

## 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 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?**

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

**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?**

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

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

6.3 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 – 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?**

6.4 The DPD does not specify how many affordable homes it is expected to deliver. Whilst current Local Plan Policy HS2 requires qualifying greenfield developments to provide 40% affordable housing, this is subject to viability. If applied in full, this would equate to circa 412 affordable dwellings in the plan period based on Council’s trajectory.

6.5 Based on the Council’s own viability evidence, 40% is unviable for the New Settlement, therefore this figure is likely to be less in the early stages of development as infrastructure is developed for the whole settlement. Our previous representations to the draft DPD have suggested a site-specific affordable housing policy with a lower level and viability clause. We note that the policy includes flexibility to ensure any future local plan policy requirements need to be met and these could include a site specific requirement if appropriate.

6.6 The Council’s HEDNA assesses affordable housing need which demonstrates an affordable need of just under 4,400 affordable homes in the plan period (208 per annum). This is 30% of the OAN of 669 dwellings per annum however not all affordable housing will be delivered through market housing sites. Affordable housing will also be delivered by utilising land within Council ownership, acquisition of existing properties and bringing empty homes back into use. Therefore, there is headroom if the affordable housing policy requirement is not met on every site.

- 6.7 Given a new North Yorkshire Local Plan is being developed, which will update the affordable housing policy, this could have specific regard to Maltkiln and/or any other new settlements and provide a bespoke policy, which if required could assist in meeting needs.

**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?**

- 6.8 The latest work on the IDP does not have a material impact on the viability of delivering residential development as it is assessed against the settlement as whole. Notwithstanding this, short term, there could be some impact on the viability of providing affordable housing as the early phases will be installing significantly more infrastructure than is necessary. For example, the first phase of development is to include approximately 300 homes, however the application includes a new roundabout and road improvements to provide access for a significantly larger number of homes. Further to this the application is also to include a heat hub to serve over 1000 homes. In addition, the first phase requires the delivery of new primary infrastructure such as power, waste water and telecoms which would serve many more homes on the wider scheme.

**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?**

- 6.9 Policy NS23 requires affordable housing to be delivered in line with policies in the Local Plan, subject to viability and the demonstration of need for affordable housing. The level of affordable housing will be determined for each phase of the development at the time of the detailed application for that phase.
- 6.10 Therefore, as drafted, the early phases of the development will be required to be delivered in line with adopted Local Plan Policy HS2 and later phases beyond the plan period will be subject to future Local Plan policies.
- 6.11 The justification text to Policy NS23 (paragraph 8.16) recognises the significant viability challenges of bringing forward a new settlement and states that delivery of affordable housing will be within a range of 20-40%. This figure is not based on evidence and is unsound. It was included to acknowledge the viability issues around delivering new settlements.
- 6.12 A proposed modification by the Council now seeks to remove reference to 20-40% and instead state that "delivery of affordable housing could be lower" which better reflects that the delivery of affordable housing will be subject to viability testing.

**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?**

- 6.13 It is not sufficiently clear what the 'evidenced need' refers to within the Policy, however the proposed modification to paragraph 8.26 within the supporting text to the Policy states that the Health and Adult Services regularly carry out an independent Housing Needs Assessment and the findings from the assessment should be considered in full. This goes some way to providing clarity for the policy to be 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?**

- 6.14 Proposed modification M/H/3 is necessary for soundness as the stated range of 20-40% affordable housing was not based on evidence. Given the amount of time it will take to deliver the New Settlement, the viability is likely to fluctuate over time due to external market factors and due to phasing of infrastructure delivery therefore the amendment to note that delivery of affordable housing could be lower is required for soundness.

- 6.15 It is also sound to include the final sentence of paragraph 8.16 that “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” to add flexibility and ensure deliverability across the delivery period of the New Settlement.

### **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?**

- 6.16 The purpose of Policy NS26 is to ensure the New Settlement delivers a broad range of uses, facilities and services. Although the Policy states that a ‘broad range’ should be provided, the Policy is then very specific in what it should include. For example, under the second bullet point it states “business and commercial uses (including office space, banks, post office etc)”.
- 6.17 The final composition of the Local Centre will very much be dependent on end-user interest and there is no justification that specific uses such as banks will be required or can be delivered. The policy should therefore be more flexible in requiring a range of uses. The removal of specific references within the Policy therefore goes some way in ensuring the policy is sound.
- 6.18 The Council does however now seek to include these specific references within paragraph 9.7 of the supporting text to the Policy through modifications. For the above reasons, these specific references should be removed to enable flexibility.
- 6.19 The Council’s modifications also propose to remove the reference to ‘fine-grained’ employment uses within paragraph 9.7 of the supporting text to the policy. There is no definition of ‘fine-grained’ within national policy and the reference is not clear or effective. Its removal is therefore required for soundness.
- 6.20 The Council’s main modifications seek to remove the requirement for ‘extra care’ from Policy NS26. Policy NS22 requires a range of house types, tenures and sizes that reflect and respond to the identified local housing needs. This can include extra care where required and specific reference to it being delivered within the Local Centre is not evidenced or justified therefore removal is required 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?**

- 6.21 The Policy requires *inter alia* the land to provide ‘all necessary’ infrastructure to enable the provision of Ultrafast Fibre to the premises. This is not reasonable and justified as it could require the developer to deliver the infrastructure that should be put in place by providers. Furthermore, the Policy does not account for potential advancements or changes in technology. The Policy should be amended to require the developer to include details of measures to facilitate the provision of Fibre to the premises without mandating a specific technology that may evolve.