

Maltkiln Settlement – Development Plan Document 2024 Submission

Case ref:	LPNY004	Document ref:	TM006	Date issued:	14/08/2024
Prepared for:	Simon Jones	Prepared by:	Jack Fawdington	Reviewed / approved by:	Richard Edwards

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Headline summary

Technical summary

- National Highways would require a fair and reasonable mechanism to deliver the JN47 works to be agreed. This will need to include surety of funding to deliver the necessary infrastructure should any contribution mechanism lead to a funding gap (ref [Para 4.11](#)).
- National Highways would expect any infrastructure delivery strategy applicable to the Maltkiln settlement to be fully agreed with both the Council and National Highways before any outline permission is granted for the application (ref [Para 4.11](#)).
- National Highways will require further detailed information regarding how a ‘fair and reasonable’ mechanism will function with regards to the apportioning of any infrastructure contribution associated with multiple applicants over a phase by phase development buildout (ref [Para 4.11](#)).
- National Highways support the commitment to implementing a robust monitoring and review methodology to inform S106 requirements. Further detail as to how such a monitoring and review process would function in respect of dedicated trigger points will be required moving forward (ref [Para 4.11](#)).
- The Local Plan scheme at A1(M) J47 was considered and assessed in relation to the delivery of 2,774 residential dwellings. With the 19/00017/EIAMAJ application now seeking outline permission for 4,000 dwellings to be delivered beyond 2050, there remains no guarantee that the maximum solution as previously assessed for a 2035 future year remains the maximum solution in line with the current proposals (ref [Para 5.2](#)).
- At the time of the publication of the Local Plan Infrastructure Delivery Plan Submission Update (August 2018), the price of the J47 improvement was put between £13 million and £20.5 million (ref [Para 5.2](#)).
- A cost of £21,367,500.00 is presented within the February 2024 New Settlement DPD Submission Draft IDP. This figure is intended to represent a high level indicative cost that would be refined moving forward as a detailed mitigation scheme design was agreed by all parties. With reference to the latest construction output price indices, based on the current mitigation scheme, the cost of such mitigation could be expected to have increased by around 30% above the cost identified within the August 2018 Local Plan IDP. Therefore the cost of the scheme could be higher than presented (ref [Para 5.2](#)).
- As previously identified, it is essential that the Local Plan delivers the necessary infrastructure at A1(M) J47 and ensures that a funding gap that cannot be bridged does not occur (ref [Para 5.2](#)).

1 Overview

- 1.1 On behalf of National Highways, the Jacobs Systra Joint Venture [JSJV] has undertaken a review of the Development Plan Document [DPD] submission that has been prepared by North Yorkshire Council [NYC] in relation to the new Maltkiln settlement to be delivered as part of the Harrogate Local Plan [LP].
- 1.2 The content of this review will consider the content of the DPD, with particular focus granted to policies and objectives which directly relate to how the proposed settlement will interact with the SRN. Moreover, detailed consideration is granted with regards to the agreed highway mitigation at A1(M) J47, with discussion provided in relation to both the funding and the delivery schedule of the proposed works.

2 Development proposals and site location

- 2.1 For reference, the Maltkiln settlement proposal (19/00017/EIAMAJ) seeks outline permission for the development of 4,000 residential dwellings, employment land E(g), B2 and B8, a mixed-use local centre, two primary schools and associated infrastructure. The development site takes vehicular access from the A59, approximately 2.5 miles east of A1(M) J47.

3 Submission history

- 3.1 JSJV LPNY004 (31st October 2022) undertook a review of the DPD Regulation 19 Pre-submission draft. The review highlighted the following summary points:
- JSJV welcomed the commitment to producing a Transport Assessment [TA] applicable to the delivery of the improvement scheme at A1(M) J47.
 - The TA will need to appropriately identify and detail a trigger point methodology which will outline how vehicle trips will be monitored at each respective site access point, in addition to the point at which the junction improvement at A1(M) J47 will be prompted.
 - National Highways will require confirmation of the period at which monitoring will continue to be undertaken beyond the completion of the proposed development, should the junction improvement trigger point not have been prompted by this point.
 - Junction improvement funding is proposed to be delivered and secured by way of a S106 agreement, however, further detail is required in relation to how this funding will be obtained and apportioned from both developers and the 'external funding' source identified.
 - With regards to the proposed delivery of the A1(M) J47 mitigation by way of S106 agreement, JSJV noted that the following issues may arise:
 - Does the delivery of the scheme via S106 agreement mean that the full cost associated with the mitigation will not be collected until the completion of the development? Moreover, does this mean that the mitigation will be delivered at the completion of development?
 - Clarification is required as to how costs to deliver the mitigation will be met if a funding gap arises at the time of delivery.
 - National Highways will require sufficient comfort that the agreed mitigation will be delivered at the correct time.
 - National Highways will require further detail as to how the junction improvement scheme will be delivered in practice once the trigger point is prompted.

4 Maltkiln Development Plan Document

Overview

- 4.1 The submission of the New Settlement (Maltkiln) DPD for examination was approved by executive on the 6th February 2024 and by full council on the 21st February 2024. The submission of the DPD to the Secretary of State was undertaken on the 28th March 2024.
- 4.2 As highlighted within JSJV TM006, the following DPD transport policies remain the principal focus for National Highways:
- Bullet Policy NS30: Sustainable Travel & Connectivity
 - Policy NS31: Walking & Cycling
 - Policy NS32: Cycle Parking & Storage
 - Policy NS33: High Quality Public Transport: Rail Infrastructure
 - Policy NS34: High Quality Public Transport: Bus Provision
 - Policy NS35: Street Hierarchy
 - Policy NS36: Highway Mitigation & Improvements
 - Policy NS37: Minimising Car Usage
- 4.3 Upon examination of the core and supporting documents underpinning the DPD submission, JSJV note that the full DPD inclusive of the amendments contained within the February 2024 ‘Schedule of Proposed Modifications’ is not available. As such, JSJV cannot definitively conclude which relevant modifications are included within the final document. Nevertheless, the proposed modifications considered most pertinent to National Highways are outlined and summarised below.

Policy NS31 – Walking and Cycling

- 4.4 With reference to Paragraph 10.11, National Highways would welcome the proposal that settlement Travel Plans [TP]s will respond to the needs of different demographic grounds and demonstrate measures to support the adoption of more sustainable travel behaviour.
- 4.5 With reference to Paragraph 10.12, National Highways concur with the proposals that the settlement wide TP will need to identify appropriate targets (trip generation / modal split), alongside measures demonstrating how targets and overall trip budgets will be met. The commitment to ensuring that TPs will also demonstrate effective approaches to monitoring progress and identification of remedial measures (where necessary) is also considered appropriate.

Policy NS38 – Infrastructure Delivery (new policy)

- 4.6 An additional policy applicable to infrastructure delivery is proposed as part of the schedule of proposed modifications. The key additions applicable to National Highways are highlighted and discussed below.
- 4.7 The Policy sets out the expectation that developers will make reasonable on and off-site provision and or contributions towards infrastructure and services in order to cater for the needs generated by the development, with the Policy stating that new infrastructure must be operational no later than the appropriate phase of development for which it is needed, as informed by the development Infrastructure Delivery Plan [IDP].
- 4.8 Requirements for applicants to prepare an allocation-wide infrastructure delivery strategy, phasing strategy and financial appraisal are expected to be discussed with

the council early at the pre-application stage and submitted to the council for approval. Any approved allocation-wide infrastructure delivery strategies, phasing strategies and financial appraisals are proposed to be material considerations in the determination of any planning application.

4.9 It is proposed that any identified infrastructure will be delivered either in standalone applications or that landowners will enter into appropriate equalisation or collaboration agreements to deliver common infrastructure as necessary. The Policy identifies that a fair and reasonable mechanism for apportioning the provision of infrastructure will need to be agreed.

4.10 In order to ensure relevant infrastructure is delivered as and when required, the Council propose that a robust monitoring methodology and review process will be implemented to help inform the consideration of S106 requirements on a phase by phase basis, in addition to informing appropriate delivery mechanisms.

4.11 With reference to the proposed wording of Policy NS38, JSJV note the following:

- National Highways support the requirement for all new infrastructure to be operational no later than the appropriate phase of development for which it is needed.
- National Highways support the requirement for developers to deliver required infrastructure. The delivery mechanism identified is either standalone, which is supported by National Highways or appropriate equalisation or collaboration agreements. As set out in the policy, National Highways would require a fair and reasonable mechanism to deliver the JN47 works to be agreed. This will need to include surety of funding to deliver the necessary infrastructure should any contribution mechanism lead to a funding gap.
- With the proposal that allocation specific infrastructure delivery strategies will represent material considerations with regards to the determination of planning applications, National Highways would expect any infrastructure delivery strategy applicable to the Malkiln settlement to be fully agreed with both the Council and National Highways before any outline permission is granted for the 19/00017/EIAMAJ application.
- National Highways will require further detailed information regarding how a 'fair and reasonable' mechanism will function with regards to the apportioning of any infrastructure contribution associated with multiple applicants over a phase by phase development buildout.
- National Highways support the commitment to implementing a robust monitoring and review methodology to inform S106 requirements. Further detail as to how such a monitoring and review process would function in respect of dedicated trigger points will be required moving forward.

5 Infrastructure Delivery Plan – Submission Draft February 2024

Travel & Transport – Strategic Road Network

5.1 In summary, the following key elements are outlined within the IDP with reference to the SRN and A1(M) J47.

- A financial contribution, secured through S106 agreement, applicable to A1(M) J47 will be required to accommodate the delivery of the Malkiln settlement and the Local Plan.
- Costings for the current form of the proposed Local Plan A1(M) J47 improvement scheme have previously been prepared at an indicative cost of £21,367,500.00. The cost included within this schedule is proposed to be a maximum cost,

however it is suggested that alternative mitigation solutions may be developed in response to any monitoring undertaken.

- Trigger points for the delivery of the mitigation measures are proposed to be based on a trip budget approach and vehicular trip rates, to be agreed with the Council.

5.2 With reference to the content of the IDP, JSJV note the following:

- Principally, the Local Plan scheme at A1(M) J47 was considered and assessed in relation to the delivery of 2,774 residential dwellings. With the 19/00017/EIAMAJ application now seeking outline permission for 4,000 dwellings to be delivered beyond 2050, there remains no guarantee that the maximum solution as previously assessed for a 2035 future year remains the maximum solution in line with the current proposals.
- At the time of the publication of the Local Plan Infrastructure Delivery Plan Submission Update (August 2018), the price of the J47 improvement was put between £13 million and £20.5 million.
- A cost of £21,367,500.00 is presented within the February 2024 New Settlement DPD Submission Draft IDP. This figure is intended to represent a high level indicative cost that would be refined moving forward as a detailed mitigation scheme design was agreed by all parties. With reference to the latest construction output price indices, based on the current mitigation scheme, the cost of such mitigation could be expected to have increased by around 30% above the cost identified within the August 2018 Local Plan IDP. Therefore the cost of the scheme could be higher than presented.
- As previously identified, it is essential that the Local Plan delivers the necessary infrastructure at A1(M) J47 and ensures that a funding gap that cannot be bridged does not occur.