strategy and financial appraisal will be material considerations in the determination of planning applications. Where required Financial Appraisals contain confidential information and are provided on a commercially confidential basis, appropriate measures in relation to confidentiality will be put in place.

The New Settlement Strategic Allocation is made up of land parcels in multiple ownerships, which are subject to more than one promotion agreement. It is expected that landowners will work together to ensure a holistic solution to the provision of adequate infrastructure across the whole allocation, in line with the policies of this DPD. It is anticipated that the identified infrastructure will be delivered in standalone applications or that that landowners will enter into appropriate equalisation or collaboration agreements to deliver common infrastructure as necessary. A fair and reasonable mechanism for apportioning the in-kind provision of infrastructure and/or costs should be agreed. This is necessary to secure a comprehensive approach to masterplanning and infrastructure delivery for the allocation area as a whole and to ensure that proposals for part of the allocation help deliver a high quality cohesive place that meets overall policy objectives and do not prejudice future phases of development or infrastructure provision.

In order to ensure that the relevant infrastructure is delivered as and when required, the Council will implement a robust monitoring and review process to help inform the consideration of S106 requirements on a phase by phase basis, along with identifying appropriate delivery mechanisms.

Appendices

Regulation 18 Consultation Material 1

Examples of consultation material and text.

- Sample of text sent to notify the start of the consultation. Notifications were sent to all consultees registered on the Consultation Portal, these were sent via by email with post used where no email address was supplied.
- An A3 Poster and leaflet was produced and sent out the Parish Councils.
- In addition the Regulation 18 consultation was advertised on the Council Twitter feed.

Example of text sent to notify the start of the consultation

Dear xxx

Harrogate Borough Council is holding a six week consultation from **Monday 3 October to 4:30pm on Monday 14 November 2022** on the Draft New Settlement Development Plan Document (DPD) for Maltkiln.

Following earlier stages of consultation and engagement we have prepared a Draft New Settlement Development Plan Document (DPD) for Maltkiln which sets out an ambitious thirty year vision and policy framework to guide how it is designed and developed. This includes the boundary, nature and form of the new settlement.

We are consulting on

- The pre-submission New Settlement (Maltkiln) DPD (Regulation 19)

And the following consultation documents

- Equality Assessment
- Habitats Regulation Assessment
- Sustainability Appraisal

To view the documents and respond to the current consultation please visit <https://consult.harrogate.gov.uk> or you can access the Consultation Portal via the website at www.harrogate.gov.uk/newsettlementdpd

The documents are presented on an easy to navigate online viewer and are available to download as a pdf.

Representations at this stage should be made on the legal and procedural compliance of the Development Plan Document (DPD), the soundness of the DPD, and whether the DPD is in conformity with the Duty to Cooperate.

Please refer to the guidance 'Commenting on the Development Plan Document' when preparing representations. This can be viewed at <https://consult.harrogate.gov.uk> and at www.harrogate.gov.uk/newsettlementdpd

The easiest way to submit comments is via the Consultation Portal <https://consult.harrogate.gov.uk> however if you chose to submit your comments in writing a comment form can be downloaded from the website www.harrogate.gov.uk/newsettlementdpd or collected from the following locations where hard copies of the documents are available to view

- The Civic Centre, St Lukes Mount, Harrogate, HG1 2AE
- Harrogate Library, Victoria Avenue, Harrogate, HG1 1EG
- Ripon Library, The Arcade, Ripon, HG4 1AG
- Knaresborough Library, 40 Market Place, Knaresborough HG5 8AG
- Boroughbridge Library, 17 St James Square, Boroughbridge, YO51 9AR

- Poppleton Library, The Village, Upper Poppleton, YO26 6JT

While we encourage comments to be submitted via the Consultation Portal, comments forms may still be submitted via email to planningpolicy@harrogate.gov.uk or by letter to

- Policy and Place Team, Place-shaping and Economic Growth, Harrogate Borough Council, PO Box 787, Harrogate, HG1 9RW

Anonymous comments without a name and address will not be accepted. All comments will be recorded and published in the Consultation Portal, alongside the name of the person or organisation making the comment. Your address and/or email address will not be shown but will be stored in our database and used to notify you of future planning policy consultations. Please specify if you do not wish to be notified of future consultations.

Following the consultation, the Development Plan Document will be submitted, together with the individual representations received, to the Secretary of State for the Department of Levelling Up, Housing and Communities, who will appoint an independent Inspector to conduct an Examination in Public.

You have been sent this letter as you have either requested to be kept informed of upcoming consultations on planning policy documents or your organisation has been identified as a relevant consultation body as described by the Town and Country Planning (Local Planning) Regulations 2012.

If the contact details are no longer correct or you no longer wish to be consulted on planning documents in the future you can update your preferences on the Consultation Portal or contact the Policy and Place Team at planningpolicy@harrogate.gov.uk

Please note the deadline for submitting representations is **4:30pm on Monday 14 November 2022**.

If you have any queries please contact the Planning Policy Team on 01423 500600 or email planningpolicy@harrogate.gov.uk

Yours sincerely

The Policy and Place Team

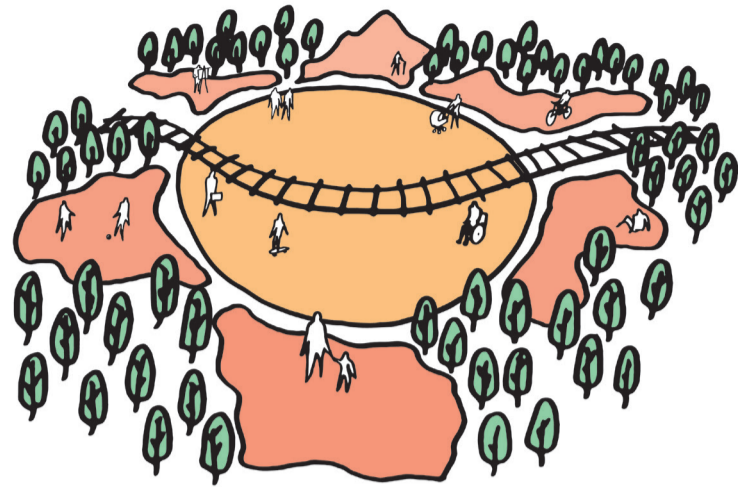
Harrogate Borough Council

planningpolicy@harrogate.gov.uk

01423 500600

New settlement at Hammerton/Cattal

Have your say
on the new settlement
Development Plan Document



Three options for how the new settlement could look:

Option 1



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Option 2



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Option 3

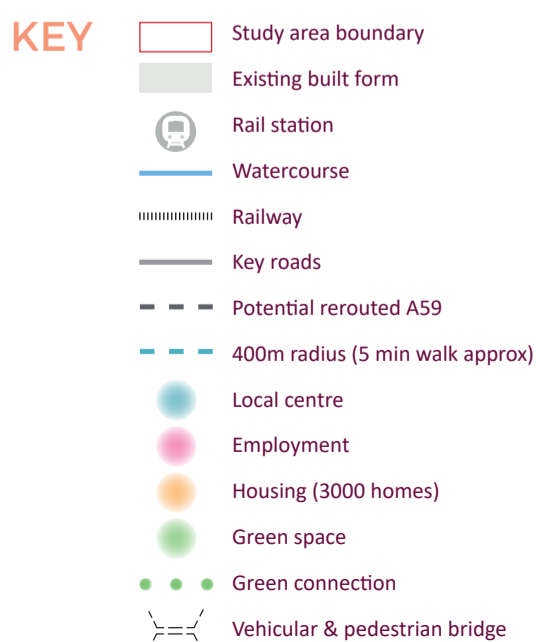


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An emerging preferred option

Initial appraisal of these three options places Option 3 as the emerging preferred option. The work concludes that Option 3 had a number of positives, notably:

- The sustainable travel opportunities presented by the focus around an enhanced Cattal rail station, as opposed to a significant rerouting of the A59
- Facilities clustered around Cattal station as a community hub
- A sensitive arrangement of development and greenspace, minimising impact on nearby conservation area villages and the landscape setting
- The option is in line with stakeholder emphasis on steering development away from the existing conservation area villages – as communicated in stakeholder events
- Facilities clustered around the station are approximately 1,200m from nearby villages - enhanced connectivity can be further developed
- A land promoter is in place to support and progress delivery of an approach similar to this spatial option



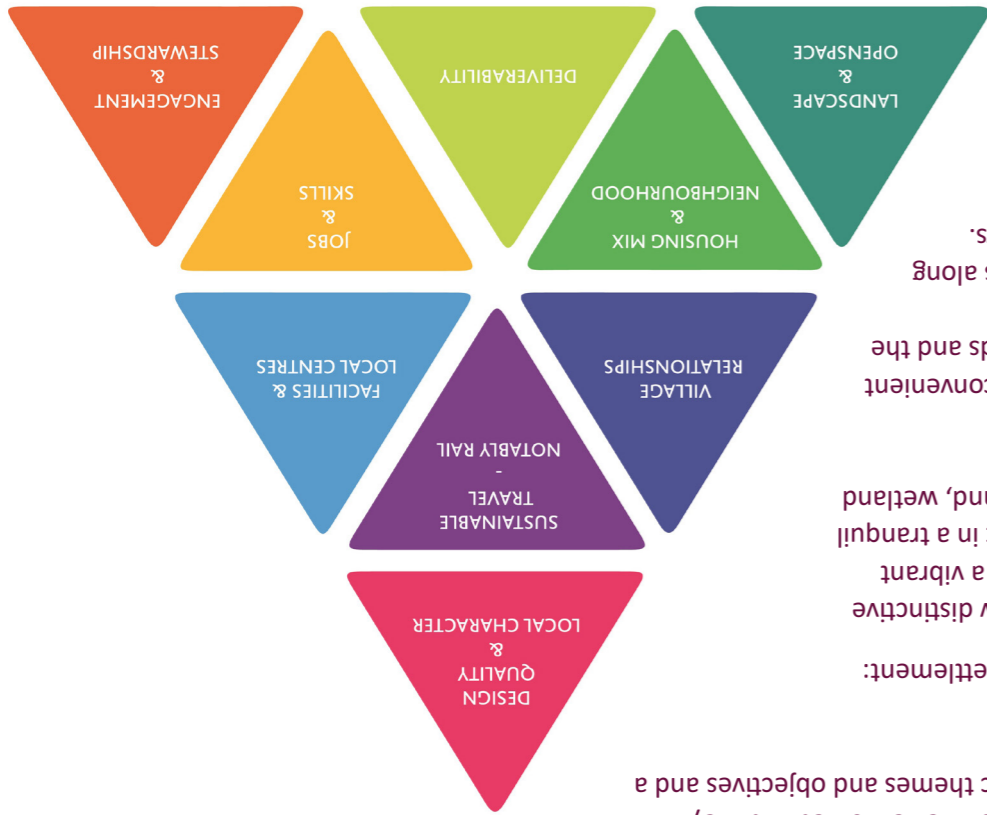
We would like your views

You can view further information and respond online at
www.harrogate.gov.uk/newsettlementdpd

If you do not have access to the internet then please call **01423 500600** and ask to speak to a member of the Policy and Place Team.

www.harrogate.gov.uk/newsettlementdpd

Harrogate
BOROUGH COUNCIL



- The emerging **vision** for the new settlement:
- **Green Hammerton/Cattal** is a new distinctive garden village making the most of a vibrant rail hub and village centre, and set in a tranquil landscape of farmland and woodland, wetland and gardens.
 - **Sustainable connections** provide convenient access to Harrogate and York, Leeds and the broader sub-region as well as to neighbouring villages and parishes along foot/cycle paths and river corridors.
 - The new settlement offers a **21st century village lifestyle** with excellent facilities and great connections to city, town and countryside.

The story so far

Work on the DPD has started by analysing the site and its surroundings, looking at key issues and opportunities. We've worked with key stakeholders to generate nine strategic themes and objectives and a number of potential concept options.

Why do we need a new settlement?

There is a pressing need for houses across the district and the new settlement is a part of the council's strategy for providing those homes. A new settlement offers a number of positive benefits. This includes:

- planning positively for more walking and cycling;
- ensuring that all key facilities that a community will need to flourish are conveniently located;
- providing support for, and enhancing, public transport provision;
- ensuring that key infrastructure is available when needed.

This DPD is an exciting opportunity to deliver an exemplar development, shaped by those who will live there in the future and designed to ensure sustainable modern living. It is about creating an attractive place to live and work.

We look forward to hearing your views.

We are now preparing a Development Plan Document (DPD) that will set out what the new settlement will look like. The DPD will establish the boundary and nature of the new settlement, including how people will move around, the types of homes it will offer as well as design and infrastructure requirements. When completed, the DPD will form part of the development plan for the Harrogate district and will be used to determine applications for planning permission. It is vitally important that local communities are involved in shaping the new settlement, both to minimise negative impacts on existing communities and ensure we deliver an exemplar development that is an attractive and healthy place to live. We hope that those who live and work in the area, as well as future residents, will engage with us to help shape the new settlement into a vibrant new community.



from Councillor Rebecca Burnett, Cabinet Member (Planning)

The adopted Local Plan 2014-35 identifies a broad location for a new settlement at Hammerton/Cattal. This provides an opportunity to deliver much needed quality homes as well as on-site facilities and services.

Introduction

We would like to get your views on the following questions:

- ▶ Do you agree with the draft vision and strategic themes for the new settlement?
- ▶ Do you agree with the emerging preferred option?
 - If yes, what do you like/dislike about the proposed framework?
 - If no, then what option would be better and why?
- ▶ What specific policies or requirements are needed for the new settlement?

Please respond online at www.harrogate.gov.uk/newsettlementdpd

If you do not have access to the internet then please call **01423 500600** and ask to speak to a member of the Policy and Place Team.

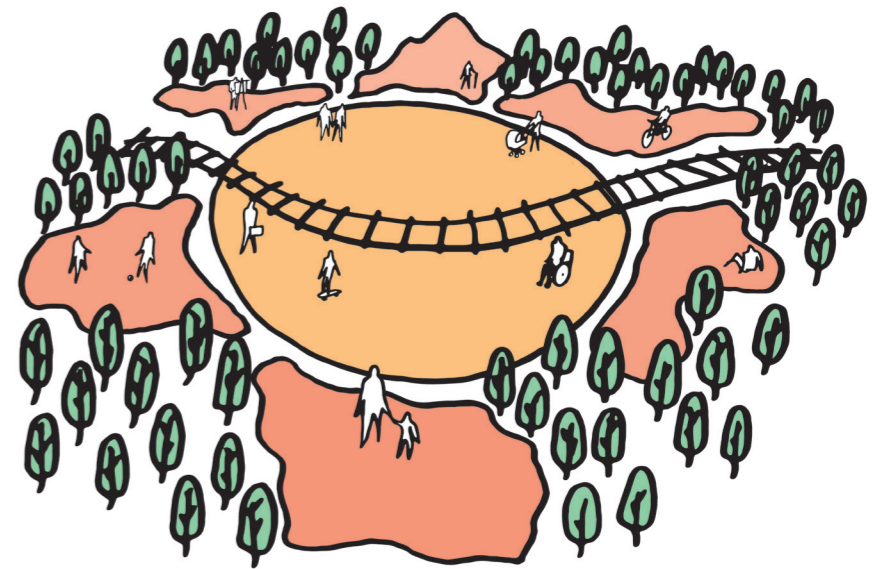
Responses to the consultation, alongside further technical and viability work, will inform the next stages of the DPD.

This leaflet presents a short summary of the work done so far, but more information and detail can be found at www.harrogate.gov.uk/newsettlementdpd. It is highly recommended that you look at the more detailed reports to fully understand the context and reasoning behind the emerging work.

October 2020

New settlement at Hammerton/Cattal

Have your say on the new settlement Development Plan Document



Three options for how the new settlement could look:

Option 1



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Option 2

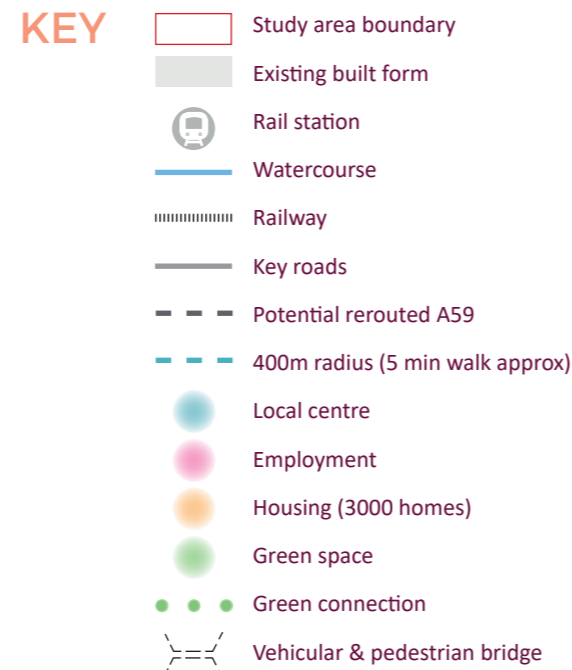


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Option 3



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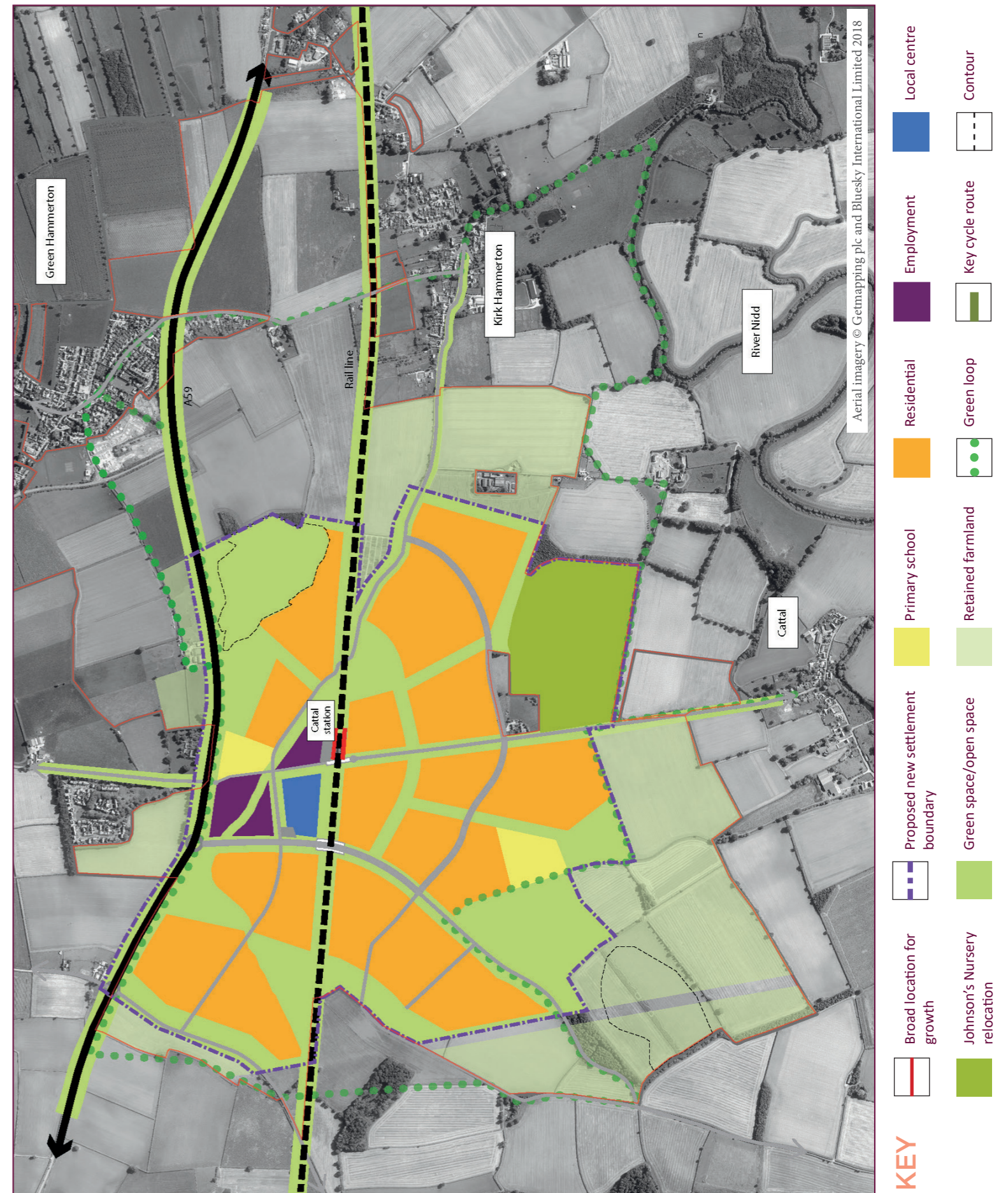
An emerging preferred option

Initial appraisal of these three options places Option 3 as the emerging preferred option. The work concludes that Option 3 had a number of positives, notably:

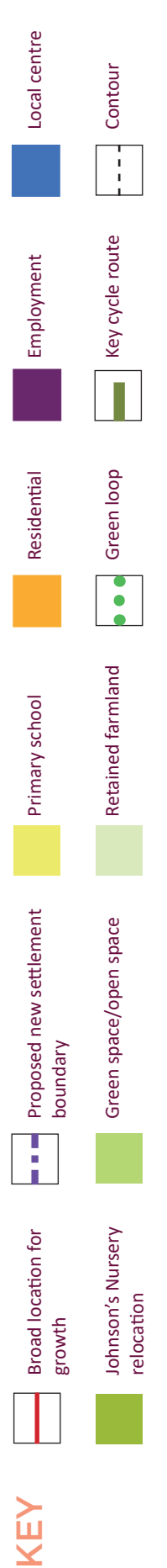
- The sustainable travel opportunities presented by the focus around an enhanced Cattal rail station, as opposed to a significant rerouting of the A59
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- The option is in line with stakeholder emphasis on steering development away from the existing conservation area villages – as communicated in stakeholder events
- Facilities clustered around the station are approximately 1,200m from nearby villages - enhanced connectivity can be further developed
- A land promoter is in place to support and progress delivery of an approach similar to this spatial option

The emerging preferred option (Option 3)

We've developed this suggested option with the help of key stakeholders (including infrastructure providers and some representatives from community groups), but we now want to gather wider views. Further work has been done to show in more detail how this could look, including where schools, green spaces and employment could go.



Aerial imagery © Getmapping plc and Bluesky International Limited 2018



2 Regulation 18 Key Issues

REGULATION 18 KEY ISSUES

5 Vision and Objectives

Key Issue	HBC Response
Vision	
Too vague and/or generalised – it could apply to anywhere	Vision expanded to be more specific.
Too much use of jargon or “place-shaping speak”	Additional edits do not include excessive jargon.
Too timid – needs to be more ambitious, particularly in response to “green issues”	Vision amended to be more ambitious.
Lacks definition and clarity – it does not outline how we want people to live	Vision expanded to provide more clarity on how people will live.
Lacks reference to environmental aspirations	Greater ambition in relation to climate change included.
Lacks adequate protection/consideration of existing villages.	Reference included to a distinctive identity. Strategic Green Gap policy proposed (discussed later on).
Objectives	
Need to be more ambitious, particularly in relation to the so-called green agenda.	Additional objectives included which include specific aspirations to mitigate and adapt to the impacts of climate change.
Concerns raised (both in relation to vision and objectives and throughout the consultation as a whole) about the impact on existing roads, particularly the A59 and minor roads connecting to existing villages such as Whixley.	Objective relating to Sustainable Travel is strengthened to ensure the DPD focuses on reducing car usage and mitigating the impact of additional car usage.
Greater emphasis should be put on the historic and natural environment - specifically wildlife.	As such it is suggested that additions are made to related objectives as below: <ul style="list-style-type: none"> ● Design quality & local character– to include “Development respects and enhances existing historic assets”. ● Landscape and open space – to include “giving all residents access to nature” as well as “wildlife and biodiversity are protected and enhanced”.
Concern was also raised at a perceived hierarchy.	It is therefore suggested that the numbering system and presentational diagram is replaced.

- 5.1** A vision is a summary of an ideal future state, in this case setting the standard for how we want the new settlement to look, feel and function. It is intentionally aspirational. Most respondents to the consultation did not agree with the vision and objectives, but looking further into this, the majority of those that disagreed did so on matters of principle, i.e. that they did not support the broad location or the New Settlement in general.
- 5.2** Several suggestions to amend the vision were put forward by respondents and these general themes and ideas were discussed at the Community Liaison Group. In summary, the message to the Council was to include more detail in the vision, as well as be more ambitious, particularly in relation to environmental aspirations.
- 5.3** As a result, the following more detailed vision was proposed to inform the next steps of work on the DPD and this was further discussed with the Community Liaison Group.

Vision and Objectives 5

District Development Committee discussions on Vision and Objectives.

- 5.4** Whilst not a decision making body, District Development Committee (DDC), along with the Cabinet Member for Planning, are used as an advisory body to inform plan-making. Whilst the final decision on the New Settlement DPD will be made by Full Council, the Committee's feedback is used to inform the Plan's development and ensure that elected Members are actively involved in how plans and policies develop.
- 5.5** The DDC were generally supportive of the vision as revised following public consultation, but did question why net zero was not been set as the ambition for carbon reduction. This was subsequently amended. In relation to the objectives as revised following consultation the DDC were generally supportive.

Identity

- 5.6** A key message that emerged during the consultation was that the New Settlement should be given a name at an early stage, to give it its own identity. No suggestions were put forward by respondents but the matter was discussed at the CLG. Whilst views were expressed that focus on a name should not be at the expense of tackling the impacts of the new settlement, the following points were noted:
- The name could reflect the area's Roman connection e.g., Rudgate or Rudthorpe.
 - The name should not include within it references to the existing settlements.
 - Providence Green reflects the existing name for the area.
- 5.7** The matter was also discussed at DDC and with Cabinet Member for Planning. It was agreed that Maltkiln best met the parameters set and that this name should be used going forward. In making the decision, it was noted that:
- The name Maltkiln has historic links to the area
 - It is how the New Settlement is known to most people (through the application)
 - It is not linked to names of any of the villages e.g. New Hammerton (this was a clear steer at CLG workshop)
 - Names that suggest other Roman Links, e.g. Rudgate already taken by other developments in the area
 - Providence Green was suggested but this references the area to the north of the Road.

6 Option Selection

- 6.1** An emerging preferred option was published during the Regulation 18 consultation and this was based on appraisal of three distinct spatial options. The decision was based on a number of factors, informed by background work and appraisals as well as by Sustainability Appraisal – an exercise which evaluates the social, environmental and economic impacts of development and policies. On balance it was felt that this emerging preferred option presented the best opportunity to create a rail centred community, distinct from existing settlements.
- 6.2** The majority of respondents that engaged with the question felt that this was the best option, or perhaps the “least bad option” is a better reflection of the tone used in many of the responses. Reasons for this included:
- It provides most separation from existing villages
 - It provides a more distinct new settlement than other options
 - It provides industry to the west of the settlement which is more favourable from a logistics perspective
 - No reason to re-route the A59 (although significant improvements needed)
 - It is focused on the rail station – better placed to reduce car usage and secure improved rail services
 - It avoids building on high points such as Green Hammerton Ridge and Coney Garth which affords better protection of viewpoints towards York and opportunity for a natural green belt / gap
 - It has a promoter on place who is committed to building adequate infrastructure at an early stage
 - It has less fragmented landowners than other options
 - Avoids Doodle Hill – a high point in the area.
- 6.3** There was a very small amount support for other the options, reasons including:
- Option one is less concentrated than other options
 - The A59 should be re-routed and improved
 - The preferred option is too close to existing homes in Cattal / Kirk hammerton
 - The preferred option far from existing facilities in neighbouring villages
 - There are more entrances
 - Viability risks of crossing the railway line and negotiating with Network Rail
 - Option one places development further from Aubert Ings Site of Special Scientific Interest
 - Option one places development further from flood zone 3 and areas of surface water flooding
 - CEG (promoter of option one) has more experience delivering garden villages.
- 6.4** Some concerns were expressed about the supporting evidence and work which underpins the choice of emerging preferred, including:
- Lichfields on behalf of CEG – concerns relating to the Sustainability Appraisal and the methodology behind the choice of emerging preferred option
 - Historic England – concern that more assessment of heritage assets required
 - Natural England and Environment Agency – further work needed to look at flooding etc.
 - North Yorkshire County Council – while broadly supportive the Highways Authority have requested more traffic modelling is undertaken.
- 6.5** Details of how these concerns are addressed are covered in the sections below, as well as in the SA Reports.

Option Selection 6

- 6.6** Taking into account the assessment work to date, alongside the responses to the consultation, it was considered that work should continue to focus on the emerging preferred option at this stage and this was agreed at DDC.

7 Development Framework

Key Issue	HBC Response
Land constrained due to exclusion zones for Strategic High Pressure Gas Main.	Development Framework amended to include an appropriate buffer zone.
Some of the proposed development land constrained by flooding - Whilst only a small area of the site is located within the Environment Agency flood risk zones 2 and 3 (along Gilsthwaite Lane to the east), detailed flood risk assessments carried out as part of the planning application show areas within the new settlement site that are constrained by either river or surface water flooding.	Development Framework amended accordingly.
Some of the land included in the development framework is not under the control of the site promoters.	Whilst the Council must ensure that the DPD is deliverable, the proposals must aim to achieve the best outcomes in order to create a successful new community. Land ownership may change over time and so it is not felt that this is an issue at this stage as key infrastructure requirements can be met on available land. Specific concerns over the location of the primary school have been addressed and the location of this has changed for a number of reasons as detailed in the Local Centre key issues section below.
Maximise use of Johnsons Land in order to support the relocation of the Johnson's business. Suggested extension of development to the north east and up to the existing field boundary and east to cover the land between the railway and Gilsthwaite Lane	Boundary extended between railway and Gilsthwaite lane to reflect the available land. Proposed residential areas extended north to an extent, however, it was felt that any further north eastern extension of the proposed residential area would result in the loss of a key green infrastructure feature "Doodle Hill".
Ecological Mitigation area - given the presence of Great Crested Newts (GCN) in four ponds (three of which are within the Maltkiln Village site and another is outside the site but within the Council's proposed new settlement boundary) that would have an impact of development land in important areas of the site, an area of land was identified for ecological mitigation (relocating Great Crested Newt populations) within the Maltkiln Village proposals in the form of a new pond to the south of the site and around which would be resultant development exclusion zone.	The proposed mitigation area can be accommodated within the proposed area of green space and appropriate buffer zones can be determined as part of more detailed master planning.
Road alignments need to be amended to reflect technical work undertaken in support of a planning application.	Amended following more detailed discussions with key consultees - see Access and Movement Section.
Southern and eastern development extent - unnecessary large buffer to the east and south.	Proposed residential area extended slightly to the south. However, it is felt that extension further east would cause harm to heritage assets and risk coalescence between Maltkiln and Kirk Hammerton. The DPD now includes a Strategic Green Gap policy which makes the eastern boundary and makes clear the importance of the open land on the eastern side.
Relocate the main employment area away from the key northern gateway	Amended following more detailed discussions with key consultees- see employment discussions in Local Centre key issues section.
Density - concern at the proposed density mapping proposed in the Concept Framework produced by Gillespies, Cushion and Wakefield and Vectos.	The DPD sets principles for density to be followed during more detailed masterplanning stages and doesn't include prescriptive areas for density.

Development Framework 7

Key Issue	HBC Response
Retained farm land annotation - concern at the lack of clarity, in particular what it means for current and future use of this land.	Retained farmland designation removed from the Development Framework. The DPD now includes a clear policy boundary, as well as a Strategic Green Gap Policy which provides a clear framework for development.

- 7.1** The Development Framework aims to provide a high level steer on where key land uses, such as housing and employment, should be located. It also shows important areas for open space and green corridors. However the framework is designed to be indicative and some of the internal layouts and boundaries may change during the master planning phases as more detailed survey work is undertaken. The proposed Development Framework Policy with the DPD sets out the overall requirements for land uses and facilities.
- 7.2** The proposed Development Framework published as part of the Regulation 18 consultation has been amended following a range of discussions with key consultees and organisations to reflect suggestions on where best to locate facilities such as employment and education. Further details of such discussions can be found in the topic specific sections. It has also be updated following discussions with land promoters to reflect available land where possible and appropriate.

8 Climate Change

Key Issue	HBC Response
General	
<p>Development should be carbon neutral to be in line with the council's 2038 ambition.</p> <p>The settlement must provide carbon neutral living.</p>	<p>Policy NS4 requires proposals to demonstrate how they support delivery of net zero carbon by 2038. This includes tackling operational emissions from buildings, transport, infrastructure and business uses, as well as tackling embodied emissions throughout the development's life-cycle.</p> <p>The new settlement is required to provide net zero carbon living by delivering development with net zero operational emissions and the infrastructure necessary to support net zero travel.</p>
Transport emissions	
Reducing the need to travel	
Encourage and support working from home	Policy NS9 requires applicants to develop a strategy to support home/hybrid working. It includes a number of detailed requirements aimed at ensuring that the new settlement enables home/hybrid working and is an attractive location for people who are able to work this way.
New homes should be build to recognised space standards, such as the Nationally Described Space Standard and/or the Parker Morris standards, to ensure sufficient space at home	The DPD includes policy requiring that homes meet the Nationally Described Space Standard (NDSS)- this is already required across the district through policy in the local plan. Following introduction of the NDSS the council is unable to require alternative space standards.
Need to provide high-speed broadband from the outset	Policy NS6 requires very high capacity (at least 1Gbps) broadband to be available to all buildings from first occupation and site-wide 5G (or greater) connectivity. It also requires development to support the ability to upgrade fibre capacity.
Provide local services	The flexible working strategy required by policy NS6 is required to include the provision of shops, facilities and services, including co-working spaces, necessary to support day-to-day needs. Policies NS26 and NS29 in chapter 6 set out further requirements for the local centre and provision of facilities.
Provide local employment opportunities	Policy NS27 within chapter 6 sets out requirements for the delivery of employment space within the new settlement. Local employment will also be available at local shops, services and facilities.
Active travel (walking and cycling) - Key issues raised in relation to active travel at the new settlement, along with the council's response are set out in section 9.	
Public transport (rail and bus) - Key issues in relation to public transport at the new settlement, along with the council's response are set out in section 9.	
Operational emissions	
Design buildings to be zero carbon	Policy is included in the DPD that requires development to have net zero carbon operational emissions.

Climate Change 8

Key Issue	HBC Response
General	
Better than building regulations thermal efficiency standards should be required	<p>Planning policy is only able to require modest improvements over the standards required through Building Regulations in relation to houses. In 2022 regulations have been tightened to deliver 30% greater carbon savings. From 2025 the Future Homes and Future Buildings Standards (FHS/FBS) will require development with around 80% less emissions- this would prevent the use of gas boilers, however, at the same time the ability for planning policy to set standards is expected to end.</p> <p>Anticipated timescales suggest development will need to meet FHS/FBS as a minimum. However, DPD policy includes a requirement for better than building regulations performance if FHS/FBS is not proposed.</p>
Adopt new Building Regulations as soon as possible	The timetable for implementation of changes to Building Regulations is set nationally. The DPD is unable to include expected regulations as planning policy. Anticipated timescales suggest development will need to meet FHS/FBS as a minimum. However, DPD policy includes a requirement for better than building regulations performance if FHS/FBS is not proposed.
The Passive House standard should be required	The ability of planning policy to set technical standards for homes is limited and government has indicated that it will end on introduction of the Future Homes and Future Buildings Standards (FHS/FBS) (see above). The new settlement is required to demonstrate net zero carbon energy use and achieve this through application of the energy hierarchy, which has reducing energy use and using energy efficiently at the top. The DPD is clear that the council encourages investment in passive house development to reduce energy demand in preference to alternative investments aimed at securing net zero supply.
Undertake a study to determine techniques/technologies available (e.g. heat pumps) and their applicability to the new settlement and their suitability in meeting climate change targets.	DPD policy requires development to have net zero carbon operational emissions but does not mandate the technologies that are used in order to retain flexibility. It is considered that the work described is best carried out by the development promoter who would need to demonstrate that their approach meets targets.
Waste heat from Allerton Park should be used	DPD policy requires development to have net zero carbon operational emissions but does not mandate the technologies that are used in order to retain flexibility. Nevertheless policy includes a requirement to explore the potential to exploit local energy resources, such as secondary heat from Allerton Park.
Test buildings to ensure they perform as they are designed to	To help ensure that built performance matches designed performance DPD policy requires construction to follow a recognised regime intended to ensure quality builds and then to implement a monitoring regime for a representative proportion of buildings.
Renewable and low carbon energy	

8 Climate Change

Key Issue	HBC Response
General	
Development needs to include renewable energy generation	Policy is included in the DPD that requires development to have net zero carbon operational emissions and that the approach needs to follow the energy hierarchy which includes renewable and low carbon energy generation
Include a local micro-grid throughout the settlement using solar PV	The DPD requires development to have net zero carbon energy supply but does not mandate the technologies that are used in order to retain flexibility.
Use solar power and heat pumps on homes	The DPD requires development to have net zero carbon energy supply but does not mandate the technologies that are used in order to retain flexibility.
Make it a renewable powered settlement	The DPD requires development to have net zero carbon energy supply but does not mandate the proportion of energy to be generated on-site.
Embodied carbon	
The DPD should include policy to address carbon emissions during construction. Sustainable construction materials should be used.	Policy is included in the DPD to address embodied carbon. The policy targets embodied carbon throughout the life-cycle of development, including emissions associated with the production and transport of materials, construction activity, on-going maintenance and end of life.
The DPD should require off-site construction	It is considered that a policy requiring off-site construction for the whole site would be unsound. Policy requiring a proportion of development to be constructed off-site has not been included as it is considered appropriate to allow greater flexibility in approaches to tackle embodied emissions. The benefits of off-site construction in relation to embodied carbon and other issues is recognised and proposals that include off-site construction could be supported by DPD policy.
Should recognise that best practice in sustainable construction is improving	The policy recognises that approaches to reduce embodied carbon are less advanced than those targeting operational carbon but are improving rapidly. Policy requires embodied carbon to be considered from the outset but also requires earlier commitments to be reviewed against improving best practice as designs for each stage are considered.
Flooding	
Consultation material describes the site as having no significant flood risk however this contradicts other consultation material that identifies the site as containing areas at risk of flooding	The site includes discreet areas at risk of river or surface water flooding, however, in comparison to the areas of the site that are not at risk these are small. As a result the site overall has a low risk of flooding.
It needs to be demonstrated that the site selected meets the sequential test for flooding	The site proposed for allocation has met the sequential test. Details of the sequential assessment of all three options is set out in the New Settlement DPD: Flood Risk Sequential Assessment. The approach set out in the DPD will successfully steer development away from flood risk. This will be achieved through policy requiring that areas at risk of flooding now or in the future due to climate change will remain undeveloped.

Climate Change 8

Key Issue	HBC Response
General	
The site includes areas at high risk of flooding (flood zone 3)	The SFRA identifies that around 90% of the site is not at risk of river flooding (flood zone 1) but that most of the remaining 10% that is at risk is at high risk (flood zone 3). To ensure that people and property are safe from river flooding, policies in the DPD require that areas at risk of river flooding are not developed but instead are enhanced as part of a green blue infrastructure network.
The site includes areas of surface water flooding	The SFRA identifies that the vast majority of the site is unaffected by surface water flooding but that small parts of the site are at risk. These tend to be low lying areas where often permanent surface water features are present. To ensure that people and property are safe from surface water flooding, policies in the DPD require that areas at risk are not developed but instead are enhanced as part of a green blue infrastructure network.
Most of the site is outside higher levels of flood risk currently but this may not always be the case, climate change will increase the areas that flood within the site. Flood risk consideration needs to take account of predicted impacts of climate change on river and surface water flooding.	Policy in the DPD requires that development proposals are based on a detailed site-specific flood risk assessment that addresses increased flood risk due to climate change. It requires that the Environment Agency's up-to-date climate change allowances are used to inform understanding of reasonable worst-case scenarios of increased risk. This information is required to inform site layouts so that land at risk due to climate change is not developed.
Development will worsen flooding problems in Cattal, Kirk Hammerton and at Skip Bridge	It is recognised that there are areas at risk of flooding beyond the new settlement site. While these areas will remain at risk national planning policy requires that development cannot increase this risk. This requirement has been carried into policy within the DPD.
Development will lead to increased hard surfaces causing putting more surface water into Kirk Hammerton Beck. Sustainable drainage systems (SuDS) should be used	Policy requires a site-wide drainage strategy that incorporates SuDS and encourages the provision of surface water attenuation features. Where discharge to a watercourse is proposed the policy limits discharge rates to a maximum of the pre-development green field rate
The drainage hierarchy should be followed when considering approaches to site drainage	DPD policy requires that the drainage strategy follows the drainage hierarchy set out in Part H of the Building Regulations.
Other climate resilience	
Include measures to reduce water use including rain water harvesting	The DPD includes policy requiring proposals to set out how water use will be reduced. It sets out that measures should include rainwater harvesting, rain gardens, smart infrastructure and the avoidance of potable water use in public spaces.
Include water efficiency standards	The DPD includes policy requiring new housing to meet as a minimum the tighter Building Regulations water efficiency standard of 110 litres/person/day and for other buildings to meet the BREEAM 'Excellent' standard for non-domestic buildings in respect of water use.

8 Climate Change

- 8.1** The Regulation 18 consultation responses highlighted the importance of climate change and the need for Maltkiln to contribute to climate change mitigation. In particular the need for new homes to emit much less carbon was a strong theme along with ensuring that the settlement includes good public transport provision and attractive and convenient walking and cycling routes to reduce travel by car.
- 8.2** The responses also highlighted concerns around flood risk and the potential for development to increase risk through the introduction of increased hard surfaces, particularly in areas outside Maltkiln that already experience flooding.
- 8.3** Technical workshops to discuss how the DPD should respond to climate change have taken place with key stakeholders, including the Community Liaison Group and statutory consultees. These discussions informed further work to develop policy aims and approaches.
- 8.4** The Council commissioned a New Settlement Climate Change Strategy to explore opportunities and develop a series of ambitions that could form the basis of evidence based policies. This work included a series of workshops with the Harrogate District Climate Change Coalition and, where relevant, the scheme promoter, to seek views on opportunities and emerging ambitions.
- 8.5** The feedback received informed a series of policy recommendations, which the Council has used to develop policy within the DPD, in particular policies NS4 to NS11.
- 8.6** In addition, further meetings took place with the Environment Agency and the lead local flood authority, North Yorkshire County Council, to refine the approach to flood risk, in particular, climate change allowances.

Green and Blue Infrastructure 9

Key Issue	HBC Response
<p>Ambition should be for 20% BNG and the DPD should align with objectives of the government's 25yr Environmental Plan in considering how to incorporate the wider Environmental Net Gains approach</p> <p>Seek all opportunities to connect existing habitats and ensure development doesn't interrupt wildlife corridors</p>	<p>BNG targets are used in different ways, some councils only request a percentage increase of what is lost. At HBC we require a percentage increase of the whole baseline value, regardless of what will be maintained. Maintaining a 10% increase using this method is appropriate. To ensure our target is meaningful we are encouraging the consideration of wider environmental gains and specifies specific enhancements. The GBI policy and biodiversity policy reflect aims in 25 year plan by:</p> <ul style="list-style-type: none"> ● improving environmental value; ● increasing access to high quality natural spaces; ● seeking to improve quality for rivers; ● requiring habitat enhancement and creation <p>The policy includes opportunities to connect existing habitats and ensure development doesn't interrupt wildlife corridors</p>
<p>Delivery should consider context and partnerships</p>	<p>Noted</p>
<p>Evidence Base should include identification of ecological networks, designated sites, GBI, wildlife rich habitats, wider opportunities</p>	<p>Green infrastructure and ecological records of the site and its surrounds have been used as background information to the development of the policy..</p>
<p>Riparian habitats need to be addressed specifically through the policy</p> <p>Need to ensure Water Framework Directive issues are addressed at design stage.</p> <p>Baseline of water quality should assume current impacts from agriculture would be addressed via new national policies, changes to farm payments etc.</p>	<p>Local Plan Policy NE2 does not allow developments which will prejudice the quality or quantity of surface or ground water; or have an adverse impact on water dependent sites of special scientific interest (SSSIs).</p> <p>The update River Basin Management Plans are currently out for consultation. Relevant measures are voluntary schemes to enhance riparian habitats as required in new settlement policy</p>
<p>Vision should be furthered to make specific reference to Integrated green and blue infrastructure networks that promote nature recovery and net Biodiversity gain</p>	<p>Policy NS13 states that Maltkiln will be designed to deliver meaningful gains for biodiversity and optimize opportunities to deliver multiple benefits for nature and people. The landscape and open space objective also makes reference to the need to create spaces for nature and deliver biodiversity benefits.</p>
<p>Protection of Aubert Ings SSSI, priority habitats, endangered species</p> <p>Aubert Ings SSSI: Policy required to ensure mitigation measures to avoid adverse impact from recreation including recreational strategy based on assessment of recreational impact.</p>	<p>The DPD contains a policy that protects Aubert Ings SSSI. This policy complements Policy NE3 of the Local Plan which supports proposals that protect and enhance features of ecological and geological interest and provide net gains in biodiversity.</p>
<p>Consider provision of additional water attenuation; particularly the benefits of wetland habitats incorporated in SuDS.</p> <p>Areas of wetland should be provided</p>	<p>The Green and Blue Infrastructure policy seeks to incorporate SuDs above ground water features to maximise opportunities to benefit people and wildlife and the master-planning design principles states that SuDs wetland will be integrated for water management, amenity and biodiversity, as part of green blue infrastructure.</p>

9 Green and Blue Infrastructure

Key Issue	HBC Response
Wildlife should be included as strategic theme	It is not considered necessary to have it as a specific strategic theme as the protection of wildlife and biodiversity is covered by specific policies within the DPD as well as the Local Plan policies. Wildlife is covered however in the landscape and open space objective that looks to create spaces for nature and deliver biodiversity benefits.
Want green spaces to be larger and more connected. Do not like 'pockets' of green space. Should form part of the Nature Recovery Network.	The policy which highlights the master-planning design principles for the site looks to ensure that every residential area has accessible open space as well as green linkages connecting throughout the settlement. Policies related to open space also states that open spaces may include innovative forms and layouts allowing a wide range of activities and proposals will have to demonstrate how existing and new open spaces connect to form a coherent and legible network. In-line with the Environment Act 2021 a nationwide Nature Recovery Network will be developed based on evidence within Local Nature Recovery Strategies (LNRS). A LNRS has yet to be produced so policy is unable to reflect any specific content. Nevertheless the strategy will be developed during the planning and delivery of Maltkilnb and therefore policy requires that GBI strategies take account of it's content. Policy is also included to ensure development delivers a 10% net gain in biodiversity.
Needs evidence to support type and location of new green infrastructure, whether as habitat or recreational space. GBI Strategy for whole settlement to avoid piecemeal green spaces from individual planning applications	Policy has been created that states that a Green Blue Strategy should be produced to inform each stage of development. The policy includes a number of issues that the strategy should cover.
Should have policy for minimum amount of multi-functional green space	The DPD includes a policy on open space provision which states that the Provision for Open Space and Village Halls Supplementary Planning Document should be used to establish the starting point for on-site provision but that this should be classed as the minimum and the actual amount of provision will be established as part of wider masterplanning.
There should be benefits for species: sensitive lighting design, bird/bat boxes, hibernacula, hedgehog pass	Local Plan Policy NE3 states that proposals should protect and enhance features of ecological and geological interest. A policy has been created that requires a settlement wide Biodiversity Net gain Strategy to be prepared that ensures development does not interrupt existing wildlife corridors, physically or by causing disturbance through the development/use of the site. The policy also states that the development scheme should provide targeted enhancements for specific species including integrated bat and swift bricks, hedgehog passes and bird boxes.
Houses should not back onto green space to avoid fly tipping of garden waste	The DPD does not include policies on such detailed matters of design. The relationship between housing and nearby open space is a complex issues involving a wide range of material considerations which will form part of individual planning application decision making. These decisions will also be influenced by Secured by Design principles.

Green and Blue Infrastructure 9

Key Issue	HBC Response
<p>Concerned about loss of habitats</p> <p>10% net gain for biodiversity required</p>	<p>Policy has also been created within the DPD to deliver meaningful gains for biodiversity and specifically refers to the need to deliver at least 10%.</p>
<p>Recommend inclusion of details of the 'Building with Nature' accreditation within the DPD</p>	<p>The Green Blue Infrastructure policy make reference to the Building with Nature standards.</p>
<p>Preferred option increases recreational impact on Aubert lngs SSSI.</p>	<p>Policy has been created within the DPD to provide protection for the SSSI.</p>
<p>There should be new habitat creation (woodland) with multiple aims including carbon off-setting, south of settlement.</p>	<p>The DPD requires the submission of a Green Blue Infrastructure strategy and open space will be provided including Natural and Semi-Natural Green space which includes woodland. Tree planting will be required as part of a Climate Resilience Strategy to ensure that public spaces are pleasant places in a changing climate.</p>
<p>No evidence to calculate loss of carbon sequestration with loss of agricultural soils.</p>	<p>The approach taken is to protect assets that form important carbon sinks and enhance carbon sequestration as part of delivering green blue infrastructure and 10% biodiversity net gain.</p>
<p>There are areas constrained by flooding;</p> <p>Land north of Cattal station has restrictive ground conditions and flooding;</p>	<p>The DPD requires that land at risk of flooding remains undeveloped and is incorporated as part of the Green Blue Infrastructure network.</p>
<p>The buffer to south and east should be reduced (loss of some retained farmland).</p>	<p>A retained farmland designation has not been carried forward into the DPD however a Strategic Green Gap is being designated in specific locations to keep free from development the rural setting of Kirk Hammerton and Green Hammerton.</p>
<p>Open space will not be distinctive or beautiful.</p>	<p>The DPD includes policies that will require all green and blue infrastructure including opens spaces to be of a quality design which creates a distinctive sense of place.</p>
<p>Need lots of Green Infrastructure; should be priority. Broad leaf trees for wider environmental gain.</p>	<p>Noted</p>
<p>There should be:</p> <ul style="list-style-type: none"> ● green connections to existing villages ● green loop ● routes to explore the immediate countryside ● new paths and bridleways so that the settlement can meet daily needs for recreation inc. dog walking 	<p>The DPD proposes that there should be the provision of a network of connected walking and cycling routes providing safe and direct connections to key destinations within the settlement and beyond. This includes the provision of a routes suitable for recreational trips of varying lengths that include connections to key open space within the settlement, the surrounding countryside and Green Hammerton, Kirk Hammerton and Cattal. The Green Blue Infrastructure policy also states that a Green Blue Infrastructure strategy should be produced to inform each stage of the the development which should aim to connect with green infrastructure beyond the settlement boundary. The DPD also includes a walking and cycling policy which requires the provision of a circular green loop to provide a route around the community, linking with Cattal, Kirk Hammerton and Green Hammerton.</p>
<p>Support non-car movement around the site</p>	<p>Noted</p>

9 Green and Blue Infrastructure

Key Issue	HBC Response
Concerns about the loss of agricultural land	The principle of the new settlement in this broad location has been established through Policy DM4 of the Local Plan which recognises that there will some loss of agricultural land. The choice of option within the broad location has been informed by a wide range of considerations including sustainable transport and high quality place making aspirations.
Concerned about coalescence between the new settlement and existing villages. The green space between the development and the existing villages should be protected or a buffer zone created.	Land has been allocated within the DPD as a Strategic Green Gap which should be kept free from development in order to protect the rural setting of Kirk Hammerton, Green Hammerton and their respective Conservation Areas. Development proposals will only be permitted if they do not harm, individually and collectively, the open character of the landscape.
Eastern edge is 300m from Kirk Hammerton. This will be read as a green space similar to the green spaces within the new settlement rather than a separation between two settlements .Built form and dense planting will impact on setting of Kirk Hammerton CA and views from western to southern edge of CA.	
Maintain the Green Belt around the villages	A designated Green Belt does not exist around the villages however land has been allocated within the DPD as a Strategic Green Gap which should be kept free from development in order to protect the rural setting of Kirk Hammerton, Green Hammerton, Development proposals will only be permitted if they do not harm, individually and collectively, the open character of the landscape.
The farmland around the New Settlement requires some protection such as Green Belt.	The designation of Green Belt at this location would not meet the NPPF criteria for Green Belt designation or is necessary, however the DPD does designate land as a Strategic Green Gap to ensure it is kept free from development in order to protect the rural setting of Kirk Hammerton, Green Hammerton and their respective Conservation Areas.
Landscape impacts- not build on higher ground, provide access so residents can appreciate views. Including Coney Hill Garth and Green Hammerton Ridge. Doodle Hill? Want to see tree planting and creation of parkland to help create boundaries and lessen landscape and noise impact.	The DPD includes policy that requires the area around Doodle Hills and an area at Cattal Belt to remain free of development in order to provide extensive areas of natural and semi-natural open space. In particular the area at Doodle Hills should allow long distance views in each direction. The requirement for the GI strategy and open space provision and the requirements within the master-planning principles will ensure the provision of high quality open space and settlement edge treatments
Offsetting should not be left to developer but implemented by someone else.	Offsetting is the responsibility of the developer and will be enforced through legal agreements.
Great crested newt pond near to Whixley Gate	Noted
Public open space should be maximised and include: playgrounds, allotments, community gardens, accessible green spaces (natural/semi-natural green space?), woodland walks), parks, access to river.	The master-planning design principles for the site state that sufficient high-quality accessible open space should be provided including the provision of park and gardens,

Green and Blue Infrastructure 9

Key Issue	HBC Response
<p>Greater appreciation of importance of open space due to pandemic. All properties without gardens should have access to allotment.</p> <p>Open space for tranquillity and solitude.</p> <p>Sports facilities should be provided (running track, football pitches, bowling green, gym, skate park)</p>	<p>natural and semi-natural green space, outdoor sports facilities, amenity green space, provision for children and young people, allotments and community gardens</p>
<p>Not enough footpaths currently, and most walking is alongside roads; the new settlement needs to address this by providing footpaths. More footpaths to ensure safety for pedestrian.</p>	<p>The DPD includes a walking and cycling policy that states that the development will be required to provide a safe, integrated and direct network of footpaths and cycleways.</p>
<p>Need to ensure the appropriate phasing/timing of provision</p>	<p>Work has been undertaken and will continue about the phasing of development. Phasing plans will be prepared in partnership with the relevant stakeholders at each stage of development which will ensure that all infrastructure is delivered at the right time.</p>
<p>Green spaces are located on edge of settlement; village centre will be shaped by 'hard' infrastructure of railway station.</p>	<p>The Development Framework shows substantial green spaces throughout the development. The policies within the DPD require a connected network of green infrastructure throughout the development, sufficient high quality accessible open space and residential areas provided with pockets of open space and green linkages connecting through the settlement. Whilst the local centre includes the railway station, policies within the DPD states that the local centre should have areas of public open managed green space.</p>

- 9.1** The Regulation 18 consultation responses highlighted the importance of green blue infrastructure including connections to surrounding villages, biodiversity net gain as well as concerns about coalescence and the need to protect the Albert Ings SSSI. In particular the need to ensure the for new homes to emit much less carbon was a strong theme along with ensuring that the settlement includes good public transport provision and attractive and convenient walking and cycling routes to reduce travel by car.
- 9.2** The responses also highlighted concerns around flood risk and the potential for development to increase risk through the introduction of increased hard surfaces, particularly in areas outside Maltkiln that already experience flooding.
- 9.3** Technical workshops and informal discussions have taken place with key stakeholders, including the Community Liaison Group and statutory consultees such as Natural England, Environment Agency, The Yorkshire Wildlife and North Yorkshire County Council. These discussions informed further work to develop policy aims and approaches.

10 Heritage Assets

Key Issue	HBC Response
Archaeology	
<p>Responses highlighted that the area is known for its historic importance, in particular, it was highlighted that:</p> <ul style="list-style-type: none"> • The area played a role in the Roman, Viking and Civil War eras. • Investigation in support of a recent planning application found a Roman Road running off Rudgate towards the development. • The map shows that the site is bisected by the Roman road than runs down to Cattal. <p>Respondents wanted recognition of the area's archaeological importance and stressed the need for archaeological investigation.</p> <p>It was also suggested that development, both housing and employment, in the north west corner of the preferred option should be moved back from the A59 to avoid building over the Roman settlement in this area.</p> <p>It was also raised that the lack of assessment leaves deliverability in question.</p>	<p>Policy developed in consultation with Historic England which requires archaeological investigations to be undertaken at an early stage of the detailed master planning for each phase. The policy also requires that proposals affecting archaeological sites conserve those elements which contribute to their significance in line with the importance of the remains.</p> <p>NYCC archaeology confirmed that there were no "show stoppers" in terms of archaeology.</p>
Concern at rural character of villages	
<p>The character has evolved over hundreds of years and includes farm buildings, manor houses, farm workers cottages, village shops and inns augmented by small empathetic housing developments. Character should be recognised and sustained.</p>	<p>The DPD takes a number of steps to ensure that the local character is recognised and protected. The DPD includes a strategic gap policy, specifically designed to protect the distinctive character of existing villages. In addition one of the objectives of the DPD is to promote high quality, locally distinctive design within the new settlement in order to create a unique sens of place. The Masterplanning policy in the DPD requires Desing codes to be prepared and submitted as part of the planning application process.</p> <p>A study of non designated and designated heritage assets to ensure key assets and features protected.</p>
Providence House	
<p>Option 3 has the least detrimental effect on the setting of Providence House. This could be further improved by setting option 3 farther back from the A59.</p>	<p>Noted. The DPD includes a policy in respect of Providence House and specifically requires that the impact of development south of the A59 on Providence House to be considered within the rural context</p>
Lack of detailed assessment	
<p>No indication that the historic and landscape character of the area has been taken into account in the reports.</p>	<p>The council has prepared a Heritage Impact Assessment and olicies developed in consultation with Historic England to protect and enhance key heritage assets.</p>
Particular concerns relating to local heritage assets	

Heritage Assets 10

Key Issue	HBC Response
Archaeology	
<p>Responses suggested that policies to protect heritage assets and their views/special characteristics should be included within the DPD. The following assets below were highlighted, as well as some suggestions for what specific policies should cover:</p> <ul style="list-style-type: none"> ● Cattal Bridge - This is Grade 2 Listed and should be protected from increased traffic flow. ● Rudgate - Roman Road sometimes referred to as Rudgate/Cattal Street/Station Road is an ancient route, probably Roman in origin. It should be protected and retain its character as a rural lane for its full length - a pedestrian/cycle/horse bridge over the A59 linking the two parts of Rudgate would be a public benefit. ● Station buildings (Cattal) - these are clearly undesignated heritage assets and their sympathetic repair and reuse should be suitably conditioned. ● Victoria Inn - under its mock-Tudor makeover, is a railway inn designed by the great GT Andrews to serve the original station. Should be retained and efforts made to restore it to its original GT Andrews design. ● Old Thornville – Grade II* Listed Building and associated Grade II listed buildings. The new development should be screened from Old Thornville. ● Providence House - a fine Grade II Listed building. ● Allerton Park/Castle - these can be seen from the site (Grade I) and the plans should allow for planned views of these and other local landmarks. ● Hunsingore Church (Grade II) - this has a fine spire and can be seen from the site. Development should allow for planned views of this. ● Kirk Hammerton Conservation Area – Assessment to date is focussed on views and visibility, with no statement of how or to what degree these views contribute to the special character and significance of the Conservation Area in question. There does not seem to be any relation to aspects of heritage significance here, or even issues of setting relating to significance. ● Hunsingore Conservation area ● Ribston Estate/Park 	<p>Policies developed in consultation with Historic England to protect and enhance key heritage assets.</p>

- 10.1** Responses received during the Regulation 18 consultation gave a clear steer on the key heritage assets and priorities to be protected through policy on the historic environment. Policies were developed in relation to the key assets identified, as well as in relation to archaeology. Concern at the lack of detail was addressed through a Heritage Impact Assessment, which looked in greater detail at the assets likely to be impacted by development of Maltkiln. Further study work was also undertaken on non-designated heritage assets, exploring in further detail the key features to be protected and enhanced through specific policies.

10 Heritage Assets

- 10.2** Detail discussions, including site visits to assets and areas in question, were undertaken with Historic England, the Government's statutory adviser on the historic environment. These discussions informed the drafting of the policies and the drafts, along with the heritage impact assessment, were supported by representatives from Historic England.
- 10.3** Discussions also took place with Officers from NYCC in relation to archaeology and policy drafted in line with their advice.

Housing 11

Key Issue	HBC Response
Housing	
<p>Responses highlighted the importance of exemplar development, delivering a high standard of housing, providing life-time accommodation which is accessible and adaptable, dwellings which would allow people to work from home.</p> <p>Delivering a housing mix based on need identified, with homes for young people and families, providing bungalows to create mixed communities with affordable market housing for first-time buyers.</p> <p>Further specification on housing mix and neighbourhood planning was identified as being required.</p>	<p>Policies have been developed to be read in conjunction with the adopted Local Plan ensuring housing mix and density meets the identified need. Requiring some market dwellings to be built to be accessible and adaptable homes.</p>
Affordable Housing	
<p>Responses highlighted the importance of affordable housing for both sale and rent, with an emphasis on meeting the needs of local people for all ages, creating multi-generational communities.</p>	<p>Policies developed in consultation with Housing Officers to ensure a mix of affordable housing can be delivered on site, using up-to-date assessments of need to assess the final mix of dwellings, size, mix and tenure.</p>
Specialist Housing	
<p>Responses raised the need for care home and extra-care accommodation.</p>	<p>Policies developed in consultation with NYCC Health and Adult Services to ensure specialist housing is provided at Maltkiln and is based on the needs of the community, but not restricted to older people.</p>
Non-standard housing	
<p>The need to provide plots for self-builders, build-to-rent and other non-standard elements of development was highlighted in responses.</p>	<p>Policies developed to allow a mix of housing to be delivered with a specific policy requiring the delivery of plots for self and custom housebuilding, to help meet the demand identified on the council's Self-Build and Custom Housebuilding Register.</p>

- 11.1** The Regulation 18 consultation responses highlighted the importance of creating mixed and balanced communities, with emphasis on the need for exemplar housing. Providing housing for young people and families to continue to live locally, along with bungalows and accessible and adaptable homes, to help create multi-generational communities. Responses highlighted the importance of delivering affordable housing for both sale and rent for local people and first-time buyers.
- 11.2** Throughout the process detailed conversations have been had with Housing Officers, North Yorkshire County Council Health and Adult Services and Development Management Officers to draft policies which complement and expand on those within the Local Plan and help to deliver a mix of homes of varied and sustainable neighbourhoods that satisfy local needs and support economic growth.

12 Local Centre

Key Issue	HBC Response
Local Centre	
Need for community space at the 'heart' of the village	Policies have been developed to ensure there is adequate community facilities as part of the Local Centre.
The creation of a viable village centre with shops, cafes, medical facilities is key to achieving a sense of identity for this new town and avoiding a reliance on the few services in nearby villages or encouraging the need to travel	Agree. Policies have been developed to ensure that a local centre is delivered at the heart of the settlement providing a range of facilities and services for the local community.
Need to include cafes, independent shops and places of worship to enable a diverse community	Policies been developed to ensure that the local centre will provide for there a large range of different facilities and services including independent retail, leisure and entertainment and community.
The local centre could attract vehicular movements from adjoining villages which may have a detrimental impact	Policies have been developed to ensure that Maltkiln is designed and developed in a way that reduces the need to travel and encourages sustainable travel both within the settlement and in connections to neighbouring communities. These include criteria such as safe, integrated network of footpaths and cycleways, high quality bus service to serve Maltkiln and surrounding communities, circular green loop linking existing communities and safe pedestrian crossings over the A59.
Inadequate consideration has been given to the amount of local services especially seeing as there is now an increase of working from home	The DPD requires the substantial provision of facilities and services to meet the needs of the settlement and includes a policy to support inclusive flexible living and working.
Need for adequate sized food retail provision to avoid unnecessary travel to Knaresborough and Boroughbridge	Policies have been developed to ensure the provision of mixed retail including a large range of unit sizes and spaces.
Local shops should embrace the local character of the area and not be standard 'boxes'	Policies have been developed that require design codes to be prepared and submitted as part of detailed planning applications for the local centre and every phase of development.
There should be small retail provision throughout the site not just in the local centre	The local centre is designed to be the heart of the development and provide a centre of focus for the community. It will be accessible to all the community of Maltkiln by foot.
Employment	
Commercial workshops required	Policies have been developed to ensure that there is provision of a range of employment opportunities including commercial and flexible business space and a range of Class E2 and B2 employment space as well as non-office employment space and workshop units.
Employment land should not be located around the local centre but to the west of the site where efficient use of land could be achieved that is currently restricted by the major hazard (gas pipeline) for use as residential	The employment land is located adjacent to the local centre to the south of the railway however it is important that it occupies an accessible location adjacent to the railway and a more central position to enable accessibility by foot and cycle for the rest of Maltkiln.
Concerned about the impact of employment on the nearby residential properties	It is important that a settlement of this site includes employment provision however as with any employment development, the impacts on adjacent residential

Local Centre 12

Key Issue	HBC Response
Local Centre	
	properties will be taken into account when making application decisions and any proposal needs to be consistent with Local Plan as well including those in relation to Amenity.
Education/Young people	
Surprised by the lack of need for a secondary school. Do not feel that Boroughbridge High School could be extended and there should be provision on site to avoid extra travel and to ensure the needs of high school students are adequately met	NYCC education have been consulted on how best to meet the educational needs of the development and have concluded based on numbers and capacity at Boroughbridge High School that there is no need for secondary on-site provision. However, as a strong desire has been expressed amongst officers, the community and members for the settlement to include on-site secondary provision, Policy NS27 provides for financial contributions towards secondary school provision at Boroughbridge High School or provision of a secondary school whichever is necessary. The Development Framework also shows an area of safeguarded land for future secondary provision if needed.
Support the location of the school in the local centre and close to public transport provision which increases the opportunities for non-car travel	Noted
Need to ensure that the phasing and built out rates are closely monitored with regard to provision of the primary school	HBC are working closely with NYCC Education to establish specific phasing for the development of the school to ensure delivery at the right time and these will be included in a S106 agreement.
If the number of houses increases then there will be a need for education S106 contributions	The level of section 106 contributions is linked to the impact of the development and therefore the number of houses.
Need to ensure there is financial contributions for school staff as well as school buildings	Educations can be sought towards the cost of providing school places necessary to support the development and therefore are towards the cost of extending or reconfiguring an existing school or building a new one.
Should be sufficient facilities for teenagers and young adults to avoid anti-social behaviour	Provision for all ages, including teenagers and young adults is an important consideration in the development of Maltkiln.
Health	
New medical facilities need to be provided early in the process and should be given priority. There appears to be no strategic vision about healthcare. There should be provision of a single new surgery which includes a number of consulting rooms as well as other primary care such as pharmacies, dentists and even minor injury.	HBC has been working closely with local healthcare providers and the Clinical Commissioning Group (CCG) to understand the triggers for development and the type, level of requirement. This consultation will continue throughout the DPD preparation and implementation to ensure the timing and level of provision is correct.
Delivery/Viability	
Local centre needs to be delivered early on in the development process	Work on phasing and triggers is continuing and the different facilities and services within the local centre will be included in this work.

12 Local Centre

Key Issue	HBC Response
Local Centre	
Community facilities should be handed over to the community after 20 years and rents kept low	Policies are included within the DPD that require that consideration should be given to the future management of local facilities, including the potential for community asset management.
Developers need to ensure that community facilities, school, health are delivered and that they don't avoid it through viability assessments	The provision of the necessary local facilities is contained within Local Plan Policy DM4 and will be ensured through legal agreements. It is in the developer's best interests to provide these local facilities to enable the provision of a sustainable community that people want to live in.
Important that sufficient developer contributions are required to enable infrastructure to be provided	
Need for clear and documented evidence of plans for provision of entertainment, services, facilities, shops, gyms and supermarkets within the development	Yes these will be required.

- 12.1** Regulation 18 consultation responses highlighted the importance of ensuring the need for a flexible local centre at the heart of the settlement that provided for a range of needs including employment, health, community and education as well as a need to provide secondary school provision on site.
- 12.2** Informal consultation has taken place with key stakeholders that has helped to shape the policy wording. This has included meetings with North Yorkshire County Council as Education Authority, Clinical Commissioning Group and local health providers.

Access and Movement 13

Key Issue	HBC Response
Cycle and Pedestrian routes	
Networks to serve bus stops and railway station	Maltkiln will be designed and laid out in a way that makes walking and cycle the natural choice for local, internal trips. This will be facilitated through the provision of high quality, safe, direct and cohesive walking and cycling infrastructure to link the settlement together, connecting key origins and destinations such as the rail station, local centre and bus stops.
Routes to serve Harrogate, York and villages	A Green Loop will be established offering a circular traffic free route around Maltkiln and linking it to Cattal, Kirk Hammerton and Green Hammerton. This greened route will provide opportunities for walking, cycling and horse riding. This will provide for both recreational and utility trips. In relation to connections to Harrogate/York - see below
Separate from road	Cycle routes will be designed in accordance with the most up to date guidance (currently LTN1/20) which requires the provision of segregated routes in the majority of cases. there will also be dedicated walking and cycling bridge across the rail line to facilitate safe connections.
Designated cycle path along A59	There is a longer term aspiration for improved cycle connections along the A59 corridor, with feasibility work underway to look at a fully segregated foot/cycleway alongside the rail line for longer distance connections. The DPD requires that provision is made to ensure the opportunity to connect to this in the future is not compromised.
Retain historic paths and roads	New cycling and walking provision within Maltkiln should also be linked into the wider public rights of way network in the area. In addition it is proposed that once the new link road to the A168 is completed, Scate Moor Lane will become a green lane.
Rail and bus provision	
Upgrade required, dual track	<p>Recent track and signalling improvements, means that this line now offers an enhanced service with a half hourly service provided between Leeds and York. The Council will seek to promote further opportunities for improvement of the line, for example electrification. The DPD Rail Infrastructure policy requires that any enhancements to Cattal Station do not compromise these longer term ambitions.</p> <p>The DPD Rail Infrastructure policy sets out measures required to improve the facilities provided at Cattal Station in order to enhance the passenger offer. The policy requires that these measures are provided in the early phases of development of Maltkiln</p>
Additional capacity on railway required	Recent track and signalling changes, alongside updated rolling stock has provided additional capacity on the line.
Additional car parking for both Cattal and Kirk Hammerton stations	Cattal station is at the heart of Maltkiln and the will be the focus for improvements including additional car parking. Initially this additional car parking will be located to the

13 Access and Movement

Key Issue	HBC Response
Cycle and Pedestrian routes	
	north of the rail line, but land to the south will be retained for further parking should this be required. The car parking policy in the DPD requires that the additional parking is of sufficient size to meet the park and ride trips of the wider community.
Park and ride	See above
Station car parking prioritised for locals	The station parking arrangements have yet to be finalised. The aim for Maltkiln, secured through the design and layout of the new settlement is that residents of Maltkiln will see walking and cycling as the natural choice for internal, local journey including accessing the rail line.
Issues with ticketing and access onto the platform of the stations needs addressing	The current issue identified will be remedied by virtue of the provision of a pedestrian bridge across the rail line, providing step free access to the station platforms.
Cycle parking	The Rail Infrastructure policy requires the provision of secure, covered cycle parking, including for electric and non-standard bikes at the rail station. The Bus Provision policy requires cycle parking to be co-located at core bus shelters/stops.
Regular buses to local towns / cities, supermarkets etc	The Bus Provision policy requires the connection of bus routes within the new settlement to the wider network, enhancing connectivity to nearby settlements. Service routes, frequencies, journey times and reliability will need to be sufficient to ensure good connectivity and accessibility to a range of key destinations, including locations not directly accessible by rail, to encourage its use.
Improved train and bus services required up front	See above in relation to improved train services. In relation to bus provision, the development of Maltkiln provides an opportunity to enhance bus service provision in the area. The Bus Provision policy requires the connection of bus routes within the new settlement to the wider network, enhancing connectivity to nearby settlements. This should be provided in the early stages of development
Roads	
Increased traffic on A59 and local roads/ Local roads at capacity	In order to manage the level of vehicular traffic on the A59 a total trip budget has been set. Each phase of development will need to demonstrate that it can be satisfactorily accommodated within the overall trip budget. Modal shift, trip and parking levels will need to be regularly monitored to ensure the trip budget can be met. See also below regarding the A59. A detailed transport assessment will be required in order to support future planning applications for the new settlement that will look in more detail at highway capacity.
Impact on Cattal bridge	There will now be a new link road from the southern edge of Maltkiln taking traffic to the A168; this will have the effect of reducing the amount of trips over Cattal bridge

Access and Movement 13

Key Issue	HBC Response
Cycle and Pedestrian routes	
Concerns about rat running through villages	The DPD requires that measures be put in place to deter traffic from through routing. These will need to be considered as part of any future planning application.
Dual carriageway of A59	High level traffic modelling work to support the Local Plan did not indicate an immediate need to dual the A59, however link capacity indicated that there may be a need in the future to dual the route. To facilitate this the DPD requires that land should be retained where the urban edge of the new settlement runs parallel to the A59 to this with a financial contribution required towards any future dualling between Maltkiln and the A1(M).
Junction improvements required	The DPD requires junction improvements at Whixley crossroads and Gilsthwaite Lane as well as a financial contribution to the improvement scheme for J47 of the A1(M). In addition it is noted that a Transport Assessment will be required for each phase of development and additional measures may be required as a result.
Concerns will be car dependent	Maltkiln should be designed and developed in a way that reduces the need to travel and encourages sustainable travel both within the settlement and in connections to neighbouring communities. It will be a place where active travel (walking and cycling) will be the mode of choice for internal trips. This will be facilitated through the provision of high quality, safe, direct and cohesive walking and cycling infrastructure
Adequate provision of parking for dwellings and shopping/facilities/employment areas	The level of car parking provided in Maltkiln is an important factor in influencing residents and those visiting Maltkiln for work or leisure to make more sustainable travel choices. Car parking, should be located and designed such that it does not encourage local trips within the new settlement to be made by car.
Roads designed to reduce speed, planting to reduce associated noise and emissions	Streets will be designed for low speeds and street trees will be incorporated into the public realm.

- 13.1** The Regulation 18 consultation responses highlighted the importance of ensuring that Maltkiln did not become a car reliant settlement, that there was enhanced public transport provision and that pedestrian/cycle links should be considered as a priority and be delivered early.
- 13.2** Informal consultation has taken place with key stakeholders that has helped to shape the policy wording. This has included meetings with North Yorkshire County Council as Local Highway Authority, Network Rail and bus service providers operating in the area. Outputs from the Climate Change Strategy has also influenced the policy wording. Where appropriate the scheme promoter was invited to the meetings; as a result of which they have sought to re-draw their more detailed masterplans.

Regulation 19 Consultation Material 3

Examples of consultation material and text.

- Sample of text sent to notify the start of the consultation. Notifications were sent to all consultees registered on the Consultation Portal, these were sent via by email with post used where no email address was supplied.
- An A4 Poster and A5 Flyer was produced and sent out the Parish Councils. In addition the Regulation 19 consultation was advertised on the Council Twitter feed and in the residents newsletter.
- FAQs and Comment Form where distributed and made available through the Consultation Portal.

Example of text sent to notify the start of the consultation

Dear xxx

Harrogate Borough Council is holding a six week consultation from **Monday 3 October to 4:30pm on Monday 14 November 2022** on the Draft New Settlement Development Plan Document (DPD) for Maltkiln.

Following earlier stages of consultation and engagement we have prepared a Draft New Settlement Development Plan Document (DPD) for Maltkiln which sets out an ambitious thirty year vision and policy framework to guide how it is designed and developed. This includes the boundary, nature and form of the new settlement.

We are consulting on

- The pre-submission New Settlement (Maltkiln) DPD (Regulation 19)

And the following consultation documents

- Equality Assessment
- Habitats Regulation Assessment
- Sustainability Appraisal

To view the documents and respond to the current consultation please visit <https://consult.harrogate.gov.uk> or you can access the Consultation Portal via the website at www.harrogate.gov.uk/newsettlementdpd

The documents are presented on an easy to navigate online viewer and are available to download as a pdf.

Representations at this stage should be made on the legal and procedural compliance of the Development Plan Document (DPD), the soundness of the DPD, and whether the DPD is in conformity with the Duty to Cooperate.

Please refer to the guidance 'Commenting on the Development Plan Document' when preparing representations. This can be viewed at <https://consult.harrogate.gov.uk> and at www.harrogate.gov.uk/newsettlementdpd

The easiest way to submit comments is via the Consultation Portal <https://consult.harrogate.gov.uk> however if you chose to submit your comments in writing a comment form can be downloaded from the website www.harrogate.gov.uk/newsettlementdpd or collected from the following locations where hard copies of the documents are available to view

- The Civic Centre, St Lukes Mount, Harrogate, HG1 2AE
- Harrogate Library, Victoria Avenue, Harrogate, HG1 1EG
- Ripon Library, The Arcade, Ripon, HG4 1AG
- Knaresborough Library, 40 Market Place, Knaresborough HG5 8AG
- Boroughbridge Library, 17 St James Square, Boroughbridge, YO51 9AR

- Poppleton Library, The Village, Upper Poppleton, YO26 6JT

While we encourage comments to be submitted via the Consultation Portal, comments forms may still be submitted via email to planningpolicy@harrogate.gov.uk or by letter to

- Policy and Place Team, Place-shaping and Economic Growth, Harrogate Borough Council, PO Box 787, Harrogate, HG1 9RW

Anonymous comments without a name and address will not be accepted. All comments will be recorded and published in the Consultation Portal, alongside the name of the person or organisation making the comment. Your address and/or email address will not be shown but will be stored in our database and used to notify you of future planning policy consultations. Please specify if you do not wish to be notified of future consultations.

Following the consultation, the Development Plan Document will be submitted, together with the individual representations received, to the Secretary of State for the Department of Levelling Up, Housing and Communities, who will appoint an independent Inspector to conduct an Examination in Public.

You have been sent this letter as you have either requested to be kept informed of upcoming consultations on planning policy documents or your organisation has been identified as a relevant consultation body as described by the Town and Country Planning (Local Planning) Regulations 2012.

If the contact details are no longer correct or you no longer wish to be consulted on planning documents in the future you can update your preferences on the Consultation Portal or contact the Policy and Place Team at planningpolicy@harrogate.gov.uk

Please note the deadline for submitting representations is **4:30pm on Monday 14 November 2022**.

If you have any queries please contact the Planning Policy Team on 01423 500600 or email planningpolicy@harrogate.gov.uk

Yours sincerely

The Policy and Place Team

Harrogate Borough Council

planningpolicy@harrogate.gov.uk

01423 500600

HARROGATE BOROUGH COUNCIL THE TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012

Regulation 19: Publication of a Development Plan Document Pre-submission New Settlement (Maltkiln) Development Plan Document

Harrogate Borough Council hereby gives notice of consultation on the pre-submission New Settlement (Maltkiln) Development Plan Document as required by the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended (Regulation 19).

The Harrogate District Local Plan 2014-35 identified a broad location for a new settlement around the Hammerton/Cattal area, the pre-submission New Settlement (Maltkiln) Development Plan Document establishes the boundary and sets a clear and ambitious vision for the new settlement (Maltkiln) with a policy framework to guide how it is developed. The Development Plan Document, once adopted, will form part of the Development Plan for the Harrogate District and will be used in the determination of planning applications in the area.

Representations to the Development Plan Document consultation can be made via the Consultation Portal at <https://consult.harrogate.gov.uk> A standard form has been designed to help you present your comments in the best way for the inspector; the comment form can be downloaded from the Consultation Portal via the website www.harrogate.gov.uk/newsettlementdpd or collected from the locations listed below and returned to us at Planning Policy, Harrogate Borough Council, PO Box 787, Harrogate, HG1 9RW or emailed to planningpolicy@harrogate.gov.uk All representations should include your name and postal address.

The consultation documents and comment forms will be available to view at:

- The Council's Consultation Portal at <https://consult.harrogate.gov.uk> or accessed via the website at www.harrogate.gov.uk/newsettlementdpd
- The Civic Centre, St Luke's Mount, Harrogate, HG1 2AE
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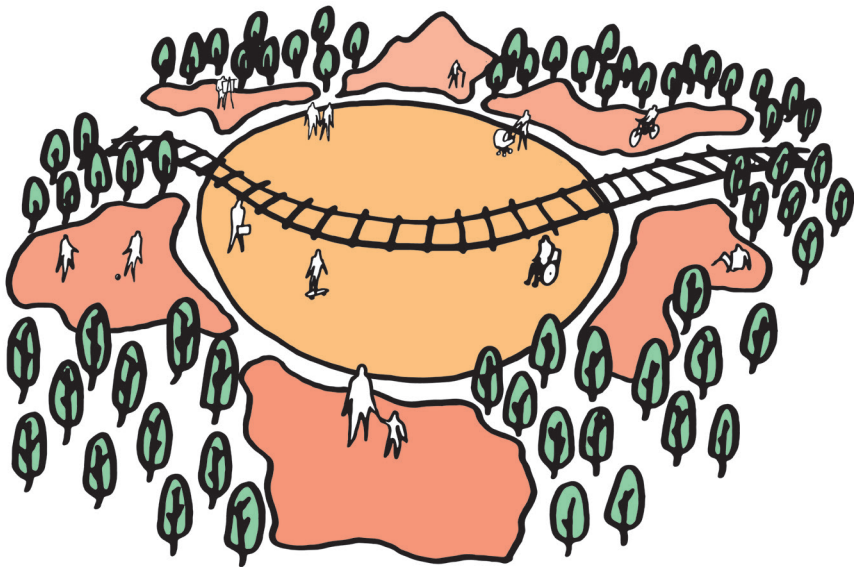
The consultation documents are the:

- Pre-Submission New Settlement (Maltkiln) Development Plan Document
- Sustainability Appraisal
- Habitats Regulations Assessment
- Equality Analysis Report

Representations must be received by 4.30pm on Monday 14 November 2022.

**Have your
say**

on the
**New Settlement (Maltkiln)
Development Plan
Document**



(Regulation 19) public consultation
starts on **Monday 3 October** and
runs until 4.30pm on **Monday 14 November 2022**

Following earlier stages of consultation and engagement we have now prepared a new settlement Development Plan Document (DPD) for Maltkiln which sets out an ambitious thirty year vision and policy framework to guide how it is designed and developed. This includes the boundary, nature and form of the new settlement.

Where can I view the DPD and submit responses?

To find out more about the new settlement (Maltkiln) DPD consultation, view the DPD, the supporting documents and make comments please visit www.harrogate.gov.uk/newsettlementdpd
You'll also find FAQs and a video which helps explain more about the DPD.

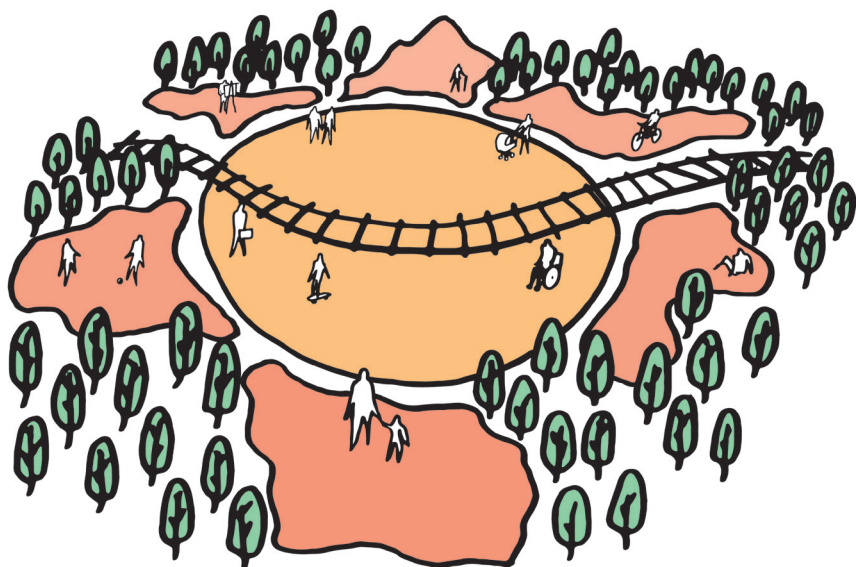
To view the new settlement DPD for Maltkiln, find consultation guidance and collect consultation comment forms to post back to us, visit the following public buildings:

- **The Civic Centre**, St Luke's Mount, Harrogate, HG1 2AE
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- **Poppleton Library**, The Village, Upper Poppleton, YO26 6JT

If you need any further help to take part in this consultation please speak to our Policy and Place team on **01423 500600**.

**Have your
say**

on the
**New Settlement (Maltkiln)
Development Plan Document**



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New Settlement (Maltkiln) FAQs

Background and History of the Settlement

Why do we need a new settlement?

Evidence on housing need both now and in the future shows that new homes are needed in the Harrogate district. House prices are high and local people are outpriced and can't afford to stay in the area. The Local Plan 2014-2035 outlines a strategy to meet the identified housing need, including Affordable Housing, in full. A key part of the long term strategy is the delivery of a new settlement. A new settlement presents an opportunity to plan housing and infrastructure "from scratch" providing a high quality living where people can walk or cycle to local facilities.

Is a new settlement still needed as so many houses have already being built in the district and/or in light of recent events such as the Pandemic/Brexit?

Recent events such as Brexit and the Pandemic have not slowed the demand for housing in the district and the need for housing, especially Affordable Housing, remains acute. At the beginning of the plan period (2014), there was a substantial deficit between the number of homes required and the number of homes delivered. Over the last few years, progress has been made to make up for the historical deficit and a large number of homes (including affordable homes) have been provided. The intended trajectory of how housing is anticipated to come forward was included in the Local Plan and this shows larger numbers of homes coming forward in the early period, with delivery becoming steadier in the longer term.

Why was the Hammerton/Cattal location chosen?

The principle and broad location for the new settlement was established through the Local Plan for the Harrogate District.

One of the key reason for choosing the area around the Hammerton/Cattal was its location on the railway line and the opportunity to have an existing railway station at the heart of it.

The process for developing the Local Plan involved many rounds of community consultation and also an examination in public where evidence and arguments were debated in front of an inspector appointed by the secretary of state. There was further debate as part of a high court challenge but ultimately it was ruled that the process for selecting the location was fair and robust.

The Development Plan Document

What is the Development Plan Document (DPD)?

The Development Plan Document follows on from the Local Plan and will set the detailed boundary for the New Settlement, as well as set of policies and principles. It is not a set of detailed designs or layouts. Further work and consultation on design is a requirement of the DPD.

What consultation has been done to date?

- Gillespies, supported by Cushman & Wakefield and Vectos, were commissioned by Harrogate Borough Council in 2018 to develop a concept framework for the delivery of a new settlement in the Green Hammerton/Cattal area. Stakeholder engagement was integral to this work, including the targeted engagement and workshops develop the evidence base, key themes and options for how the new settlement could look.
- In October 2020, the Council consulted on a range of options for how a new settlement could be developed, as well as proposing a preferred option and layout.
- A clear steer was given that the preferred option, centred on Cattal railway station was the best of the options.
- The responses also gave a clear steer on the priorities and issues that people wanted to see addressed in the DPD.
- The Council then worked with specialist organisations and community groups to develop a set of policies and principles. Several changes to the proposed layout changed as result of this, including land earmarked for a secondary school and strategic green gap.

How did the Council select the boundary proposed in the DPD?

In October 2020, the Council consulted on a range of options for how a new settlement could be developed, as well as proposing a preferred option and layout. The response from this consultation provided a clear steer that the preferred option, centred on Cattal railway station was the best of the options.

The final proposed boundary reflects a number of factors, including known available land as well as taking into account physical and topographical factors such the location of the road and railway, as well as consideration of neighbouring villages and heritage assets.

Why is the new settlement called Maltkiln?

Responses at Regulation 18 suggested that the new settlement should be given a name at an early stage to provide a sense of identity and ensure clarity that it was a new settlement in its own right. No specific suggestions were put forward.

Discussion with community representatives provided a clear steer on parameters for a name, i.e. that it should not reference any of the existing villages but should have historical links to the area. Maltkiln meets these parameters and has been in common use through the planning application process and was therefore deemed an appropriate choice.

If communities feel that another name is more appropriate then they are encouraged to submit other suggestions which can be considered in the future.

How is the DPD addressing climate change and other environmental issues?

Addressing climate change has been a key driver of the DPD's content. The Council commissioned specialists to prepare a Climate Change Strategy to inform the DPD approach in recognition of the importance of this issue.

As a result, the DPD includes policies to ensure that the development will reduce carbon emissions and contribute to the council's 2038 ambition for a net zero carbon economy in order to reduce future warming. Policy focusses on emissions from energy use in buildings and transport but also targets emissions across the life-cycle of development, including carbon embodied in building materials.

The DPD also includes policies to ensure that Maltkiln will be resilient to climate impacts that scientists already consider inevitable. Included within this is a requirement to not develop land at risk of flooding now but also additional land that would be at risk in the future due to climate change; a requirement to reduce water use; and a need to identify and address further climate impacts specific to this development.

Alongside climate change policies the DPD contains other important environmental policies. These include a requirement for the development to protect and enhance green blue infrastructure and deliver a connected network that is good for nature but also helps to create a quality environment in which to live. This will include a wide range of public open spaces including two significant destination areas, one at Doodle Hill and the other at Cattal Belt. The development will also be required to deliver a 10% net gain in biodiversity compared to the current pre-development levels; this is particularly important in recognition that the area is a green field site.

The Regulation 19 Consultation

What is the consultation for?

The purpose of the Regulation 19 consultation is to provide an opportunity for representations to be made before it is examined by a planning inspector. The Council may recommend minor modifications to the DPD before it is submitted to inspector.

How do I comment on the DPD?

As this is a formal stage of consultation (i.e. with procedures governed by planning regulations) all responses need to be in written form and from a named individual (i.e. no anonymous responses). We encourage all responses to be made via our consultation portal. It is easy to register and submit responses and ensures that you will be kept up to date with what is happening on the DPD.

Further information can be found at <https://www.harrogate.gov.uk/newsettlementdpd>

If you do not have access to the internet or need any further help to take part in this consultation please speak to our Policy and Place team on 01423 500600.

Why is there so much jargon on the forms/website regarding “soundness” etc.?

The procedure for preparing Development Plans is governed by planning regulations. This formal stage of consultation (or so-called Regulation 19) follows on previous consultation in 2020/21 and provides an opportunity for comments to be made before it is examined by a planning inspector.

The examination in public will determine whether the plan is “sound” and therefore can be recommended for adoption. The term “sound” is defined in national planning policy and includes a number of criteria:

- Positively prepared
- Justified
- Effective
- Consistent with national policy (i.e. enabling the delivery of sustainable development in accordance with the policies in the [National Planning Policy Framework](#) and other statements of national planning policy, where relevant).

What will happen to comments submitted?

Comments submitted will be forwarded to a Planning Inspector for consideration as part of the examination in public. The Council may recommend modifications to the Plan as a result of comments, again to be considered as part of the examination in public.

Planning Application(s)

What is the relationship between the Planning Application(s) and The DPD?

The Council has always been committed to leading the development of a New Settlement through a Development Plan Document. The proposed DPD set the detailed boundary for the New Settlement, as well as set of policies and principles.

Delivery of the new settlement, as with most development on privately-owned land, will be reliant on private developers. They will need to obtain planning permission in accordance with the Local Plan and DPD, showing in detail how the vision and principles for the new settlement will be met.

The proposed DPD includes a number of requirements for more detailed design work and consultation and so there will further consultation on aspects such as the Local Centre and detailed layouts.

This consultation is a separate exercise to any consultation undertaken on planning applications.

What is the status of the planning applications?

The Council have received three planning applications for a new settlement. Their status is below:

- 17/05234/EIAMAJ (applicant Flaxby Park Ltd, located at Flaxby Golf Club) was refused in October 2020 as this did not accord with the adopted Local Plan.
- 18/02240/EIAMAJ (applicant Commercial Estates Group, located north of the A59 adjacent to Green Hammerton and broadly corresponding to “Option 1” of the Regulation 18 Consultation) is still currently live.
- 19/00017/EIAMAJ (applicant Oakgate Yorkshire Ltd., centred on Cattal railway station, and broadly corresponding to Option 3 of the Regulation 18 consultation) is currently live. Caddick Group are currently updating this application to better reflect the emerging policies of the DPD and have undertaken public consultation as part of this process. Further information can be found on their website <https://malkinville.co.uk/>

Local Government Reorganisation

Harrogate Borough Council will become part of the new North Yorkshire Council in April 2023. The adopted Harrogate Local Plan will continue to be in force and work will continue on the DPD.

Johnsons of Whixley

A large part of the site is currently in use by Johnson’s of Whixley, what will happen to the site and jobs?

We have been in communication with Johnsons throughout the DPD process. Johnsons are intending to consolidate their current operational sites into a single site. A re-location site has been identified within the local area and Johnsons are currently working to secure planning permission.

Pre-Submission New Settlement (Maltkiln) DPD Comment form

Guidance notes

Introduction

The New Settlement (Maltkiln) DPD is published in order for representations to be made prior to submission of the DPD to the Secretary of State for examination. The representations will be considered alongside the published DPD when it is examined by an independent Planning Inspector. The purpose of the examination is to consider whether the DPD complies with the legal requirements, the duty to cooperate and is sound.

To help present your comments in the best way for the inspector to consider them, a standard comment form has been created 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 form for each issue/representation you wish to make.

What can I make comments on?

You can make representations on any part of the publication draft of the New Settlement (Maltkiln) DPD 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 tell us 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 DPD 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 upload 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. If you prefer not to use the portal: hard copies of the response form 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/newsettlementdpd However you choose to respond, please ensure that you include your name and address with your comments.

Can I use the online form to 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 DPD 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 and there is an option to upload additional information at question 6.

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

Legally compliant means asking whether or not the DPD 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 DPD has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement.

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 DPD against the National Planning Policy Framework's four 'test of soundness' as listed at question three. 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.

Pre-Submission New Settlement (Maltkiln) DPD

Consultation response form
03 October – 14 November 2022

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, it is recommended that representations are made using this standard comment form. We ask that you use this form because it structures your response in the way in which the inspector will consider comments submitted.

Please fill in a separate part B for each issue you want to comment on. 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		
First Name		
Last Name		
Organisation (where relevant)		
Job title (where relevant)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		

E-mail Address		
Telephone Number		

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)

Pre-Submission New Settlement (Maltkiln) DPD

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)

Policy No.

Paragraph/Figure No.

Section/Chapter

4. Do you consider the Pre-submission New Settlement (Maltkiln) DPD 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 Pre-submission New Settlement (Maltkiln) DPD 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 DPD “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 Pre-submission New Settlement (Maltkiln) DPD 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.

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.)

7. Please set out what change(s) you consider necessary to make the Pre-submission New Settlement (MaltkiIn) DPD 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 DPD 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 DPD is legally compliant or sound please write N/A)

Signature

Date

Please return the completed form by **no later than 4.30pm on Monday 14 November**

to: Policy and Place Team, Harrogate Borough Council, PO Box 787, Harrogate, HG1

9RW or email: planningpolicy@harrogate.gov.uk

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 New Settlement (Maltkiln) DPD.**

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"/> |

