

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

Matter 7 – Community Facilities

Issue 1 – Open Space and Sport – Policy NS14

Q1. Should Policy NS14 include reference to indoor sports provision such as a swimming pool or leisure centre?

No evidence has been provided that has identified a need for the provision of facilities such as a swimming pool and leisure centre. A new improved and larger swimming pool and leisure centre as recently been completed at Knaresborough to replace the old facility and therefore this would be expected to serve the needs of the new population at Maltkiln.

Other policies within the DPD provide opportunities for leisure and community uses to be provided within the DPD if identified through stakeholder engagement. Policy NS26 states that leisure and entertainment facilities should be included within the local centre and states that the planning and design of community facilities should be undertaken in partnership with the Council, local community and other key stakeholders which creates an opportunity for the provision of leisure facilities if required. Policy NS28 provides for the community use of the school facilities for sport through the use of Community Use Policies and Policy NS29 states that provision should be made for high-quality, multi-functional spaces that cater for the needs of different ages and abilities which should provide maximum flexibility and be readily accessible in terms of both physical location but also in terms of availability.

Q2. Is Policy NS14 effective and justified by including references to supplementary planning documents and guidance?

Policy NS14 is effective and justified by including references to supplementary planning documents as this is in line with the approach taken in Policy HP7 of the Local Plan which requires that new sports, open space and recreational facilities will need to be provided in line with the provision standards set out in the Provision for Open Space SPD. Policy NS14 also acknowledges that these standards should only be used to establish the starting point for on-site provision and the minimum and actual amount of provision will be established as part of the

wider masterplanning. The SPD itself states that for strategic sites such as Maltkiln that this should be the case and this is reflected in the modification proposed to paragraph 6.18.

It is important that Maltkiln provides the appropriate type and amount of open space to meet the placemaking principles of Local Plan Policy DM4 and this cannot be achieved without ensuring that it reflects adopted SPDs or relevant guidance such as that provided by Sport England or Fields in Trust.

Q3. What is the justification for the suggested changes to Policy NS14 and its supporting text? Why are they necessary for soundness?

For Policy NS14, the modifications are recommended in response to representations made at Regulation 19 to provide further clarification. The modifications to para 6.18 which references the requirements of the SPD is needed to provide the justification for the important policy requirement that the SPD process and standards are a starting point and the overall approach to the open space and sport provision and delivery should be through effective masterplanning. A requirement which is advocated through Policy NS1 and NS3 of the DPD.

This approach to strategic sites has also been used to determine the provision for other strategic site allocations such as Ripon barracks and the sites to the West of Harrogate and therefore it is important to clarify that this is a process justified through the SPD and not just through Policy NS14.

Issue 2 – Education – Policy NS28

Q1. How would the proposed settlement affect the provision of secondary school places at Boroughbridge High School and capacity within the wider area?

As detailed in the Infrastructure Delivery Plan (SDNS03), the Council have worked with the education authority in order to identify the educational infrastructure required to support the level of growth proposed in Maltkiln. With regard to secondary provision, the education authority has 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 provision if it is needed (policy NS28 Education Provision within the New Settlement DPD). This is located alongside one of the proposed primary schools as shown on the Development Framework.

There is currently (23/24) a surplus capacity at Boroughbridge High school of 297 places. There continues to be surplus places and sufficient headroom currently forecast at the school (albeit this reduces year on year as the proposed settlement starts to be built out) and until the completion of approximately 1000 dwellings which based on an annual completion rate of 150 dwellings represents a school place supply of around 7 years. The Local Plan identifies that expansion of Boroughbridge High School will be required on the existing school playing field to

accommodate the need from Maltkiln and as a consequence allocates land adjacent to Boroughbridge High School (site B22) to accommodate replacement playing field provision, allowing the expansion of the school.

Q2. Does the safeguarding of land for the potential future provision of a secondary school have any implications for the viability and delivery of housing or other proposed development in the settlement? Is the policy sufficiently flexible in this regard to be effective?

In terms of viability, the capacity of the site (i.e., the total number of residential units) has, from the outset been based on the assumption that part of the site would be required for a secondary school. The land for the school is not within the net developable area and the number of units on the scheme would not be increased if the school was not included - the area of school would become part of the wider landscaping and amenity spaces.

In development appraisals undertaken for planning purposes (as per the NPPF / PPG), the general presumption is that the land required for strategic infrastructure and mitigation measures that relate to the site in question is made available at no charge, as it is required to make that site acceptable in planning terms. Where the land required for strategic infrastructure and mitigation measures that relates to the wider area then it may be appropriate for the developer to be paid for the proportion of the site that does not relate to the site on which the item is located. By way of example, if a site generated a requirement for a school, and that school required, say 10ha, in a viability assessment the general presumption is that the 10ha would be made available at no charge. Alternatively, if a site generated a requirement for half a school, and that school required, say 10ha, in a viability assessment the presumption is that the 5ha would be made available at no charge, as it is required to make that site acceptable in planning terms – the developer would be then be paid for the other half of the site for the school (and a land value for land for a school and not residential value).

No value has been allowed for the safeguarded land in the Council's consideration of viability at this stage.

Q3. What is the justification for the suggested changes to Policy NS28 and its supporting text? Why are they necessary for soundness?

For Policy NS14, the modifications are recommended in response to representations made at Regulation 19 by the statutory consultees of Historic England and the local Education Authority to provide further clarification, effectiveness and flexibility where necessary. They are therefore considered necessary and justified as detailed individually below.

The modifications to bullets h, n and q and subsequent paragraph are required to ensure that all the criteria and expected design requirements have been included to ensure a robust assessment of the future location and design of the on-site schools.

The inclusion of the reference to nursery provision has been asked for by the Education Authority to ensure that there is adequate early-years provision to meet the needs of the new resident population. Inclusion within the policy therefore places the requirement for the on-site provision on the developer and failure to provide would be contrary to the policy as it would there would not be sufficient provision elsewhere to meet these needs. On this basis, it is considered a necessary modification for soundness.

The modifications which amend the reference from the need for a secondary school to secondary provision is required to provide future flexibility. They acknowledge the fact that the exact on-site requirements and delivery mechanisms are not yet known, requiring future monitoring to establish the most sustainable delivery option which may not necessarily be a school rather some form of alternative provision. They are not necessarily required for soundness.

The modifications amending the requirement for a Community Use Policy rather than a Community Use Agreement are proposed in response to representations submitted by the Education Authority and reflect the difficulties in imposing legal agreements on future operators of the school. They are therefore considered necessary to secure well-managed and safe community use by detailing how the arrangements are intended to operate including hours of availability, management and booking arrangements, pricing policy, duration and monitoring and review.

Issue 3 – Social and Community Facilities – Policy NS29

Q1. How have the potential impacts of the new settlement on the capacities of local health services such as GP surgeries been considered?

The aim of Maltkiln is to embrace healthy lifestyles and as detailed in the Infrastructure Delivery Plan ([SDNS03](#)), the Council has engaged with the NHS Humber and North Yorkshire Integrated Care Board (ICB) (formally the Clinical Commissioning Group) and GPs at the existing Springbank Surgery in order to understand existing provision and identify future requirements/delivery options for additional provision needed in order to support the population growth associated with the new settlement. With the proposed number of new residents, clearly this will have a significant impact on all aspects of the health economy in the area so working with these stakeholders ensures that the correct health provision is made at the correct time and in the correct places.

Springbank Surgery has a patient list in excess of 6500 patients and provides its existing services across two sites, located in Green Hammerton and Tockwith. The practice is currently operating at close to full capacity and as such could not accommodate the increased need for health needs of the population of the new settlement. These discussions have indicated a need for a GP surgery and pharmacy up to 900 sq m, although as indicated in the IDP, the actual timings and delivery mechanisms/options are to be agreed with the North Yorkshire ICB along with the existing GP practices and health care providers as delivery options include discussions

about the future of the existing practices in their present locations as well as required provision onsite.

Policy NS26 and NS29 (as amended through proposed modifications) reflect the outcomes of these discussions in terms of requiring the provision of health and community facilities in the local centre yet also requiring high-quality, multi-functional spaces which provide the maximum flexibility and provide opportunities for the co-location of complementary social facilities. This flexible approach enables the Council to continue engagement with all arms of the health economy to deliver facilities which complement the existing provision and are flexible and sustainable to provide healthcare services fit for the 21st century.

Q2. What is the justification for the suggested changes to Policy NS29 and its supporting text? Why are they necessary for soundness?

The modifications are recommended in response to representations made at the Regulation 19. They are needed to state the importance of continuing to engage with the relevant stakeholders such as the ICB to establish the exact requirements, timing and mechanisms. The wording acknowledges that there needs to be continued engagement with appropriate stakeholders to establish the exact requirements and timing of the delivery of the facilities and reflects the importance of the dialogue that has already occurred with these stakeholders.

The suggested changes are necessary for soundness to ensure that the policy has sufficient weight to ensure the facilities needed are provided and to enable the exact requirements and delivery options to be established through further engagement.