

Harrogate Borough Council
Policy and Place
Place-Shaping and Economic Growth
P.O. Box 787
Harrogate
HG1 9RW



25th November 2022

Dear Sir/Madam,

Representation on Pre-Submission New Settlement (Maltkiln) DPD Regulation 19 Consultation Document (“DPD”)

Introduction

- 1.1 This representation is submitted to the draft New Settlement Development Plan Document (“DPD”) Regulation 19 consultation on behalf of our client ‘Ptarmigan Land North’ (“Ptarmigan”). Ptarmigan has been appointed as development partner on a circa 2.5ha brownfield site at the heart of Harrogate Borough Council’s (“Council”) Preferred Option 3 for the New Settlement (Maltkiln).

The Site

- 1.2 A location plan which identifies Ptarmigan’s site edged in red is enclosed with this representation (**Appendix 1**) (“Site”). The Site comprises a waste storage and transfer facility, alongside a two-storey residential dwelling with outbuildings and gardens. The Site immediately adjoins Cattal Railway Station to the north.

General Principles (Development Framework – Draft DPD Policies NS1 & NS3)

- 1.3 Ptarmigan **supports** the overriding principle of the location of the Maltkiln New Settlement, which is focused on Cattal Railway Station. Ptarmigan agrees that this represents a logical and sustainable location for development, with Ptarmigan’s Site located at its heart. In this respect, the Site is available for early delivery on an independent basis within the emerging New Settlement boundary.
- 1.4 Paragraph 4.2 of the draft DPD states that the purpose of the DPD is to establish the “*boundary, nature and form*” of the New Settlement, with masterplans to be produced at each detailed stage of a planning application submission (paragraph 4.3 of the draft DPD). In the meantime, the draft DPD includes a Land Use Framework at Figure 2 (“LUF”), as recognised by Draft Policy NS1 ‘Development Framework’. Ptarmigan notes that the LUF shows the Site as lying outwith the development parcels, and within an area designated as Green Space/Open Space.

- 1.5 Ptarmigan notes that the LUF is described by Draft Policy NS1 as an “***indicative internal layout***”. Ptarmigan therefore understands that it is not the intention of the Council in the draft DPD to prescribe the precise boundaries of key land uses at this stage; and that therefore this will be left to more detailed masterplans at later stages (see supporting text and Draft Policies NS1 and NS3 of the draft DPD).
- 1.6 Notwithstanding this position, Ptarmigan wishes to underline that it considers that there is no justification for the indicative designation of the Site as Open Space /Green Space as opposed to built development. Ptarmigan considers that this is an important point, given that draft DPD Policy NS1 also describes the LUF as including “*the key land uses, land parcels and corridors*”; matters which Ptarmigan notes may be material to the *nature and form* of the new settlement, which the draft DPD says it is establishing.
- 1.7 Therefore, whilst appreciating the indicative nature of the LUF at this stage, Ptarmigan wishes to make it clear that they **object** to the designation (indicative or otherwise) of the Site on the LUF as Green Space/Open Space.
- 1.8 Ptarmigan’s position is that the Site should be redesignated in the LUF now (and in all further detailed masterplans) for residential development, as is consistent with the previous New Settlement DPD Regulation 18 Consultation Document ‘Emerging Preferred Option’ (October 2020). Such an approach would provide all parties including Ptarmigan and the Council with clarity and certainty, and avoid any inconsistency at a later stage. This position is supported by the fact that the Site is suitable, available and deliverable for this form of development now, with a planning application to be submitted imminently to the Council for circa 50 dwellings. This is explained further below.

Detailed Representation

- 1.9 The Site is a brownfield site, which comprises existing commercial/industrial and residential buildings and uses. Importantly, the Site is in a highly sustainable location immediately adjacent to Cattal Railway Station, is being brought forward by Ptarmigan, and is available now for residential redevelopment.
- 1.10 Paragraph 69 of the National Planning Policy Framework (“**NPPF**”) states that small and medium sized sites (such as this circa 2.5ha Site) can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. Ptarmigan agrees with this statement from their experience in the market. Given its modest size and location adjacent to Cattal Railway Station, the Site is suitable and well placed to make an early and independent contribution towards the Council’s housing supply within the New Settlement boundary, and is consistent with the NPPF.
- 1.11 This position is further supported by the Council’s housing trajectory at Appendix 2 of the adopted Harrogate District Local Plan (December 2020). The trajectory sets out the projected delivery of the New Settlement over the plan period (2014-2035) with the first 90 dwellings required to be completed in the year 2024/2025. The Site is well placed to make a positive contribution to meeting this delivery requirement.
- 1.12 Importantly, the Site can be delivered independently in a manner which is consistent with the principles of the emerging draft DPD and adopted Local Plan.

Suitability & Deliverability

- 1.13 Immediately adjoining Cattal Railway Station, the Site represents a highly sustainable location for new residential development with convenient and regular direct public transport links to Harrogate, York and Leeds.
- 1.14 A safe and suitable access can be achieved to accommodate further development at the Site and, given the modest scale of proposed development (circa 50 dwellings), would not result in a detrimental impact on the capacity of the local highway network. As such, residential development on the Site is acceptable in highways safety and efficiency terms.
- 1.15 The Site is not located within a conservation area, or within the setting of a conservation area, and does not comprise any listed buildings or scheduled monuments. There are also no known below ground heritage constraints that would prevent residential development from being delivered on the Site.
- 1.16 The Site is located in Flood Zone 1 where there is a low probability of flooding. Residential development on the Site is therefore acceptable in flood risk terms.
- 1.17 The Site is not located within an environmentally sensitive location and there are no known ecological constraints on the Site. The Site is not within proximity to any areas of ecological interest such as Sites of Special Scientific Interest, Special Protection Areas, Special Areas of Conservation, Ramsar Sites, National or Local Nature Reserves. Residential development on the Site is therefore acceptable in ecology terms.
- 1.18 In the short term, the immediate proximity of existing development including Cattal Railway Station, the existing industrial/commercial and residential development on the Site itself, and the retention of existing hedgerows on the Site's boundaries means that residential development at the Site is acceptable in landscape terms. Also, located at the very heart of the New Settlement, residential development at the Site will not have a detrimental impact on the wider landscape in the long term.
- 1.19 Given existing development and uses, the Site also benefits from existing utility connections.
- 1.20 Overall, it is evident that the Site represents a logical and deliverable opportunity for early independent residential development within the emerging boundary of the New Settlement. This should be reflected in the draft DPD and indicative LUF at this stage, and on further masterplans moving forwards.

Other Matters – Representations on the DPD Policy Framework and its relevance to the Site

Climate Change - Policies NS4, NS5, NS6, NS7, NS8 and NS9

- 1.21 Climate change is identified as one of the key issues for the draft DPD. Adapting to and mitigating against climate change is also one of the objectives of the Council's adopted Local Plan.
- 1.22 Draft DPD Policy NS4 sets out how the New Settlement will help support the delivery of net zero carbon by 2038 across all development phases through preparation of detailed strategies that accord with the climate change policies in the draft DPD. Amongst other things, this includes minimising the need to travel, promoting the use of sustainable modes of transport, and supporting developments that take available opportunities to mitigate and adapt to climate

change, minimise greenhouse gas emissions, and make prudent and efficient use of natural resources.

- 1.23 Ptarmigan supports the above objectives and notes that the Site's location immediately adjacent to Cattal Railway Station means it is well placed to contribute towards meeting them. However, Ptarmigan considers that Policies NS4, NS5, NS6, NS7, NS8 and NS9 may need to be reviewed for consistency with other legislation and national policy, including recent amendments to building regulations.

Biodiversity Net Gain – Policy NS13

- 1.24 Draft DPD Policy NS13 requires a settlement wide strategy to deliver net gains for biodiversity of at least 10%. Ptarmigan consider that such a settlement wide strategy is impractical and unnecessary and that draft Policy NS13 should be sufficiently flexible to allow discrete parcels or phases of development to independently achieve the net gain objective. Draft Policy NS13 should also ensure that any mitigation hierarchy, including an allowance for off-site mitigation, should be consistent with the Environment Act 2021 and the secondary legislation when it comes into force.

Self and Custom Build Housing – Policy NS25

- 1.25 Draft Policy NS25 requires the New Settlement to deliver at least 5% of dwelling plots for sale to self-builders, subject to demand. This policy needs to be sufficiently flexible to allow discrete parcels or phases of development to come forward independently, having regard to site specific considerations and viability.

Conclusion

- 1.26 To conclude, Ptarmigan **supports** the inclusion of the Site within the draft DPD's New Settlement boundary but **objects** to any suggestion that it should be designated as Open Space/Green Space on the LUF or future masterplans (whether indicative or otherwise). Ptarmigan considers that this is a matter which should be resolved prior to the adoption of the DPD in the interests of certainty and consistency.
- 1.27 Importantly, the Council's housing trajectory in the adopted Local Plan, which sets the policy context for the New Settlement DPD, requires the first 90 dwellings to be completed in the year 2024/2025. The Site is well placed to make a positive contribution to meeting this delivery requirement. The Site is suitable, available and deliverable now, with a planning application for circa 50 dwellings due to be submitted imminently. The Site can be delivered early as an independent residential development within the emerging New Settlement boundary and in a manner which is consistent with the principles of the emerging draft DPD based on its sustainable location immediately adjacent to Cattal Railway Station and at the heart of the emerging New Settlement.
- 1.28 Ptarmigan reserves its position to submit further written representations to any subsequent amendments to the Draft DPD including (but not limited to) any amendments detailing the phasing or sequencing of development relative to the delivery of infrastructure identified in Chapter 11.
- 1.29 Ptarmigan further **objects** to the other draft DPD Policies referred to above to the extent only that they should ensure consistency with national legislation and policy, and acknowledge the ability of individual parcels of land (such as the Site) to come forward independently but in a manner which is consistent with the overriding principle and aims of the DPD and its policies.

- 1.30 Finally, Ptarmigan would be delighted to work positively with the Council during the remainder of the DPD preparation process including attendance at the Examination in Public (EIP) in due course.
- 1.31 Should you wish to discuss any of the above further, please do not hesitate to contact me via the details outlined below.

Yours Sincerely,



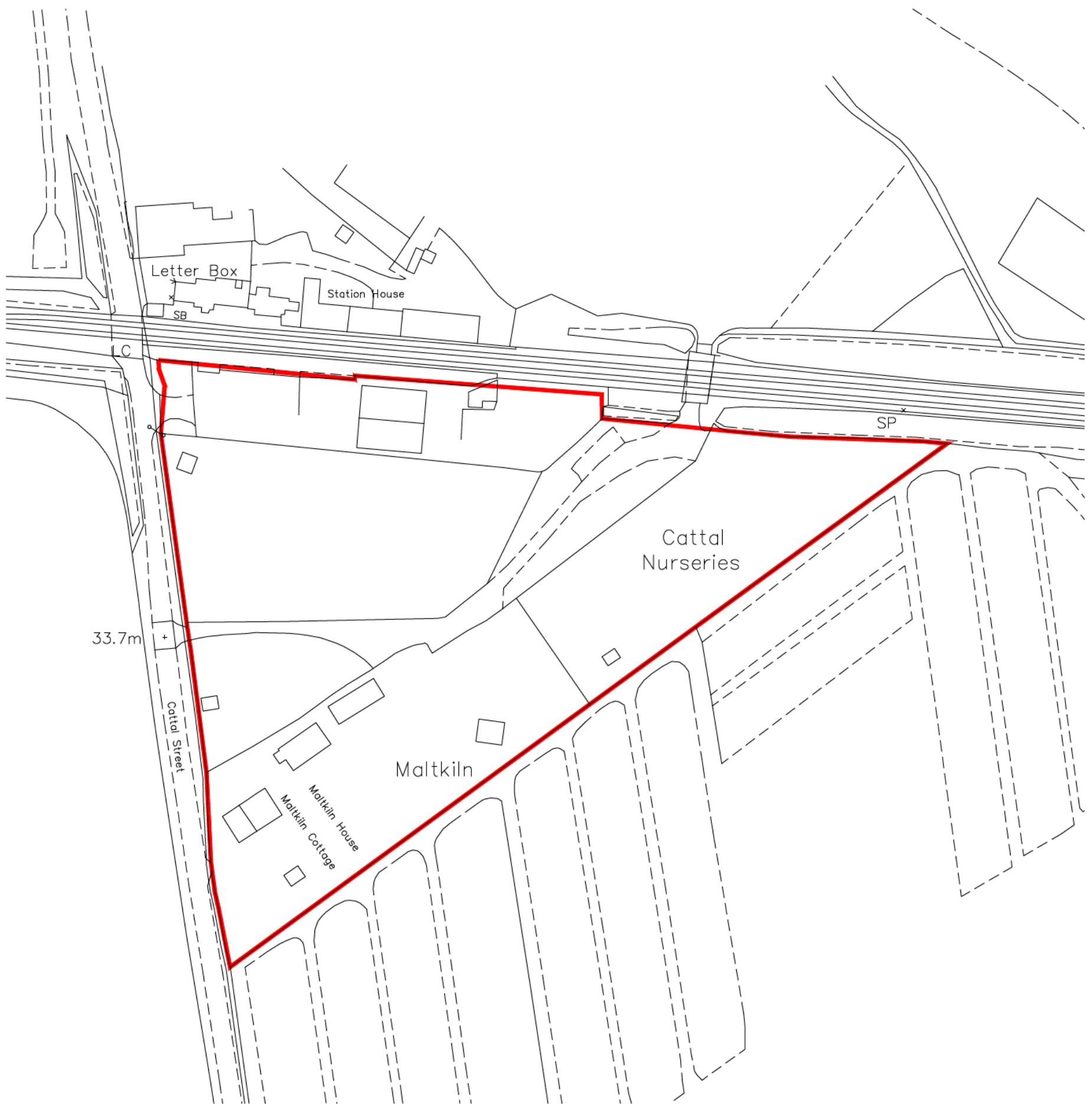
Rachel Reaney, MRTPI



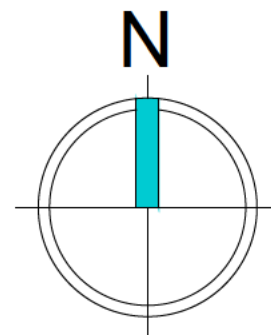
161 Bilton Lane, Harrogate, HG1 3DQ

Company Registration Number: 12969998

Enc. Appendix 1 – Site Plan



Scaled @ 1:1250



REV	DESCRIPTION	BY	DATE

STEN
ARCHITECTURE

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CLIENT	PTARMIGAN LAND NORTH
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SITE	Cattal Street Cattal
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TITLE	Location Plan
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SCALE AT A3	DATE	DRAWN	CHECKED
1:1250	Nov 22	SSH	
PROJECT NO	DRAWING NO	REVISION	
2248	2248:02:LP		