

EXAMINATION OF THE HARROGATE DISTRICT LOCAL PLAN DPD
INSPECTOR'S MATTERS, ISSUES AND QUESTIONS FOR EXAMINATION

N.B. PLEASE REFER TO THE 'EXAMINATION GUIDANCE NOTE' FOR ADVICE ON HOW YOU
MAY WISH RESPOND TO THOSE QUESTIONS RELEVANT TO YOUR PREVIOUSLY
SUBMITTED REPRESENTATIONS.

Matter 1 – Legal Compliance

- 1.1 In preparing the plan did the Council engage constructively, actively and on an on-going basis with neighbouring authorities and other relevant organisations on cross-boundary issues, in respect of the Duty to Co-operate?
- 1.2 Has the plan been prepared in accordance with the adopted Local Development Scheme?
- 1.3 Has consultation on the plan been carried out in accordance with the Council's Statement of Community Involvement and the requirements of the 2004 Act (as amended) and the 2012 Regulations?
- 1.4 Is the Sustainability Appraisal (SA) adequate in terms of its assessment of the likely effects of the plan's policies and allocations and its consideration of reasonable alternatives?
- 1.5 Is the Habitats Regulations Assessment (HRA) robust and does the plan include all of the recommendations identified in this document as necessary to ensure compliance with the Habitats Regulations? Can the plan be considered sound in the apparent absence of the completion of air quality modelling work in relation to Kirk Deighton SAC?
- 1.6 Does the plan include policies designed to ensure that the development and use of land in Harrogate District contributes to the mitigation of, and adaptation to, climate change?
- 1.7 Does the plan comply with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations?

Matter 2 – Objectively-Assessed Need for Housing and the Plan's Housing Requirement Figure

- 2.1 Is the objectively-assessed need for housing (OAN), including the figure for affordable housing, as established by the Housing and Economic Development Needs Assessment (HEDNA) 2018, and reflected in the plan's housing requirement figure (policy GS1: Providing New Homes and Jobs) of 14,049 additional dwellings in the period 2014-2035, based on robust and up-to-date evidence?
- 2.2 Are the conclusions of the 2015 Strategic Housing Market Assessment appropriate in relation to the definition of the Housing Market Area?

Matter 3 – Spatial Distribution of Housing, Housing Site Selection and Settlement Boundaries

- 3.1 Is policy GS2 (Growth Strategy to 2035) effective in establishing a framework for the distribution of housing across the District?
- 3.2 In policy GS2 is the lack of specificity about envisaged levels of development, and the apparent lack of distinction between the function of primary and secondary service villages, justified and effective?
- 3.3 Is the proposed distribution of housing consistent with policy GS2? Is it justified and soundly based having regard to the size of the settlements and their designation (noting in particular the quantum proposed for Boroughbridge, Darley, North Stainley, Killinghall and Pannal, which, having regard to commitments, appear at odds with their role and function)?
- 3.4 Has the process for selecting sites proposed for housing allocations been robust and objective?
- 3.5 Having regard to the exceptional circumstances and public interest tests set out in paragraphs 115-116 of the National Planning Policy Framework (2012)¹, the primary purpose of Area of Outstanding Natural Beauty (AONB) designation, and policy GS8 (Nidderdale AONB) are the allocations proposed in the Nidderdale AONB justified (P1, P5, P7, P10; DB5; DR1, DR14; SB1, SB5; KM1, KM4, KM5)? In particular:
 - a) what is the need for this housing development, including in terms of national considerations?
 - b) what is the likely impact of permitting, or refusing, this housing development on the local economy?
 - c) is there scope for providing for this housing development outside of the AONB?
 - d) what is the likely effect of the development on the environment, landscape and recreational opportunities having regard to any potential for mitigation?
- 3.6 Is policy GS3 (Development Limits) positively-prepared, justified, effective and consistent with national policy and are the development limits as shown on the Policies Map soundly-based? In particular:
 - a) is it effective and does it provide certainty to set development limits, to direct development, when they may be breached under certain circumstances?
 - b) is it clear what level of development (if any) would be acceptable at villages or hamlets that do not have defined development limits?

¹ Paragraph 172 of the National Planning Policy Framework 2018

- c) Is criterion F sound, given that ribbon development may be a key characteristic of some settlements?

Matter 4 – Supply of Housing Land

(This Matter focusses on the overall supply of land for housing. The merits of individual site allocations are considered under Matters 7 - 10)

In the light of Matter 2, in relation to the objectively-assessed need for housing, I will reach a conclusion on whether or not the plan's stated housing requirement figure of 14,049 dwellings is sound. Without prejudice to that, but using a working assumption that it is a soundly-based total requirement figure:

- 4.1 Is the plan's proposal to deliver at least (noting the as yet unquantified numbers from mixed-use allocations) c.13% more dwellings than the 14,049 OAN figure justified? In particular, what is the rationale for double counting the 995 dwelling shortfall (to date, as per proposed modification) when establishing the housing requirement?
- 4.2 Is delivery of this quantum of housing realistic having regard to historic rates in the District?
- 4.3 Are assessments of dwelling numbers for allocated sites realistic and justified, given apparent constraints that would necessitate having undeveloped areas on some sites to address e.g. flood risk and impact upon heritage assets, affecting many of the sites? Has sufficient regard been had to the density of development surrounding the sites?
- 4.4 Are the assumptions about delivery from windfall sites soundly based? Is windfall delivery likely to increase if the Council's approach to development beyond settlement boundaries is found to be sound?
- 4.5 Does the evidence (in particular Appendix 2 of the plan; Annual Monitoring Report 2017 (SD17); and Five Year Housing Land Supply Update (EBH04)) convincingly demonstrate that a five-year supply of deliverable housing land is likely to exist on adoption of the plan and throughout the plan period?

(N.B. My ultimate consideration of this question will also be informed by detailed discussion of the deliverability of specific site allocations in Matters 7 - 10.)

- 4.6 Is it most effective to distribute the housing shortfall to date over the remaining plan period (paragraph 10.30) rather than seeking to deliver it in the first five years? How does this proposal relate to the assumption of accelerated delivery in years four to eight of the plan (Appendix 2)?

Matter 5 – Supply of Employment Land and Land for Retail Development

- 5.1 Is the plan's requirement (policy GS1: Providing New Homes and Jobs) for 38 ha of land for B1, B2 and B8 employment uses supported by robust evidence?
- 5.2 Is the proposed allocation of (at least) 73 ha justified having regard to the evidence? How much "flexibility of supply" is realistically required?
- 5.3 Is the proposed distribution of employment land across the district, as set out broadly in policy GS5, and specifically in policies DM2 and DM3, effective and soundly-based?
- 5.4 Has the process for selecting sites proposed for employment allocation been robust and objective?
- 5.5 Is policy GS5 effective or, with the exception of criteria C & D, only a list of aspirations? Why are only two strategic employment sites mentioned (e.g. Claro Barracks is referenced as a strategic employment site at paragraph 3.16)?
- 5.6 Is the lack of a requirement for additional retail floor space supported by robust evidence?

Matter 6 - Sustainable Development (Policies GS4, GS6, GS7, GS8)

6.1 Policy GS4 - Green Belt

- (a) Is the policy effective in just encouraging beneficial use of the Green Belt?
- (b) Is it clear what is meant by "*inappropriate development in the Green Belt*"?
- (c) Having regard to the final paragraph, is it sound to seek to apply Green Belt policy to sites that the plan proposes to remove from the Green Belt?
- (d) Is paragraph 3.30 correct, having regard to the proposed Gypsy and Traveller site allocations?

6.2 Policy GS8 – Nidderdale AONB

- (a) Is it clear what is meant by "*carefully considered*" and the implications of that?
- (b) Is it sound to say that proposals "*will be supported*" where they meet the criteria in this policy?

- (c) To be effective, does the plan need to be more emphatic in its requirements, rather than seeking to 'facilitate', 'give due consideration' or 'prevent detracting'?
- (d) Is the policy consistent with national planning policy in relation to major development proposals, notably in relation to the use of the term "significant adverse impact"?
- (e) Should the policy address development in the setting of the AONB?

6.3 Are policies GS6 (Sustainable Development) and GS7 (Health and Wellbeing) effective, justified and consistent with national planning policy?

Matter 7 – Site Allocations: Harrogate, Knaresborough and Ripon (DM1; DM2; DM3)

In addition to the questions below, I will have questions about the requirements identified for most, if not all, allocations, notably in relation to impact upon heritage assets (having regard both to the site specific representations from Historic England and how policy in relation to heritage assets is phrased); the AONB (having regard to representations from Natural England); the approach to density; and whether policies should be more directive.

Harrogate

- 7.1 Are the following allocations, as defined on the policies map, soundly-based (with particular regard to any impacts arising from the concentration of development on the west side of Harrogate)?
- 7.2 Are the criteria set out in the relevant policies justified, effective, and consistent with other plan policies and with national planning policy (with particular regard to that in relation to the historic environment)?
- 7.3 Is there evidence that the development of the housing allocations is viable and achievable in the timescales indicated in Appendix 2 of the plan?

Housing Allocations

- H2 – Land North of Knox Lane
- H17 – Heath Lodge Care Home
- H18 – Greenfield Court, 42 Wetherby Road
- H21 – Land at Kingsley Drive
- H22 – Land at Granby Farm
- H23 – Land north of Kingsley Farm
- H36 – Former Policy Training Centre, Yew Tree Lane²

Is the loss of the sports ground justified and consistent with other plan policies and national planning policy?

- H48 – Land adjacent to Kingsley Farm
- H49 – Windmill Farm, Otley Road

² Noting that planning permission may now have been granted

H56 – Land to the north of Cow Dyke Farm
H65 – Harlow Nurseries
H69 – Land to the east of Knox Hill
H70 – Land east of Whinney Lane

Employment Allocations

H16 – Playing Fields, Harrogate College

Is the allocation of this site consistent with other plan policies and national planning policy for the provision of sports facilities?

H28 – Land at Wetherby Road

Mixed Use Allocations

H37 – Land at Station Parade
H51 – Land east of Lady Lane
H63 – Dragon Road car park

Is the lack clarity in H37 and H63 over what is to be delivered justified?

Knaresborough

- 7.4 Are the following allocations, as defined on the policies map, soundly-based?
- 7.5 Are the criteria set out in the relevant policies justified, effective, and consistent with other plan policies and with national planning policy (with particular regard to that in relation to the historic environment)?
- 7.6 Is there evidence that the development of the housing allocations is viable and achievable in the timescales indicated in Appendix 2 of the plan?

Housing Allocations

Policy K23 – Land North of bar Lane and east of Boroughbridge Road
Policy K24 – Land at Halfpenny Lane and south of Water Lane
Policy K25 – Greenfield Court, 42 Wetherby Road
Policy H37– Land at Kingsley Drive

Mixed Use Allocations

K17 - Former Cattle Market

Is the lack clarity in K17 over what is to be delivered justified?

Ripon

- 7.7 Are the following allocations, as defined on the policies map, soundly-based?

- 7.8 Are the criteria set out in the relevant policies justified, effective, and consistent with other plan policies and with national planning policy (with particular regard to that in relation to the historic environment)?
- 7.9 Is there evidence that the development of the housing allocations is viable and achievable in the timescales indicated in Appendix 2 of the plan?

Housing Allocations

R1- Land adjacent to 63 Bondgate
R5 – Land north of King’s Mead
R6 – Land at Springfield Close Farm
R8 – Land at West Lane
R24 – Deverell Barracks
R27 – Laver banks, Clotherholme Road

Mixed Use Allocations

R25 - Claro Barracks

Is the loss of the sports ground justified and consistent with other plan policies and national planning policy?

Matter 8 – Local Service Centre Allocations: Boroughbridge, Masham and Pateley Bridge (DM1)

- 8.1 Are the following allocations, as defined on the policies map, soundly-based?
- 8.2 Are the criteria set out in the relevant policies justified, effective, and consistent with other plan policies and with national planning policy (with particular regard to that in relation to the historic environment)?
- 8.3 Is there evidence that the development of the housing allocations is viable and achievable in the timescales indicated in Appendix 2 of the plan?

Boroughbridge

B2 – Land west of Leeming Lane, Langthorpe
B4 – Land north of Aldborough Gate
B10 - Old Hall Caravan Park, Langthorpe
B11 – Land at Stumps Cross
B18 – Old Poultry Farm, Leeming Lane, Langthorpe
B21 – Land at Aldborough Gate

Is the level of growth proposed for Boroughbridge justified, having regard to the role and size of the town, and commitments, particularly when compared with levels of development proposed for higher tier settlements?

Masham

M8 – Land north of Swinton Road
M13 – Land at Thorpe Road (smaller site)

Pateley Bridge

P1 – Land south of Ashfield Court (smaller site)
P5 – Grassfield Court
P7 – Former Highways Depot
P10 – Grassfield House

Does the allocation of these sites give great weight to the conservation of the landscape and scenic beauty of the Nidderdale AONB?

Would the allocations be for 'major development' and if so is it likely that the exceptional circumstances would exist which would be necessary to permit such development?

Matter 9 - Primary Service Village Allocations (DM1; DM2)

- 9.1 Are the following allocations, as defined on the policies map, soundly-based?
- 9.2 Are the criteria set out in the relevant policies justified, effective, and consistent with other plan policies and with national planning policy (with particular regard to that in relation to the historic environment)?
- 9.3 Is there evidence that the development of the housing allocations is viable and achievable in the timescales indicated in Appendix 2 of the plan?

Green Hammerton

GH2 – Land at New Lane
GH9 – Land west of B6265 and north of A59

Hampsthwaite

HM7 – Land off Brookfield Garth
HM9 – Land to the north of Meadow Close

Killinghall

KL2 – Land adjoining Grainbeck Manor
KL6 – Land at Manor Farm

Would the allocation of these sites be justified, having regard to commitments, the size of the village and its position in the settlement hierarchy?

Kirby Malzeard

KM1 – Wensleydale Dairy Products Limited

KM4 – Land south of Richmond Garth

KM5 – Land east of Richmond Garth

Does the allocation of these sites give great weight to the conservation of the landscape and scenic beauty of the Nidderdale AONB?

Would the allocations be for 'major development' and if so is it likely that the exceptional circumstances would exist which would be necessary to permit such development?

Pannal

Housing

PN17 – Land adjoining Spring Lane

PN19 – Land to west of Leeds Road

Would the allocation of these sites, which would result in a very significant increase in the size of the village, be justified, having regard to Pannal's role and its position in the settlement hierarchy?

Employment

PN18 – Employment site south of Almsford Bridge

Spofforth

SP4 – Land at Castle Farm

SP6 – Land at Massey Fold

Summerbridge

SB1 – Clough House Farm

SB5 – Land at Braisty Woods

Does the allocation of these sites give great weight to the conservation of the landscape and scenic beauty of the Nidderdale AONB?

Would the allocations be for 'major development' and if so is it likely that the exceptional circumstances would exist which would be necessary to permit such development?

Tockwith

TW3 – Church Farm

Matter 10 - Secondary Service Village Allocations

- 10.1 Are the following allocations, as defined on the policies map, soundly-based?
- 10.2 Are the criteria set out in the relevant policies justified, effective, and consistent with other plan policies and with national planning policy (with particular regard to that in relation to the historic environment)?
- 10.3 Is there evidence that the development of the housing allocations is viable and achievable in the timescales indicated in Appendix 2 of the plan?

Birstwith

BW9 – Land to the south of Clint Beck
BW10 – Land south of Wreaks Road (smaller site)

Has the allocation of these sites had due regard to their impact upon the setting of the Nidderdale AONB?

Bishop Monkton

BM2 – Former Allotments off Knaresborough Road

Is the allocation of an (albeit "former") allotment site justified and consistent with national planning policy and other Local Plan policies?

Would the allocation of this site be justified, having regard to the size of the village and its position in the settlement hierarchy?

BM3 – Land at Church Farm
BM4 – Land at Knaresborough Road

Would the allocation of these sites be justified, having regard to the size of the village and its position in the settlement hierarchy?

Burton Leonard

BL9 – Alfred Hymas site

Dacre Banks

DB5 – Land to the west of Dacre Banks (smaller site)

Does the allocation of this site give great weight to the conservation of the landscape and scenic beauty of the Nidderdale AONB?

Would the allocation be for 'major development' and if so is it likely that the exceptional circumstances would exist which would be necessary to permit such development?

Would the allocation of these sites be justified, having regard to the size of the village, existing commitments and its position in the settlement hierarchy?

Darley

DR1 - Land at Stumps Lane

DR14 – Land at Sheepcote Lane (combined site)

Is the allocation of DR14 at odds with the Village Design Statement's and Council's own assessment of the sensitivity of the site?

Does the allocation of these sites give great weight to the conservation of the landscape and scenic beauty of the Nidderdale AONB?

Would the allocations be for 'major development' and if so is it likely that the exceptional circumstances would exist which would be necessary to permit such development?

Would the allocation of these sites be justified, having regard to the size of the village, existing commitments and its position in the settlement hierarchy?

Dishforth

DF4 – Land north east of Thornfield Avenue

Would the allocation of these sites be justified, having regard to the size of the village, existing commitments and its position in the settlement hierarchy?

Goldsborough

GB2 – Land at Low Farm³

GB4 – Land adjacent to cricket ground

Kirk Hammerton

KH11 - Land at Station Road

Markington

MK8 – Land to the south of High Mill Farm

Marion cum Grafton

MG7 – Land north of Braimber Lane (smaller site)

MG8 – Yew Tree Farm (smaller site)

³ Noting that planning permission may now have been granted

North Stainley

NS3 – Land to west of Cockpit Green
NS6 – Land south of A6108 (smaller site)

Would the allocation of these sites, which would result in a very significant increase in the size of the village, be justified, having regard to North Stainley's role and its position in the settlement hierarchy?

Sharow

SH1 - Land at New Road

Would the allocation of these sites be justified, having regard to the size of the village, existing commitments and its position in the settlement hierarchy?

Staveley

SV1 – Land between Minskip Road and Low Field Lane

Would the allocation of these sites be justified, having regard to the size of the village and its position in the settlement hierarchy?

Matter 11 – Melmerby Employment Allocations

- 11.1 Are the following allocations, as defined on the policies map, soundly-based?
- 11.2 Are the criteria set out in the relevant policies justified, effective, and consistent with other plan policies and with national planning policy (with particular regard to that in relation to the historic environment)?

MB3 – Land south of Barker Business Park
MB6 – Land at Melmerby Industrial Estate
MB8 – Land west of Barker Business Park (larger site)

Matter 12 - Green Hammerton/Cattal Broad Location for Growth (DM4)

- 12.1 Has the proposal for a new settlement been positively prepared and is it justified?
- 12.2 Has the process for selecting the broad location of a new settlement in the plan been robust and objective?
- 12.3 Is there satisfactory evidence that the anticipated level of housing (1080 dwellings) would be delivered during the plan period, bearing in mind that the precise location, and the implications arising from that, has yet to be established?
- 12.4 Is it effective to have what appears to be policy located in the supporting text (paragraph 10.18)?

- 12.5 To be effective should there be consistency between proposed housing numbers on the Key Diagram (2700) and in the policy (at least 3000)?
- 12.6 Are the criteria set out in the policy otherwise justified, effective, and consistent with other plan policies and with national planning policy?

Matter 13: District-wide policies concerning Employment and Retail development (*Policies EC1- EC7*)

13.1 Policy EC1 – Protection and Enhancement of Existing Employment Areas

- (a) Is the meaning of "... *should continue to be occupied by employment uses...*" sufficiently clear? What is meant by "employment uses"?
- (b) Are criteria E to J clear and specific? Is it effective to locate what appear to be policy requirements in the supporting text (paragraphs 4.3 onwards)?
- (c) Are the existing employment areas as defined on the Policies Map soundly-based?
- (d) Is the policy otherwise justified, effective, positively prepared and consistent with national planning policy?

13.2 Policy EC2 – Expansion of Existing Businesses

- (a) Is the title of the policy sufficiently clear, given that it relates only to businesses in specific locations?
- (b) Is it clear whether proposals have to meet all of criteria A – F?
- (c) Should the wording in relation to highways, residential amenity and character be consistent with that in policies EC3 and EC4?
- (d) Is the policy otherwise justified, effective and consistent with national planning policy?

13.3 Policy EC3 – Employment Development in the Countryside

- (a) Is the title of the policy sufficiently clear, given that it relates only to new employment development?
- (b) Should the wording in relation to highways, residential amenity and character be consistent with that in policies EC2 and EC4?
- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

13.4 Policy EC4 – Farm Diversification

- (a) Should the wording in relation to highways and residential amenity and character be consistent with that in policies EC2 and EC3?
- (b) Is criterion B of the policy consistent with national planning policy in relation to heritage assets?
- (c) Is it effective to locate what appear to be policy requirements in the supporting text (paragraph 4.26)?
- (d) Is the policy otherwise justified, effective and consistent with national planning policy?

13.5 Policy EC5 Town and Local Centre Management

- (a) Are the town centre boundaries and primary shopping areas as defined on the Policies Map soundly-based?
- (b) Are sections C and D consistent with national planning policy in relation to retail, with particular regard to the requirement for sequential and impact assessments for retail development outside the Primary Shopping Area (as opposed to the Town Centre)?
- (c) Is the lack of town centre boundaries for Boroughbridge, Masham and Pateley Bridge consistent with the requirements of national planning policy?
- (d) Is it clear what the "*retail ... amenity of the frontage*" (B.i.) is?
- (e) How is "*localised need*" (C.i.) to be defined?
- (f) Could compliance with the final paragraph of section B undermine the aims of criteria i, ii and iv?
- (g) Are the floor space triggers consistent with national policy and justified by robust evidence? Is it clear whether they are gross or net?
- (h) Is the final paragraph of D justified and soundly based given that the policy already contains triggers for retail impact assessments? Is it clear what could be required of office and leisure proposals?
- (i) Is F effective and positively prepared?
- (j) Is it clear what is meant by "*...unacceptable planning problems...*" (G)?
- (k) Is it effective to locate what appear to be policy requirements in the supporting text (paragraph 4.30 onwards)?

- (l) Is the policy otherwise justified, effective and consistent with national planning policy?

13.6 Policy EC6 – Tourist Facilities

- (a) Is the trigger of 20 or more lettable rooms soundly based?
- (b) Is the rationale for the inclusion of E in relation to tourist attractions but not hotels justified?
- (c) To be effective, should the policy include a criterion to permit loss of hotels and tourist attractions where such loss could ameliorate 'bad neighbour' conflicts?
- (d) Is the policy otherwise justified, effective and consistent with national planning policy?

13.7 Policy EC7 – Rural Tourism

- (a) Is it clear what is meant by "...unacceptable planning problems..." (C)?
- (b) To be consistent, should criterion G echo the wording of other similar criteria in this policy section?
- (c) Is the link between EC4 and EC7 clear?
- (d) Is it clear what is meant by "...accessible to ... public utilities"?
- (e) Is the policy otherwise justified, effective and consistent with national planning policy?

Matter 14: District-wide policies concerning Housing development (Policies HS1- HS10)

14.1 Policy HS1 – Housing Mix and Density

- (a) Is the statement that "*The council will seek to balance the housing market...*" clear and effective?
- (b) Is the requirement that 25% of the market units (on developments of 10 or more dwellings) are accessible and adaptable homes consistent with the supporting evidence? Is the evidence provided to support this requirement robust and consistent with national planning practice guidance?
- (c) Is the same requirement, with regard to accessible homes, consistent with national planning guidance?

- (d) Is the minimum net density requirement soundly based and evidenced?
- (e) Is the policy otherwise justified, effective and consistent with national planning policy?

14.2 Policy HS2 - Affordable Housing

- (a) Is it clear what is meant by "... *all qualifying greenfield developments...*"?
- (b) Are the thresholds for the provision of affordable housing justified and soundly based?
- (c) To be effective, given that planning applications may be considered having regard to the revised National Planning Policy Framework (2018), should the threshold in the second paragraph be for 10 or more dwellings?
- (d) Does the evidence support the differential requirements between greenfield and brownfield land?
- (e) Is the lack of a lower affordable housing target for Ripon justified and supported by the evidence (paragraph 10.26 of Whole Plan Viability Study (EBTI01))?
- (f) To be effective, should the policy make reference to the designated Rural Areas map (Map 11.2) within the plan?
- (g) Is the requirement for affordable dwellings to be accessible and adaptable homes consistent with the supporting evidence? Has national planning practice guidance been followed in relation to the provision of evidence to support this requirement?
- (h) Is the same requirement, with regard to accessible homes, consistent with national planning guidance?
- (i) Is the policy otherwise justified, effective and consistent with national planning policy?

14.3 Policy HS3 – Self and Custom Build Housing

- (a) Given the very high site thresholds, how effective will this policy be in delivering plots for self-build and custom housing? What is the basis for the 500 unit threshold?
- (b) Is the opening sentence clear and unambiguous?

- (c) Is it clear what is meant by “*appropriate demand*” and by whom it should be “*identified*”? Is it clear what is meant by “*appropriately marketed*”?
- (d) Is it effective to “*encourage*” within policy?
- (e) Is it effective to locate what appears to be planning policy in the supporting text (5.31)?
- (f) Is paragraph 5.31 of the supporting text consistent with national planning policy and with planning legislation?
- (g) Is the policy otherwise justified, effective and consistent with national planning policy?

14.4 Policy HS4 – Older People’s Specialist Housing

- (a) Is the policy justified, effective and consistent with national planning policy?

14.5 Policy HS5 – Space Standards

- (a) Is the evidence provided to support this requirement robust and consistent with national planning guidance?
- (b) Is it effective to locate what appears to be policy in the supporting text (paragraph 5.43)?
- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

14.6 Policy HS6 – Conversion of Rural Buildings for Housing

- (a) Is the policy effective without clarity over whether all of the listed criteria (A-F) are applicable to proposals?
- (b) Is it effective for the policy to neglect rural buildings within settlement boundaries, which may require equally sensitive conversion?
- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

14.7 Policy HS7– Replacement Dwellings in the Countryside

- (a) Is the policy justified in requiring demolition of an extant dwelling on completion, rather than first occupation, of a new dwelling?
- (b) Is the policy otherwise justified, effective and consistent with national planning policy?

14.8 Policy HS8– Extensions to Dwellings

- (a) Is criterion D justified and positively prepared?
- (b) Is it effective to locate what appears to be policy in the supporting text (paragraphs 5.54-5.55)?
- (c) Is the restriction on the size of an extension justified and positively prepared (paragraph 5.55)?
- (d) Is the policy otherwise justified, effective and consistent with national planning policy?

14.9 Policy HS9 – Rural Workers’ Dwellings

- (a) Is this policy consistent with the full gamut of national planning policy in relation to isolated homes in the countryside, which does not deal solely with rural workers’ dwellings?
- (b) Is the policy clear and unambiguous in relation to applications for rural workers’ dwellings which may be outside settlement boundaries but are not “*isolated*”?

14.10 Policy HS10 – Providing for the Needs of Gypsies and Travellers

- (a) Is the plan period need for six additional pitches for Gypsies and Travellers (policy GS1) supported by robust evidence?
- (b) Is the plan consistent with national policy’s requirement that plans should identify a supply of specific deliverable sites sufficient to provide at least five years’ worth of supply against the local requirement and identify broad locations for growth for years six to ten (policy HS10)?
- (c) Can the Council robustly demonstrate the “*exceptional circumstances*”, which are required by national planning policy, to justify the limited alterations proposed to the defined Green Belt boundaries in order to accommodate the Gypsy and Traveller sites K40, K41 and K42?
- (d) Is paragraph 3.30 inconsistent with the approach that is being proposed to the Green Belt?
- (e) Are the requirements set out in relation to K40, K41 and K42 justified and effective? Should it be made clear in HS10 that the sites are to be delivered in accordance with these requirements?

Matter 15 – Transport and Infrastructure (*policies TI1 – TI6*)

15.1 Is there evidence to show that, taking account of proposed mitigation measures, the development proposed in the plan would not give rise to severe adverse transport impacts?

15.2 Policy TI1 – Sustainable Transport

- (a) Does this read as an effective and justified policy or as a list of aspirations?
- (b) Is it effective to neglect reference to developers in the opening paragraph?
- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

15.3 Policy TI2 – Protection of Transport Sites and Routes

- (a) To be effective should the policy be clear whether all or some of the criteria apply to protected routes?
- (b) To be effective should the policy be clear where information in relation to protected routes may be found?
- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

15.4 Policy TI3 – Parking Provision

- (a) Is it effective for the policy to only require proposals to “...recognise an overall need to reduce the use of private cars...” and to only “...take suitable account of ...” the key criteria? Is it sufficiently clear whether all or some of these criteria are required?
- (b) Is it sufficiently clear what is meant by “... the ability to provide...” electric vehicle charging points? To be effective should the policy be more emphatic?
- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

15.5 Policy TI4 – Delivery of New Infrastructure

- (a) Is it sufficiently clear whether all or some of criteria A-C should be met?
- (b) Is the policy justified, effective and consistent with national planning policy?

15.6 Policy TI5 – Telecommunications

- (a) Is it sufficiently clear whether all or some of criteria A-C should be met?
- (b) Is the policy justified and effective, having particular regard to whether the criteria are achievable and/or in the gift of the development industry?
- (c) Is criterion F sufficiently robust to be considered effective?
- (d) Is the policy otherwise justified, effective and consistent with national planning policy?

15.7 Policy TI6 – Provision of Educational Facilities

- (a) Is it effective for the site requirements (B22, KL20, NS7 and PN20) to refer to supporting text (paragraph 10.2)?
- (b) Are the requirements set out in relation to B22, KL20, NS7 and PN20 justified and effective? Should it be made clear in TI6 that the sites are to be delivered in accordance with these requirements?
- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

Matter 16 – Climate Change (*policies CC1 – CC4*)

16.1 Policy CC1 – Flood Risk and Sustainable Drainage

- (a) Is the creation of a Flood Zone 3a(i) soundly based and supported by robust evidence?
- (b) Is the policy otherwise justified, effective and consistent with national planning policy?

16.2 Policy CC2 – Rivers

- (a) Is the policy justified, effective and consistent with national planning policy?

16.3 Policy CC3 - Renewable and Low Carbon Energy

- (a) Is the reference to “*unacceptable impact on... the historic environment ...*” (repeated in paragraph 7.27) consistent with national planning policy?
- (b) Is the requirement that wind turbines can only be located in areas identified for such in a Neighbourhood Plan (B.i.) consistent with national planning policy? If not, should it be (given that applications for development may be considered with regard to the revised National Planning Policy Framework (2018))?

- (c) Is it clear what size of wind turbine is covered by section B? In particular, is it clear what is meant by "*small scale*" wind turbines (B.ii.)? Is the requirement that small-scale turbines may only be used at a farm, business or settlement level positively prepared and effective?
- (d) Is the policy otherwise justified, effective and consistent with national planning policy?

16.4 Policy CC4 – Sustainable Design

- (a) Can the policy be effective if it only aims to "*encourage*" actions and require developments to "*seek*" CO2 reductions?
- (b) Is the policy otherwise justified, effective and consistent with national planning policy?

Matter 17 - Heritage and Place-making (*policies HP1 – HP9*)

17.1 Policy HP1- Harrogate Town Centre Improvements

- (a) Other than criterion A, is this an effective and justified policy or a list of aspirations? Is it effective for a planning policy to consider "*management*" of the night-time economy and parking?
- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

17.2 Policy HP2 – Heritage Assets

- (a) Is it sound to say that proposals "*will be permitted*" where they meet the criteria in this policy?
- (b) Is it clear how criterion A relates to the other criteria? Would it more effective if this were an overarching criterion applicable to all development proposals affecting a heritage asset?
- (c) Should the policy be more explicit about how non-designated heritages can/will be identified?
- (d) To be effective does the policy need to give the full name of the Fountains Abbey and Studley Royal World Heritage Site to be effective? Is it clear what is meant by its "*visual setting*"?
- (e) Is the World Heritage Site Buffer Zone justified and soundly based?
- (f) Is it effective to locate what appears to be policy in the supporting text (numerous paragraphs from 8.19 onwards)?
- (g) Is the policy otherwise justified, effective and consistent with national planning policy?

17.3 Policy HP3 – Local Distinctiveness

- (a) Is it effective for the policy to only require proposals to “*recognise*” certain factors (criteria C and D)?
- (b) Is criterion D sufficiently clear in its objective and what it requires?
- (c) Is criterion E necessary to make the policy sound, given the preceding criteria?
- (d) Is it effective to locate what appears to be policy in the supporting text (e.g. paragraphs 8.54, 8.61)?
- (h) Is the policy otherwise justified, effective and consistent with national planning policy?

17.4 Policy HP4 – Protecting Amenity

- (a) To be effective, does the policy need to be clear that there are situations where both private and communal space would be required, rather than one or the other?
- (b) Is the policy otherwise justified, effective and consistent with national planning policy?

17.5 Policy HP5 – Public Rights of Way

- (a) Is the policy justified, effective and consistent with national planning policy?

17.6 Policy HP6 – Protection of Existing Sport, Open Space and Recreation Facilities

- (a) To be effective does the policy need to define what is meant by “*open space*” and “*recreational facilities*”? Is it clear what is meant by “*appropriate recreational facilities*” (A.iii.) and how does this differ from the reference in C.iii?
- (b) Is it effective to locate what appears to be policy in the supporting text (e.g. paragraph 8.76)?
- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

17.7 Policy HP7 – New Sports, Open Space and Recreation Development

- (a) Are the space standards justified and soundly based?
- (b) Is criterion B.ii. consistent with national policy in so far as it relates to congestion? Is it sound to say that proposals “*will be permitted*” where they meet the stated criteria?

- (c) To be effective should criterion C be clear that such proposals should be proportionate to the size of the settlements listed? Should it be more specific about the range and origin of the bus and rail services? How is "*large numbers of people*" defined?
- (d) Is it effective to locate what appears to be policy in the supporting text (e.g. paragraphs 8.91, 8.95)?
- (e) Is the policy otherwise justified, effective and consistent with national planning policy?

17.8 Policy HP8 – Protection and Enhancement of Community Facilities

- (a) Is it clear what criterion E means?
- (b) Should criterion F be consistent with the wording of similar criteria elsewhere in the plan?
- (c) Is it effective to locate what appears to be policy in the supporting text (e.g. paragraphs 8.101-8.105)?
- (d) Is the policy otherwise justified, effective and consistent with national planning policy?

17.9 Policy HP9 – Provision of New Community Facilities

- (a) Should criterion F be consistent with the wording of similar criteria elsewhere in the plan?
- (b) Is the policy otherwise justified, effective and consistent with national planning policy?

Matter 18 – Natural Environment (*policies NE1 – NE9*)

18.1 Policy NE1 – Air Quality

- (a) How is "*significant*" to be defined in criterion D?
- (b) To be effective does the policy need to be clear whether proposals must meet all of the criteria?
- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

18.2 Policy NE2 – Water Quality

- (a) To be effective does the policy need to be clear whether proposals must meet all of the criteria?

- (b) Is the policy otherwise justified, effective and consistent with national planning policy?

18.3 Policy NE3 – Protecting the Natural Environment

- (a) To be effective should the plan make it clear where the features identified in criterion F can be found or identified?
- (b) To be effective should criterion E require developments to do more than just “*aim*” to avoid a net loss of biodiversity? Should it (and the supporting text) recognise that biodiversity accounting is just a tool to inform professional judgement, rather than an end in itself?
- (c) Can criterion G be effective if it requires action to be taken on land not within the ownership of an applicant?
- (d) Is the policy otherwise justified, effective and consistent with national planning policy?

18.4 Policy NE4 – Landscape Character

- (a) To be effective should the section on Locally Valued Landscapes be re-titled to be clear that it relates only to Special Landscape Areas rather than any “valued” landscape? Is “*carefully considered*” a clear and helpful phrase? What, if anything, are its implications?
- (b) To be effective, should criterion G be more emphatic about enhancing the “*appearance of the urban fringe*”?
- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

18.5 Policy NE5 - Green (and Blue) Infrastructure

- (a) Is criterion E relevant to the subject matter of the policy?
- (b) Is the policy otherwise justified, effective and consistent with national planning policy?

18.6 Policy NE6 – Local Green Space

- (a) Has the process for selecting sites proposed for designation as Local Green Space been robust and objective and in accordance with national planning policy?
- (b) To be effective should the policy be clear that it designates the sites as Local Green Space, rather than proposes them for such?
- (c) Is paragraph 9.52 a correct statement?
- (d) Is the extent of LGS28 correct on the relevant map?

- (c) Is the policy otherwise justified, effective and consistent with national planning policy?

18.7 Policy NE7 – Trees and Woodland

- (a) Is it sound to say that proposals "*will be permitted*" where they meet the criteria in this policy?
- (b) To be effective should the policy be clear whether both criteria A and B need to be met?
- (c) Is "*wherever appropriate*" a helpful and effective policy term?
- (d) Is it effective to have what appears to be policy in the supporting text (paragraph 9.55)?
- (e) Is the policy otherwise justified, effective and consistent with national planning policy?

18.8 Policy NE8 – Protection of Agricultural Land

- (a) Is the policy justified, effective and consistent with national planning policy, with particular regard to the phrase that best and most versatile agricultural land will be "*...protected from development...*"?

18.9 Policy NE9 – Unstable and Contaminated Land

- (a) Is the term "*...no unforeseeable instability...*" clear and effective?
- (b) To be effective, should it be clear that advice on Gypsum related subsidence should be followed rather than just "*...taken into account...*"?
- (c) Is it effective to locate what appears to be policy in the supporting text (e.g. paragraph 9.69; paragraph 9.85 onwards)?
- (d) Is the policy otherwise justified, effective and consistent with national planning policy?

Matter 19 - Delivery and Monitoring

19.1 Is it effective to have what appear to be policy requirements set out as supporting text (paragraphs 10.2 – 10.5)?

19.2 To assist with Neighbourhood Plan making, and in line with national planning policy, should the plan be clear about which policies are to be regarded as "strategic"?