

Harrogate District Local Plan 2014 – 2035 Examination of the New Settlement (Maltkiln) Development Plan Document (DPD)

Schedule of Matters, Issues and Questions for the Examination Made on Behalf of Caddick Developments Ltd

Matter 4 – Natural Environment

Issue 1 – Green and Blue Infrastructure - Policy NS12

Q1. What is the justification for the suggested changes to Policy NS12 and its supporting text? Why are they necessary for soundness?

- 4.1 We do not wish to respond to this question in writing however reserve the right to respond verbally depending on other responses received.

Issue 2 – Biodiversity – Policies NS13 and NS15

Q1. How will the required settlement wide Biodiversity Net Gain Strategy set out in Policy NS13 ensure that a net gain of at least 10% is delivered in each phase of development?

- 4.2 Policy NS13 does not explicitly require at least 10% to be delivered in each phase of development, it requires that a settlement wide BNG strategy delivers at least 10% net gain in biodiversity value.
- 4.3 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 strategy should be devised in accordance with the Policy. The masterplanning work which has been undertaken as part of the outline application creates wildlife corridors, ecological areas and links to the wider area, that produce a more efficient enhancement.
- 4.4 The Outline planning application demonstrates a 10% net gain across the site as a whole, which will be included within the conditions and s106 to ensure that the overall requirement is met. Given the scale of development under providing or over providing in individual phases should therefore not be considered to be unsound. Equally, given the scale of the new settlement and the delivery period, the phasing may not exactly match the phases of development and a flexible approach will be required.

Q2. What is the justification for the specific percentage targets for the provision of bat and swift bricks in new dwellings?

- 4.5 There is no evidence in the background papers for these specific needs and there is no similar requirement in the Local plan or national policy. There is no desk based analysis in the evidence or surveys to demonstrate a significant proportion of swifts or bats are in the area and that would require this level of provision. The swift brick requirement will result in them being included in 1000 homes, in a relatively small area, with no evidence they would all be required and used.
- 4.6 The planning application has carried out a number of surveys and those results do not support this level of provision in the Site. There is a site wide wildlife and ecology strategy to provide mitigation and habitats and the provision of both bat and swift bricks should be delivered through this in a proportionate way rather than an arbitrary figure with no basis.

Q3. What is the justification for the suggested changes to the supporting text of Policy NS13? Why are they necessary for soundness?

- 4.7 We do not wish to respond to this question in writing however reserve the right to respond verbally depending on other responses received.

Q4. Policy NS15 requires that recreational open space should be designed to mitigate additional recreational impact on Aubert Ings SSSI and that the Development Framework identifies two areas of open space which should serve as alternative, semi-natural destination points to the SSSI. What evidence can the Council point to which suggests these areas of open space would be deliverable and that they would adequately mitigate any impact?

- 4.8 Policy NS15 provides for the need for recreational space within the Site to reduce the pressure on the SSSI located to the south of the Site. Aubert Ings is a privately owned piece of land, has no parking facilities and is not accessed via public footpaths. The nearest public footpath is 850m to the north of the Site and any route from the new settlement would require a walk along an unlit national speed limit road with no footpath, with a 2.4kn round trip. Whilst there is some informal use this is not regularised in any way and the land is not advertised as being available for visitors, nor does it have defined walking routes within it as a park or recreational space.
- 4.9 Given the land is not available or accessible, with no routes from the Site proposed, any use by residents would be informal and minimal and therefore a proportionate response should be included in policies seeking to protect the SSSI.
- 4.10 The land is primarily used by people as part of a longer route walking along the river, it offers no special destination value nor does it have any significant viewpoints or facilities on site. Whilst we note that the addition of a new settlement nearby could result in more people using the land, the reasons would be as current users of forming part of a larger walk. In this respect the mitigation on site should seek to provide alternatives for that purpose and walks that route people away from the area.
- 4.11 In this regard the Council's approach does seek to provide waking routes that people would use as an alternative. In order to encourage people to use these routes and to reduce the increase walking on the SSSI, these routes have a series of design features, including being linked to the residential areas, providing a variety of routes through and around the site, providing the ability to walk dogs off lead and be aesthetically pleasing. Our Client has no objections to the principles of this approach and the mitigation that it would provide. Our Client does however object to the use of destination points and the inclusion of Doodle Hill within this.
- 4.12 Aubert Ings is not a destination point it is simply an area that people walk through along the river, there are no facilities available and no parking area, likewise there are no specific viewpoints or areas of interest. Mitigation therefore does not require alternative destination points to be developed, rather alternative walking routes. This can be secured through the application without the need for the use of destination points.
- 4.13 As set out in our responses to Matter 2, an amendment to the boundary of the New Settlement is required to make the DPD sound. This would include development of the area identified as Doodle Hills however as evidenced within the outline planning application for the new settlement and within the appended ecology note from BSG the proposed development provides sufficient alternative walking routes and destination points and the residual operational effect to the SSSI would not be affected.
- 4.14 Specific references to destination areas are therefore unsound and should be removed from the policy.

Q5. What is the justification for the suggested changes to paragraph 6.21? Why is it necessary for soundness?

- 4.15 We do not wish to respond to this question in writing however reserve the right to respond verbally depending on other responses received.