

Matter 13 – Infrastructure, Community Facilities and Neighbourhood Planning (CI1, CI3, CI4, S4 and Appendix D)

Issue 1 – Infrastructure Delivery - Policy CI1

- Q1. What is the justification for suggested modifications M60-M64? Why are they necessary for soundness?**

Council's response

The changes are for clarity and the Council response to climate change. The legal duty under the Climate Change Act 2008 is noted in the plan as a cross cutting issue at page 20. The Council considers they are consequently appropriate and improve consistency between the local plan and national planning policy in relation to climate change. However, the Council would consider Policy CI remains sound without the modification.

- Q2. Is the Local Plan consistent with paragraph 34 of the Framework, which states that plans should set out the contributions that are expected from development, including infrastructure for, amongst other things, education, health and transport?**

Council's response

The Local Plan is consistent with paragraph 34 of the Framework because it states how contributions are expected from development towards infrastructure, which includes a range of services and facilities such as education, health and transport in Policy CI1 through S106 agreements or CIL. The Plan is clear throughout -including in relation to Policy CI2 Transport and Accessibility, CI3 Open Space, Sport and Recreation and CI4 community facilities (which it identifies includes facilities such as health care, libraries and schools). Meanwhile, further specific details regarding the type of infrastructure that may be required from specific developments is explored within Part 2 allocations – for example the identification in relation to NOR1 of the requirement for education provision to meet the needs of development.

In addition NYCC Education has provided their own detailed obligation information which is attached in Appendix A of these Matters.

NYCC Highways have commissioned visual simulation modelling to understand the impacts of growth on the network in and around Northallerton.

- Q3. Is the policy sufficiently flexible to address changing circumstances? In particular, is the approach set out in paragraph 7.15 to windfall development justified, effective and consistent with the Framework's objective of boosting significantly the supply of housing?**

Council's response

Policy C11 is sufficiently flexible to address changing circumstances. The Policy addresses the issue of viability highlighting the importance of working collaboratively with developers and infrastructure/service providers to identify viable solutions when circumstance can unexpectedly change.

The discussion provided at paragraph 7.15 illustrates the overall resilience of housing supply within Hambleton and scope to continue fulfilling the Districts housing requirements despite potential shifts in economic circumstances and the viability of development. The purpose of development contributions secured through section 106 agreements is so that the material impacts of development can be appropriately mitigated to allow the Council to approve a planning application. Frequently to enable otherwise viable development to proceed and to ensure housing requirements can be met – such requirements are subject to negotiation. As illustrated within Policy C11, the Council will work positively with developers but does not consider it appropriate to forego mitigation of the impacts arising from housing development whilst there is an overall over supply of homes in the District.

The Council has experience levels of house building that have exceeded the housing requirements for the district. The council in 2014 introduced the Interim Policy Guidance to enable additional housing development on the edges of smaller settlements, 'organic' growth of smaller settlements combined with other windfall sites have produced a consistent significant additional supply of homes predominantly on small sites by 'family builders'. Part of the consideration of the applications considered in the Interim Policy has been the availability of and impact upon the infrastructure. The wide distribution of sites through the district has spread the load on the infrastructure of the district and new homes have been built without a need for significant additional infrastructure in any one area.

Issue 2 – Community Facilities - Policy C14

- Q1. Is Policy C14 consistent with paragraph 92 of the Framework which, amongst other things, requires planning policies to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs?**

Council's response

The council considers policy C14 to be consistent with paragraph 92 of the Framework. Criteria (d) to (g) of the policy set out the requirements that are

expected to be met for proposals that would see the loss of valued community uses to avoid unnecessary loss.

Q2. Is it clear to decision-makers, developers and local communities what types of use constitute 'community facilities', particularly in relation to commercial operations?

Council's response

Paragraph 7.43 of the plan sets out the wide range of uses that are considered to be covered by the policy. This includes commercial operations, such as the village shop, post office, children's nursery or public house. The council is particularly concerned with the protection of valued facilities and services where there is a limited range available in a particular village, which is the case for main villages in Hambleton. Where there is a limited range of facilities and services it is considered that it is clear whether a use falls within the definition.

Q3. Is it the intention that only one of criteria (d) – (g) need to be met in order for development to be permitted under Policy CI4? If so, is this sufficiently clear?

Council's response

The council considers the semi-colon after d, e, and f and the 'or' that follows criterion f, is a sufficiently clear indication that only one of the criteria need be met.

Q4. Paragraph 7.48 of the Plan states that there are requirements for additional primary school places at Bedale, Easingwold, Carlton Miniott, South Otterington, Thirsk and Brompton. How will these facilities be provided? Is it clear to decision-makers, developers and local communities?

Council's response

Hambleton District Council is a two tier authority and NYCC is the education authority across the district. The County Council determine their own applications for education purposes and the District Council are a statutory consultee. Applications for Academy schools are not under the control of the County Council and determined by the District Council. Therefore in terms of the impact on the public it is considered that the planning process allows local communities to engage in such matters. Developers would be made aware through a pre application advice or through the planning process. The Council and the Local Education Authority engage with one another on all matters in relation to school expansion. In relation to Bedale Primary School has now been expanded by 2 additional classrooms. In terms of Easingwold the timing of any expansion of Easingwold Primary School is linked to the provision of additional playing field, which is referred to in the answer already given to Matter 6, Issue 6, Question 1.

A new primary school in Thirsk (Keeble Academy at Sowerby Gateway) has opened to meet the needs of the additional children generated by housing. It has had a phased opening, starting with Reception and increasing by year groups year on year.

An element of the North Northallerton Development Area (NNDA) falls within Brompton Community Primary School's catchment area and Brompton CP was expanded by 2 additional classrooms in anticipation of the bookend approach to building out the NNDA. However, further additional capacity will now be provided by the new primary school to serve the NNDA already referred to in response to Matter 4, Issue 3, Question 8. Please see Appendix A of Matter 4 Site Allocation for a detailed response from NYCC Education.

Whilst working and engaging with NYCC Education it has come to light that while pupil forecasts represent the best estimate available at the time they are produced, they are regularly updated in light of the current evidence base. In terms of South Otterington and Carlton Miniott, there is no current proposal to significantly expand either school, given the forecast position at the moment, though this will be kept under review.

- Q5. Paragraph 7.49 of the Local Plan states that a need for a new healthcare facility in Easingwold has been identified. The *Infrastructure Delivery Plan*²¹ suggests that funding for this would come from NHS England and the CCG. Is this still the case? If not, how does the Local Plan seek to address this requirement and meet all identified health needs?**

Council's response

The existing GP surgery at Easingwold has planning permission to extend to accommodate growth in patient numbers. This has been funded by the NHS and Vale of York CCG.

The council has contacted Vale of York CCG to clarify the current situation. In her letter Stephanie Porter confirms on behalf of the CCG that there is an ongoing need for new health care facility for Easingwold. However, work to determine the extent and scope of the requirements for a new facility is still at an early stage.

The council will continue discussions and engage with representatives from NHS, Vale of York CCG and North Yorkshire County Council to maintain an up to date awareness of health care requirements across Hambleton.

Issue 3 – Neighbourhood Planning - Policy S4

- Q1. Is the Council's approach to identifying the housing requirement for designated neighbourhood areas justified and consistent with Paragraph 65 of the Framework?**

Yes, the framework expects strategic policies to set out a housing requirement for designated neighbourhood areas. Paragraph 3.45 of the Local Plan explains how the Local Plan will set out a housing requirement and that the Council will expect communities preparing plans to plan positively for future growth within the plan period, however it the housing growth is addressed by the allocations of this plan and there is no requirement that neighbourhood plans will provide additional housing. Each of the Local Plan allocation policies sets out the individual allocations for development across the district, with the housing units for each allocation and other development requirements.

Q2. Paragraph 21 of the Framework states that plans should be explicit about which policies are strategic policies. Are the policies listed in Policy S4 the only ones which should be considered 'strategic' for the purposes of paragraph 21?

The council considers the policies listed in Policy S4 to be the only ones which should be considered 'strategic' for the purposes of paragraph 21.