

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 8 – Access, Travel and Transport

Issue 1 – Connectivity, Walking and Cycling – Policies NS30, NS31 and NS32

Q1. What is the justification for the suggested changes to paragraph 10.4, Policies NS30 and NS31 and their respective supporting text? Why are they necessary for soundness?

- 8.1 Our client raises no issues with the amendments; however they do object to Table 7.1 and the levels of cycle parking proposed at one space per bedroom. This level of cycling is above the standards in the Local Plan and is not supported by any evidence to show that it is justified or effective. As with parking requirements, sites allocated in the plan in Harrogate, with significantly more cycling infrastructure do not have this level of cycle parking, nor does the Local Plan. On this basis Policy NS32 continues to be unsound.

Issue 2 – Public Transport – Policies NS33 and NS34

Q1. How will policy NS34 ensure that the new settlement is adequately served by bus routes particularly given the funding issues highlighted by the Access and Movement Background Paper3?

- 8.2 Our Client is committed to the delivery of a phased public transport network which encompasses the whole site and brings all new residents within 400m of a bus stop served by a regular bus service to key local and regional destinations.
- 8.3 The current proposal includes for two new bus routes to be delivered and fully funded by the Applicant, providing bus links between Wetherby, Boroughbridge, Knaresborough and York, via Maltkiln, that currently do not exist. It is anticipated that these routes would become independently financially viable as the development is built out, resulting in lower subsidy payments from the Applicant.

Q2. What is the justification for the suggested changes to Policy NS33 and the supporting text of Policy NS34? Why are they necessary for soundness?

- 8.4 The proposed changes in the supporting text for Policy NS34 relate to removing the requirement for a bus service from first occupation and replacing it with the commitment to provide this as early as possible in the development process – The planning application for the New Settlement commits to the delivery of a 30-minute frequency service (Monday to Saturday daytimes, and hourly over evenings and Sundays) prior to the completion of Phase 1. This reflects the proposed bus routes within the development, and that it would be impossible to deliver a bus to the first occupied dwelling in isolation, due to the layout of the site. As such, leaving this statement unaltered would make the DPD unsound. The proposed change remedies this point, whilst still securing the required bus service.
- 8.5 The amendments have not made any changes to the requirements for alterations to the station. As per previous representations some of these works are outside the control of the applicant, however the policy requires them to be included in a scheme for the station. Paragraph 10.27 notes this and does make alternative provision, however the policy should be amended in order to ensure consistency.

Issue 3 – Street Hierarchy, Mitigation and Car Usage – Policies NS35, NS36 and NS37

Q1. How have the effects of development on the non-strategic (local) highway network been assessed as part of the plan-making process? Where highway mitigation is required, where is this set out and how will it be achieved?

- 8.6 The impact of the New Settlement on the local road network was considered as part of a Transport Assessment, issued in December 2018 by MTP and submitted as part of the outline planning application, reference 19/00017/EIAMAJ. This application reflected the proposed DPD layout, at that time, and proposed improvements to a number of junctions on the local road network, which were proposed to be secured by a combination of section 106 and 278 agreements.
- 8.7 Since 2018, the assessment has been updated a number of times, most recently in July 2024 to reflect the proposed modifications to the DPD. However, the improvements to the local highway network remain broadly as previously proposed and the mechanism for securing them also remains unaltered.
- 8.8 Policy NS35 as drafted requires access to the A168, which is a considerable distance from the site. Access to this road has never been raised in any of the planning applications and given the significant distance it is not viable or deliverable, therefore an amendment is required to delete this requirement.

Q2. Does the DPD make adequate provision for overnight lorry parking facilities in accordance with paragraph 113 of the Framework?

- 8.9 The New Settlement does not propose any specific overnight lorry parking facilities. Paragraph 113 of the NPPF states that:
- 8.10 *“Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.”*
- 8.11 NYC have not raised any concerns with any ‘shortage’ in local overnight lorry parking facilities and, as such, no specific parking area is proposed. However, the New Settlement does include for some employment land uses which may accommodate small distribution centres. As part of any subsequent planning application for these uses, the Applicant will be required to comply with paragraph 113 of the NPPF at that point, and therefore the lack of specific provision within the DPD is not unsound.

Q3. How have the effects of measures to mitigate and improve the highway network, such as the junction improvement at Whixley crossroads, on heritage assets been considered?

- 8.12 Our Client has no comments to make on this question, however we reserve the right to respond verbally dependent upon other responses.

Q4. Is the requirement set out in Policy NS37 for development proposals to be delivered within a vehicle trip budget reasonable and justified?

- 8.13 The ‘trip budget’ approach to limiting vehicular trip rates and associating trigger points for mitigation measures is a methodology that is being adopted by various local and national highway authorities. Traditional ‘dwelling number’ trigger points are generally only suitable for smaller developments where the number of vehicular trips can be relatively accurately predicted, as the time it takes to complete these developments is relatively short. In larger developments such as this, the final

dwelling is not anticipated until 2053, during which time significant changes to the way people travel may have occurred.

- 8.14 As the impact of the development is experienced by the actual number of vehicles it generates, rather than by the number of houses that are occupied on it, it makes more sense for the trigger points for improvement schemes to be related to the development's traffic generation. By agreeing a 'trip budget' approach to the triggers, the developer of a site is incentivised to deliver active and sustainable transport facilities as early as possible, to minimise the traffic generation of their development. The traffic generation can then be monitored by the local authority through the (agreed and enforceable) Travel Plan procedure – should the development be generating more traffic than predicted, then the mitigation measures may need to be delivered earlier than forecasted, and vice versa.
- 8.15 We do however maintain an objection to the wording of the policy, that requires amendment to provide some flexibility in order to make it sound. The Policy as drafted would set a budget and then refuse any scheme in exceedance of that, irrespective of updated evidence or mitigation. Flexibility should therefore be provided through a modification.

Q5. What is the justification for the suggested changes to Policy NS37 and its supporting text? Why are they necessary for soundness?

- 8.16 As per our response to Matter 3 and Policy NS5 our Client objects to the limitation of one space per dwelling. Whilst the suggested changes to Policy NS37 delete this reference, the policy still requires compliance with Policy NS5. Therefore, this policy remains undeliverable and not justified. The policy should be amended in accordance with our objections to Policy NS5.