

Date: 17 December 2019
Our Ref: RFI2850
Your Ref: FOI Request – Proposed Development Ripon Clotherholme Barracks
Tel: 0300 1234 500
Email: foi@homesengland.gov.uk



Homes
England

[REDACTED]
By Email Only

Windsor House
Homes England – 6th Floor
50 Victoria Street
London
SW1H 0TL

Dear [REDACTED]

RE: Request for Information – RFI2850

Thank you for your request for information, which was processed under the Freedom of Information Act 2000 (FOIA).

For clarification, you requested the following information:

Proposed Development Ripon Clotherholme Barracks

I should therefore grateful for any information you hold on the following questions:

1. *who took the decision to aim for 1300 housing units and only 2 hectares of employment land, and when;*
2. *in taking this decision, what consideration was given to the RCNP text as the only properly made local planning document;*
3. *what criteria were applied in arriving at the development brief under which Homes England have been operating this year, and by whom - in particular, what consideration was given to the proximity of public transport, the supply of and demand for employment land and the provision of sports facilities;*
4. *why was there no public consultation on the change to 1300 housing units, no sports fields and only 2 hectares of employment land (the recent consultations have taken these as a given);*
5. *whether the documents being prepared by Homes England are intended to be the masterplan envisaged for the site in the RCNP and, if so, what consideration has been given to each of the bullets in the text quoted above from the RCNP;*
6. *what is the timescale for receipt of the review of playing field requirements in the Harrogate district, how will this be analysed and taken into account in the planning process for development on the Clotherholme site;*
7. *what consultation took place with the public or with Ripon City Council during the creation of the Statement of Common Ground (SoCG) submitted to the public inquiry held on the Harrogate Local Plan;*
8. *who gave final approval to the SoCG in the local authorities who were signatories – the full council, a committee, the relevant cabinet member, the cabinet or officers;*
9. *how was the list of highways matters in SoCG defined and by whom;*
10. *why it envisaged only minor improvements to three junctions on the western side of Ripon, when the number of housing units on the Clotherholme site had been increased to 1300;*
11. *whether North Yorkshire County Council does have a formal policy against paying for new highways or major highway improvements, what criteria it applies to deciding whether to proceed with highways improvements that cannot be funded solely by a developer, and how the Bedale bypass and recent highway schemes at Skipton and Thirsk (Sowerby) A168 were funded.*

Response

We can confirm that we do hold some information that falls within the scope of your request, we will address each of your question below in turn;

- 1) Who took the decision to aim for 1300 housing units and only 2 hectares of employment land, and when;

OFFICIAL

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We can confirm that the Defence Infrastructure Organisation (DIO) made the decision to make representations to Harrogate Borough Council (HBC) in relation to the quantum of housing and employment.

In order to provide advice and assistance to comply with our duty in accordance with Section 16 of the FOIA and by way of background the DIO submitted comments to the Harrogate District Local Plan: Publication Draft 2018. publication draft Local Plan 09/03/18. These comments were submitted with the following ID 1155934 and have been publicly available on the Councils website at the following address:

https://consult.harrogate.gov.uk/common/search/advanced_search.jsp?page=0&pageSize=20&searchQuery=&lookingFor=representations&tab=list&eventId=32086&id=1155934&sortMode=response_date&x=29&y=8

Alongside these comments the following supporting documents were submitted and are also available on the website.

- Vision documents for Clothholme Urban Village. To support representations to the draft Harrogate Local Plan on behalf of the Defence Infrastructure Organisation March 2018
- JLL Market and Viability Assessment Dec2017

For ease these documents are also attached to this letter at Appendix 1 & 2.

- 2) In taking this decision, what consideration was given to the RCNP text as the only properly made local planning document;

The above decision was taken before the Ripon City Neighbourhood Plan (RCNP) was significantly progressed and “Made”. Representations were submitted by DIO to the RCNP.

DIO submitted comments on the Ripon City Plan: Submission Draft Plan March 2018 and a copy of these are attached at Appendix 3.

- 3) What criteria were applied in arriving at the development brief under which Homes England have been operating this year, and by whom - in particular, what consideration was given to the proximity of public transport, the supply of and demand for employment land and the provision of sports facilities;

Homes England and DIO agreed a new partnership approach to work together to develop land being released by the MoD as set out in the Memorandum of Understanding dated 25th September 2018 between DIO and Homes England. Claro and Deverell Barracks is included as one of the first seven sites that have formed part of this announcement. In the last year Homes England and DIO have been working together to progress the Ripon Barracks site through the planning process continuing to work to deliver the high level development objectives set out in the DIO response to the HBC Local Plan (included within our response to Q1) and also working to progress the site in accordance with the Ripon Barracks SoCG (set out in Appendix 5).

- 4) Why was there no public consultation on the change to 1300 housing units, no sports fields and only 2 hectares of employment land (the recent consultations have taken these as a given);

We can confirm that Homes England does not hold the information detailed in your request.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty under section 1(1) is only to provide the recorded information held.

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The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

We have a duty to provide advice and assistance in accordance with section 16 of the FOIA, to comply with this duty you may wish to contact HBC as they may hold the information regarding this point of your request.

- 5) Whether the documents being prepared by Homes England are intended to be the masterplan envisaged for the site in the RCNP and, if so, what consideration has been given to each of the bullets in the text quoted above from the RCNP;

Homes England would always take a masterplan approach to the development of a site of this size, scale and complexity in order to seek to secure a high-quality development.

The documents being prepared are intended to meet the requirements set out within the wider planning policy framework including having regard to the RCNP.

Appendix 4 provides a comparison review of the scheme deliverables against RCNP Community Actions. Please also refer to the RCNP Inspectors report which explains this further. The link includes the “Made” RCNP as well as the Inspectors report.

https://www.harrogate.gov.uk/info/20103/neighbourhood_planning/575/ripon_neighbourhood_plan

- 6) What is the timescale for receipt of the review of playing field requirements in the Harrogate district, how will this be analysed and taken into account in the planning process for development on the Clothholme site;

Homes England await confirmation from HBC of the final timescale for the release of the Playing Pitch Strategy. Once received will be required to review this document and take it into account within our proposals. Prior to this document being completed we are progressing on the basis of existing Local Plan and National Planning Policy Framework policy relating to playing pitches.

- 7) What consultation took place with the public or with Ripon City Council during the creation of the Statement of Common Ground (SoCG) submitted to the public inquiry held on the Harrogate Local Plan;

Homes England met with Ripon City Council on the 22nd October 2018. During the meeting Homes England set out the proposals for Ripon Barracks. The format of the meeting was introduction, a presentation of the proposals followed by questions and answers. The proposals that we set out were for 1300 units and 2Ha of employment as set out in our attached responses to the HBC Local Plan and the RCNP (as set out in our response to Q1 and Q5).

We are not aware of any consultation having taken place with the public or Ripon City specifically on the topic of the SoCG document. Appendix 5 provides a copy of the signed SoCG which was developed between the parties of Homes England, DIO, HBC and North Yorkshire County Council (NYCC).

- 8) Who gave final approval to the SoCG in the local authorities who were signatories – the full council, a committee, the relevant cabinet member, the cabinet or officers;

We can confirm that Homes England does not hold the information detailed in your request.

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The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

However, in order to comply with our duty to provide advice and assistance in accordance with Section 16 of the FOIA a copy of the signed SoCG is attached at Appendix 5.

9) How was the list of highways matters in SoCG defined and by whom;

A list of the highways matters was developed in conjunction with North Yorkshire County Council as Local Highway Authority and informed by the transport evidence base and Infrastructure Delivery Plan which forms part of the emerging the Local Plan.

10) Why it envisaged only minor improvements to three junctions on the western side of Ripon, when the number of housing units on the Clothholme site had been increased to 1300;

The mitigation measures were developed in conjunction with North Yorkshire County Council as Local Highway Authority and informed by the transport evidence base and Infrastructure Delivery Plan which forms part of the emerging the Local Plan.

11) Whether North Yorkshire County Council does have a formal policy against paying for new highways or major highway improvements, what criteria it applies to deciding whether to proceed with highway improvements that cannot be funded solely by a developer, and how the Bedale bypass and recent highway schemes at Skipton and Thirsk (Sowerby) A168 were funded.

We can confirm that Homes England does not hold the information detailed in your request.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty under section 1(1) is only to provide the recorded information held.

The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

To confirm we attached the following supporting documentation;

- Appendix 1: Vision document for Clothholme Urban Village. To support representations to the draft Harrogate Local Plan on behalf of the Defence Infrastructure Organisation March 2018
- Appendix 2: JLL Market and Viability Assessment Dec2017
- Appendix 3: Submitted Comments on the Ripon City Plan: Submission Draft Plan March 2018
- Appendix 4: Comparison review of the scheme deliverables against RCNP Community Actions.
- Appendix 5: Statement of Common Ground: Ripon Barracks Sites (R24, R25, R27 (Ref: EX/SoCG/01 Date: 07/12/18

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Section 40 – Personal Information

We have redacted and are withholding some information on the grounds that it constitutes third party personal data and therefore engages section 40(2) of the FOIA.

To disclose personal data, such as names, contact details, addresses and email addresses could lead to the identification of third parties and would breach one or more of the data protection principles.

Section 40 is an absolute exemption which means that we do not need to consider the public interest in disclosure. Once it is established that the information is personal data of a third party and release would breach one or more of the data protection principles, then the exemption is engaged.

The full text in the legislation can be found on the following link;

<https://www.legislation.gov.uk/ukpga/2000/36/section/40>

Right to Appeal

If you are not happy with the information that has been provided or the way in which your request has been handled you may request an internal review by writing to;

The Information Access Team
Homes England – 6th Floor
Windsor House
50 Victoria Street
London
SW1H 0TL

Or by email to foi@homesengland.gov.uk

You may also complain to the Information Commissioner however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link

<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,
Information Access Team
For Homes England