

Examination of the New Settlement (Maltkiln) Development Plan Document (DPD)

Matter 2 Vision, Objectives and General Principals

On behalf of Ptarmigan Land (North)/ Hargreaves Land

Date: September 2024
Author: Astrum Planning Ltd

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1. Introduction

1.1 Background

1.1.1 This Hearing Statement (“Statement”) has been prepared by Astrum Planning on behalf of Ptarmigan Land (North), which has now been acquired by Hargreaves Land (“Ptarmigan/Hargreaves”), in respect of the forthcoming hearing sessions in respect of the New Settlement (Maltkiln) Development Plan Document (DPD) Examination in Public. This Statement responds to the Inspector’s Issues and Questions in respect of Matter 1 (Legal Compliance), as set out in the Matters, Issues and Questions Document dated 30 July 2024 (v1).

1.1.2 Ptarmigan/Hargreaves has submitted a planning application at the centre of the broad location for growth, adjacent to Cattal Railway Station for up to 50 dwellings and associated infrastructure. The application is submitted in outline with all matters reserved and has the reference ZC23/01645/OUTMAJ. A location plan identifying the land which is the subject of the planning application is attached to **Appendix 1** (“the Site”). The planning application is currently undetermined.

1.1.3 Representations were made by Ptarmigan/Hargreaves to the Pre-Submission Regulation 19 Consultation Document.

1.1.4 This Statement makes representations to the following Issues and Questions raised in respect of Matter 2:

- Issue 1 – General Principles
- Issue 2 – Introduction, Vision, Objectives and Site Context
- Issue 3- Development Framework – Policies NS1, NS2 and NS3

1.1.5 Ptarmigan/Hargreaves wishes to attend the Matter 2 hearing session which is due to take place on the afternoon of Tuesday 17 September 2024.

2. Responses to Matters, Issues and Questions

2.1 Matter 2, Issue 1 – General Principals

Q1. Are the policies in the DPD positively prepared, justified, effective and consistent with national policy?

2.1.1 Yes, the policies in the DPD are broadly positively prepared, justified, effective and in line with the National Planning Policy Framework 'NPPF' (December 2023), paragraph 35 (b). However, this is subject to Ptarmigan/Hargreaves' comments in its Regulation 19 representation dated 25th November 2022; and the further points raised in both this Matter 2 Hearing Statement and Ptarmigan/Hargreaves' Matter 9 Hearing Statement.

2.1.2 Ptarmigan/Hargreaves also reserves the right to comment further on this Question, once the Council's own Matter 2 and Matter 9 Hearing Statements have been published.

Q2. Is the DPD in general conformity with the adopted Harrogate District Local Plan?

2.1.3 The delivery of the New Settlement is outlined at adopted Policies GS2 and DM4 of the Harrogate Local Plan (HLP), with Policy DM4 identifying the need to deliver at least 3,000 dwellings, including supporting infrastructure.

2.1.4 The principle of a New Settlement with Cattal Railway Station at its centre, as proposed in draft Policy NS1 New Settlement Development Plan Document (NSDPD) has undergone a rigorous consultation exercise, and is consistent with HLP Policy DM4. On this point we note that three development options were considered during the Regulation 18 Consultation, with the preferred option chosen on the grounds of 'sustainability', due to linkages with Cattal Railway Station.

2.2 Matter 2, Issue 2 – Introduction, Vision, Objectives and Site Context

Q1. How has the historic environment been considered in relation to the site context?

2.2.1 No comment.

Q2. What is the justification for the suggested changes to the introduction, vision, objectives, and site context sections of the DPD? Why are they necessary for soundness?

2.2.2 No comment.

2.3 Matter 2, Issue 3 – Development Framework – Policies NS1, NS2 and NS3

Q1. The owner of a large area of land within the proposed new settlement boundary has withdrawn their support for the DPD and now states that this land is no longer available for development. Does this change in circumstances cause any soundness issues for the DPD? If so, how can they be rectified?

2.3.1 Ptarmigan/Hargreaves reserves the right to comment on this Question once the Council's Matter 2 Hearing Statement has been published.

Q2. What evidence has been produced to demonstrate that the proposed mix of uses set out in Policy NS1 are viable and deliverable? What evidence is the indicative internal layout shown in Figure 2 based on?

2.3.2 Policy NS1 of the draft NSDPD includes a Land Use Framework (LUF) plan at Figure 2, now renamed as a 'Development Framework' by Modification Ref. No M/DF/10. The Development Framework is described in Policy NS1 as "an indicative internal layout which shows the key land uses, land parcels and corridors within Maltkiln".

- 2.3.3 Ptarmigan/Hargreaves has previously objected to the identification of Ptarmigan/Hargreaves' Site as Open Space /Green Space; as opposed to built development on the Development Framework at Figure 2 of the draft DPD.
- 2.3.4 This is an important point, given that draft DPD Policy NS1 also describes the LUF as including "the key land uses, land parcels and corridors"; matters which Ptarmigan/Hargreaves notes may be material to the nature and form of the new settlement, as well as (as the Inspector notes) the viability and deliverability of the new settlement. It is also important because draft DPD Policy NS3 (as modified by Modification Ref. No M/DF/16) requires the detailed masterplan to be "informed by the Development Framework".
- 2.3.5 Ptarmigan/Hargreaves' position is that the Development Framework in Figure 2 should be replaced with a new Development Framework plan; which is consistent with Ptarmigan/Hargreaves' planning application ZC23/01645/OUTMAJ for the residential development of the Ptarmigan/Hargreaves Site, and the Oakgate Yorkshire planning application as amended (reference: 19/00017/EIAMAJ).
- 2.3.6 Ptarmigan/Hargreaves has confirmed to the Council and Oakgate Yorkshire that it would be willing to enter into a Statement of Common Ground with both the Council and Oakgate Yorkshire which confirms Ptarmigan/Hargreaves' support for such a replacement Development Framework, and a Main Modification which replaces Figure 2 of the DPD on this basis.
- 2.3.7 Ptarmigan/Hargreaves reserves the right to comment on this Question once the Council's Matter 2 Hearing Statement has been published.

Q3. Should Policy NS1 and/or its supporting text include more detail in relation to the appropriate minimum levels of public transport and the comprehensive walking/cycling route network that the new settlement must provide?

2.3.8 No comment.

Q4. How was the settlement boundary shown in Figure 1 established? Is it justified and based on sound and robust evidence? Were any other reasonable alternatives considered? If not, why not?

2.3.9 Please refer to our responses to Matter 2, Issue 1, Q1 and Q2 above.

Ptarmigan/Hargreaves reserves the right to comment on this Question once the Council's Matter 2 Hearing Statement has been published.

Q5. How has the extent, scale and purpose of the proposed Strategic Green Gap been determined? Is this approach justified and based on sound and robust evidence? Should the proposed Strategic Green Gap cover a larger area around the proposed settlement boundary?

2.3.10 Ptarmigan/Hargreaves reserves the right to comment on this Question once the Council's Matter 2 Hearing Statement has been published.

Q6. How has the historic environment been considered in terms of the formulation of the Master-Planning Design Principles set out in Policy NS3

2.3.11 No comment.

Q7. Is it sufficiently clear as to who would have responsibility for formulating the detailed masterplan required by Policy NS3? How would Policy NS1 and the master planning process ensure that piecemeal development of the new settlement will be avoided?

2.3.12 Ptarmigan/Hargreaves considers that it is not sufficiently clear who has responsibility for the formulation of the detailed masterplan.

2.3.13 As draft DPD Policy NS3 requires the detailed masterplan to be informed by the Development Framework, Ptarmigan/Hargreaves considers that the key to

ensuring comprehensive development (and thereby avoiding piecemeal development) is the inclusion of an accurate and up-to-date Development Framework at Figure 2 which reflects Ptarmigan/Hargreaves' planning application ZC23/01645/OUTMAJ for the residential development of the Ptarmigan/Hargreaves Site and the Oakgate Yorkshire planning application as amended (reference: 19/00017/EIAMAJ). Please refer to our response to Matter 2, Issue 3, Question 2 above for Ptarmigan/Hargreaves' position on this.

2.3.14 Beyond this Ptarmigan/Hargreaves' application has demonstrated that planning applications for the development of part of the new settlement can be brought forward in a manner, which preserves the principle of comprehensive development in specific circumstances.

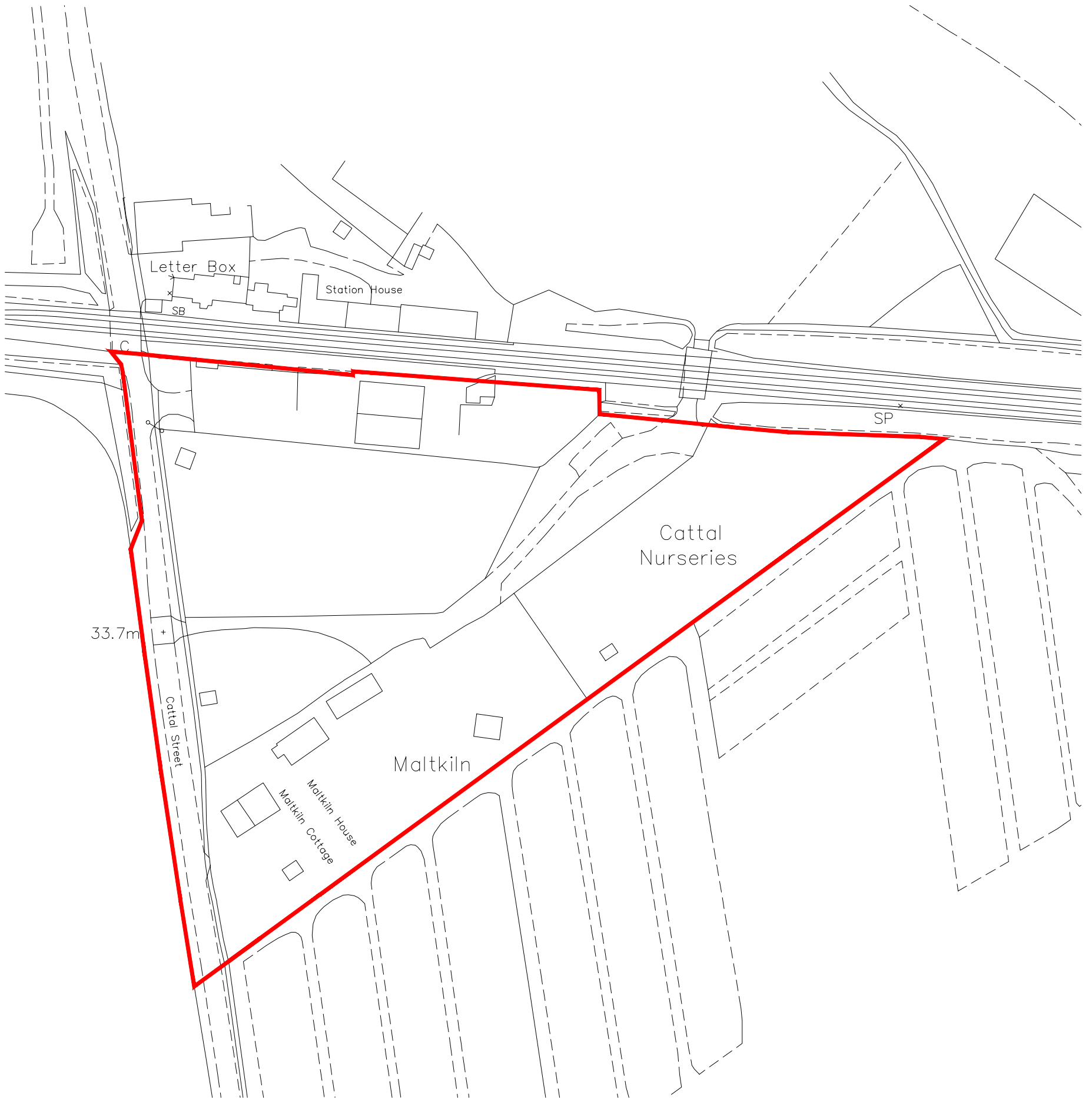
2.3.15 Ptarmigan/Hargreaves has a material interest in the Council's response to Question 7. Ptarmigan/Hargreaves reserves the right to comment on this Question once the Council's Matter 2 Hearing Statement has been published.

Q8. What is the justification for the suggested changes to Policies NS1, NS2 and NS3 and their respective supporting text? Why are they necessary for soundness?

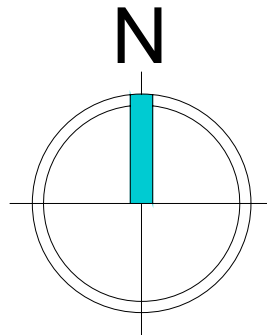
2.3.16 Please refer to Ptarmigan/Hargreaves' responses above to Matter 2, Issue 3, Question 2 and Issue 3, Question 7, and the importance of an accurate and up-to-date Development Framework at Figure 2, for the purposes of draft Policy NS1 and draft Policy NS3.

2.3.17 Finally draft Policy NS1 also requires the masterplan to be informed by a Health Impact Assessment. Ptarmigan/Hargreaves questions the inclusion of this modification (M/DF/30) on the grounds that there is no further reference to this requirement elsewhere in the DPD and/or detail of what this assessment should include. Given the ambiguity, we request that this reference is deleted.

**Appendix 1: Location Plan for Application
ZC23/01645/OUTMAJ**



Scaled @ 1:1250



REV.	DESCRIPTION:	BY:	DATE:
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STEN
ARCHITECTURE

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CLIENT:	PTARMIGAN LAND NORTH
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SITE:	Cattal Street Cattal
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TITLE:	Location Plan
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SCALE AT A3:	DATE:	DRAWN:	CHECKED:
1:1250	Nov 22	SSH	
PROJECT NO:	DRAWING NO:	REVISION:	
2248	2248:02:LP		