Richmondshire District Council
Local Plan Core Strategy
Proposed Submission
August 2012
Representations Form

Please read the guidance notes before completing this form

This form comprises two parts:
Part A: Personal details
Part B: Your representation(s)

Both Part A and Part B of this form need to be completed in order for your representation(s) to be valid. Please complete a separate sheet (Part B) for each representation you wish to make. Further copies of this form can be downloaded from www.richmondshire.gov.uk/localplan.aspx . You do not need to fill out Part A for each representation, provided that all representations made are securely attached.

Your completed form must be returned to the following address to reach us no later than **4pm on Friday 14 September 2012:**

Planning Policy, Richmondshire District Council, Swale House, Frenchgate, Richmond, DL10 4JE

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Please note, all representations will be made available for public inspection on our website www.richmondshire.gov.uk/localplan.aspx with personal details (i.e. email address, telephone number and signature) removed.

Part A – Personal details

	Your Details	Agent's Details
Title	Mr	
First name	David	
Last name	Coates	
Job title (if applicable)	Planning Director	
Work/organisation (if applicable)	On behalf of Colburndale Developers	
Address	c/o Kingerlee Homes, Thomas House, Langford Locks, Kidlington, Oxon.	
Postcode	OX5 1HR	
Telephone No.	01865 840000	
Email address	david.coates@kingerlee.co.uk	

Part B - Your representation

Please use a separate sheet for each representation.

Name/Organisation	Colburndale Developers

Q1.To which part of the Core Strategy Proposed Submission Document does this representation relate? (Spatial Principle, Sub Area Strategy or Core Policy)	
Policy number (e.g. SP2, CRSS or CP8)	CP1: Responding to Climate Change
Page/paragraph number(s)	Part 2. b. of the policy

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Q2. Do you consider the Core Strategy Proposed Submission Document is…?						
(a) Legally compliant	Yes		No		Don't Know	
(b) Sound	Yes		No	✓	Don't Know	
If you answered 'No' to (a) or (b) above, please continue to Q3, otherwise continue to Q5.						

Q3. Do you consider the Core Strategy is unsound because it is not: (please refer to the guidance notes)	
(a) Justified	✓
(b) Effective	
(c) Consistent with national policy	✓
(d) Positively prepared	

Please give details of why you consider the Core Strategy Proposed Submission Document is not legally compliant or is unsound. Please be as precise as possible:

It should be acknowledged that compliance with the Code for Sustainable Homes (CSH) is not a mandatory requirement, nor is there any intention on the part of Government to make it mandatory. However, it is accepted that a rating against the Code has been required since 1 May 2008 but this does not extend through that means to requiring that any particular Code level has to be achieved.

There is perhaps some confusion on this issue in that there <u>is</u> a requirement to comply with the Building Regulations, Part L which addresses the conservation of fuel and power. The Regulations will be updated to achieve progressive reductions in CO_2 emissions to reflect the expectations in the CSH and will continue to be mandatory.

The policy requires that all new residential development will be expected to meet Code Level 4. In proscribing compliance with the full Code, the Council is going much further than what is required through the Building Regulations. Perhaps, as an 'expectation', this could suggest a degree of flexibility would be exercised in the application of the policy. If so, this would be welcome and it should be made explicit, particularly as the requirement must be assessed

against the viability of individual projects. There does not appear to be an explicit assessment of the costs, and therefore viability, in meeting the requirements of this element of the policy.

(Continue on a separate sheet if necessary)

Q4. Please set out what change(s) you consider necessary to make the Core Strategy Proposed Submission Document legally compliant or sound, having regard to the test you have identified at Q3 where this relates to soundness. You need to say why this change will make the Core Strategy legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible:

Flexibility should be introduced into the policy to ensure that the costs of compliance with it and other policies do not adversely affect the viability of residential development projects. The policy can be made 'sound' through the following amendment:-

'All new residential development should maximise carbon savings through compliance with the Building Regulations and the Code for Sustainable Homes Level 3. Compliance with other elements of the Code at or above this level will be sought subject to a full assessment of the costs of compliance and the resultant viability of schemes'.

(Continue on a separate sheet if necessary)

Q5. If you wish to support the legal compliance or soundness of the Core Strategy Proposed Submission Document, please use the space below to set out your comments:

(Continue on a separate sheet if necessary)

If your representation is seeking a change to the Core Strategy Proposed Submission Document, do you consider it necessary to participate at the oral part of the examination?	
No, I do not wish to participate at the oral examination	✓
Yes, I wish to participate at the oral examination	

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If you wish to be notified of future stages of plan preparation, please tick the appropriate box(es) below.			
Submission for Examination	✓	**Notify me by:** (please tick)	
Inspector's Report Publication	✓	Post	
Adoption	✓	Email	✓

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Signature:	Signed 'D E Coates'
Date:	14 September 2012

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	Your Details	Agent's Details
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Email address	david.coates@kingerlee.co.uk	

Part B - Your representation

Please use a separate sheet for each representation.

Name/Organisation	Colburndale Developers

Q1.To which part of the Core Strategy Proposed Submission Document does this representation relate? (Spatial Principle, Sub Area Strategy or Core Policy)	
Policy number (e.g. SP2, CRSS or CP8)	CP6: Providing Affordable Housing
Page/paragraph number(s)	

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Q2. Do you consider the Core Strategy Proposed Submission Document is…?						
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Q3. Do you consider the Core Strategy is unsound because it is not: (please refer to the guidance notes)	
(a) Justified	✓
(b) Effective	✓
(c) Consistent with national policy	✓
(d) Positively prepared	

Please give details of why you consider the Core Strategy Proposed Submission Document is not legally compliant or is unsound. Please be as precise as possible:
The Council's Evidence base includes an 'Economic Viability Study', September 2011. This is a significant report examining the impact of various options in the application of an affordable housing policy. It does not, unfortunately, assess the implications of other proposed LP policies and the range of developer contributions which, taken together, and with other considerations, determine the viability of housing schemes. Nevertheless, the report does provide information and opinion which should be taken into account in the justification for this policy. Unfortunately, that is not the case and the policy cannot be fully justified when examined against this research and several findings of fact. Whilst the research has its limitations in the number and type of sites assessed it is, nevertheless, able to draw a clear distinction between the affordable housing expectations in high value areas and 'elsewhere'. This has been reflected in the policy options put forward in the report for a clear differential based on housing market values. These have all been rejected in whole though with an element of selection of some preferences. What has emerged is the retention of 40% for the Central area of the District and reductions in the sub areas of the North and Lower Wensleydale.

Critically the policy has rejected the clear recommendation that a requirement of 40% will be difficult to achieve in the Central area, particularly as this comprises the bulk of lower value sites and, more particularly, has within the Garrison area, the greatest proportion of derelict, vacant, brownfield land. As expressed in a number of other LP policies such areas are the (absolute) priority for residential and other development. The development of such areas may be threatened by focussing on maximising the amount of affordable housing thus compromising the achievement of the Plan.

It is acknowledged that the policy includes reference to an assessment of economic viability. Whilst this is welcome, any negotiations are against the background of what is an unrealistic expectation. The starting point is 40% because that is what the policy says and therefore a clear expectation, not a more realistic figure reflecting the evidence base.
.

(Continue on a separate sheet if necessary)

Q4. Please set out what change(s) you consider necessary to make the Core Strategy Proposed Submission Document legally compliant or sound, having regard to the test you have identified at Q3 where this relates to soundness. You need to say why this change will make the Core Strategy legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible:

The affordable housing percentages in Policy CP 6 should be amended as follows:-
Central Richmondshire (excluding the Garrison area) and Lower Wensleydale... - 40%
Catterick Garrison – 20%
North Richmondshire... – 30%

(the rest of the policy should remain as stated)

(Continue on a separate sheet if necessary)

Q5. If you wish to support the legal compliance or soundness of the Core Strategy Proposed Submission Document, please use the space below to set out your comments:

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Last name	Coates	
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Address	c/o Kingerlee Homes, Thomas House, Langford Locks, Kidlington, Oxon.	
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Telephone No.	01865 840000	
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Part B - Your representation

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Name/Organisation	Colburndale Developers

Q1.To which part of the Core Strategy Proposed Submission Document does this representation relate? (Spatial Principle, Sub Area Strategy or Core Policy)	
Policy number (e.g. SP2, CRSS or CP8)	Central Richmondshire Spatial Strategy (CRSS)
Page/paragraph number(s)	Section 2 re. Catterick Garrison

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Colburndale Developers fully supports the priority given to the use of vacant land and previously developed sites and is bringing forward proposals for the redevelopment of land in its ownership at what is called 'Colburndale Phase 2' (the former CPM Pipe Works, south of Catterick Road, Colburn). This will provide in excess of 250 dwellings to the east of land now being prepared for the construction of 272 dwellings for which planning consent has been granted.

Colburndale Developers also support the reference to the establishment of a neighbourhood centre in Colburn. The text in part 2.c. under 'Catterick Garrison' should perhaps make explicit reference to the intended location of this i.e. 'south of Catterick Road and in association with Broadway Square'.

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