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Our ref 414487/KJ/02

Dear Sir or Madam

Comments on the Ripon City Plan: Submission Draft Plan

INTRODUCTION

I am instructed by the Defence Infrastructure Organisation (DIO) to submit representations to the Ripon City Plan: Submission Draft Plan on behalf of the Secretary of State for Defence. My client's comments specifically relate to the following sections of the Plan:

- Policy B.3: Clotherholme;
- Policy B.4: Clotherholme Development Strategy;
- Section E – Providing New Homes
- Policy F.3: Protection and Replacement of Recreation Open Space
- Policy G.1 – Possible New Highways

My client is generally supportive of the City Plan and in particular, supports the aims of the policies B.3 and B.4 to create a sustainable urban extension to Ripon on the Clotherholme site.

It is worth noting at the outset that a Neighbourhood Plan must be in general conformity with the strategic policies of the development plan if it is to meet the basic condition set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004). With this in mind, it is our view that policies B.3 and B.4 of the City Plan should reflect the requirements for the proposed Clotherholme development set out in the site requirements for sites R24, R25 and R27 under Draft Policy DM1: Housing Allocations of the Harrogate District Local Plan: Publication Draft 2018.

I set out below, our detailed representations in respect of each of the sections listed above which are supported by Clotherholme Urban Village Vision Document, Market & Viability Assessment for Ripon Barracks and the Open Space Assessment which have all been prepared for the DIO and were also submitted in respect of the consultation on the Harrogate District Local Plan: Publication Draft 2018.

POLICY B.3: CLOTHERHOLME

My client welcomes the support given to the comprehensive redevelopment proposals for the military estate in Ripon to become the Clotherholme urban village. The acknowledgement of the “scale of development being a substantial urban extension to Ripon” and for “proposals for this area to include a substantial quantity of housing” is particularly welcomed. The DIO is committed to creating a sustainable urban extension to Ripon which will deliver much needed new housing for the City and provide significant benefits to the local community. There

are, however, some sections of the policy and the justification which we consider should be amended. I set out the suggested alterations and reasoning below.

The third bullet point within the policy relates to the retention of existing military premises for employment, community, education and recreational purposes. This issue is also addressed at paragraph 5.3.21 of the supporting justification.

As you will be aware, the DIO shared with Ripon City Council, a copy of the representations it made to the emerging Local Plan prior to the production of this Draft Ripon City Plan. Included in those representation was the DIO commissioned a Market and Viability Assessment for employment uses which included an assessment of the existing buildings and their suitability. The report concluded that the cost of refurbishing the units for either office or industrial uses was not viable. This report was submitted to Harrogate District Council as part of the consultation on the Publication Draft Local Plan and is also enclosed as part of these representations to the City Plan.

On the basis of the conclusions of the Market and Viability assessment, my client cannot accept a policy within the City Plan which requires the re-use of existing buildings. The DIO remain committed to the delivery a substantial and sustainable urban extension/ urban village and to contributing to the provision of land and or facilities to meet local needs however the level of provision must be justified, commercially deliverable and proportionate to the scale of development Therefore, we request that the third bullet point of Policy B.3 be reworded to read:

“The provision of employment, community, education and recreational uses”

This issue is also addressed at paragraph 5.3.22 of the supporting justification. Therefore, we request that the final sentence of this para is removed and the following wording added to the penultimate paragraph:

“in order to contribute to meeting local needs and delivering the vision of the urban village.”

The fourth bullet point refers to the retention of the existing sports field to create a sporting village. This issue is also discussed at paragraph 5.3.23 of the supporting justification which notes that this retention, along with protection of the natural environment will contribute to sustainable development.

As you will be aware the existing pitches on the MOD owned site were provided within the secure perimeter and used for a variety of training purposes in addition to the provision for team sports. That wider use should be recognised in any assessment. My client will commit to retaining some of the areas for playing field provision within the site and will ensure that the level of provision is, at the very least, in line with the open space requirements of the Harrogate Local Plan, which are currently set out in Draft Policy HP7 of the Publication Draft. This level of provision sport pitch provision would still ensure that the development contributes to sustainability objectives, and thus satisfy the justification for requirement.

We consider that the retention of all playing fields within the military estate and creation of a sporting village is not proportionate to the proposed development, does not recognise the complex nature of their former use, nor is it supported elsewhere by policies in the Development Plan and would unreasonably restrict the development opportunity the site provides. Having regard to the above, we suggest reworded to read:

“provision of sports and recreation facilities, in-accordance with the requirements of the Harrogate Local Plan.”

The fifth bullet point seeks the incorporation of the military roads into the public highway which is discussed at paragraph 5.3.24 which considers that this might be an opportunity to reduce traffic congestion in the local area. We consider that retaining the existing military road network would also place unreasonable constraints upon the layout of any future development, which should be properly explored as part of the Masterplanning process. The better approach, to ensure the most efficient and suitable road layout, would be to plan a new road network (to adoptable standards) that integrates with the optimal layout for residential development on the site and the surrounding highway network. As per policy G1 and in partnership the DIO will investigate within the masterplan and transport strategy options to improve connectivity and particularly the potential to provide vehicular, pedestrian and cycle linkages between Clotherholme Road and Kirby Road. We therefore consider it is appropriate to remove bullet 3 from the policy.

The eighth bullet point within the policy seeks the identification of a site of not less than 1.6ha for the provision of a primary school. While we are committed to consider inclusion of a school within the wider development, we consider that it is appropriate to arrive at the overall size of site required following discussions with the County Council as the local Education Authority to ensure school meets actual identified needs. Therefore, we request removal of the reference to 1.6 ha from this section of the policy.

POLICY B.4: CLOTHERHOLME DEVELOPMENT STRATEGY

My client welcomes the support given to the comprehensive redevelopment proposals for the military estate in Ripon to become the Clotherholme urban village. The DIO is committed to creating a sustainable urban extension to Ripon which will deliver much needed new housing for the City and provide significant benefits to the local community. There are, however, some sections of the policy and the justification which we consider should be amended. I set out the suggested alterations and reasoning below.

The third bullet point in Policy B.4 makes the same point regarding playing fields as in Policy B.3. As such, our comments in respect of Policy B.3 apply equally here:

My client will commit to retaining some of the areas for playing field provision within the site and will ensure that the level of provision is, at the very least, in line with the open space requirements of the Harrogate Local Plan which are currently set out in Draft Policy HP7 of the Publication Draft. This level of provision sport pitch provision would still ensure that the development contributes to suitability objectives, and thus satisfy the justification for requirement.

We consider that the retention of all the areas for playing fields within the military estate and creation of a sporting village is not proportionate to the proposed development, does not recognise the complex nature of their former use, nor is it supported elsewhere by policies in the Development Plan and would unreasonably restrict the development opportunity the site provides. Having regard to the above, we suggest reworded to read:

“provision of sports and recreation facilities, in-accordance with the requirements of the Harrogate Local Plan.”

The fourth bullet point relates to the release of Deverell Barracks and has two sub points, we make representations to both points below.

The first sub bullet seeks the opening to public use of the military roads within the Barrack complex and for the roads to be upgraded to adoptable standards. We consider that it is not reasonable to place this significant financial burden, including the River Laver Bridge to Galphy Lane, upon DIO prior to any development coming forward. I would also re-iterate the comments made in respect of Policy B.3, that a new road layout, which supports the optimal layout of the site should be developed through the masterplanning process and that to

constrain the layout of the urban village to fit around the existing road network would result in a compromised development that would reduce the potential benefits of the development.

Furthermore, to require existing roads to be adopted before development would then only then require formal stopping up orders to extinguish the highway at the time any application is made. There is no certainty the stopping up orders would be successful and in such a circumstance, the integrity of the whole development could be compromised.

Having regard to the above, we request that this requirement is removed from Policy B.4.

The second sub bullet point seeks the retention of a “exemplar timber barrack block” as a local heritage asset. DIO are committed to providing appropriate reference to site’s history as part of the development. We consider that the final form this heritage provision takes should be informed by consultation with the public and the relevant stakeholder groups. As such, we request that the bullet point is reworded to ensure appropriate heritage facility provided within the development, as set out below:

The provision of an appropriate heritage facility within the development that relates to the history of the Ripon Camp.

In respect of final bullet point in relation to Claro Barracks which seeks the opening-up of military roads for public use and for the roads to be upgraded to adoptable standards, we would re-iterate the comments made previously in respect of Deverell Barracks. Accordingly, we request that this bullet point is removed from the policy.

5.6 SECTION E – PROVIDING NEW HOMES

This section of the City Plan goes into some detail regarding the provision of new homes in Ripon and attempts to identify a total housing provision based upon the overall borough wide target and existing population levels. Such an approach to housing provision is overly simplistic and does not reflect the District Council’s growth strategy as set out in Policy GS2 of the Publication Draft Local Plan 2018 which takes a range of factors into account. The basis for this formula is the September 2017 DCLG consultation paper, Planning for the Right Homes in the Right Places. On 5th March 2018, the DCLG published its response paper and in respect of this particular issue, concluded that they would not to take forward a simple formula-based approach to apportion housing need to neighbourhood areas¹.

As set out in the introduction, the policies in the City Plan should be in general conformity with the Development Plan and with regard to housing provision, should not seek to go beyond policies in the emerging Harrogate Draft Local Plan. By making reference to and developing detailed policy based upon a draft Local Plan, which is subject to change, increases the risk that the City Plan will out-of-date an inconsistent with the Development Plan.

Having regard to the above, we consider that this section of the City Plan should be amended to remove any detailed housing numbers and simply state that new housing provision within Ripon will be provided in-line with the growth strategy set out in the emerging Harrogate Local Plan. To supplement the emerging Harrogate Local Plan growth strategy, the Neighbourhood Plan should set out a broad strategic spatial growth strategy for Ripon which identifies key strategic development site within Ripon. Within this strategy, we consider that the Clothholme Road Regeneration Area should be identified as the main strategic location for housing during the plan period.

¹ Pages 21 – 22 of Government response to the Planning for the right homes in the right places consultation.

The Clothholme Regeneration Area is an accepted location for development and the regeneration area is clearly far larger in scale and with far more potential housing capacity than other regeneration areas and the committed Housing/Mixed Use sites identified within the Neighbourhood Plan.

The Clothholme Road Regeneration Area is also identified for mixed use development within the emerging Local Plan and represents the largest suggested allocation within the Ripon area. The identification of this site within the Neighbourhood Plan as the main strategic location for housing would therefore be in general conformity with the emerging Harrogate Local Plan whilst also providing local direction for future development.

The identification of such a clear strategic approach would define the long-term strategy for Ripon. Identifying a strategic location or focus for growth provides confidence to an inspector/examiner that the plan includes a suitable buffer to ensure housing delivery over the plan period. Such an approach would help to safeguard against the risk of a collection of other sites important to the housing supply not coming forward and leaving a gap or deficit, which we understand is an issue the District is currently facing. Due to the ownership and objectives of the Clothholme delivery partners there are no such concerns regarding housing coming forward.

In addition to the “Development Limit” the identification of a long-term strategic location for development would help to protect Ripon against the risk of future speculative development. Such developments would be in less favourable and potentially more damaging locations which are contrary to the Neighbourhood Plan.

POLICY F.3: PROTECTION AND REPLACEMENT OF RECREATION OPEN SPACE

Policy F.3 seeks to protect recreation and open space in Ripon and seeks to resist any proposal that would result in the loss of open space. While we agree that the Plan should seek to ensure that there is sufficient open space for public use in Ripon, we consider that the basis of this policy is flawed. The reason for the policy is stated at the outset as the “shortfalls in sporting provision and oversubscription in Ripon”. This statement does not accurately reflect the picture presented by the evidence Base for the Harrogate Local Plan. In respect of Ripon, the 2013 Outdoor Sports Strategy concluded that²:

- There was an oversupply of adult and mini football facilities but a small under-supply of junior facilities (0.8 pitches);
- A small shortfall (0.4 pitches) of cricket facilities was found at peak times;
- There is no shortfall in rugby facilities, although Ripon RUFC is nearing capacity;
- There is no hockey played in Ripon;
- There is no shortfall in tennis facilities and quality of provision is high; and
- There is no shortfall in croquet lawns with three lawns provided at the Ripon Spa Hotel.

Additionally, the DIO commissioned a review of Harrogate District Council’s 2011 Sport, Recreation, Open Space and Village Halls Study. That assessment was submitted to Harrogate District Council as part of the representations to the District Local Plan: Publication Draft 2018 and is also enclosed with these representations. The Assessment found that despite the 2011 Study concluding that there was a shortfall in open space provision in Ripon, once the correct sports provision density rate is applied and school playing fields are included, there is in fact a significant surplus (18.22 ha) of provision within Ripon.

We therefore consider that while there are some minor levels of shortfall in specific areas, there is generally good levels of provision within Ripon. As such, we consider that the Policy should be re-drafted to say that any development that would result in a shortfall of provision would not be supported unless the listed criteria are met. This is particularly relevant for the proposed Clothholme Urban Village as the special nature of the Barracks means that sport pitch provision is far in excess of any standards required by policy and that the requirement to

² Table 9.10 of the Outdoor Sports Strategy 2013

retain all sports pitches would place a significant burden upon the redevelopment proposals. As set out earlier in respect of Policy B.3, DIO will commit to retaining some of the existing area as playing field provision within the site and will ensure that the level of provision is, at the very least, in line with the open space requirements of the Harrogate Local Plan which are currently set out in Draft Policy HP7 of the Publication Draft.

Furthermore, we consider that the opening paragraph of the Policy should be redrafted to reflect that Ripon City Council is not the planning authority and does not have power to grant planning consent.

Having regard to the above, we consider that the opening paragraph be redrafted as follows:

Development proposals that involve the loss of existing outdoor public and private sport and recreation facilities that would result in a shortfall in provision in the Ripon area would not be supported unless:

POLICY G.1 – POSSIBLE NEW HIGHWAYS

Policy G.1 seeks to encourage possible new highways to improve accessibility, reduce congestion and improve air quality. The first bullet point repeats the sections of policies B.3 and B.4 in seeking the incorporation of military roads within the barracks into the public highway network.

As set out earlier in this letter, we consider that retaining the existing military road network would also place unreasonable constraints upon the layout of any future development, which should be properly explored as part of the Masterplanning process. The better approach, to ensure the most efficient and suitable road layout, would be to plan a new road network (to adoptable standards) that integrates with the optimal layout for residential development on the site and the surround highway network. We therefore consider it is appropriate to remove the first bullet point from the policy.

FINAL COMMENTS

I would like to state that my client, DIO, are supportive of the key strategic elements of the Ripon City Plan and is looking forward to continued engagement in the plan process. The additional comments and suggested changes or additions are detailed in nature and relate to emphasis, soundness of policy as well as strength and delivery of the plan. I trust the comments made above are clear and I look forward to the next stage of consultation. If you have any questions arising from this response, please contact me in the first instance.

Yours faithfully,

