

## **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 5 – Historic Environment**

#### **Issue 1 – Heritage Assets – Policies NS16, NS17, NS18, NS19 and NS21**

**Q1. How have the effects of the new settlement on the setting of Whixley Conservation Area been considered?**

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

**Q2. How have the effects of development on the settings of Providence House and the Kirk Hammerton Conservation Area been considered having regard to the proximity of the settlement boundary to these heritage assets?**

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

**Q3. Why have Whixley Gate and Rudgate not been included in Policy NS21?**

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

**Q4. What is the justification for the suggested changes to Policies NS16, NS17 and NS21 and relevant supporting text? Why are they necessary for soundness?**

- 5.4 The amendments to Policy NS16 have added in a requirement to avoid or minimise impacts to the setting of the designated heritage assets. The setting of the asset is not a statutory designation and as such the statutory tests should not be included. Guidance is provided in paragraph 209 of the NPPF, a balanced judgement should be made having regard to the scale of any harm. The requirements in the DPD expand upon this and conflict with national policy and are therefore unsound.
- 5.5 The amendments also add in a further requirement in relation to the Kirk Hammerton CA, requiring development to be kept to a certain height along the line of Westfield. It is unknown what this reference relates to and therefore we reserve the right to comment at the Examination upon receipt of clarification in the Council's response.

#### **Issue 2 – Archaeology – Policy NS20**

**Q1. Is the approach of Policy NS20 reasonable, justified, and effective and is it soundly based on robust evidence?**

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