

## North Yorkshire Council's Response to Inspector's Matters, Issues and Questions

### Matter 6 – Housing, Mixed-use and Employment

#### Issue 1 – Housing Mix and Density – Policy NS22

**Q1. Is it clear what the 'latest evidence base' relates to for the second paragraph of Policy NS22, and what 'sufficient evidence' means for the third paragraph of the policy? Is the policy sufficiently clear enough to be effective?**

- **Is it clear what the 'latest evidence base' relates to for the second paragraph of Policy NS22?**

The second paragraph of NS22 reads; *"The mix should reflect the policies in the Local Plan and have reference to the latest evidence base and local assessments of housing need"* (emphasis added). The wording *'latest evidence base'* is used here to cover all evidence needed to be considered during the determination of a planning application, to ensure the most up to date evidence is used to assess the housing mix to ensure development responds to the housing need.

The policy has been written to be responsive to changing needs, with para. 8.7 of the justification referring to the types of evidence; *"The HEDNA will be updated periodically over the lifetime of this DPD and development must be considered against the most up to date HEDNA, latest evidence base and local assessments of housing need."*

- **and what 'sufficient evidence' means for the third paragraph of the policy?**

The third paragraph of Policy NS22 reads; *"The final mix of dwelling types, tenures and sizes will be subject to negotiation with the applicants. Where this differs from the local authority's assessment of need, applicants will be required to provide sufficient evidence to support their proposals for each phase or development"* (emphasis added) *'sufficient evidence'* is not set out prescriptively within the justification as this may vary application by application. The wording aligns with the wording of Local Plan Policy HS1 to ensure consistency.

- **Is the policy sufficiently clear enough to be effective?**

The policy has been written to align with the wording used in Local Plan Policy HS1 to ensure consistency. The DPD will form part of the development plan, along with the Local Plan, for the determination of planning applications within the DPD plan area, it is therefore important the language used aligns with that within the adopted Local Plan. The policy is considered to be clear enough to be effective.

**Q2. Has any allowance been made for the possibility of windfall housing being brought forward within the settlement to meet the needs of Gypsies and Travellers?**

No allowance has been made as the need for Gypsies and Travellers sites was assessed districtwide within the Harrogate District Local Plan (adopted 2020). Policy HS10 of the Local Plan allocates Gypsy and Traveller sites to meet the first five years of the plan period as well as identifying broad locations where windfall sites would be considered acceptable. None of these allocations or broad locations fall within the boundary of the DPD. This is referenced at para. 8.2 of the DPD.

**Q3. What is the justification for the suggested change to the supporting text of Policy NS22? Why is it necessary for soundness?**

One modification is recommended to the justification at Para. 8.6 to remove reference to *garden village* and replace with *settlement* as Maltkiln has not been officially designated as part of the Garden Village programme. The modification is recommended for accuracy and clarification and is not necessary for soundness.

## **Issue 2 – Affordable, Specialist and Self/Custom Build Housing – Policies NS23, NS24 and NS25**

**Q1. Based on the requirements for qualifying developments, how many affordable homes is the DPD expected to deliver? How does this compare to the identified need? If needs will not be met, what alternative options has the Council considered?**

The DPD does not set a target for the delivery of affordable housing. The adopted Local Plan sets the growth strategy for the Harrogate district which includes a new settlement to be allocated through the adoption of a separate Development Plan Document. Local Plan Policy DM4 sets out the parameters for the DPD.

This DPD has been drafted to meet the principles and requirements set out in Policy DM4 which includes providing long term growth, meeting a wide range of housing needs.

As such Policy NS23 requires a percentage of affordable housing in line with the policies in the Local Plan, the Local Plan sets the growth strategy for the Harrogate District Local Plan area with the affordable housing requirement under Policy HS2. For greenfield sites this is 40% affordable housing subject to viability and the demonstration of need for affordable housing.

**Q2. What implications, if any, does the latest evidence in the IDP have on the viability of residential development and the ability to deliver affordable housing?**

As noted in Q3 below, Policy NS23 requires a percentage of affordable housing, in line with the policies in the Local Plan but acknowledges that the flexibility of provision for affordable housing will be necessary and it is anticipated that delivery of affordable housing could be lower depending on the final infrastructure requirements and phasing proposals. The latest evidence in the IDP however does not change the previous conclusions made on the viability of development and the ability to deliver it as the IDP costs are similar in magnitude to those in 2018.

**Q3. How will affordable housing be delivered in the new settlement as a result of Policy NS23? Is the provision of between 20% and 40% affordable housing viable and deliverable? Is this range based on robust evidence?**

Policy NS23 requires a percentage of affordable housing, in line with the policies in the Local Plan, the Local Plan sets the growth strategy for the Harrogate district local plan area.

The Local Plan sets the affordable housing requirement under Policy HS2, for greenfield sites this is 40% affordable housing subject to viability and the demonstration of need for affordable housing.

Based on the viability work which underpinned the Local Plan it is acknowledged that the percentage of affordable housing delivered within the early phases of the new settlement will be lower than the 40% starting point set out in Local Plan Policy HS2.

As set out at paragraph 8.14 the impact of affordable housing provision was assessed under the Whole Plan Viability Assessment (WPVA) ([ODHS02](#)) which was updated under the Local Plan Viability Updated and CIL Viability Assessment Report ([ODHS03](#)).

Modifications to the justification at paragraph 8.16 recommend the range of 20-40% is omitted and replaced to acknowledge that delivery of affordable housing could be lower depending on final infrastructure requirements and phasing proposals. This modification is recommended for clarity.

The acknowledgment that delivery of affordable housing could be lower depending on final infrastructure requirements and phasing proposals is based on robust evidence which underpinned the Local Plan.

**Q4. Is it clear what the 'evidenced need of the client group' relates to in the first paragraph of Policy NS24? Is the policy sufficiently clear enough to be effective?**

The Council became a unitary authority on the 1 April 2023. The policy has been drafted to ensure the new settlement delivers a mixed and balanced community, taking into account those in need of specialist housing.

The terminology *client group* is used in this policy to refer to those in housing need, although to clarify this issue the Inspector may wish to consider the following modification to the first paragraph of the policy ensure the wording in the policy aligns with wording used in the NPPF (Para. 66), which refers to “*specialist accommodation for a group of people with specific needs*”:

“Specialist accommodation housing for older people and/or people with support need groups of people with specific needs shall be delivered adjacent to the local centre. The amount and type of which should be agreed with the local authority to help address the evidenced need.”

*Evidenced need* is used to refer to the evidence the Council holds across all areas to assess that need. This includes the HEDNA into which various evidence feeds into, however the Council also commissions and gathers evidence via specialist reports including, for example those in need for specialised housing for independent living for people with a learning disability and/or autism, those in need of supported housing or supporting living for mental health support, substance misuse etc. as well as specialist housing for older people. These pieces of evidence all feed into the demand for specialist housing.

Modifications to paragraph 8.26 to the justification are proposed following the Regulation 19 consultation by the Health and Adult Service team, the modifications recommended to provide additional clarification.

It should be noted that Policy NS24 only deals with specialist accommodation to be delivered adjacent to the local centre as part of the master planning required by Policy NS3, the type of housing and amount to be agreed with the local authority to ensure the new settlement delivers a mixed and balanced community based on housing need.

The Local Plan and DPD recognises that it is important to address wider housing need and aims to do this through Policies NS22 and NS23 which seek to secure an appropriate range of dwelling size, type and tenure to meet identified housing needs, requiring accessible and adaptable homes in line with Local Plan policies to accommodate choice for those people who wish to stay in their home.

The Council is satisfied, subject to the modifications recommended that the policy is effective.

**Q5. What is the justification for the suggested changes to the supporting text of Policies NS23 and NS24? Why are they necessary for soundness?**

For Policy NS23, modifications are recommended at paragraph 8.14 to add a reference to the annual supply figure to be updated in line with annual monitoring, this modification was recommended following the Regulation 19 consultation and is recommended for clarification.

Modifications to paragraph 8.18 and 8.19 are recommended following the Regulation 19 consultation to provide clarity around the delivery of affordable housing making reference to the proposed Policy NS38.

For Policy NS24, modifications are recommended at paragraph 8.24 in response to representations made at Regulation 19 to provide clarity that the provision of Specialist Housing will be considered as part of the master-planning principles set out in Policy NS3.

The modification to paragraph 8.26 is in response to representations to provide clarification of the assessments carried out by the Health and Adult Services to ensure they feed into proposals for specialist housing within the DPD.

The suggested changes are for clarification and are not necessary for soundness.

### **Issue 3 – Local Centre – Policy NS26**

**Q1. What is the justification for the suggested changes to Policy NS26 and its supporting text? Why are they necessary for soundness?**

For Policy NS26, modifications are recommended in response to representations made at Regulation 19 to provide an element of flexibility and an acknowledgement that ongoing dialogue with stakeholders is required to ensure that the Local Centre provides uses that are required, deliverable, viable and therefore sustainable. Whilst the list of uses is appropriate to enable the provision of a healthy local centre that supports the needs of the residents and therefore the Council would expect them to be provided, it is appropriate to provide some flexibility.

Policy NS24 does not make reference to the need for specialist housing to be in the local centre and therefore the deletion of the reference to extra care in Policy NS26 has been deleted to ensure consistency.

The suggested changes are for clarification and are not necessary for soundness.

### **Issue 4 – Employment – Policy NS27**

**Q1. Is the requirement set out in Policy NS27 for the identified employment land to provide suitable shared space, with all necessary infrastructure to enable the provision of Ultrafast Fibre to the Premises (FttP) broadband reasonable and justified?**

The NS27 bullet 3 requirement for suitable shared space relates to the NS9 requirement for provision of flexible co-working spaces. The justification for this approach is discussed in response to Matter 3, Issue 2, Question 3. The further bullet 3 requirement for the co-working spaces to enable Fibre to the Premises (FTTP) relates to the NS6 requirement for all buildings to have the availability of fibre broadband. The justification for this approach is discussed in response to Matter 3, Issue 2, Question 1.

As NS27 paragraph 2 clearly sets out the requirements necessary to support flexible living and working, including those relating to flexible co-working space and broadband provision, it is considered that NS27 bullet 3 is unnecessary and, if the Inspector agrees, should be removed. Removal would also be supported on the basis that bullet 3 uses terminology that differs slightly from that used in NS6, NS9 and NS27 paragraph 2.