

**KIRKBY MALZEARD, LAVERTON AND DALLOWGILL NEIGHBOURHOOD PLAN**  
**CONSULTATION STATEMENT**  
**APPENDIX E**

**Summary and analysis of comments received on the Draft (Regulation 14) Plan**  
**December 2024**

In total responses were received from 25 residents, 19 local stakeholders and 20 statutory/non-statutory bodies. There were 274 individual comments as set out in the Summary document below. The responses of the Steering Group to these for each comment and an indication of whether any amendments were considered appropriate are included.

Comments received from:

1. Historic England	36. D & M Design and Fabrication
2. Coal Authority	37. R & J Yorkshires Finest
3. Azerley Parish Council	38. Kirkby Malzeard and Masham Surgeries
4. Environment Agency	39. Kirkby Malzeard C of E Primary and St Nicholas Schools
5. Harrogate & District Community Action	40. Local Resident 1
6. Natural England	41. Local Resident 2
7. North Yorkshire Local Access Forum	42. Local Resident 3
8. North Yorkshire Local Access Forum	43. Local Resident 4

9. British Horse Society	44. Local Resident 5
10. Nidderdale National Landscape Joint Advisory Committee	45. Local Resident 6
11. North Yorkshire Police	46. Local Resident 7
12. Councillor Mark Crane Executive Member for Open for Business, North Yorkshire Council	47. Local Resident 8
13. North Yorkshire Council (Planning Policy and Place)	48. Local Resident 9
14. North Yorkshire Council (Education)	49. Local Resident 10
15. North Yorkshire Council (Economic Development)	50. Local Resident 11
16. North Yorkshire Council (Housing)	51. Local Resident 12
17. North Yorkshire Council (Highways)	52. Local Resident 13
18. North Yorkshire Council (Climate)	53. Local Resident 14
19. North Yorkshire Council (Parks and Grounds)	54. Local Resident 15
20. North Yorkshire Council (Estates)	55. Local Resident 16
21. Mechanics Institute Village Hall	56. Local Resident 17
22. Highside Playing Fields Association	57. Local Resident 18
23. Kirkby Malzeard Pre-School	58. Local Resident 19
24. Kirkby Malzeard Charity Trust	59. Local Resident 20
25. Parochial Church Council	60. Local Resident 21
26. Dallowgill Women's Institute	61. Local Resident 22
27. Kirkby Malzeard Women's Institute	62. Local Resident 23
28. Kirkby Malzeard Lunch Club	63. Local Resident 24
29. Kirkby Malzeard Lions Junior Football	64. Local resident 25

30. Kirkby in Bloom	
31. Dallowgill Methodist Church	
32. Kirkby Malzeard Methodist Church	
33. Dallowgill Outdoor Centre	
34. Highside Singers	
35. Kirkby Malzeard Youth Club	

Contacted for comments but none received:

1. Wensleydale Dairy/Saputo	14. National Trust
2. Dallowgill Estate (Agents Dacre Son & Hartley)	15. Network Rail
3. Laverton Estate (Mrs. F. McConnell)	16. Mobile UK
4. Grewelthorpe Parish Council	17. Vodafone and O2
5. High and Low Bishopdale (Pateley Bridge Town Council)	18. EE
6. Fearby and Healey Parish Council	19. Three
7. Sawley and Grantley Parish Council	20. Regional Health Trust
8. Fountains Earth Parish Council	21. District Health Trust
9. Homes and Communities Agency/Homes England	22. Ramblers Association
10. Yorkshire Water	23. Home Builders Federation

11. Mono Consultants Ltd	24. Country Landowners Association
12. British Gas	25. CPRE
13. National Grid	

As the above, together with other local residents, did not take the opportunity to make any comments, we assume that they are in general agreement with the Draft Plan.

<b>ANALYSIS OF COMMENTS</b>				
No.	Respondent	Summary of Comments	Response from Steering Group	Amendment made to Plan?
<b>GENERAL COMMENTS RECEIVED (including those of a general nature provided in ADDITIONAL COMMENTS Q 36 from community)</b>				
1	Historic England	We do not wish to comment in detail upon the Neighbourhood Plan, other than to welcome the comprehensive and well thought out “Built Heritage” section.	That you welcome the comprehensive and well thought out Built Heritage section is noted and welcomed.	N/a
2	Coal Authority	It is noted that the Neighbourhood Plan does not propose to identify any new sites for future development and on this basis the Planning team at the Coal Authority have no specific comments to make on this document.	That you have no specific comments to make on the document is noted.	N/a

3	Azerley Parish Council	I can confirm that Azerley Parish Council have read and discussed the Kirkby Malzeard, Laverton and Dallowgill Neighbourhood Plan and have no comments to make as part of the consultation process. The Council thank you for sharing the plan which they found interesting and informative.	That you have no specific comments to make on the plan is noted. That you found the Plan interesting and informative is noted and welcomed.	N/a
4	Environment Agency	The Environment Agency do not have any objections to the Publication Draft of the Kirkby Malzeard, Laverton and Dallowgill Neighbourhood Plan.	That you have no objections to make on the document is noted and welcomed.	N/a
5	Environment Agency	The Lead Local Flood Authority is now the responsible authority for commenting on the surface water drainage arrangements. We therefore recommend you consult your LLFA regarding the proposed management of surface water within the Plan.	NYC are the LLFA. The inclusion of policies to cover the topic of flooding will be reconsidered but we were satisfied that the matter is already adequately dealt within the Local Plan. Some sections of surface water sewers do require regular maintenance to ensure they function properly, for example to the west end of Back Lane South, and the Parish Council regularly liaise with Yorkshire Water on this.	N/a
6	Natural England	Natural England does not have any specific comments on this draft neighbourhood plan. However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan and to the following information.	That you have no specific comments to make on the draft Neighbourhood Plan is noted. The information within the annex provided has been considered.	N/a
7	North Yorkshire Local Access Forum	We found the prepared Plan well-researched and comprehensive	That you found the Plan well-researched and comprehensive is noted and welcomed.	N/a

8	Nidderdale National Landscape Joint Advisory Committee	The Plan is very comprehensive and covers the whole of the combined grouped parish stretching from Kirkby Malzeard in the east and encompassing the upper Laver catchment, Dallowgill and extensive moorland beyond to the watershed with Nidderdale. It falls entirely within the Nidderdale National Landscape. Importantly the introduction is clear that the plan must have regard to the statutory purposes of the Nidderdale National Landscape and also recognises the importance of the National Landscape's Management Plan 2019-2024, which has been used to guide its policies. Overall, subject to the detailed comments which have been provided above, the Nidderdale National Landscape Joint Advisory Committee welcomes and supports the Neighbourhood Plan and would be happy to work with the Plan's Steering Group to implement its policies or other actions that are directly relevant to the work of the National Landscape.	That you consider the Plan very comprehensive and welcome the regard it has to the statutory purposes of the Nidderdale National Landscape, is noted and welcomed. We also note and are pleased that you welcome and support 'the Neighbourhood Plan and would be happy to work with the Plan's Steering Group to implement its policies and other actions that are directly relevant to the work of National Landscape'.	N/a
9	British Horse Society	The equestrian community in the Kirkby Malzeard, Laverton and Dallowgill area and the surrounding districts are grateful to have been considered and included within this plan.	That the equestrian community in the Kirkby Malzeard, Laverton and Dallowgill area and the surrounding districts are grateful to have been considered and included within this plan is noted and welcomed.	N/a
10	Local Resident 4	Overall, we think the Neighbourhood Plan has some excellent points and we are very supportive of most of the Parish Action plans and policies. An excellent job.	That you found the Plan has some excellent points, that you are supportive of most of the Parish Action plans and policies, and you consider that it is an excellent job, is noted and welcomed.	N/a
11	Local Resident 5	An awful lot of time and money has been spent on this. But will it be all talk. No action.	We are confident that the Plan will have a real and tangible impact on how the parish develops. Its legal status (if approved) means that it will have "teeth". Much of the cost of its preparation has and will continue to be met by Government grants.	N/a

12	Councillor Mark Crane Executive, Member for Open for Business North Yorkshire Council	I would like to thank Kirkby Malzeard, Laverton and Dallowgill Parish Council for embarking on the preparation of a neighbourhood plan on behalf of the community and congratulate the council on reaching this important milestone. It is clear that significant work by you and others has taken place in order to prepare this draft neighbourhood plan and I wish to commend all those involved for their hard work and commitment.	Your general support and commendation to those involved in the preparation of the Plan is noted and welcomed.	N/a
13	North Yorkshire Council (Planning Policy & Place)	The requirements that applicants have to meet and decision makers have to consider must be easily identified and set out in planning policies. It is noted that, in a number of places across the plan, the non-policy text states that the plan supports a particular approach without this also stated as policy. Such statements sitting outside of policy could lead to confusion for users of the plan. To avoid this, it is recommended that such statements are amended to state that the parish council supports rather than the plan supports.	While our Planning Consultant has some doubts about the need for this, we have no objections in principle to this change.	Amended
14	North Yorkshire Council (Planning Policy & Place)	It is understood that references to NPPF in the plan relate to NPPF (2021). The current NPPF was published in December 2023. The government has recently consulted on potential changes to the Framework, which is expected to result in an updated NPPF by the end of 2024. Ahead of submission, please review NPPF references to ensure they relate to the Framework in place at the time and the plan content continues to meet NPPF requirements. References to the NPPF within these comments relate to the current (Dec 2023) Framework, unless otherwise stated.	It is agreed that all references to NPPF will relate to the one in force when the Plan is submitted. As such the references presently relate to the version of the NPPF produced in December 2024 (as revised in January 2025).	Amended
15	North Yorkshire Council (Planning Policy & Place)	The following comment is made at various points in this response. Please review the need for updated Census data across the whole plan: The ONS has now fully published Census 2021 data. Updated data and trend information should be included in the plan.	It is agreed and noted that data from the 2021 Census is now available. The Plan will be updated to reflect this.	Amended

16	North Yorkshire Council (Planning Policy & Place)	Whilst it is noted that maps are included in the plan showing proposed designations etc., further mapping work will be needed ahead of submission to create a single, composite neighbourhood plan Policies Map. The map will need to be produced by someone with an appropriate OS licence that allows reproduction of and publication of OS mapping. It is recommended that you use a mapping specialist or graphic designer with relevant experience for this task, your consultant may be able to advise on Policy Map requirements and suggest possible appointments. Maps included within the plan for purposes other than displaying the content of policies, for example to show contextual information, are not included on the Policies Map but still must contain appropriate OS licencing information if OS mapping artwork is used.	The Steering Group will provide a comprehensive Policies map prior to submission.	Map to be incorporated prior to submission.
<b>INTRODUCTORY SECTIONS</b>				
<b>COMMENTS RECEIVED</b>				
17	Environment Agency	Vision and Objectives: The Environment Agency has no critical comment on the Vision or Objectives. The key observation we would provide is an omission to the likely need for climate change resilience or mitigation, this area is subject to flooding around the numerous watercourses with the area and is therefore within Flood Zone 2 & 3. This could be an objective to protect the sensitive area. We again underline that there is a missed opportunity to better reflect and promote the valuable natural asset of water resources, while integrating Green-Blue Infrastructure as potential mitigating solutions.	That you have no critical comments on the vision or objectives is noted.  The Steering Group will consider the comment that “The key observation we would provide is an omission to the likely need for climate change resilience or mitigation, this area is subject to flooding around the numerous watercourses with the area and is therefore within Flood Zone 2 & 3. This could be an objective to protect the sensitive area”.	Amended

18	North Yorkshire Council (Planning Policy & Place)	Please amend para 7 as set out below to ensure it accurately reflects and uses the same terminology as planning legislation: 'Once approved at referendum the Plan will become part of the statutory development plan for North Yorkshire and its policies will be used to determine applications for planning permission, alongside other development plan policies, in the neighbourhood plan area.'	It is agreed to amend the text accordingly.	Amended.
19	North Yorkshire Council (Planning Policy & Place)	Para 9 - The addition of a map of the neighbourhood area (Figure 1) following previous comments is welcomed.	Your support for the addition of a map is welcomed.	N/a
20	North Yorkshire Council (Planning Policy & Place)	Para 12 - It is noted that the role of the neighbourhood plan in the decision-making process has been updated in this paragraph to reflect planning legislation.	That your support for the update of the text in relation to the role of the neighbourhood plan in the decision-making process has been noted.	N/a
21	North Yorkshire Council (Planning Policy & Place)	Para 13 - It is noted that the text has been updated to clarify that only 'qualifying' development would be liable to pay the Community Infrastructure Levy (CIL). Footnote 2 links to the CIL Charging Schedule. It would be helpful to include some text within para 13 to explain what a reader of the plan will find useful in the charging schedule, for example, perhaps setting out the development liable for CIL and the rates that the levy is charged at. The CIL Regulations set out rules on how neighbourhood funds (the proportion of CIL receipts passed to parish councils) are spent (covered in para 10.3 in the charging schedule). It is suggested that these are mentioned in para 13 in order to manage expectations.	It is agreed to amend the text where appropriate in the manner suggested. It is felt that providing a link for information on the type of development on which CIL is payable and the rates which apply is adequate rather than including too much detail in the main text.	Amended
22	North Yorkshire Council (Planning Policy & Place)	Para 15 - The correct date of designation (4 April 2019) is included. Please remove reference to the Local Planning Authority (LPA) publicising the neighbourhood area designation application for six weeks. This previous requirement was removed for applications by parish councils (PCs) relating to their whole area. As such, the LPA did not consult on the application. You may wish to include that the PC did various consultation e.g., with neighbouring PCs, prior to application.	It is agreed to amend the text accordingly.	Amended

23	North Yorkshire Council (Planning Policy & Place)	Para 18 - The inclusion of a section explaining how the plan is organised is welcomed. References to 'policies' and 'parish actions' are made in descriptions of several sections. The description of section 5 is a little confusing in that it appears to suggest that both 'policies' and 'parish actions' are the plan's policies. As the policies and (if included) parish actions in neighbourhood plans serve very different purposes, this should be amended. It is considered that the role and status of parish actions should be explained within the plan. This could be set out as part of the description of section 5 within para 18. It is noted that a list of policies and parish actions is included as part of the contents page, this will be helpful to users of the plan.	While the role and status of parish actions is explained within the plan it is agreed this could be strengthened.	Amended
24	North Yorkshire Council (Planning Policy & Place)	Paras 9 -13 - This section discusses legislation, including the basic conditions, the NPPF, aspects of the Local Plan as well as other important contexts for plan preparation. On this basis it is recommended that the section title is amended, perhaps to Legislative and Planning Contexts. It would also be helpful to split the section using sub-heading as a basis for ordering the content.	These paragraphs will be amended to remove any duplication with information provided in Section 2 of the Plan, for example in respect of legislation etc. Some re-ordering will also be carried out. The original heading of Introduction and Background will therefore be retained.	Amended
25	North Yorkshire Council (Planning Policy & Place)	Paras 24 -30 - Please amend the date of adoption of the Local Plan (LP) in para 24 to 4 March 2020 It is considered that the inclusion of two dates may cause unnecessary confusion. Discussion of LP policies GS2 and GS3 in paras 27 and 28 is welcomed. It is noted that, following previous comments, discussion of some of the detailed LP policies has been removed. This is also welcomed. With this in mind, it is considered that the previous text (or amended text) discussing policy GS6: Nidderdale AONB should be re-inserted following discussion of GS2 and GS3 since, as highlighted later in the section, the parish sites within this national landscape.	It is agreed to amend the text accordingly.	Amended

26	North Yorkshire Council (Planning Policy & Place)	Para 32 - The addition of reference to the AONB management plan is noted and welcomed. The current management plan runs to 2024 and preparation of a replacement plan has begun. It is recommended that timescales are checked with the National Landscape JAC and, if available, any draft document is reviewed to understand whether this suggests any change to the NP would be beneficial prior to submission to the LPA. Please highlight that work on a new management plan is underway.	It is agreed to amend the text accordingly. The timescale for the introduction of a new Management Plan has been checked with NNL JAC and no draft Management Plan is available yet. Amend including a note that new MP will be made in the foreseeable future.	Amended
27	North Yorkshire Council (Planning Policy & Place)	Para 35 - The ONS has now fully published Census 2021 data. Any statistics or trends identified from Census 2011 should be reviewed against the later survey to ensure that trends relied on by the NP remain broadly the same. Updated data and trend information should be included in the plan.	It is agreed and noted that data from the 2021 Census is now available. The Plan will be updated to reflect this.	Amended
28	North Yorkshire Council (Planning Policy & Place)	Para 62 (Objectives) - To avoid confusion, it is recommended that the non-planning policy content of the plan is not referred to as 'policy'	It is agreed to amend the text accordingly.	Amended

**SECTION 3 – A BRIEF INTRODUCTION TO THE PARISH (Page 15-17 Paragraphs 39-59) - Do you think that any of the information in this section needs amending?**

**COMMENTS RECEIVED:**

None

**ANALYSIS OF COMMUNITY RESPONSES**

16 Responses – YES: 2 (13%) NO: 13 (81%) UNSURE: 1 (6%)	That 81% of respondents consider that the Brief Introduction to The Parish Section does not require amendment, is noted and welcomed.	N/a.
---	---	------

<b>SECTION 4 - VISION FOR THE PARISH AND KEY OBJECTIVES (PAGES 18-19 PARAGRAPHS 60-63) - Do you agree with the views set out in the vision statement and key objectives?</b>				
<b>COMMENTS RECEIVED</b>				
29	Local Resident 1	Investment in the infrastructure should be a priority	The comment is noted. Investment is largely the responsibility of the government or the Local Authority although the Parish Council will direct any CIL payments it receives towards improving infrastructure.	N/a
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
14 Responses – YES: 12 (86%) UNSURE: 2 (14%)			General support noted and welcomed.	N/a
<b>POLICY KMLD 1 – KIRKBY MALZEARD DEVELOPMENT LIMITS</b>				
<b>COMMENTS RECEIVED</b>				
30	Local Resident 2	Yes, but given the issues with roads and sewage system further development focused on the village is unsustainable.	The Plan is to be amended to reflect this view which has also been raised in other comments	Amended – see KMLD 1 and 2.

31	Local Resident 1	There should be no more development that increases traffic on Main Street.	This comment is noted. See response to item 30 above.	Amended - see Policy KMLD1
32	Local Resident 5	Missing a large area of land to the south of the village. But with walking access The fields running from playing fields west up to ivy bank campsite and Galphay road Access could be from Galphay lane. Avoiding more congestion on Main Street A new pumped sewerage system could get waste away down to the sewerage Treatment works. Avoiding further pressure on already overloaded system Ivy bank field would not need pumped. The natural fall enough Safe walking access to village from existing footpaths. And walking access could be created onto Laverton Lane.	The conclusion of responses from the community earlier in this process was that they did not wish the neighbourhood plan to contain measures for any additional residential development. The comments concerning problems with existing roads and sewers is however noted – see 30 and 31 above.	Amended – see KMLD 1 and 2.
33	Local Resident 6	The boundary outlined against Well Garth remains inaccurate. It is within legal documents (deeds) that the whole property is residential including all grounds. These deeds were last issued 2022. The boundary limit of development needs to be extended accordingly.	It is our understanding that Deed plans or Land Registry plans do not normally imply any specific form of usage and are intended only to illustrate the position of boundaries. We have not, however, viewed the specific documents referred to.  The motivation for making minor amendments to the existing development limits was solely to rationalise these limits as they currently exclude areas which include existing housing. It was not the intention to substantially increase potential development areas and if they were amended to include all areas of land which belong to every existing house, that would be the result.	See item 36 below
34	Local Resident 6	As stated on the previous consultation I ask that the perimeter includes the full plot of Well Garth, all of which is residential land.	See response above	See item 36 below

35	Highside Playing Field Association	We would like to see more strength in controlling development of new sites. Any new development can only be allowed after improvements to services such as drainage. New developments should only be allowed if they do not increase traffic along Main Street. New housing will likely be a factor of the future, but the infrastructure of Kirkby Malzeard is already failing with the current number of houses.	This comment is noted. The Parish Council will consider the results of the 'Call For Sites' process within the next Local Plan and then provide consultative responses seeking to control any proposed development which will increase traffic on Main Street. There are no proposals for further development within this Plan.	Amended - see KMLD1 and 2.
36	North Yorkshire Council (Planning Policy & Place)	KMLD1 is not considered to be a planning policy and, therefore, should be removed from the plan. Planning polices instruct decision makers by setting requirements that those seeking planning permission need to meet in order to secure the permission, whereas KMLD1 appears to be seeking to influence the planning authority's development of a future growth strategy, which would be set out in a new Local Plan (LP). As a statutory consultee the parish council (PC) will have an opportunity to influence the development of the new LP. The PCs wishes in relation to future development limits could be set out in non-policy text within the NP or a Parish Action for the PC to lobby for such a change could be included in the NP. If the PCs wishes are retained in the NP, it is recommended that the map is excluded or included only in an appendix to avoid confusion with current adopted development limits or the approach of a future LP.	<p>This response is noted and the policy will be removed from the plan and replaced with a Parish Action with explanatory text stating that the parish council will seek such a change within a consultative response to the next Local Plan. It will request that the development limits are amended to include all existing housing within the village as it is illogical that some housing is included and some is not.</p> <p>With regard to the rear boundary of Well Garth – see items 33 and 34 – it is agreed that the rear boundary be altered on the map to include the rear garden but not the paddock. Existing KMLD1 to be amended to a Parish Action. New KMLD1 and 2 Policies to be added dealing with controls on new major development which adds to traffic on Main Street and extra sewerage into Main Street sewers.</p>	Amended.

37	North Yorkshire Council (Planning Policy & Place)	Para 76 - Consideration of the impact of development proposals on roads, parking and drainage, and whether new or improved infrastructure is necessary to accommodate the needs generated by development, takes place as part of the determination of planning applications. As highlighted in para 72, two of the three planned new developments in the parish have already gained consent and, as such, any requirements for developer contributions for these schemes will already have been determined. It is considered that para 76 should be updated or removed.	The comments are noted and paragraph 76 will be revised to reflect these comments.	Amended
<b>DO YOU AGREE WITH POLICY KMLD1 - KIRKBY MALZEARD DEVELOPMENT LIMITS (PAGE 21 PARAGRAPH 71)?</b>				
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
16 Responses - YES: 11 (69%) NO: 2 (13%) UNSURE: 3 (19%)			Despite positive support for Policy KMLD1 it will be removed and replaced with an appropriate Parish Action as indicated in item 36 above.	Amended
<b>DO YOU AGREE WITH THE STATEMENT ABOUT ADDITIONAL HOUSING DEVELOPMENTS ON PAGE 23 PARAGRAPH 75?</b>				
<b>COMMENTS RECEIVED</b>				
38	Local Resident 7	Especially paragraph 76.	That this supports Para 76 is noted and welcomed but see item 37 above.	N/a
39	Local Resident 8	Especially paragraph 76.	That this supports Para 76 is noted and welcomed but see item 37 above.	N/a
40	Local Resident 5	More houses are needed. But in better places like the above.	That this supports Para 75 is noted and welcomed.	N/a
<b>DO YOU AGREE WITH THE STATEMENT ABOUT ADDITIONAL HOUSING DEVELOPMENTS ON PAGE 23 PARAGRAPH 75?</b>				

<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
14 Responses – YES: 11 (79%) NO: 1 (7%) UNSURE: 2 (14%)			Positive support for this statement is noted and welcomed.	N/a
<b>POLICY KMLD 2 – HOUSING MIX</b>				
<b>COMMENTS RECEIVED</b>				
41	Local Resident 9	50% of new developments being 4 or more bedrooms is too high.	As the policy refers to all developments including those of ‘two or more dwellings’ it is believed that a 50% limit is appropriate. Local Plan Policy HS1, substantiated by the HEDNA findings, informs the housing mix.	No
42	Local Resident 10	Increase proportion houses less than 3 bed. Not affordable if 3+.	The conclusion of the HEDNA is that there is a need for homes, up to and including 3 bed roomed properties, with the imbalance locally being the over supply of homes with four or more bedrooms.	No
43	Local Resident 5	Not enough smaller. Two bedroom houses.	The support for the Housing Mix Policy is noted and welcomed.	N/a
44	Kirkby Malzeard Methodist Church	We feel that the village needs some smaller affordable houses, as there are enough five-bedroom homes. The aim should be to ensure the village remains a viable working community with homes for our young people which would help keep the school alive and all the other valuable community organisations functioning. To deteriorate into commuter land and retirement village is not the way to go. The village has already lost 3 shops, the post office and a pub in recent years.	The support for the Housing Mix Policy is noted and welcomed. A positive approach to community facilities is reflected in amended Policy KMLD12.	N/a

45	North Yorkshire Council (Planning Policy & Place)	Para 84 - The ONS has now fully published Census 2021 data. The statistics or trends identified from Census 2011 should be reviewed against the later survey to ensure that data relied on by the NP to support its approach remains broadly the same. Updated data and trend information should be included in the plan.	Document will be revised to refer to 2021 census data rather than that from earlier census.	Amended
46	North Yorkshire Council (Planning Policy & Place)	Paras 83- 89 - Local housing mix policies are required to be based on robust evidence that goes beyond identifying the house sizes that existing residents wish to see delivered or a discrepancy between the size profile locally and elsewhere. The current evidence of need for housing of different sizes across the former Harrogate district is contained in the HEDNA (2018). As such housing mix policies are required to be broadly in-line with the HEDNA or be supported by a similarly robust evidence document. As such and noting that the policy is broadly in-line with the HEDNA findings, the primary evidence supporting KMLD2 is the HEDNA, with the Census data and consultation results providing additional useful context. Please add to this section to clarify this by confirming that the policy is aimed at delivering on the HEDNA findings. It may be useful to re-order the section so that the HEDNA evidence is discussed first with the Census data and consultation results providing further support for the approach afterwards. NYC has recently commissioned preparation of a new HEDNA to inform preparation of the North Yorkshire Local Plan. If this is published prior to NP submission it should be reviewed to ensure the approach is still in-line with the most up-to-date evidence and this section updated.	Advice to re-order paragraphs and stress that the Policy confirms the HEDNA results is noted and will be implemented.	Amended
47	North Yorkshire Council (Planning Policy & Place)	Inclusion of policy on housing mix is supported subject to the requirements being in-line with the HEDNA. It is considered that this policy is based on the HEDNA 2018 analysis and takes forwards its findings, which identify a need to focus delivery on homes with fewer than four bedrooms. As such, the policy is supported. If a new North Yorkshire HEDNA is published ahead of NP submission, the policy should be reviewed to ensure it is supported by the more up-to-date evidence and amended, if required.	Noted and welcomed that the Policy is supported.	N/a

48	North Yorkshire Council (Housing)	We agree that the level of larger homes in the open market element of new developments can be at the loss of more 2-3 bedroom homes, that would satisfy the needs of local first time buyers. For, those who don't qualify for the affordable homes, but can't afford a larger open market home, or older people downsizing – therefore freeing up existing larger homes in the area. This would also ensure that the affordable homes were indistinguishable from the market housing, known as 'tenure blind', as there would be a good mix of all sizes and tenures.	That you agree that the level of larger homes in the open market element of new developments can be at the loss of more 2-3 bedroom homes which would satisfy the needs of local first time buyers, is noted and welcomed.	N/a
<b>DO YOU AGREE WITH POLICY KMLD2 - HOUSING MIX (PAGE 26 PARAGRAPH 89)?</b>				
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
14 Responses – YES: 9 (64%) NO: 3 (21%) UNSURE: 2 (14%)			General support for Policy noted and welcomed	N/a
<b>PARISH ACTION 1 – AFFORDABLE HOUSING PROVISION</b>				
<b>COMMENTS RECEIVED</b>				
49	Nidderdale National Landscape Joint Advisory Committee	Support in principle subject to adherence to Policy GS6 of the Harrogate Local Plan to safeguard the natural beauty of the Nidderdale National Landscape in developing a Rural Exception Site.	That support in principle is noted and welcomed. It is not the intention of the Plan to undermine the natural beauty of the NNL, so the design of any future Rural Exception Site would have regard to this.	N/a
50	North Yorkshire Council (Housing)	We note the suggestion of a “Local Lettings Policy” although this may work for a Rural Exception Site or a Community Led Housing development, we would still require S106 units to be allocated to by the LA (currently via a waiting list (in the Harrogate locality), but in the future by Choice Based Lettings). If progressed, the process would need to be transparent and independent in order to avoid conflicts of interest that can often occur within the community. If you seek more advice on this, we suggest you contact housing services.	The advice is noted. The Plan does not seek to amend the existing process for allocation at this stage but if the view of the Parish Council were to change in the future, or a scheme involving a Rural Exception Site were to be considered, your offer to provide advice is noted and welcomed.	N/a

51	North Yorkshire Police	In order to create a cohesive community and to accord with Policy HS2 of Harrogate's Local Plan (2014 – 2035), consideration could be given to the introduction of a Policy relating to affordable housing, similar to the below. Proposals should ensure that affordable homes are indistinguishable from open market properties and should be spatially integrated within a development to create a cohesive community.	The advice is noted – If any development utilising the process of a Rural Exception Site is undertaken in the future, the recommendation that 'affordable homes are indistinguishable from open market properties and should be spatially integrated within a development to create a cohesive community' will be included where applicable.	N/a
52	Local Resident 10	Increase proportion houses less than 3 bed. Not affordable if 3+.	See item 42. If a Rural Exception Site development is undertaken in the future the housing mix would be in accordance with the latest HEDNA (see para 88 of Plan) which suggests that 85-100% of affordable housing should be 1/2/3 bed.	No
53	Kirkby Malzeard Pre-School	We understand that affordable housing criteria changes after a short period of time meaning the loss of young families who can't afford them, which we feel should not arise.	It is understood that if there are no parties meeting the local lettings criteria when affordable housing becomes available then the scope is widened to include those from further afield.	N/a
54	North Yorkshire Council (Planning Policy & Place)	Para 95 states that 'The Plan is supportive of, and actively encourages, a Rural Exception site and other forms of community-led housing where...' As the plan does not include policy outlining such support that a decision maker can use when considering proposals, it is considered that this statement should be amended. If the parish council want its support to be a material consideration when determining relevant applications, it should be set out in a policy. For example, 'Proposals for rural exceptions sites will be supported where they meet national and local policies and address an identified local need that otherwise would not be met'. Alternatively, para 95 should be updated to state 'The parish council is supportive...' rather than 'The Plan is supportive...'	Advice noted. Paragraph 95 will be reworded to indicate that 'The Parish Council is supportive'....	Amended

55	North Yorkshire Council (Housing)	It is refreshing to see that the Parish and the Neighbourhood Plan is supportive of affordable housing, and their commitment to look at providing a Rural Exception Site development through Community Led Housing if there is a shortfall from the allocated sites. It should be noted though that further sites may be allocated through the emerging North Yorkshire Council Local Plan where an element of affordable housing will be required.	That your general support for the Plan's focus on affordable housing is noted and welcomed.	N/a
56	North Yorkshire Council (Housing)	A new Local Plan is being produced for the whole of North Yorkshire by the planning policy team, in terms of affordable housing targets these may change in the process of producing the plan, this will be evidenced by housing needs data for the whole area. We think the new Local Plan needs to be highlighted to the group as policies and procedures will change through this process.	We note that affordable housing targets may be different in the new Local Plan when this is completed, but it is impractical to refer to possible changes such as this which may happen in the future, within the Plan.	No
57	North Yorkshire Council (Housing)	Please find secondary data available for the Parish of Kirkby Malzeard which you may find useful: 2021 total households - 398 Average estimated Household earnings - £34,253 Lower quartile rent - £594 Income req for LQ rent - £28,512 % of earnings that cannot afford LQ rent - 30-40%	Thank you for providing this secondary data which has been noted.	N/a

### DO YOU AGREE WITH PARISH ACTION 1 - AFFORDABLE HOUSING PROVISION (PAGE 28 PARAGRAPH 96)?

#### ANALYSIS OF COMMUNITY RESPONSES

12 Responses - YES: 9 (75%) NO: 2 (17%) UNSURE: 1 (8%)	The positive support for this Parish Action is noted and welcomed.	N/a
--	--	-----

### POLICY KMLD 3 - PROPERTIES WITH AGRICULTURAL OCCUPANCY RESTRICTIONS

#### COMMENTS RECEIVED

58	Nidderdale National Landscape Joint Advisory Committee	Not supported - The plan recognises the essential housing need for rural workers being a large rural parish where such housing provides an important supply of occupancy conditioned rural houses, essentially for farm workers. It refers to the Harrogate Local Plan policy for rural workers houses (HS9) which allows for housing in the open countryside where it there is an essential farming need to live on site and where approvals will be subject to occupancy conditions. Policy KMLD3 reflects this policy but goes further adding that applications to have the restrictions lifted should be refused. This part of the policy goes beyond normally accepted policy and practice in dealing with applications for the lifting of agricultural occupancy conditions and imposes an unreasonable constraint which would in some cases leave such dwellings empty where the need for the condition in the locality has ceased. This is normally required.	The comments by NNL JAC are noted but the overwhelming support (86%) for this proposed Policy confirms that in practice the current system is open to being manipulated by applicants who obtain consent and who then, in a relatively short period of time, submit an application to remove the occupancy restriction, which it seems is invariably granted, which goes against the intentions of Local Plan Policy HS9. The matter will be re-considered.	Amended - see Policy KMLD 4 and Parish Action 3
59	Local Resident 5	Only people get round them. Sell one bungalow. Then reapply. For a house a few years later. You allow it! XXXXXXXX. XXXX XXXXX for example.	The comment is noted.	Amended
60	North Yorkshire Council (Planning Policy & Place)	It is noted that para 99 states it is important to ensure that applications seeking to remove agricultural occupancy conditions are refused but that, by not explicitly stating such proposals would not be acceptable, policy KMLD3 does not give decision makers an ability to refuse these applications. Para 99 should be amended to align with the relevant policy or parish action being discussed. Further comments on KMLD3 as drafted are set out below. It is not considered that a policy, if proposed, requiring all applications for removal of these conditions, irrespective of circumstances, to be refused would meet the basic conditions.	The comments are noted and Para 99 will be rewritten accordingly.	Amended

61	North Yorkshire Council (Planning Policy & Place)	KMLD3 is not considered to be a planning policy and, therefore, should be amended or removed from the plan. Planning polices instruct decision makers by setting requirements that those seeking planning permission need to meet in order to secure permission, whereas KMLD3 appears to require action by the parish council (PC), although how the action would take place or what it is intended to achieve is unclear since the PC is not the decision maker. If the policy is intended to instruct the PC to object to any relevant application so the objection can be considered by the decision maker, it could alternatively be stated within non-policy text or a parish action that the PC will object to any proposals.	The comments are noted. The Policy will be rewritten to incorporate additional conditions which would need to be met by those making an application for the occupancy restriction to be lifted, rather than a blanket refusal.	Amended
<b>DO YOU AGREE WITH POLICY KMLD 3 - PROPERTIES WITH AGRICULTURAL OCCUPANCY RESTRICTIONS (PAGE 28 PARAGRAPH 99)?</b>				
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
14 Responses – YES: 12 (86%) NO: 0 (0%) UNSURE: 2 (14%)			The overwhelming support for this Policy in its current form is noted and welcomed, but we will have regard to the advice of NYC in 60 and 61 above and amendments will be made	N/a
<b>POLICY KMLD 4 – RE-USING REDUNDANT AGRICULTURAL BUILDINGS</b>				
<b>COMMENTS RECEIVED</b>				

62	Nidderdale National Landscape Joint Advisory Committee	Not supported - This policy recognises the importance of finding new uses for traditional agricultural buildings which are important features in the landscape and provides some criteria for assessing applications for their conversion to residential use. However, in its current form this policy does not consider other important planning criteria in the conversion of rural buildings, such as the need for the building to be structurally sound and capable of conversion without significant rebuilding or extending or important ecological or archaeological considerations or other planning constraints, and could therefore lead to unacceptable and inappropriate housing or business premises in the open countryside.	These comments are noted. It is agreed that additional criteria are important and should also apply as referred to in Local Plan policy HS6	Amended
63	North Yorkshire Council (Planning Policy & Place)	Paras 100-101 - It is noted that the plan includes a housing section with policies specific to housing proposals and a separate local economy section relating to commercial development but that this sub-section, which sits within the housing section, takes a different approach in that it relates to proposals seeking to convert agricultural buildings to housing but also to proposals seeking conversion to commercial uses. This is considered confusing and may risk successful implementation of the policy. It is recommended that this sub-section is amended to focus solely on conversion to housing and a separate sub-section focusing on conversion to commercial uses is added to the local economy section to help ensure that both applicants and decision makers easily identify relevant policies they must consider. Alternatively, the sub-section could be moved out of the housing section to form a separate section on its own.	Advice to remove reference to 'business premises' from this Policy and create a separate Policy within Section 5.6 Local Economy will be followed.	Policy in section 5.6 amended to incorporate this matter.

64	North Yorkshire Council (Planning Policy & Place)	<p>It is noted that this policy applies both within settlements, as defined by development limits (Kirkby Malzeard) and in the countryside (the remainder of the plan area). It is considered that requiring agricultural conversion proposals within Kirkby Malzeard to meet these criteria is contrary to the Local Plan (LP) growth strategy since policy GS3 provides in principal support for development within development limits and it is unclear why conversions of agricultural buildings within Kirkby Malzeard should be subject to greater controls than new build development or other conversions. Outside development limits new development does not have in principal support and requires support from a specific local or neighbourhood policy. LP policy HS6 provides this support, subject to criteria, for proposals involving the conversion of any existing building to housing and EC3 para 2 provides support, subject to the same criteria, where the conversion is to commercial uses.</p> <p>The need for conversions involving agricultural buildings to be subject to greater controls than conversions from other buildings should be reviewed and, if retained, justified. Alternatively, the scope of the policy may be extended to include conversions from any building, however, in this case it should be clearly stated whether the policy requirements should be considered alongside the requirements of HS6 and EC3 or instead. It is considered that HS6 and EC3 include important safeguards for controlling development in the countryside, which help to deliver the strategic approach, and which should be retained. It is noted that KMLD4 includes three criteria. It is considered that requirements of the first and third criteria are already required by HS6 and EC3, and while the same may be argued for the second, this does set out a specific additional test that may be useful to retain in order to address a specific issue. In terms of the second criterion, this is considered confusing, and it would be helpful if further explanation could be added in the text supporting the policy. It is recommended that the precise wording is reviewed to ensure unintended outcomes in particular scenarios would not occur. Finally, it is recommended that the structure of the policy be simplified along the lines of: 'Proposals for XXX will be supported if XXX'. It is best to avoid 'will be approved/ granted' etc. since approval would require compliance with all relevant development plan policies.</p>	<p>Advice that Policy should not apply to areas within Development Limits noted.</p> <p>Advice to replace 'Agricultural' with 'Rural' noted.</p> <p>Advice to state that this Policy is to be considered alongside rather than instead of HS6 noted. (EC3 will be covered by Policy in Section 5.6).</p> <p>Criteria that building should be accessible from a public highway to be re-worded.</p> <p>Advice that wording altered to support rather than consent granted noted.</p>	Amended
----	---	--	---	---------

65	North Yorkshire Council (Economic Development)	Given the limited opportunities for new commercial development within this area, we fully support Policy KMLD4 to encourage the re-use of redundant agricultural buildings, particularly for business premises. It is also good to see that the viability, development and diversification of agricultural and other land based rural businesses are high priorities within the Plan and will be supported subject to any development respecting local character, residential amenity and highway safety.	Comments noted as supportive of conversion for business use re proposed Policy in section 5.6.	Similar Policy for conversion to business use incorporated in Local Economy Section.
----	--	---	--	--

**DO YOU AGREE WITH POLICY KMLD 4 - RE-USING REDUNDANT AGRICULTURAL BUILDINGS (PAGE 29 PARAGRAPH 101)?**

**ANALYSIS OF COMMUNITY RESPONSES**

14 Responses – YES: 12 (86%) NO: 0 (0%) UNSURE 2 (14%)	Strong support noted and welcomed	N/a
--	-----------------------------------	-----

**DO YOU AGREE WITH THE CONCLUSION REACHED IN PARAGRAPH 106 REGARDING HOLIDAY LETS AND SECOND HOMES (PAGE 30)?**

**COMMENTS RECEIVED**

66	Local Resident 12	We are looking to purchase our first home. I would be annoyed if our offer was rejected and an offer accepted for someone else who was going to use it as a second home/holiday let. Priority (if multiple people are interested in a property) should be given to people who are buying the house to live in it.	The comment is noted but it is the vendor who would ultimately determine to whom the property would be sold within 'open market' sales.	N/a
67	Local Resident 11	It will be too late if this is left until the next review of the Neighbourhood Plan. A count has shown there are quite a number of properties listed as holiday lets, there are two second homes on Main St and one vacant property that has been left for at least two years. Currently it is too easy for people/companies to buy property for holiday lets. These people may not live in the area. Holiday lets provide a minimal contribution to the local economy as they do not necessarily use the local facilities or shops. KM has been designated a service village, but this is not in the interest of service to the local businesses.	The comment is noted but support by the community is for the conclusion in para 106.	No

**DO YOU AGREE WITH THE CONCLUSION REACHED IN PARAGRAPH 106 REGARDING HOLIDAY LETS AND SECOND HOMES (PAGE 30)?**

ANALYSIS OF COMMUNITY RESPONSES				
14 Responses – YES: 9 (64%) NO: 1 (7%) UNSURE: 4 (29%)			General support noted and welcomed.	N/a
DO YOU HAVE ANY OTHER COMMENTS TO MAKE ON SECTION 5.1 HOUSING?				
COMMENTS RECEIVED				
68	Church of England Parochial Church Council	The Church has a neutral view on new residential development within Kirkby Malzeard but we would of course welcome potential new members to our congregation and our volunteers, as a result of new people moving into the village.	The neutral view of the PCC is noted.	N/a
69	Dallowgill Women's Institute	Members are concerned about the extra traffic and cars that new developments bring, while there is no provision to improve the infrastructure of the village.	Improvements to the infrastructure are addressed in Section 5.5 and Parish Action 9.	See amended Policies KMLD 1 and 2
70	Dallowgill Women's Institute	Members expressed concern that social housing, for example on Mowbray Crescent in the village, initially intended for elderly people, has been allocated to younger people. They feel that housing for the elderly should be kept for the elderly.	The comment is noted. Minimum age limits on these properties were reduced by HBC some years ago without the approval of the Parish Council.	N/a
71	Kirkby Malzeard C of E Primary School	The school does not have any concerns in respect of the residential development already allocated. If more primary age children moved into the village the school could accommodate this.	The capacity available at the school for additional pupils is noted.	N/a
72	Kirkby Malzeard Women's Institute	If further housing development was to take place, we would be well placed to welcome any new members resulting from this.	The ability of the WI to welcome new members is noted.	N/a
73	Kirkby Malzeard Pre-School	The pre-school currently has spaces available so in general would welcome more houses for families with small children to the area. There is however a national shortage of early years practitioners due to poor pay and we are limited due to only having one room so cannot take children under 18 months as we need to have what the new framework class as 'a baby room'.	The capacity available at the Pre-School for additional pupils is noted despite the practical constraints to which you refer.	N/a

74	Highside Playing Field Association	It is seen that any future residential development in the Plan Area would be beneficial to HPFA as newcomers will have the opportunity to use the facilities it provides. Any new developments are therefore welcome but should of course be acceptable to the future of the village.	That the facilities at the HPFA are available for new residents is noted.	N/a
75	Kirkby Malzeard and Masham Surgeries	There are not considered to be any issues at present re Doctor/Patient ratios on the basis of existing housing numbers in the NP Plan area. The addition of the further housing already allocated in Kirkby Malzeard could add 100 plus new patients and therefore is likely to have some impact on the Surgery, as would any further housing if additional sites were developed. It should also be noted that if a proportion of new housing were specifically for residents who were more vulnerable e.g., older or with specific social needs, then the impact could be potentially greater. The practise undertakes regular reviews to manage variations in patient numbers and would introduce strategies to accommodate these when numbers increase. Additional commercial properties in the Plan area are not seen as being likely to impact on the Surgery in the same way as residential development.	The comment concerning the effect of additional patients on the surgery is noted and we are pleased that the Practice would be able to introduce strategies to cope with this.	N/a

## POLICY KMLD 5 – NON-DESIGNATED HERITAGE ASSETS

### COMMENTS RECEIVED

76	Nidderdale National Landscape Joint Advisory Committee	Supported - The Plan has taken the opportunity, using published guidance developed by the local planning authority to identify a number of buildings and structures within the parish that are important locally and meet the criterion to be non-designated heritage assets. These include buildings and structures identified as part of the Historic Environment Record as well as other assets considered locally significant. This policy is very useful as, although not adding additional protection to that which already exists for historic properties which are not listed, it is very helpful to raise awareness of their existence as the Local Planning Authority's Historic Environment Records are not a comprehensive list of non-designated assets within their area.	That the NNL JAC support this Policy and describe it as 'very useful' is noted and welcomed.	N/a
77	Kirkby Malzeard C of E Primary School	There is now a Kirkby Malzeard History website.	This is noted and reference will be made to this in the Plan.	Amended
78	Local Resident 18	I agree, but with the addition of the Charity Fields as non-designated heritage assets. Though not built heritage assets they are as valuable historically as the structures listed here.	Consideration has been given to this suggestion, but it is not felt that they would meet the necessary criteria.	No
79	Local Resident 2	The Henry Jenkins no longer represents a Heritage Asset. The quicker the situation is resolved, and the eyesore is removed the better. There is a silent majority that agrees with this, but they are being drowned out by a vociferous minority who just will not accept that they have lost the argument.	The comment is noted. It is considered that the building (whilst disused for over 13 years) may still however, meet the criteria to qualify as a NDHA.	No
80	Local Resident 8	Except for the Henry Jenkins. This has been added to the list since the previous draft plan. Henry Jenkins is now an eye sore in the village and needs addressing ASAP.	See comment in 79 above.	No
81	Local Resident 7	Except for the Henry Jenkins. This has been added to the list since the previous draft plan. Henry Jenkins is now an eye sore in the village and needs addressing ASAP.	See comment in 79 above.	No

82	Dallowgill Methodist Church	We feel that the Chapel and Meeting Room should be protected in some way, as they are landmark historic buildings in the Dallowgill area. With the takeover of the old school and St. Peter's Church by Delta Academies Trust, the Meeting Room was now the only community space left in Dallowgill and needed to be kept open as such for the use of local residents and community groups. The Meeting Room needs some investment to improve its condition and upgrade its toilet facilities, and financial support for this would be welcome.	Your agreement that the Chapel and Meeting Room be included within the schedule in Policy KMLD5 is noted and welcomed.	N/a
83	Dallowgill Outdoor Centre	We feel that St. Peter's Church should be protected in some form, as should the derelict gamekeeper's cottage in the woods below the outdoor centre.	Your agreement that St Peter's Church be included within the schedule in Policy KMLD5 is noted and welcomed. Consideration has been given to the suggestion that the former gamekeepers' cottage also be included, but it is not felt that it would meet the criteria.	N/a
84	North Yorkshire Council (Planning Policy & Place)	Paras 116 - 123 - Inclusion of policy to identify assets that meet criteria warranting their consideration as non-designated heritage assets is supported. The simplification of the titles of both the section and policy following previous comments is welcomed.	Support for this Policy is noted and welcomed.	N/a
85	North Yorkshire Council (Planning Policy & Place)	Para 116 - Inclusion of the phrase '... and warrant retention and conservation.' This may be understood as indicating that the plan will prevent any loss of or harm to these assets and it is noted that similar phraseology is used in KMLD5 (see comments below). Such an intention would be contrary to the NPPF. It is suggested the phrase is replaced with '...that warrants consideration in the planning process.	The advice is noted.	Amended

86	North Yorkshire Council (Planning Policy & Place)	Para 119 - Following previous comments, inclusion of the link to an NYC webpage in relation to the guidance followed to identify assets is welcomed. To ensure users can identify the specific guidance followed, please add the name of the document used to para 119 or footnote. The guidance that should be followed is set out in Chapter 5 of the Heritage Management Guidance Supplementary Planning Document (SPD) (Harrogate Borough Council, 2014). This is available at: Harrogate heritage management guidance supplementary planning document   North Yorkshire Council.	Name of document to be added in accordance with this advice.	Amended
87	North Yorkshire Council (Planning Policy & Place)	Para 122 - The first sentence is considered confusing and may not be factually correct. It is suggested that, if amended as follows, this would address the concern and retain the intended message: While not all development that may affect an identified non-designated asset would necessarily require planning permission, where a planning application is needed, then its identification (continue as existing).	Advice noted.	Amended

88	North Yorkshire Council (Planning Policy & Place)	<p>Policy KMLD 5 - Para 1 seeks to identify 19 assets as non-designated heritage assets (NDHAs). It is noted that the evidence to support their identification is set out in Appendix 1. Appendix 1 identifies the guidance the council has prepared to inform the identification of NDHAs- chapter 5 of the Heritage Management SPD and an assessment of each proposed asset is included. The SPD guidance discusses NDHA selection criteria from para 5.11 and identifies that NDHAs need to have either architectural, artistic, archaeological or historic significance that is important to the local community. It discusses these types of significance and for each type sets out a list of possible attributes or criteria, explaining that if it is considered that an asset has a particular attribute then this would demonstrate the asset has the relevant significance. It goes on to add that an asset may be considered an NDHA if it has or meets two or more of the attributes or criteria, noting that if an asset meets a greater number of criteria, or criteria from different types of significance, it is likely to have greater heritage value. It is noted that the assessments provide a description of each asset and include information on its history and the reason for identification. However, as the assessments do not identify the type of significance (one or more) that an asset is considered to have or the attribute/ criteria identified in the guidance demonstrating the significance, it is unclear whether the guidance has been followed. While it is likely that many and perhaps all of the assets proposed do have heritage value it is important that identification is based on suitable evidence. To achieve this, it is considered that the Appendix 1 assessments should be updated to identify which of the attributes each asset meets and following this what type(s) of significance each asset holds. This information will also be helpful to decision makers when assessing proposals affecting NDHAs. While the identification of specific NDHAs in planning policy will ensure their historic significance is considered, it should also be recognised that there may be other assets within the plan area that meet criteria for identification as NDHAs but where such significance only comes to light during the determination of a planning application. Should this happen, it will be important that the provisions of KMLD5 can be applied. To address this eventuality, it is recommended that the following or similar is added to para 1: 'Further</p>	<p>Advice noted. Appendix 1 will be updated to indicate which criteria set out within the Heritage Management SPD each proposed NDHA meets and the suggested alteration to Para 1 will be made.</p>	<p>Amended.  Approval will be obtained from all owners prior to submission.</p>
----	---	--	---	---

		assets that meet NDHA criteria may be identified through the determination of planning applications.'		
--	--	---	--	--

89	North Yorkshire Council (Planning Policy & Place)	Policy KMLD 5 - It is recognised that this has been amended and improved following previous comments, however, there remains a concern that the requirement is contrary to NPPF paras 200-214, in particular the hierarchy of protection afforded to heritage assets based on their significance, including the level of designation. NPPF Para 209 sets out how potential impacts to non-designated assets should be considered. To overcome this, it is suggested that para 2 be replaced with Local Plan policy HP2 para 4, which is quoted in the NP at para 121: "Proposals which would remove, harm or undermine the significance of a non-designated heritage asset will be permitted only where the benefits are considered sufficient to outweigh the harm". Alternatively, para 2 could be replaced with: "Proposals for development that would affect non-designated heritage assets will be considered in accordance with national planning policy".	The comments are noted, and amendments will be made.	Amended
----	---	--	--	---------

#### DO YOU AGREE WITH POLICY KMLD 5 - NON-DESIGNATED HERITAGE ASSETS (PAGE 35 PARAGRAPH 123)?

#### ANALYSIS OF COMMUNITY RESPONSES

16 Responses – YES: 12 (75%) NO: 1 (6%) UNSURE: 3 (19%)	Support for Policy noted and welcomed.	N/a

#### POLICY KMLD 6 – CHURCH STREET, KIRKBY MALZEARD LOCAL AREA OF SPECIAL CHARACTER AND HERITAGE

#### COMMENTS RECEIVED

90	Nidderdale National Landscape Joint Advisory Committee	Supported - This proposal is helpful and sets a marker that may lead to the designation of the Church Street area in due course as a Conservation Area which would introduce greater controls over development.	That the Policy is supported by NNL JAC is noted and welcomed.	N/a
----	--	---	--	-----

91	Church of England Parochial Church Council	We are supportive of the proposal to create an 'Area of Special Character and Heritage' in the area including Church Street. Whilst St Andrew's is already a Grade I Listed building with some Grade 2 listed tombs and therefore has a high level of protection, we feel it would be beneficial if measures were in place to encourage other properties in the immediate vicinity to continue to carry out maintenance and improvements to a high standard. The character of the street needs maintaining and protecting.	That the Policy is supported by the PCC is noted and welcomed.	N/a
92	North Yorkshire Council (Planning Policy & Place)	It is noted that this text and the following policy KMLD6 indicate the intention of this section is to designate an area due to its heritage value and apply policy controls to ensure this value is considered in the planning process. However, there is concern that the stated aim of the policy (para 125) and the policy controls do not align with this. While 'heritage' has been added to the policy title, it is noted that the controls do not mention historic significance or heritage value. Areas of Local Character and Heritage are areas of discernible architectural, historic or community interest. Buildings or spaces, within the area will have some group value or common associations. These areas are classed as non-designated heritage assets and are used in areas that do not have sufficient heritage value to be designated as Conservation Areas. It is understood that the parish council wish to pursue Conservation Area (CA) status, however, our conservation officer warns that designation as an Area of Local Character and Heritage may make a future CA designation less likely. If policy is pursued it is recommended that this issue is discussed further with the conservation team to investigate whether a CA could be designated and whether/ how the current proposal could be an effective interim measure. While it is noted that the area contains a cluster of both designated and non-designated heritage assets, if an Area of Local Character and Heritage is proposed, it is recommended that further justification is provided. In light of these areas being considered NDHAs, it is recommended that this makes reference to the guidance on selecting NDHAs, discussed above.	The advice in relation to this Policy is noted. It will be re-written to reflect the points raised.	Amended.

93	North Yorkshire Council (Planning Policy & Place)	It is noted that KMLD6 requires proposals to be high-quality and designed to respect and enhance the areas distinctive character but that prevention of harm to heritage significance is not mentioned. On this basis the current policy reads as a design policy, albeit one with few specific requirements, rather than a heritage policy. If a design policy is intended this would not need a heritage justification, however, if this is the case it is noted that policy KMLD7 sets more detailed requirements and KMLD6 would add little value. If a heritage policy is pursued it is recommended that requirements are updated to include reference to heritage and ideally, more specific design elements, such as in relation to building materials, building types, heights, window types and proportions, which are informed by the existing historic character.	The advice in relation to this Policy is noted. It will be re-written to reflect the points raised.	Amended
<b>DO YOU AGREE WITH POLICY KMLD 6 - CHURCH STREET, KIRKBY MALZEARD LOCAL AREA OF SPECIAL CHARACTER AND HERITAGE (PAGE 37 PARAGRAPH 127)? PLEASE INDICATE UNDER COMMENTS WHETHER YOU LIVE WITHIN THE DESIGNATED AREA.</b>				
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
12 Responses – YES: 12 (100%)			Unanimous support for Policy from those living in the area noted and welcomed	N/a
<b>POLICY KMLD 7 – ENSURING HIGH QUALITY DESIGN</b>				
<b>COMMENTS RECEIVED</b>				
94	Environment Agency	In order to improve watercourses so that they achieve ‘good’ status, your plan could include a policy encouraging the removal of weirs, installation of fish passes and improvements to the morphology of the rivers. We would strongly support a requirement for developers to carry out WFD actions when they are developing on sites adjacent to the relevant stretches of river.	This advice will be considered during the process of amending this Policy.	Policy amended to reflect those points made in items 94 – 106 which were considered relevant.

95	Environment Agency	In order to prevent pollution of groundwater we suggest that, if any development uses either a soakaway or a direct discharge is possible, a system without any discharge (such as a sealed cess pool or chemical toilet) may be considered....In particular, we would like you to highlight that where a non-mains drainage solution is proposed, the applicant must submit a Foul Drainage Assessment (FDA1) form with their planning application.	This advice will be considered during the process of amending this Policy.	Policy amended to reflect those points made in items 94 – 106 which were considered relevant.
96	Environment Agency	The Environment Agency would welcome the direction presented to developers that all proposals will need to address issues of sustainability. We would like to propose that a positive emphasis here could be revised to promote sustainability opportunities. Further, we also support the direction and drive towards delivering the conservation and enhancement of natural environment elements, the Plan could still be strengthened however by clearly defining, where and how, tools such as Biodiversity Net Gain and Climate Change Mitigation could deliver meaningful improvement.	This advice will be considered during the process of amending this Policy.	Policy amended to reflect those points made in items 94 – 106 which were considered relevant.
97	Environment Agency	At present, it is not clear how, or if, the proposed development will safeguard existing habitat value or provide enhancement. Trees and hedgerow sections on site should be retained where feasible and site enhancements could include appropriate native tree, shrub and hedgerow species planting, wildflower seeding, a sympathetic and appropriate lighting scheme and the incorporation of bird/bat nesting/roosting features.	This advice will be considered during the process of amending this Policy.	Policy amended to reflect those points made in items 94 – 106 which were considered relevant.
98	North Yorkshire Local Access Forum	Within policy KMLD 7 we would like Public Open Space to be included as one of the features of every new development, perhaps within point 'd' (page 39) or as an extra point. We would expect this to be proportionate to the size of development. Shared amenity space with a bench provides a place to relax and socialise, reinforcing a sense of belonging and place, so beneficial to the quality of life. We refer you to Building for Healthy Lives, the respected toolkit used for good planning and design.	This advice will be considered during the process of amending this Policy.	Policy amended to reflect those points made in items 94 – 106 which were considered relevant.

99	North Yorkshire Police	<p>It is accepted that any planning application would be subject of policies in the National Planning Policy Framework (NPPF) and Local Authority Plan, which include policies around the prevention of crime and disorder and ensuring that any new developments are safe for all users. This does not preclude the Neighbourhood Plan from containing a policy in relation to Designing Out Crime and therefore consideration could be given to including such a policy or incorporating wording into an existing policy, such as Policy KMLD7. An example of suitable wording would be: Development will be expected to demonstrate how the design has been influenced by the need to plan positively to reduce crime and the fear of crime and how this can be achieved.</p>	<p>This advice will be considered during the process of amending this Policy.</p>	<p>Policy amended to reflect those points made in items 94 – 106 which were considered relevant.</p>
100	British Horse Society	<p>The HCAF has developed this guidance for planners and developers in response to feedback from local authorities, which indicated that they would welcome more information about how they can include equestrians in their work, engagement and consultation.</p> <p>Written by members of HCAF with support from Hampshire Countryside Service and the BHS, this document has been widely circulated within and beyond Hampshire, sparking interest from other authorities outside the county.</p> <p>We would urge the planners to incorporate the principles set out in this guidance into their planning policy: most particularly, <b>that equestrians should be considered and consulted with at an early stage within the planning of any major housing or infrastructure development.</b></p>	<p>This advice will be considered during the process of amending this Policy.</p>	<p>Policy amended to reflect those points made in items 94 – 106 which were considered relevant.</p>

101	British Horse Society	<p>Other issues could be addressed and resolved through good planning of future development, forest and woodland creation should include horse riding routes. Planting adjacent to current public rights of way should be avoided as trees grow they encroach and remove light requiring maintenance and often drainage installation as water does not evaporate quickly enough causing muddy paths : <b>Para 104: Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.</b></p> <p>We hope therefore that the Kirkby Malzeard, Laverton and Dallowgill Neighbourhood Plan will include policies that will support this.</p>	This advice will be considered during the process of amending this Policy.	Policy amended to reflect those points made in items 94 – 106 which were considered relevant.
102	Kirkby Malzeard C of E Primary School	This is essential and not always considered adequately in previous building designs.	Support for this Policy is noted and welcomed.	N/a
103	North Yorkshire Council (Planning Policy & Place)	Paras 128-131 - Inclusion of policy aimed at achieving good design is supported. Para 131 identifies that the resulting policy, KMLD7, draws on work in the Village Design Statement (VDS). It is considered that this should be expanded upon to provide further information on how the VDS has informed the policy requirements and why it is considered appropriate evidence, for example, setting out how the VDS was prepared.	<p>That you support the inclusion of a policy is noted and welcomed.</p> <p>The advice is noted. Greater reference to the KMOVDS will be added into the text.</p>	Policy amended to reflect those points made in items 94 – 106 which were considered relevant.

104	North Yorkshire Council (Planning Policy & Place)	<p>Policy KMLD7 - It is noted that the policy includes a list of requirements aimed at addressing a range of common design considerations and that these are predominantly generic, setting out what should be achieved, rather than specific, setting out how these should be achieved. Additional value could be added to the policy by considering each of the requirements and identifying examples of how each could be met in-light of the local context. It should be noted that, if developed, these requirements may need to be different for different parts, or character areas, of the parish, and would need to be evidenced- parish councils often commission specialist evidence to inform such detailed requirements. However, it is also noted that the policy includes requirements that, although related to the design process, are not generally thought of as design considerations in an aesthetic sense:</p> <ul style="list-style-type: none"> <li>• Part f: This deals with amenity considerations and repeats requirements of Local Plan (LP) policy HP4. As this repeats a LP requirement this is unnecessary and should be deleted.</li> <li>• Part g: This deals with road safety and parking. As the plan includes separate policies on these matters, it is recommended that part g is deleted and its requirements added to the relevant policies, if necessary.</li> <li>• Part h: This deals with climate change mitigation. If this is retained, it is recommended that its requirements are carried forward into a stand-alone policy- further comments below.</li> </ul>	This advice will be considered during the process of amending this Policy.	Policy amended to reflect those points made in items 94 – 106 which were considered relevant.
-----	---	--	--	---

105	North Yorkshire Council (Planning Policy & Place)	<p>Policy KMLD7 - Bullet i: Minimum built fabric energy efficiency standards are required through Part L of the Building Regulations. The value of the requirement could be improved by encouraging applicants to built to a standard higher than current minimum standards required by Building Regulations. It is unclear if this policy requires renewable energy or simply encourages its use, this should be made clear. If renewable energy is required, further thought should be given to how this could be achieved and what proportion of energy needs must be met. A requirement would need to be justified and, in order not to be a barrier to sustainable development, shown to be deliverable. Bullet ii: Consideration of building layout and orientated are requirements of LP policy CC4 and, therefore, do not need to be repeated. These measures are used to reduce operational emissions rather than life-cycle/embody emissions.</p> <p>Choice of materials and construction techniques can reduce lifecycle emissions. Further consideration should be given to whether this is required or encouraged. If a requirement, further information would be necessary so applicants and decision makers can determine whether the requirement has been met. Bullet iii: As the plan includes a specific policy on EV charging, it is recommended that this is deleted and its requirements added to the relevant policy, if necessary.</p>	This advice will be considered during the process of amending this Policy.	Policy amended to reflect those points made in items 94 – 106 which were considered relevant.
106	North Yorkshire Council (Climate)	KMLD7 includes a section on positively contributing to various measures such as energy efficiency, renewable energy and lifecycle carbon. It is encouraging that this is included and I'd hope that this will be proactively applied for all new developments in the NP area.	General support for this element of KMLD7 noted and welcomed.	N/a

### DO YOU AGREE WITH POLICY KMLD 7 - ENSURING HIGH QUALITY DESIGN (PAGE 39 PARAGRAPH 131)?

#### ANALYSIS OF COMMUNITY RESPONSES

13 Responses – YES: 12 (92%) NO: 0 (0%) UNSURE: 1 (8%)	The positive support by the community is noted and welcomed	N/a
--	---	-----

POLICY KMLD 8 – LOCAL GREEN SPACES				
COMMENTS RECEIVED				
107	North Yorkshire Council (Planning Policy & Place)	General paras 132-140 - As the plan does not include policy or a parish action in relation to this policy area, it is unclear why this section is included. It is noted that despite not having a relevant policy, para 39 states that 'The plan strongly supports maintaining all aspects of the special character of the landscape of the Parish; moorland, farmland with drystone walls, native woodland, and buildings using traditional materials in keeping with the landscape'. As this support is not set out in policy, it is recommended that the statement is amended to say 'The parish council supports...' Para 138 identifies the four landscape character areas in the parish and discusses their LCA assessments. The LCA assessments set out key characteristics, sensitivities/ pressures, and guidelines aimed at protecting landscape character. It is noted that selected key characteristics and sensitivities/ pressures are included in the plan although the intention of including these is unclear. It is suggested that the relevant LCA guidelines may be more useful to include as aims for development and could be used to inform planning policy requirements.	The advice is noted. General Landscape Policy to be added.  A link to the unabridged LCAs will be included rather reference to specific sections within the text.	Amended
108	Nidderdale National Landscape Joint Advisory Committee	Supported - Although we have not carried out a detailed review of the selection of the specific local green spaces identified in the Plan, the principle of this policy using local resident's views and opinions on what is important to them is supported.	The support for this Policy by the NNL JAC is noted and welcomed.	N/a
109	Church of England Parochial Church Council	The churchyard as recognised green space is considered very important.	The support for the inclusion of the Churchyard at St Andrew's by the owners is noted and welcomed.	N/a
110	Kirkby Malzeard C of E Primary School	Keep cars off these area(s).	The comment is noted. It is hoped that by designating areas as Local Green Spaces more protection against damage caused by vehicles will be given.	N/a

111	Local Resident 10	The green is used daily for recreational activity by residents of the whole village. Especially dog walkers and children who are restricted from using the Highside park.	It is not anticipated that activities such as these will be affected to any extent by LGS designation.	No
112	Local Resident 5	More cycle paths Mowbray woods. Fields to south leading to Laverton Lane.	'Mowbray Woods' are taken to refer to area of woodland in private ownership south of North Park farm – no public rights of way apparent across this area on basis of NYC Definitive Map so not possible to create of public cycle paths. Unclear which fields leading to Laverton Lane (Road) are being referred to.	N/a

113	North Yorkshire Council (Planning Policy & Place)	<p>Paras 145-146 - National policy on Local Green Space (LGS) is set out in NPPF paras 105-107. Through para 105 national policy enables neighbourhood plans (and local plans) to designate LGS where the tests in para 105 and the criteria in para 106 are met. As such, for accuracy the reference to local planning policies enabling LGS designation in para 145 of the plan should be removed. Para 146 of the plan identifies the criteria that NPPF para 106 requires are met for spaces to be designated as LGS. Use of the word 'include' within para 146 suggests additional criteria exist- for accuracy, please replace 'include' with 'are'. It would also be helpful to identify the paragraph within the NPPF that sets these criteria. In addition to the criteria set by NPPF para 106, national policy sets further requirements when designating LGS, through para 105, which states that designating LGS should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. It also requires LGSs to be capable of enduring beyond the end of the plan period. It is considered that these tests should be acknowledged within this section of the plan. The final sentence of para 145 describes land designated as LGS as being protected from development other than in very special circumstances. It is considered that this description does not accurately reflect the approach for managing development within LGS required by NPPF para 107. Further explanation is provided in comments responding to para 2 of policy KMLD8. Para 145 should be amended to align with NPPF wording.</p>	The advice provided on various points raised within this response will be implemented.	Amended
-----	---	--	--	---------

114	North Yorkshire Council (Planning Policy & Place)	<p>Policy KMLD8 - Inclusion of policy to protect green areas of particular importance to the local community as Local Green Space (LGS) is supported. As described in para 148, it is understood that evidence to support the policy, including the sites proposed for designation, is outlined in Appendix C- page 112 of the plan. The appendix includes an assessment of each site:</p> <ul style="list-style-type: none"> <li>• Sites are considered against the criteria of NPPF para 106; however, it is not clear that the tests of NPPF para 105 have been considered. These require that, firstly, designating LGS is consistent with the local planning of sustainable development and complements investment in sufficient homes, jobs and other essential services; and secondly, that LGS should be capable of enduring beyond the plan period. It is considered that reference should be made to these matters within the assessments. It is noted that consideration of whether a site is allocated or has planning permission has taken place and this may relate to the first of the para 105 tests. If this is the case, it is recommended that this is clarified and a conclusion as to whether site designation is consistent with planning for sustainable development is drawn.</li> <li>• Both public and privately owned land may be suitable for LGS but in either case it is important that landowners are consulted. As part of demonstrating this, it would be helpful to identify in the assessments whether a site is in public or private ownership and, where appropriate, identify the body or organisation.</li> <li>• It is noted that the proposed LGS sites are recognised as public open space of various types and therefore all have an existing level of protection through Local Plan policy HP6 that would continue whether or not they are designated as LGS. However, it is recognised that it may be appropriate to designate sites with existing protection where additional benefit can be gained.</li> </ul>	<p>Advice to include confirmation that all NPPF tests have been considered will be followed.</p> <p>Identification of ownership will be included in Appendix C for each proposed LGS together with confirmation that landowners have been consulted.</p>	Amended
115	North Yorkshire Council (Planning Policy & Place)	<p>Highside playing field - The site is protected as various types of public open space by HP6 and is owned by NYC. Assessment demonstrates LGS requirements are met. Designation supported.</p>	Support of LGS designation noted and welcomed.	Amended to note support.

116	North Yorkshire Council (Planning Policy & Place)	Jubilee garden - The site is protected as open space (amenity greenspace) by HP6 and is owned by NYC. Assessment demonstrates LGS requirements are met. Designation supported.	Support of LGS designation noted and welcomed.	Amended to note support.
117	North Yorkshire Council (Planning Policy & Place)	West end green - The site is protected as a highway verge by HP6 and appears in part to be used as informal car parking. Owned by NYC • Unclear whether the assessment concludes a particular local significance exists. Recommend the assessment is updated with clear conclusions. 'Richness of wildlife' may offer the greatest scope- could the score be improved by adding a parish action requiring the PC to prepare/implement a management plan aimed at improving biodiversity? • Consider the site may have potential to meet LGS requirements and could be supported subject to Highway Authority support- noting that the area sits alongside a single-track highway close to a tight bend which may suggest the space is not capable of enduring.	Comments noted – additional explanation of wildflower management project by Parish Council will be added.	Amended
118	North Yorkshire Council (Planning Policy & Place)	West end Island - The site is protected as a highway verge by HP6 and is owned by NYC. • Assessment not clear that the space holds particular local significance- none of the NPPF examples are said to be met. Recommend updating with clear conclusions. 'Beautiful' may offer scope since the space makes an important contribution to the street scene. • Consider the site may have potential to meet LGS requirements and could be supported subject to Highway Authority support.	Comments noted – additional emphasis will be placed on the work by the community and that it does help local biodiversity and enhance the appearance for that end of the village.	Amended

119	North Yorkshire Council (Planning Policy & Place)	The Green (exc. Area being considered for car parking) - The site proposed along with the rest of the Green is protected as open space (amenity greenspace) by HP6 and is owned by NYC. • Description of site in the assessment appears to describe the whole Green rather than the area where designation is proposed. The assessment doesn't address why part of the Green has particular importance to the community that warrants LGS designation while the remainder has less importance and could be developed as a car park. • In-light of comments on parish action 6 relating to creation of the car park, it is recommended that LGS status is not pursued on any part of the Green unless and until the extent of any land required for a deliverable car park is established to avoid the designation preventing the implementation of an otherwise acceptable scheme. • If the extent of land required to deliver an acceptable car park is established as part of NP preparation and designation of the remainder is proposed, it is recommended the assessment be updated so it acknowledges creation of a car park on an adjacent part of the Green and relates solely to the land proposed for designation. • Unless a planning application to change the use of the Green (or part of) from open space is approved, the whole Green will continue to be protected by HP6 irrespective of whether part is designated as LGS or not. If such an application is approved, the remainder of the Green will continue to have HP6 protection.	Advice noted. As the overall area is protected by HP6 it is accepted that until the process of creating a car park on one section is further advanced it would be appropriate to remove The Green as an LGS.	Amended
120	North Yorkshire Council (Planning Policy & Place)	Churchyard - The site is protected as open space (churchyards/cemetery) by HP6 and is not owned by NYC. Assessment demonstrates LGS requirements are met. • Can consultation with the site owner (presume Church of England?) be demonstrated? Information (but not personal information) should be included in the Consultation Statement being submitted with the plan.	Advice to refer to consultation with owners within Stakeholders Consultation update has now been obtained: 'Yes - The churchyard as recognised green space is considered very important.'	Amended to note support.

121	North Yorkshire Council (Planning Policy & Place)	High walk Verges - The site is protected as a highway verge by HP6 and is owned by NYC. • Assessment not clear that the space holds particular local significance- none of the NPPF examples are said to be met. Recommend updating with clear conclusions. 'Beautiful' may offer scope since the space makes an important contribution to the street scene of the main thoroughfare through the village. • Consider the site may have potential to meet LGS requirements and could be supported subject to Highway Authority support.	Comments noted – the contribution which this area makes to the overall street scene in this part of the village will be re-emphasised.	Amended
122	North Yorkshire Council (Estates)	As owner of sites 1-5 and site 7, North Yorkshire Council (NYC) do not object to LGS designation.	That you do not object to Local Green Space designation is noted and welcomed. This will be referred to within each proposed designation.	Amended to note support.
123	North Yorkshire Council (Planning Policy & Place)	Policy KMLD8 Para 2- As highlighted above in response to paras 145-146 of the plan, NPPF para 107 sets out the approach required for managing development within an LGS i.e., an approach consistent with that for Green Belts. As currently drafted it is considered that para 2 of KMLD8 does not fully reflect these requirements. National policies for managing development in Green Belts are set out in NPPF paras 152-156, and while it is recognised that these include a 'very special circumstances' test, the KMLD8 requirement for these circumstances to be demonstrated through public benefits outweighing the harm caused differs to the test within Green Belts, set out in NPPF para 153, which enables a wider range of 'other considerations' to be judged against the harm. It is considered that para 2 of KMLD8 should be amended to align with the NPPF requirements for LGS. The following requirement is suggested: 'Development proposals within a designated Local Green Space are required to be consistent with national policy for Green Belts'.	Advice to amend wording in line with NPPF Green Belt policies will be implemented.	Amended

#### DO YOU AGREE WITH POLICY KMLD 8 - LOCAL GREEN SPACES (PAGE 46 PARAGRAPH 148)?

#### ANALYSIS OF COMMUNITY RESPONSES

14 Responses – YES: 12 (86%) NO: 2 (14%) UNSURE 0 (0%)	General support by the community is noted and welcomed	N/a
--	--	-----

**PARISH ACTION 2 – ADDITIONAL ALLOTMENT/COMMUNITY GARDEN PROVISION IN THE KIRKBY MALZEARD AREA**

**COMMENTS RECEIVED**

124	North Yorkshire Police	The Parish Council will work in partnership with the Local Planning Authority, local landowners, and other interested parties to identify and bring forward an allotment site in or on the edge of Kirkby Malzeard. This type of facility can, if not properly secured, attract both criminal and anti-social behaviour, creating a blight within the community. Therefore, careful consideration needs to take place in relation to ensure that appropriate perimeter treatments are used. In view of this I would suggest that the Action includes wording to the effect that the security of any proposed new allotment provision will be considered. And suitable perimeter protection provided.	Advice regarding security and perimeter treatments has been referred to Parish Council for consideration when they proceed with the Parish Action.	N/a
125	Dallowgill Women's Institute	Our members are supportive of the idea in general but disagree with the wording of the action and would rather see it amended to "bring forward an allotment site at the edge of" the village. The proposed site in the centre of the village is entirely unsuitable, being in a section where the road is very narrow and already has a many parked vehicles. An allotment site at this location would bring additional vehicles, making parking very difficult for all and increasing the danger caused by through traffic. Even if parking on the site itself was provided you have to consider that the access road is very narrow and, given the number of parked vehicles on the Main Street, the sight lines for leaving the proposed allotment site would be very restricted so there would be a significant risk of accidents. Our members travel through the village on a regular basis and urge you to consider amending this action.	The general support for the creation of allotments is noted, as are the concerns about the proposed site.	Parish Action amended to remove reference to site adjacent to Manor Court.

126	Kirkby Malzeard Charitable Trust	The land identified in the plan as potentially suitable for use as allotments is owned by Kirkby Malzeard Charitable Trust and is currently tenanted. When that tenancy is due for renewal in April 2025 we will advertise the land and request sealed bids as we have done in the past to seek the best suitable tenant to fulfil the Charities objectives. This is typically on a 2 year agricultural agreement. It is therefore inaccurate to state that the village is currently in negotiations with the landowners. At present it is merely an aspiration of some members of the village.	These comments have been referred to the Parish Council.	Parish Action amended to remove reference to site adjacent to Manor Court.
127	Kirkby Malzeard Lunch Club	<p>Our members are broadly supportive of the idea in general but disagree with the precise wording of the action and would rather see it changed so that the council is actioned to "bring forward an allotment site at the edge of" the village. The proposed site in the centre of the village is not suitable as this part of the road is very very narrow and already has many parked vehicles. An allotment site at this location would bring additional vehicles, making parking very difficult and also increasing the danger caused by through traffic.</p> <p>Our meetings are held at the Mechanics Institute and many of our elderly members need to be dropped directly outside. An increased number of parked vehicles may make this impossible. Even if parking on the site itself was provided you have to consider that the access road is very narrow and, given the number of parked vehicles on the Main Street, the sight lines for leaving the proposed site would be very restricted introducing a significant risk of accidents. Our members therefore urge you to consider amending this action.</p>	The general support for the creation of allotments is noted as are your concerns about the proposed site.	Parish Action amended to remove reference to site adjacent to Manor Court.
128	Kirkby in Bloom	The organisation continues with its long-standing aspiration for more allotments (there is currently only one i.e. The Pinfold) to be available in the village and hope that this proposal will be built into the Neighbourhood Plan. For example, if a large development was proposed, could a parcel of the land be designated for allotments?	The general support for the creation of allotments is noted. The Parish Council will give consideration to incorporating the suggestion about an allotment site within any future large development.	N/a

129	Local Resident 14	<p>I live in Manor Court and own the field east of the proposed allotment site. No consultation has been made with the affected residents and no alternative sites (whilst available) have been considered. Concern re unsightly, potential litter, rodent infestation, noise pollution, safety concern regarding poor access from Main Street. Will object to any planning application submitted.</p>	<p>This, and all the other responses below received from those living in the vicinity of the proposed site (130-146), object on a number of site-specific points. Those outlined in this response are:</p> <ul style="list-style-type: none"> <li>a) potentially unsightly appearance</li> <li>b) potential litter issue</li> <li>c) safety issues around vehicular access to and from site from Main Street</li> <li>d) potential rodent infestation</li> </ul> <p>Concerns from neighbours were noted during the earlier informal public consultation held in November 2023 and have been discussed with individual residents at Parish Council meetings. The Steering Group has held regular meetings since it was formed in June 2019 all of which have open to the public with agendas published in accordance with legal requirements. No issues concerning the proposed allotments have been raised at these meetings by the public although the topic was discussed with those residents who attended the open workshop held on 12.12.2024.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>
-----	-------------------	--	---	---

130	Local Resident 15	<p>I live next to the proposed site and it is totally unsuitable for allotments. Why do we need allotments? Most people have a small garden in KM. There would be extra cars, rubbish and more rats. Also, the land is allocated for agricultural use and this is extremely important. The land is prone to flooding and would need to be tarmac-ed over to create a car park. No, no, no.</p>	<p>It is felt that there is an adequate amount of grazing land within the Plan Area and the loss of this single field would not adversely affect the overall land usage. There is clear support in principle for the creation of allotments somewhere within the Plan Area.</p> <p>There is no evidence that the land is prone to any form of flooding based on Flood risk maps which show it as being in a 'very low' risk area.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>
-----	-------------------	--	---	---

131	Local Resident 12	<p>As a direct neighbour of the field there has been absolutely no consultation with us regarding these allotments which I am beyond disappointed about. We currently have a nice private garden which our son and dog can play in with no issue. I do not want 40 odd people a day walking alongside our house which then means our garden is no longer private. We would (or our landlord would have to pay) to update our fence in order to remove gaps so people cannot see in. People constantly walking past would mean our dog barking all the time. Allotments are also known to bring pests and rodents with them which will directly impact our garden and our quality outdoor time. People tend to burn stuff at allotments too, we do not want to be subject to the smelling of burning or the smoke. Also, where are people meant to park their cars? Parking outside our house is already a nightmare without adding extra cars. I do not need to be walking half way down the village with a small child and large dog in tow just to get to the car. I am completely for having allotments in Kirkby Malzeard, however I am strongly against the current proposed location.</p>	<p>In addition to points raised in 129 this response raises additional issues e) loss of privacy to neighbours and f) problems caused by bonfires.</p> <p>The suggestion that there has not been adequate opportunity for consultation has been covered in 129.</p> <p>If the site were to be used as allotments on-site parking would be provided within any approved scheme, so it is not anticipated that parking for residents on Main Street would be affected.</p> <p>It is noted that this response reflects the general support in principle for allotments.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>
132	Local Resident 16	<p>We live immediately opposite the proposed allotment development and object strongly to it. It would create parking problems in an area where it is already congested with residents cars. We have no alternative parking other than outside our cottage on Main Street. As it is we often can't park because of walkers and cyclists parking for the day on Main Street. It would be necessary to have on site parking in the allotment area.</p>	<p>The comments are noted but no other issues are raised in addition to points a)-f) made in previous responses.</p> <p>The issue of potential problems with parking on Main Street has been referred to in 131 above.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>

133	Local Resident 17	<p>I live at Welldale on the corner of Manor Court, for me one of the two main problems here are: - Traffic issues with people trying to access and exit the entrance to the proposed site for garden allotments. I personally know how bad it can be as I have a medium sized van and regularly have to reverse out from my yard onto Main Street with parked cars opposite and at both sides of me, it is not a fun experience, as Main Street is often very busy. Secondly, vermin, if you have garden allotments then gardeners will have recycling compost heaps/bins and if a few put the wrong sort of material in their recycling bins, it will sure as heck attract vermin to live, thrive and breed. In my opinion Kirkby Malzeard is such a tidy and clean village and allotments would be much better sited further away from the houses.</p>	<p>The concerns raised about vehicular access to and from the site and that of increased risk of rodent infestation have been noted in earlier items above.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>
-----	-------------------	---	---	---

134	Local Resident 18	<p>Our house backs onto the proposed site. Our issues are with the site itself and its location next to homes: Charity fields are as historically valuable as the non-designated heritage assets listed in Q11 and should be retained for the agricultural purposes for which they were donated. This is a farming village and small-scale farming land is in short supply, especially for young and new to the industry farmers. The XXXXX's are an excellent example of this. This field has been continuously tenanted at least since we moved here 12 years ago. To my knowledge no other site has been actively sought and just walking around the villages in the parish it's easy to see sites that would be better suited to allotments. Speaking with residents in Masham, one of the main problems with allotments is an increase in the rat population. Also, people using braziers etc to burn off garden waste. There is ample existing allotment provision in Ripon, it's possible to rent a full or half sized plot on one of the ones there. There's also a large allotment area in Masham. Access, visibility, parking and road safety would all be adversely affected by the suggested allotment location. Parking is already a nightmare, and tractors and HGV routinely have to make elaborate and potentially dangerous manoeuvres to navigate Main Street. Wheelchair and pushchair users are already forced to use the road on many occasions because of cars parked partly on the footpaths. The school, the Mechanics Institute and the soon to be developed social space in the former chapel all have inadequate parking and allotments would worsen the situation significantly. Any move to allow parking on the field itself would be vigorously opposed as would any planning application.</p>	<p>In addition to concerns referred to in previous responses the following points are made in this response:</p> <p>i) that the land is 'historically valuable' as it is owned by the local Charity Trust. The fields which the Trust owns are ordinary parcels of agricultural land held as investments from which it raises income. Other similar land in Kirkby Malzeard has been sold by the Trust in the past in accordance with the rules of its constitution. The land itself is not seen to have any historic value over and above that of other similar land in the general vicinity but is simply an asset of the Trust from which it is required to raise income for its beneficiaries.</p> <p>ii) that there is a demand to rent fields of this nature. It is felt that an adequate supply would still exist if this one field were used for allotments.</p> <p>iii) that no other potential sites have been sought. The Parish Council is aware of other potential sites, but this is the preferred choice at the present time.</p> <p>iv) that allotments are available in Ripon or Masham. It is clear from the consultation undertaken that residents would prefer allotments locally rather than elsewhere.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>
-----	-------------------	---	--	---

135	Local Resident 20	<p>I live on Manor Court and the suggested site neighbours our garden, we have lived here since the houses were built 27 years ago. If this field becomes Allotments, we will lose privacy and peace, we have had sheep as neighbours all of these years. We certainly have not been invited to have any discussion with members of the Parish Council regarding this plan. I dread the noise and traffic which will be involved if this plan goes ahead. I am also concerned about vermin and sincerely hope Allotment holders will not be allowed to keep hens, for example. The value of our property will decrease if this plan goes ahead which is obviously a huge concern to us also. I understand there are other sites outside the village which could be considered which would be much more appropriate as far as the traffic is concerned and safety of anyone walking or driving in the village.</p>	<p>In addition to concerns referred to in previous responses the following points are made in this response:  g) potential noise issues  h) adverse effect on property values</p> <p>In terms of discussions with Parish Councillors the various consultation opportunities available for those with concerns have been covered in 129 above.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>
136	Local Resident 9	<p>Whilst I agree in theory with the action to identify a site for allotments, I disagree with the phrase "in or on the edge of" the village. I think that the proposed site is entirely unsuitable and that the action should be amended to identify a site "at the edge of" the village. The proposed site is in the centre of the village, in a section where the road is very narrow and already has a considerable number of parked vehicles. An allotment site at this location would bring additional vehicles, making parking very difficult for all and increasing the danger caused by through traffic. In addition, should parking on the site itself be provided, the access road is very narrow and, given the number of parked vehicles on the Main Street, the sight lines for leaving the proposed allotment site are very restricted so there is a significant risk of accidents. In addition to my concerns over parking and access I am also concerned about the likely increase in the vermin population - all allotments have rats. Finally, there will be a significant and detrimental impact on house prices. For all the above reasons I urge you to consider amending this action. I own a house which is adjacent to the proposed site.</p>	<p>The comments are noted. These have been referred to in earlier responses. The support for allotments elsewhere within the Plan Area is noted.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>

137	Local Resident 21	<p>I am supportive with the idea in general, but I disagree with the wording of the action and would rather see it amended to "bring forward an allotment site at the edge of" the village. The proposed site is entirely unsuitable, being in the centre of the village, in a section where the road is very narrow and already has a many parked vehicles. An allotment site at this location would bring additional vehicles, making parking very difficult for all and increasing the danger caused by through traffic. If parking on the site itself was provided you have to consider that the access road is very narrow and, given the number of parked vehicles on the Main Street, the sight lines for leaving the proposed allotment site would be very restricted so there would be a significant risk of accidents. In addition to my concerns over parking and access I am also concerned about the likely increase in the vermin population - all allotments have rats. Finally, there will be a significant and detrimental impact on house prices. For all the above reasons I urge you to consider amending this action. I own a house which is adjacent to the proposed site.</p>	<p>The comments are noted. The points made have been referred to within earlier responses above.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>
138	Local Resident 11	<p>This needs expansion to include Laverton and Dallowgill where there may be suitable sites.</p>	<p>The comment is noted. The majority of demand is largely from those living in Kirkby Malzeard and a site in or around the village was therefore considered initially. It is not certain whether there would be similar demand if the allotments were located elsewhere.</p>	<p>No</p>

139	Local Resident 7	<p>In principle Yes, but not on the proposed site. We do not agree in the proposed location identified in the draft development plan (DP). Allotments would be better sited on the outskirts of the village away from Main St Kirkby Malzeard (KM) as identified in the DP section 5.5 - highway and safety and car parking in KM paragraphs 201,202,204,206 and 207 the significant and serious issue of car parking and traffic on Main St KM in the identified area any extra car parking on Main St would increase safety issues. Access to and from the site can only be achieved through the already present narrow lanning on Main St. We believe that exiting from the site could be particularly dangerous. Cars are usually parked on Main St on both sides of the exit and beyond (also on the pathway). This obstructs the view up and down Main St where traffic is very busy and fast flowing (again mentioned in the DP (paragraph 202). Vermin: Allotments are notorious for generating rubbish and resembling tips. Having previously lived next to allotments in Reading we have experienced the consequences of this in the increase of vermin (particularly rats). If poultry is allowed this exacerbates the problem. Security. Having conducted some research, allotments can be subject to theft, damage and anti-social behaviour, leading to a concern for neighbouring properties. Referencing section 5.3 page 47 Para 152 of the draft development plan (DPP) it states that the PC are working with neighbours and others of the identified field. It states that if it is NOT possible to use this site it will ONLY then continue to look at alternative sites. It has been noticed that in the minutes of the neighbourhood plan steering group) NPSG) on 12 Feb '24 due to the results of the original questionnaire there were concerns about this site. At the 4th March NPSG meeting it was agreed the proposed site would be REMOVED from the draft DP until further negotiations with PC, landowners, neighbours, Highways HAD BEEN RESOLVED. Still not meeting with neighbours. At the 10th June NPSG meeting it states in the minutes that the secretary of the NPSG had email discussions with the PC, that the result was that the PC still said the original site was preferred. The DPP was then to be AMENDED BACK to the original site without any meeting with neighbours and the PC. XXXX XXXXXX asked at the PC meeting on 24th June '24 if other sites had been looked at</p>	<p>The support for allotments in principle is noted. The concerns raised in respect of the site adjacent to Manor Court have been referred to in other responses above except for i)possible anti-social behaviour affecting neighbours.</p> <p>The NP Steering Group informed the Parish Council in 2024 of the various concerns of neighbours and advised the Council that they felt the Parish Action be amended to remove reference to this specific site so that it better reflected the wishes of all of the community. However, the Parish Council were of the view that reference to the preferred site should be retained as this Consultation was an opportunity to try and establish from NYC Highways whether the access from Main Street was likely to be practical as part of this consultation, as, if it was not, then the site could be eliminated from further consideration.</p> <p>NYC Highways, in their response at item 131 below have, however, advised that they require further information and have suggested that a pre-planning application be made if the PC pursues the Parish Action in the future.</p> <p>The Parish Council is aware of other possible sites, for example on Kirkby Moor Road but consider this site initially to be the most obvious in terms of its central location for villagers.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>
-----	------------------	---	---	---

		(Not minuted) - No response given though on 10th June '24 the PC knew they weren't considering other sites!		
--	--	---	--	--

140	Local Resident 8	<p>In principle Yes, but Not on the proposed site. We do not agree in the proposed location identified in the draft development plan (DP). Allotments would be better sited on the outskirts of the village away from Main St Kirkby Malzeard (KM) as identified in the DP section 5.5 - highway and safety and car parking in KM paragraphs 201,202,204,206 and 207 the significant and serious issue of car parking and traffic on Main St KM in the identified area any extra car parking on Main St would increase safety issues. Access to and from the site can only be achieved through the already present narrow lanning on Main St. We believe that exiting from the site could be particularly dangerous. Cars are usually parked on Main St on both sides of the exit and beyond (also on the pathway). This obstructs the view up and down Main St where traffic is very busy and fast flowing (again mentioned in the DP (paragraph 202). Vermin: Allotments are notorious for generating rubbish and resembling tips. Having previously lived next to allotments in Reading we have experienced the consequences of this in the increase of vermin (particularly rats). If poultry is allowed this exacerbates the problem. Security. Having conducted some research allotments can be subject to theft, damage and anti-social behaviour, leading to a concern for neighbouring properties. Referencing section 5.3 page 47 Para 152 of the draft development plan (DPP) it states that the PC are working with neighbours and others of the identified field. It states that if it is NOT possible to use this site it will ONLY then continue to look at alternative sites. It has been noticed that in the minutes of the neighbourhood plan steering group) NPSG) on 12 Feb '24 due to the results of the original questionnaire there were concerns about this site. At the 4th March NPSG meeting it was agreed the proposed site would be REMOVED from the draft DP until further negotiations with PC, landowners, neighbours, Highways HAD BEEN RESOLVED. Still not meeting with neighbours. At the 10th June NPSG meeting it states in the minutes that the secretary of the NPSG had email discussions with the PC, that the result was that the PC still said the original site was preferred. The DPP was then to be AMENDED BACK to the original site without any meeting with neighbours and the PC. XXXX XXXXXXXX asked at the PC meeting on 24th June '24 if other sites had been looked at</p>	<p>This response repeats the points made in 139 above.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>
-----	------------------	--	--	---

		(Not minuted) - No response given though on 10th June '24 the PC knew they weren't considering other sites!		
--	--	---	--	--

141	Local Resident 4	<p>We support the principal of village allotments but feel that the site identified is unsuitable for the following reasons. The area is rural and there is a demand for, and shortage of, small fields available to local farmers and small holders to graze sheep or cattle. The field has been used for this purpose for many years and currently has a tennent. Requests for such an area to rent are frequently made on the village website. As a family that overlook this field, we are concerned about noise, loss of privacy, appearance, smells and potential vermin problems that allotments would create. It would also be an added security risk for our property. The plan already highlights the serious problems of car parking and road use in the village, particularly on the area on Main Street where access to this field is situated. On street parking would just not be viable and the field, that can flood in Winter, doesn't seem ideal for parking. It has a narrow entrance that crosses a pedestrian pavement. We feel that alternative sites have not been identified or considered and this should be the first priority. A site that doesn't exit onto the Main Street or overlook villagers' gardens would be preferable.</p>	<p>The points are noted. They have been referred to in previous responses above.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>
142	Local Resident 22	<p>The creation of allotments in the centre of the village is misguided It will create additional traffic and the entrance is unsuitable for anything other than occasional vehicles. The Main Street is very busy even before they new houses are built I understand the charity owns land at the village end of Kirkby Moor Road which is much more suitable.</p>	<p>The comments are noted. They have been referred to in previous responses above. The land at Kirkby Moor Road will be considered by the Parish Council as part of the measures taken to provide allotments.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>

143	Local Resident 23	The proposed site sits in the middle of the village where parking and access is already impossible without adding anything to it. Furthermore the site is overlooked by a number of houses who will be subject to people visiting at all hours and unknown visitors. The charity was established to support agriculture not individual allotments. There are a number of far more suitable sites. For example on Kirkby Moor Road or Highfield playing fields which totally underused with the loss of adult football and cricket.	The comments are noted. The aim of the charity is to provide funds for their beneficiaries which they achieve by investing capital and by letting or selling the land which they hold, rather than primarily supporting agriculture. If planning consent were granted for change of use to allotments, they would then need to consider whether the rent which the Parish Council would be able to offer when the tenancy is next available was higher than that which they could obtain from letting for grazing. In practice any lease for allotments would need to be relatively long term.	Parish Action amended to remove reference to site adjacent to Manor Court.
144	Local Resident 24	I think the proposed land for the allotments isn't ideal for this and instead the previous suggested land along Kirkby Moor Road would be more suitable. If allotments were to be put in the middle of Kirkby then the roads will be even more busy and there won't be any parking available and it won't look good. The roads are already dangerous and no parking and with the new houses being built this will further constrict the road which could affect tractors and ambulances getting access. Also people will be coming and going all day creating anti social behaviour and disturbing locals.	The comments are noted. These have been referred to within earlier responses above.	Parish Action amended to remove reference to site adjacent to Manor Court.
145	Local Resident 25	I live in the vicinity. Antisocial behaviour. Poor parking availability. Access. Noise. Reduced house value. Other land owned by charity better suited.	The comments are noted. These have been referred to within earlier responses above.	Parish Action amended to remove reference to site adjacent to Manor Court.
146	Local Resident 26	Too busy and there are other locations for the allotments that wouldn't affect locals and tourists as much.	The comments are noted. These have been referred to within earlier responses above.	Parish Action amended to remove reference to

				site adjacent to Manor Court.
147	North Yorkshire Council (Planning Policy & Place)	<p>It is noted that consultation has revealed a level of interest in allotments that is greater than the current supply. The aim of addressing this issue through new provision as part of neighbourhood plan preparation is welcomed. It is understood that the parish council (PC) intend to be responsible for bringing forward the new provision on private land. If the PC foresee any role for NYC in delivering or managing the provision, this should be agreed with the Parks team ahead of submitting the plan so that, if agreement cannot be reached, other approaches can be investigated as part of preparing the plan. It would be helpful if the plan were to include further information on how the PC envisage the new allotments would be funded and operated. Paras 152 and 153 indicate the PC has identified an available site and intend to apply for planning permission, in part to clarify whether planning permission is required. It is recommended that, rather than submitting an application, the PC initially seek pre application advice from the council on a specific proposal as this will identify whether permission is required but also whether there are any in principal 'show-stoppers' in terms of planning policy or site-specific issues indicating that permission would be unlikely. Further information is available at: Find out if you need planning permission and apply in the Harrogate area   North Yorkshire Council. As there are few details in the plan indicating the nature of the development intended, it is unclear whether this would be supported by existing local plan policies. It is recommended that this is investigated through pre-application advice during plan preparation so that if in principal planning policy barriers are identified, the plan can investigate whether these could be overcome through the inclusion of a supportive allotments policy in the plan.</p>	<p>It is noted that the aim of addressing the provision of allotments as part of the Plan is welcomed by NYC (Planning Policy and Place). The offer to involve the Parks team if necessary is also noted and the Steering Group have brought this to the attention of the Parish Council.</p> <p>The recommendation that it may be useful for the Parish Council to seek pre-application advice is noted and this has been referred to the Parish Council when they are considering this, and other potential sites, in the future.</p>	<p>Parish Action amended to remove reference to site adjacent to Manor Court.</p>

148	North Yorkshire Council (Planning Policy & Place)	Parish Action 2 - While parish actions do not form part of the statutory development plan and are, therefore, primarily a matter for the parish council and community, it is hoped the following comments are helpful in preparing plan content that increase the likelihood that these issues are addressed. The intention to work with interested parties to bring forward an allotment site is supported. As set out above, it is recommended that some of this work take place during preparation of the neighbourhood plan to ensure that any opportunities that preparation provides that could improve the likelihood of successful delivery are taken.	The advice to work with interested parties as set out in Parish Action 2 is noted.	N/a
149	North Yorkshire Council (Highways)	In terms of specific queries regarding the allotment proposal, we would need more information in order to comment on the implications to the publicly maintained highway. We would need to understand the associated intensification of use in the location and movements associated. It is recommended that this is explored through pre-application discussions.	It is disappointing that NYC (Highways) have been unable to provide advice at this stage as to whether the access to and from the proposed site onto Main Street is likely to be adequate. The Parish Council will consider making a pre-application enquiry when they pursue the Parish Action in the future.	See item 147 above.

**DO YOU AGREE WITH PARISH ACTION 2 - ADDITIONAL ALLOTMENT/COMMUNITY GARDEN PROVISION IN THE KIRKBY MALZEARD AREA (PAGE 48 PARAGRAPH 153)? Please indicate under comments whether you live in the vicinity of the proposed site.**

#### ANALYSIS OF COMMUNITY RESPONSES

Responses – YES: 7 (30%) NO: 16 (70%) UNSURE 0 (0%)	An analysis of the responses clearly indicates that those living in the vicinity of the proposed site oppose it being sited near to them. There is however agreement that there should be a Parish Action to provide allotments.	Parish Action amended to remove reference to site adjacent to Manor Court.
---	--	--

#### POLICY KMLD 9 – CONSERVING DARK SKIES

COMMENTS RECEIVED				
150	Nidderdale National Landscape Joint Advisory Committee	Supported - The importance of Nidderdale National Landscape's dark night skies as recognised by the plan is supported as is the accompanying policy. It is suggested that this is expanded to refer to the need to adhere to the "Dark Skies in Nidderdale AONB" supplementary planning document that was recently adopted by the Local Planning Authority as part of the Harrogate Local Plan. The SPD is available at: <a href="https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/planning-policy-your-local-area/harrogate-planning-policy/harrogate-local-planning-guidance-and-supplementary-planning-documents/protecting-dark-skies-nidderdale-area-outstanding-natural-beauty">https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/planning-policy-your-local-area/harrogate-planning-policy/harrogate-local-planning-guidance-and-supplementary-planning-documents/protecting-dark-skies-nidderdale-area-outstanding-natural-beauty</a> .	That the Policy is supported by the NNL JAC is noted and welcomed. Reference will now be made to the recently adopted 'Dark Skies in Nidderdale AONB' SPD.	Amended
151	North Yorkshire Police	Yes - To reflect the content of paragraph 159 consideration could be given to adding the following wording to part a) of the Policy. "Which includes the provision of lighting for safety and security purposes. "	That the Policy is supported by North Yorkshire Police is noted and welcomed. The recommended addition to the wording will be made.	Amended
152	Local Resident 13	strongly agree, especially with intense security lighting.	Comment noted and welcomed	N/a
153	Local Resident 5	Leaving security lights on all night should be banned.	Comment noted. It is not believed to be within the scope of this Plan to make such a ban.	No
154	Kirkby Malzeard C of E Primary and St Nicholas Schools	Essential and residents should be encouraged to choose appropriate lighting as some security lights spoil this.	The comment is noted. It is hoped that the Policy will encourage people to consider the effect of external lighting in the future.	N/a
155	North Yorkshire Council (Planning Policy & Place)	Para 154 - Reference is made to NPPF para 185 placing a requirement on local planning policies in relation to light pollution. In the current NPPF (published December 2023), this requirement can be found at para 191, please update.	As suggested the NPPF paragraph number will be updated.	Amended

156	North Yorkshire Council (Planning Policy & Place)	Para 159 references text that forms part of the justification for Local Plan policy GS6- please note, the correct reference of the text is para 3.69 rather than 3.63. It is noted that the quoted text also sites within policy GS6 (at para 5) and, therefore, is a requirement that proposals must meet. It is considered that the text preceding policy KMLD9 should clarify this as an existing requirement, which the NP seeks to support and expand upon with its own policy.	The recommendations within this comment will be implemented.	Amended
157	North Yorkshire Council (Planning Policy & Place)	Para 160 - NYC adopted the Protecting Dark Skies in the Nidderdale AONB Supplementary Planning Document (SPD) in May 2024. The SPD provides guidance on meeting the GS6 para 5 requirement and, therefore, its scope is solely the Nidderdale NL, rather than the whole former district as stated in para 160. Please update. It is noted that the SPD includes useful context, which could be used as evidence to support the more restrictive approach being pursued in the NP. This includes identifying three zones within the NL with different levels of darkness and setting guidance applicable to each- how do these areas relate to the NP area? Guidance is also provided on various lighting design considerations and on designing lighting schemes for specific purposes. Information is also provided on when planning permission may be required for lighting. It is recommended that the SPD content is discussed in this section, including how or whether the SPD can be used by applicants to design schemes that meet the NP policy.	The recommendations within this comment are noted and amendments will be made as appropriate.	Amended
158	North Yorkshire Council (Planning Policy & Place)	Policy KMLD9 - Inclusion of policy on light pollution is supported. It is noted that KMLD9 seeks a more restrictive approach than GS6. A more restrictive approach may be supported if appropriately justified. It is recommended that further information be added to justify the approach- information in the SPD on dark sky zones may be useful.	General support for this Policy is noted and welcomed. We will have regard to the recently adopted SPD and make appropriate amendments.	Amended

159	North Yorkshire Council (Planning Policy & Place)	Policy KMLD9 (a) - Bullet a requires applicants to demonstrate that external lighting is essential, however para 159 describes the policy as requiring lighting to be needed for safety or security. Please amend so policy and description align. As demonstrating an essential need is already restrictive it is suggested that para 159 is amended to describe safety and security as examples of potentially essential needs.	The advice within this comment is noted and appropriate amendments will be made in the light of the recent SPD as referred to under item 157.	Amended
160	North Yorkshire Council (Planning Policy & Place)	Policy KMLD9 (b & c) - The policy requires measures to avoid light spillage and compliance with guidance produced by the Institute of Lighting Professionals (ILP). In terms of the latter, despite the link to the ILP website within the plan it has not been possible to identify the guidance referenced (please include the name of the document). As such it is unclear whether it is appropriate to require applicants to meet or exceed this in its entirety. It is also important that applicants and case officers can easily identify specific requirements. To aid this, are there key or over-arching points that could be translated directly into policy requirements alongside a further requirement for proposals to be informed by the wider guidance? The SPD includes guidance on lighting relevant to proposals that may arise in this area. Given the SPD is now in place it is recommended that inclusion of b and c is reviewed in-light of the SPD content with the aim of achieving greater alignment whilst meeting the aims of KMLD9, such that, following the SPD guidance would allow applicants to meet the policy. For example, could the relevant Dark Sky Zone Requirements in section 4 form the basis of policy requirements in KMLD9? It is recommended that the policy include a requirement to follow the SPD, with the more general ILP guidance, if necessary, signposted and discussed in supporting text.	The advice within this comment is welcomed. The wording of the Dark Skies policy will be reviewed and appropriate amendments made in the light of the recent SPD as referred to under item 157.	Amended

### DO YOU AGREE WITH POLICY KMLD 9 - CONSERVING DARK SKIES (PAGE 50 PARAGRAPH 160)?

#### ANALYSIS OF COMMUNITY RESPONSES

16 responses – YES: 15 (94%) NO: 0 (0%) UNSURE: 1 (6%)	The very positive support for this Policy by the community is noted and welcomed.	N/a
--	---	-----

<b>POLICY KMLD 10 – PROTECTING AND ENHANCING BIODIVERSITY</b>				
<b>COMMENTS RECEIVED</b>				
161	Environment Agency	We would like to see flood risk policies and that minimising the impact of flooding referred to in an 'Environmental' section. This is a key sustainability issue and will be exacerbated in the future due to climate change.	The advice within this response is noted. Consideration was given to the incorporation of flood risk policies, but it was felt that this matter had been adequately addressed within the Local Plan Policies.	No
162	Environment Agency	We would welcome a policy or clear signposted reference elsewhere which requires a clear pathway in the delivery of and expectations from Biodiversity Net Gain through all development.	The advice within this response is noted and the reference to BNG revised.	Amended
163	Environment Agency	We would support any Policies on Ecology And Biodiversity and note the links to wider networks and partnerships. The Environment Agency would welcome that broader scope is provided and expectations are established to reflect that the water environment also forms part of the natural environment. Indeed, watercourses can perform an essential role in the enhancement of biodiversity and ecological habitats. We particularly would like to emphasise that watercourses can also benefit from the application of Biodiversity Net Gain and could perform a key role in the adaptation to and mitigation from climate change.	We note the general support from the Environment Agency for Policies on Ecology and Biodiversity. The advice on the significance of watercourses is noted and will be considered when the wording of the 'Protecting and Enhancing Biodiversity' is reviewed.	Amended
164	Nidderdale National Landscape Joint Advisory Committee	Supported - While welcoming the principle of this aim and the accompanying policy it is likely that the policy will require more precise wording to relate to development proposals to meet the test for clarity in development plans (i.e. use similar wording to that currently set out in the Plan's supporting text). For clarity, references to NBG should be amended to BNG, which is the term currently in use (biodiversity net gain).	The overall support of the NNL JAC is noted and welcomed. References to NBG will be amended to BNG as suggested. Revisions to the wording of the Policy will be considered in the light of this response and those from the Environment Agency and North Yorkshire Council (Planning and Place).	Amended
165	Nidderdale National Landscape Joint Advisory Committee	The Plan's positive support for the aims and objectives of the Nidderdale National Landscape and its high quality landscape are noted and welcomed.	The acknowledgement of the NNL JAC for this the Plan's support of their aims and objectives is noted.	N/a

166	Kirkby in Bloom	The organisation would like to see all permitted future building developments contributing positively to our shared environment e.g., requiring wildlife friendly planting on sites and CIL payments spent on environmental community initiatives. The organisation also hopes the Neighbourhood Plan helps enhance the environment of the parish for the future of all.	The concept of BNG is that developers are required to make a positive contribution to the environment, and it is the intention of the Policy to ensure that this happens within the Plan Area.	N/a
167	Dallowgill Outdoor Centre	The landscape in Dallowgill is one of the key reasons for the Trust having the centre. The AONB status is important, and we would support more tree planting and woodland preservation, but don't see any need for further controls.	The comments are noted. It is hoped that the aims of the Policy align with those of the Outdoor Centre.	N/a
168	Local Resident 2	We need a plan to control Himalayan Balsam. In the last few years the areas covered by this invasive species have increased markedly. It is a particular issue on the banks of the river and streams where it could start to contribute to flood risk.	Consideration will be given to reference to the issue of this invasive plant within this section, although it is recognised by some that the flowers do provide a useful nectar source for bees and other insects.	Amended
169	Local Resident 10	We have lost veteran trees from the green and wider parish. I would support a plan to restore and replace trees which are lost. Due to time it takes for trees to mature for nature and aesthetic the plan should allow for this and plant more trees years before expected losses.	The support for such an approach is referred to in Para 184. Consideration will be given to the inclusion of a Parish Action to undertake tree planting within the Plan Area.	Amended – see Parish Action 6.
170	North Yorkshire Council (Planning Policy & Place)	Para 171 - Please note, the requirement of the Environment Act being discussed is commonly referred to as Biodiversity Net Gain or BNG, rather than Net Biodiversity Gain (NBG).	This advice will be followed as covered in item 164 above.	Amended

171	North Yorkshire Council (Planning Policy & Place)	As identified in para 171 Biodiversity Net Gain (BNG) is a legal requirement introduced through the Environment Act 2021. The Act and relevant secondary legislation include specific detailed requirements that developments must meet, whilst also setting out how compliance is to be assessed and where exemptions apply. It is noted that, as written, the KMLD10 requirements do not align with these legal requirements, for example, the policy applies to all development and doesn't set a level of gain required. Given the presence of legislation it is not considered necessary to include this policy. If the policy is retained, it should be reviewed and updated in-light of mandatory BNG requirements. If policy seeks to go beyond these, this should be clearly set out and justified.	These comments are noted. Given support by other parties as set out in the responses above, it is the intention to proceed with the inclusion of this Policy. A review and update will be undertaken to ensure that the Policy complies with mandatory BNG requirements.	Amended
<b>DO YOU AGREE WITH POLICY KMLD 10 - PROTECTING AND ENHANCING BIODIVERSITY (PAGE 53 PARAGRAPH 173)?</b>				
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
15 Responses – YES: 14 (93%) NO: 0 (0%) UNSURE: 1 (7%)			Positive support for the Policy is noted and welcomed.	N/a
<b>PARISH ACTION 3 – TREE PRESERVATION ORDERS</b>				
<b>COMMENTS RECEIVED</b>				
172	Local Resident 16	Where tree preservation is concerned it is important to ensure the trees are not blocking light to properties. We suffer from a tree, though not with a preservation order outside our cottage which has become so large our front rooms are dark and we have to have lights on in the daytime. We would like it to be removed but have only been able to have it pruned which has made little difference to the light.	The comment is noted. The owners of the tree should be approached and further pruning requested.	No
173	Local Resident 11	Not for Sycamore trees though.	TPO's are placed on all varieties of trees including Sycamores if it is felt that they are contributing to the general amenity of the area.	No

174	North Yorkshire Council (Planning Policy & Place)	Para 184 - This states that the plan strongly encourages the planting of new trees in the parish and supports the Nidderdale NL Woodland Opportunity Plan, however, there does not appear to be policy (or parish actions) included in the plan that seeks to achieve tree planting. For accuracy, it is suggested that para is amended to identify that the parish council strongly encourages these measures or initiatives. Alternatively, consideration could be given to including a policy that encourages tree planting. Given that the Woodland Opportunity Plan identifies areas where planting would and would not be appropriate, this should inform preparation of any policy and could be used as evidence in support of the approach.	These comments are welcomed, and a Parish Action to encourage tree planting is to be added.	Amended- see Parish Action 6
175	North Yorkshire Council (Climate)	KMLD10 states that important sites should be protected and enhanced to achieve an overall net gain in biodiversity.	This observation is noted.	N/a
<b>DO YOU AGREE WITH PARISH ACTION 3 - TREE PRESERVATION ORDERS (PAGE 55 PARAGRAPH 183)?</b>				
<b>OVERALL ANALYSIS OF RESPONSES</b>				
16 Responses – YES: 13 (81%) NO: 0 (0%) UNSURE: 3 (19%)			The positive support for this Parish Action by the community is noted and welcomed.	N/a
<b>POLICY KMLD 11 – ENHANCING THE PROVISION OF IMPORTANT COMMUNITY FACILITIES</b>				
<b>COMMENTS RECEIVED</b>				
176	Harrogate & District Community Action	We're particularly pleased to read the aim to improve existing and the create new community facilities, to 'ensure that the parish has an extensive and varied range of community facilities including leisure and recreational opportunities, which cater for all age groups'; to expand the range of facilities for younger people and provide further allotment sites.	The support for this aim is noted and welcomed.	N/a

177	Dallowgill Women's Institute	Our members request that lighting at the Highside Playing Fields is provided. Our meetings are in the evenings and leaving the pavilion is difficult in the dark without adequate light - with a consequential health and safety risk that you should consider.	This matter will be referred to the Highside Playing Field Association for their attention.	N/a
178	D & M Design and Fabrication	Employees do use retail facilities in Kirkby Malzeard but have to drive in as no safe footpath. The company would welcome improved facilities and feel that if 'affordable housing' was available this could enable some employees to live locally.	The support of local facilities by employees is welcomed. The lack of a safe footpath will be referred to the Parish Council for investigation. The issue of affordable housing is covered by the relevant Parish Action.	N/a
179	R & J Yorkshires Finest	It was felt that additional housing in the village could help to attract more employees, as would steps to ensure the continuation of local facilities such as the retail outlets, as these are used by some employees during the day. Further facilities such as a gym may also be beneficial.	The support of local facilities by employees is welcomed.	N/a
180	Kirkby Malzeard Methodist Church	Church representatives felt that if ever the Chapel ceased to function it is hoped that the Policies within the Neighbourhood Plan would be supportive of any planning application for change of use to whatever was achievable, be it residential or part residential/business. The Planning Authority presently insist on a redundant church being marketed as a community building, but if the community supported it as such, it would not have closed. The upshot of this is that buildings lie empty for months or years instead of being used for a purpose such as a home or business. Our view is that the community already has a village hall and sports pavilion both available for hire with a variety of room sizes and do not need any further such venues. <i>(NOTE: Chapel closed in 2022 and remains disused).</i>	It is the intention of this Plan to create circumstances to enable an alternative viable community use to be found but not to create a situation such as that which has arisen with the former Henry Jenkins Inn on Main Street Kirkby Malzeard, whereby a building stands empty for over 13 years. Hopefully the situation with the now disused Chapel can be resolved soon.	N/a
181	Local Resident 9	I agree with the principal of the policy but wonder why the garage and the butchers are not included.	The comment is noted and whilst they are welcome facilities they are not considered appropriate to be added to this list.	No – see 196
182	Local Resident 7	Especially where it says 'Do not result in harm to highway safety'.	Support for the wording of the Policy noted and welcomed.	N/a

183	Local Resident 8	Especially where it says 'Do not result in harm to highway safety.	Support for the wording of the Policy noted and welcomed.	N/a
184	North Yorkshire Council (Education)	We have looked through the document and we do not have any specific comments to make about education. For information, we have looked at the pupil forecasts and outstanding housing permissions/Local plan housing and we do not have any concerns regarding the size of the school accommodating these. However, any future housing developments would need to be considered at the time in relation to the capacity of the school.	That you have no specific comments to make on education within the Plan Area is noted. We appreciate that the comment in item 71 by the local School itself would in practice need to be assessed at the time when any information on new developments being available.	N/a
185	North Yorkshire Council (Planning Policy & Place)	Paras 193 and 194 - It is noted that these paragraphs discuss Local Plan (LP) policy HP8 and identify specific named facilities that the parish council (PC) are seeking to ensure are protected by the policy. It is noted that, with the exception of No. 4 (playing fields and play area), these specific facilities fall within the types of facilities that are identified within HP8 and, therefore, are already protected by the policy. Nevertheless, the identification of specific facilities to which HP8 controls should be applied is supported. However, it is recommended that wording is refined to ensure the list is not exhaustive so that other facilities not named but that meet HP8 criteria can continue to be protected, for example, 'Policy HP8 (or successor policies) should be applied to all relevant community facilities, including...' As stated, most facilities listed have existing protection through HP8. However, if the PC wish to ensure that the requirements stated in para 193 are applied by decision makers when assessing proposals, these will need to be set out in as a planning policy. This could be combined within KMLD11 or as a stand-alone policy. Public open space, such as the playing fields and play area, are not included in the definition of community facilities within HP8 and are, therefore, not subject to its criteria. However, these open spaces are protected by LP policy HP6, which sets out criteria considered more relevant to proposals threatening loss of open space. It is also noted that the neighbourhood plan proposes protection of the playing fields and play area through LGS designation. It is not considered appropriate to apply HP8 controls to open space and therefore No4 should be removed from the list.	The comment that the identification of specific facilities by the Plan is supported, is noted and welcomed.  The advice in respect of Paras 193 and 194 is noted and changes to the Policy will be made accordingly.	Amended

186	North Yorkshire Council (Planning Policy & Place)	<p>Policy KMLD11 - The policy provides support for the development of a wide range of community facilities (whether through expansion or wholly new) across the plan area, subject to respecting local character and residential amenity and ensuring highway safety. There is a concern that, despite the assertion in para 195 that large-scale retail or community development would not be appropriate, this policy provides support for a wide range of development including shops, schools, community centres, places of worship, public houses, cafes and medical facilities etc, as well as open space and recreation facilities, of any scale across the plan area, which would be contrary to countryside policies that form part of the Local Plan growth strategy. Currently, new community facilities (exc. open space) are subject to Local Plan (LP) policy HP9 and new open space is subject to LP policy HP7 (paras B to D). These policies each contain criteria relevant to the type of development intended to ensure that new community facilities and open space development only takes place in the countryside where the need for a countryside location is demonstrated and harm to the countryside is minimised. The council would object to these important safeguards being lost through adoption of a neighbourhood plan policy without sufficient safeguards. It is recommended that the policy is amended or removed from the plan. If policy is retained, it is recommended that community facilities and open space are dealt with separately to ensure considerations relevant to each type of development take place. Proposals relating to existing facilities (exc. open space) are currently subject to HP8 para 2. It is noted that this addresses two of the three issues addressed in KMLD11. If policy is retained, it is recommended that this is reviewed to inform the wording taken forward to ensure that adequate safeguards are included, for example, considering impacts on neighbouring uses provides a more complete safeguard than solely considering residential amenity. As the policy relates to all existing and new community facilities it is suggested that 'important' in the policy title is unnecessary and should be removed so this reflects the policy content.</p>	<p>The comments in respect of KMLD11 are noted and the wording of the Policy will be amended along the lines suggested.</p>	Amended
-----	---	---	---	---------

187	North Yorkshire Council (Planning Policy & Place)	Paras 185-195 - In light of comments above, it may be necessary to review the wording of this section to differentiate between open space and other community facilities and ensure that any definitions or descriptions provided align with how any policy/policies is/are intended to apply.	The comments are noted and the wording of Paras 185-195 and the Policy will be reviewed.	Amended
-----	---	--	--	---------

#### DO YOU AGREE WITH POLICY KMLD 11 - ENHANCING THE PROVISION OF IMPORTANT COMMUNITY FACILITIES (PAGE 58 PARAGRAPH 195)?

#### ANALYSIS OF COMMUNITY RESPONSES

15 Responses – YES: 11 (73%) NO: 1 (7%) UNSURE: 3 (20%)

The general support for the Policy is noted and welcomed.

N/a

#### PARISH ACTION 4 – PROVISION OF FACILITIES FOR YOUNGER PEOPLE

#### COMMENTS RECEIVED

188	North Yorkshire Police	Yes - It is important when considering the provision of new facilities for young people that consultation takes place with the demographic for which the facility is intended to ensure that it is something that is wanted and is placed in a location where it will be used. Therefore, consideration could be given to including wording within the Action to demonstrate that consultation will take place with the relevant age group for which the facility is intended.	This advice is noted and the wording of Parish Action 4 will be amended accordingly.	Amended
189	Highside Playing Fields Association	We agree with the suggestion within Parish Action 4 but it must be recognised that the Highside Playing Field Association is a charity with limited funds. The statement in PA 4 highlights how important HPFA is to the local community, while we aim to expand the range of facilities for younger people in the community along with the Parish Council, this would require strong financial support from others such as the Parish and County Councils.	That HPFA agrees with the intention of Parish Action 4 is noted and welcomed. The need to find funding for new facilities is appreciated and the Parish Council has created Local Organisation Grants to help towards such projects. Commuted sums have also been provided in the past for works to the Playing Fields with further funding likely to be available from qualifying development in the form of CIL payments as well as commuted sums in the future.	N/a

190	Kirkby Malzeard Youth Club	We hope the Neighbourhood Plan considers the needs of young people and families living in the area. In particular the Parish Council's playground is dated and in need of substantial renovation.	It is hoped that this Parish Action will help to encourage facilities for young people. The Parish Council are responsible for funding the Children's Play Area in Kirkby Malzeard and will continue to receive commuted sums and CIL payments to assist with this.	N/a
<b>DO YOU AGREE WITH PARISH ACTION 4 - PROVISION OF FACILITIES FOR YOUNGER PEOPLE (PAGE 58 PARAGRAPH 195)?</b>				
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
13 Responses – YES: 11 (85%) NO: 0 (0%) UNSURE 2 (15%)			The positive support for the Parish Action is noted and welcomed.	N/a
<b>POLICY KMLD 12 – ASSETS OF COMMUNITY VALUE</b>				
<b>COMMENTS RECEIVED</b>				
191	Local Resident 2	You need to include Highside Butchers and the Garage	No specific premises are identified within this Policy.	No - see 196
192	Local Resident 7	It would depend on what the asset is.	The comment is noted. There are specific criteria which Assets of Community Value are required to meet in order to qualify.	N/a
193	Local Resident 8	It would depend on what the asset is.	The comment is noted. There are specific criteria which Assets of Community Value are required to meet in order to qualify.	N/a

194	North Yorkshire Council (Planning Policy & Place)	<p>Inclusion of policy to ensure that an asset's ACV listing is material to the consideration of planning applications is supported. The aim of the first requirement of KMLD12 is supported, however, it is recommended that the detailed wording is more closely aligned with the requirements for ACV registration. For example, replace '...assist the longevity, appreciation and community value of an Asset of Community Value will...', with '...support the ability of an ACV to further the social well-being or social interests of the local community will...'. It is noted that the second requirement, which relates to changes of use, requires tests that are almost the same as those of by LP policy HP8, which applies to changes of use of community facilities. Therefore, any ACVs that meet the HP8 definition of a community facility would already face similar tests. While some ACVs may be undeveloped land and not subject to HP8, as set out in response to paras 193-194 and KMLD11, the HP8 tests are unlikely to be appropriate for such sites. It is also noted that ACV status cannot be lost through a planning decision as this is determined through a separate process. Given the above, it is recommended that further consideration is given to the second requirement to ensure a workable and effective policy. The following may provide the basis of an effective approach. 'Where proposals would threaten the long-term registration of an ACV, for example through a change of use, the clear benefits of maintaining the asset's ability to further the social well-being or social interests of the local community will be fully considered'.</p>	<p>That the insertion of a Policy to ensure that an asset's ACV listing is a material consideration is supported is noted and welcomed.</p> <p>The comments recommending the re-wording of the Policy are noted. Amendments will be undertaken.</p>	Amended
195	North Yorkshire Council (Economic Development)	<p>Whilst we are unable to comment on the specific community facilities identified for protection, in general terms we would agree with Policy KMLD12 which states that development proposals for a change of use that would result in the loss of an Asset of Community Value will only be supported where it is demonstrated that the asset is no longer viable or no longer required by the community; or the asset is replaced by an equivalent or better facility in terms of quantity and quality in an equally suitable location. Along with the other Policies set out in the Plan, we agree that this will help to ensure the continued success and sustainability of Kirkby Malzeard, Laverton and Dallowgill.</p>	<p>Your general support for the policy is noted and welcomed.</p>	N/a

<b>DO YOU AGREE WITH POLICY KMLD 12 - ASSETS OF COMMUNITY VALUE (PAGE 59 PARAGRAPH 199)?</b>				
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
14 Responses – YES 10 (71%) NO: 0 (0%) UNSURE: 4 (29%)			The general support by the community is noted and welcomed.	N/a
<b>DO YOU HAVE ANY OTHER COMMENTS ON SECTION 5.4?</b>				
<b>COMMENTS RECEIVED</b>				
196	Local Resident 2	No mention of Highside Butchers or the garage and fuel station which are just as important as other assets mentioned.	The list of specified properties has been amended to match those seen as minimum requirements for a service village – see revised Policy wording. Neither a garage nor a specialist shop comes into that category. Kirkby Fisheries has also been removed on the same basis. The Parish Council does however appreciate the value to the community which these facilities provide.	No
197	Local Resident 11	The PC needs to act in a more timely manner on such matters. Historically they have been too slow.	The comment will be drawn to the attention of the Parish Council.	N/a
<b>POLICY KMLD 13 – PROMOTING HIGHWAY SAFETY</b>				
<b>COMMENTS RECEIVED</b>				
198	North Yorkshire Local Access Forum	We commend the recognition of the local rights of way network as a valuable part of the local heritage and its value in opportunities for connectivity, recreation and a healthy lifestyle. We also noted that local opinion overwhelmingly supports parking provision on new developments to be sufficient for all possible on-site future demand to prevent ad hoc parking elsewhere – a view heartily endorsed by the Forum to make walking and cycling safer and encourage Active Travel for local journeys.	The comment is noted and welcomed.	N/a

199	British Horse Society	<p>In order to maximise opportunities within development to help provide more off-road links for equestrians, where shared-use routes are created for active travel as a part of any development, planning policy should support the automatic inclusion of horse riders on shared off-road routes, unless there are specific reasons why this is not possible.</p> <p>Conflict with cyclists is sometimes given as a reason for excluding horses from shared routes, but this rarely has anything to do with either the horse or the bicycle, simply the inconsiderate person who happens to be riding one or the other. Horse riders and cyclists as two vulnerable road user groups have more in common with each other than differences. This is illustrated by the work that the BHS is doing in partnership with Cycling UK in the current <i>'Be Nice, Say Hi!'</i> campaign and with Sustrans in their 'Paths for Everyone' initiative.</p> <p>The key to a successful shared route is the design: for example, rather than positioning a cycle path down the centre of a route with verges either side, the cycle path should be positioned to one side and the two verges combined to provide a soft surface for walkers, runners and horses on the other. (This also addresses the issue of horse droppings which, as research has confirmed, represent no danger to health and disperse quickly, particularly on unsurfaced paths.)</p>	<p>Reference will be made to the points raised here under the Parish Action dealing with Public Rights of Way</p> <p>This comment has been noted in respect of any future re-design of highways locally, in order to better accommodate vulnerable users safely.</p>	Amended
200	Local Resident 1	<p>I agree which is why other sections should be forced to prevent further development which would cause an increase in traffic on Main Street and reduce highway safety.</p>	<p>Support for measures to control development which would increase traffic on Main Street noted. In the light of this and other similar comments consideration will be given to the rewording of a new Policy to achieve this.</p>	Amended -see new Policy KMLD1.

201	Local Resident 2	<p>Para 202 mentions speeding but in reality, there is virtually zero traffic that exceeds the speed limit. The problem is inappropriate speed by, in particular, large tractors and trailers driven not by local farmers but by contractor's employees who may be paid by the load. These, in my opinion, are a public nuisance and need to be controlled in some way.</p> <p>Although agriculture has been key to the local landscape that has historically been through nucleated farms that were relatively small scale mixed livestock and dairy farms. Dairy farms have moved increasingly to 100% housed cows and this provides the opportunity for almost limitless growth. Along with this are issues that need to be considered. Increasingly farms have land holdings away from their farmsteads and these necessitate to carrying of loads through the village. Slurry and manure going one way, crops coming the other. The use of contractors to do this is one of the issues for traffic going through the village and there is the possibility of this causing a public nuisance. There is also an increase in large haulage trucks bringing feed concentrates and fertilisers etc through the village. There is no easy answer to this but support for farming should be tempered by knowledge of these facts.</p>	The comment is noted. However, it is not felt that a policy or parish action within this Plan could usefully address this point.	No
202	North Yorkshire Council (Highways)	We have read through and there is nothing in the wording of the document that we would take exception to as the Local Highway Authority.	That there is nothing in the wording of the document which the Local Highway Authority would take exception to is noted and welcomed. No further comments have been made about any of the other aspects of this Section so it is concluded that NYC Highways support all proposed Policies and Parish Actions within this draft Plan.	N/a
<b>DO YOU AGREE WITH POLICY KMLD 13 - PROMOTING HIGHWAY SAFETY (PAGE 61 PARAGRAPH 205)?</b>				
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
16 Responses – YES: 13 (81%) NO: 1 (6%) UNSURE: 2 (13%)			The general support by the community is noted and welcomed.	N/a

PARISH ACTION 5 – HIGHWAY SAFETY				
COMMENTS RECEIVED				
203	Local Resident 15	Not if it means mindless traffic 'calming' measures. There are enough cars parked at the side of the road to ensure that cars don't speed. I disagree that there is a parking issue. Everyone manages to get a parking space and it seems that someone is trying to exacerbate the non-problem. I have lived on Main Street for 20 years and have never had a problem parking and neither does it seem have any of my neighbours on both sides of the road. It seems we are worrying about nothing. The only thing that needs sorting are the dreadful state of the roads and it seems that time and energy could be spent that way rather than looking for problems where there are none.	The comment is noted. It is however generally accepted that there are parking issues in Kirkby Malzeard as indicated by all the other comments received.	No
204	Local Resident 17	Yes, I have had many close calls when approaching the Market Cross from Church Street and then turning right on to Main Street with vehicles coming far too fast around the hidden bend from the west side.	The comment confirming that speeding is an issue in Kirkby Malzeard is noted.	N/a
205	Local Resident 2	I think we should ask for a 20 MPH speed limit through the village. There is an issue with farm contractors leading manure and crops through the village late at night and there needs to be some control imposed to stop this. There is an argument for restricting parking at particular bottlenecks as these tend to make the larger vehicles slow and then cause excessive noise, pollution and vibration when they accelerate away.	As part of Parish Action dealing with Highway Safety the Parish Council will investigate whether the introduction of a 20 MPH limit on Kirkby Malzeard Main Street and restrictions on parking should be pursued.	N/a
206	D & M Design and Fabrication	We would welcome an extension of the 30mph zone in Kirkby Malzeard beyond our premises to improve road safety as the road is relatively narrow with a number of bends reducing visibility.	As part of Parish Action dealing with Highway Safety the Parish Council will investigate whether the extension of the 30 MPH limit on Kirkby Malzeard Main Street should be pursued.	N/a

207	Mechanics Institute Village Hall	Speed control is recognised by the committee as a big issue in the village, as is the increased size of traffic down the Main Street, both of which can create issues given current parking arrangements.	The comment confirming that speeding is an issue in Kirkby Malzeard is noted.	N/a
208	Local Resident 1	I agree, which is why other sections should be forced to prevent further development which would cause an increase in traffic on Main Street and reduce highway safety.	Support for measures to control development which would increase traffic on Main Street noted and welcomed.	New Policy KMLD1 added.
209	Local Resident 3	Highway Safety should be paramount. All parts of page 58 are important. There are several areas of the village where developments have already been allowed where vehicle access has reduced pedestrian safety through lack of provision of lighting and pavements. No new development should be allowed unless they are safely linked to existing pedestrian access. I would like to see the Parish Council working with North Yorks to improve pedestrian access to existing housing and village facilities.	As part of Parish Action dealing with Highway Safety the Parish Council will investigate whether pedestrian links can be improved. Comment also relevant to Parish Action 8 'Local Access Routes'.	N/a
210	Local Resident 7	Certainly very important.	This comment is noted and welcomed.	N/a
211	Local Resident 8	Certainly very important.	This comment is noted and welcomed.	N/a
212	Church of England Parochial Church Council	We are constantly aware of the drawbacks of the narrow road down Church Bank, with its boundary walls and sharp bends. We are aware that there has been consideration given to a one-way system for Church Bank and Long Swales Lane which could have implications for the Church if the system ever came to be implemented. We would expect to be fully consulted on this prior to any decision being made.	The comment is noted and the request for involvement with any future consultation on a suggested one-way system will be referred to the Parish Council.	N/a
213	North Yorkshire Council (Planning Policy & Place)	Para 200 - Is it widely accepted, including by the Local Highway Authority responsible for these matters, that congestion and highway safety are serious and growing issues, as stated in para 200? If not, it is recommended that the para is reviewed to clarify that these are the views of the parish council and/or the community.	That the Local Highway Authority has made no comment to the contrary (see item 173) is taken to indicate that it accepts that speeding/parking and other issues exist in the Plan Area as raised within the community consultation. The Paragraph wording will however be amended for the avoidance of any doubt to confirm that both the Parish Council and the community have concerns about safety.	Amended

<b>DO YOU AGREE WITH PARISH ACTION 5 - HIGHWAY SAFETY (PAGE 61 PARAGRAPH 205)?</b>		
<b>ANALYSIS OF COMMUNITY RESPONSES</b>		
17 Responses – YES: 14 (82%) NO: 1 (6%) UNSURE: 2 (12%)	The general support for Parish Action 5 by the community is noted and welcomed.	N/a
<b>POLICY KMLD 14 – CAR PARKING IN KIRKBY MALZEARD</b>		
<b>COMMENTS RECEIVED</b>		

214	North Yorkshire Police	<p>The document Guidance Note on Residential Parking produced by The Chartered Institution of Highways and Transportation (CIHT) and the Institute of Highway Engineers (IHE), states that parking can affect people's feelings about street safety, personal security and the potential for car crime, as well as having an actual effect upon those aspects of communities and neighbourhoods. It goes on to comment that that the car is often a person's second most expensive purchase after their home and that the parking provision should not be hidden from view from their property. The same document goes on to state that in-curtilage parking usually satisfies this strong desire. Acceptance of this by designers means that the parking is designed as part of the overall plot, in the context of the wider streetscape. Furthermore, good materials and landscaping are likely to be maintained by occupiers, whereas poorly considered schemes may be subject to insensitive alterations, especially in the case of additional space for parking being provided by residents in their gardens. Failure to provide appropriate parking can result in residents parking their vehicles directly outside their house, where the road is not designed to accommodate this. This can result in one or more of the following issues; parking on the pavement, a obstruction of driveways and accesses, hindrance to larger delivery vehicles and refuse freighters, damage to soft landscaping and footways, and cluttered, unsightly streets. This can lead to neighbour disputes, which the CIHT and IHE state can sometimes escalate, resulting in violence or legal action. Therefore, with the above in mind and to reflect Policy TI3 of Harrogate's Local Plan (2014 – 2035), consideration could be given to including a section within the policy to indicate that in curtilage parking should be provided for all new homes where possible and in any case vehicles should be capable of being seen from within the property they serve.</p>	<p>The advice provided within this comment is noted and the wording of the Policy will be amended accordingly.</p>	Amended
215	Church of England Parochial Church Council	<p>The only aspect of this which does, on occasion, cause problems is the limitation on available parking in the vicinity of the Church, for example when it is used for weddings, funerals etc (but also in normal Sunday use for less able congregants) and any measures which could be taken to improve this would be welcomed.</p>	<p>This comment concerning parking issues at the eastern end of the village is noted. It is hoped that the policy will work in a positive manner in respect of this.</p>	N/a

216	Highside Singers	Whilst individually the members hold various views which they have expressed through the public consultation questionnaire, as a group the only concerns are that there continue to be suitable venues within the Parish for groups such as ourselves to meet and that ideally action be taken to improve parking on Main Street, as there have been problems in the past when concerts have been held in the village.	This comment concerning parking issues in the centre of the village is noted. It is hoped that the policy will work in a positive manner in respect of this.	N/a
217	Highside Playing Field Association	With regard to parking either for HPFA or overspill for the village there is current private parking for 20/30 or so vehicles using the facilities of HPFA beside the Pavilion, but there is no space available for extra parking provision which is not used for sports facilities, within the Playing Fields.	This comment concerning parking arrangements at HPFA is noted. This is also relevant to the Parish Action dealing with 'Provision of public car park in Kirkby Malzeard'.	N/a
218	Mechanics Institute Village Hall	Unfortunately, the MIVH does not have any parking facilities, and we acknowledge that this can be a drawback when events take place in the building, as cars have to be parked either side of the road, in addition to the cars of residents. The committee consider that a village car park would be an asset but an obvious location for one has not been identified in the vicinity of the Hall.	This comment concerning parking issues in the centre of the village is noted. It is hoped that the policy will work in a positive manner in respect of this.	N/a
219	Kirkby Malzeard Women's Institute	Public parking is even more inadequate than it was 2/3 years ago, generally within the village but specifically in respect of those using the Mechanics Institute Village Hall.	This comment concerning parking issues in the centre of the village is noted. It is hoped that the policy will work in a positive manner in respect of this.	N/a
220	Kirkby Malzeard Methodist Church	Parking for people attending the Chapel continued to be an issue especially for funerals and seasonal services such as Easter and Christmas until its closure.	This comment concerning parking issues in the centre of the village is noted. It is hoped that the policy will work in a positive manner in respect of this.	N/a
221	Dallowgill Women's Institute	Members have expressed concern about night-time lighting around the meeting venue (Highside Playing Field Pavilion) and there are issues with parking when meetings are also open to visitors from other W.I.'s.	The comment regarding lighting at the HPFA Pavilion has been referred to them for consideration. This comment concerning parking issues in this part of the village is noted. It is hoped that the policy will work in a positive manner in respect of this. This is also relevant to the Parish Action	N/a

			dealing with 'Provision of public car park in Kirkby Malzeard'.	
222	R & J Yorkshires Finest	In addition to vehicle movements to and from the site by employees and the company's light delivery vehicles, the meat which is packaged is brought in from abattoirs by HGV's (on average three times a day). The route takes them along Long Swales Lane and Main Street. The former is narrow in places, with parked cars on both sides of Main Street also creating access difficulties on occasion. It was felt that measures such as widening Long Swales Lane and/or a one-way system incorporating Church Bank/Street might be beneficial for all road users. In addition, it is suggested that the provision of car parking areas along the Back Lanes, for use by residents living on Main Street, might help not only them but also other farmers who need to take agricultural vehicles through Kirkby Malzeard village, together with School buses, animal feed wagons etc.	This comment concerning parking issues in the centre of the village is noted. It is hoped that the policy will work in a positive manner in respect of this.	N/a
223	Local Resident 18	We agree with paragraph 208 and in particular how it relates to the proposed allotment site on Main Street as stated in question 16. In fact it's hard to think of a less suitable location for allotments.	The comment is noted. It is envisaged that adequate parking for users will be provided within the allotment site and parking on Main Street will not be increased.	Parish Action covering allotments has been amended
224	Local Resident 20	Car parking in the village is a problem, I am unhappy about any more traffic being encouraged to come to Kirkby Malzeard.	The comment is noted. Any future development allocated under a Local Plan is likely to result in increased traffic and it is therefore important that consideration be given to parking as reflected in the Policy.	N/a
225	Local Resident 7	Very much so.	The comment is noted and welcomed	N/a
226	Local Resident 8	Very much so.	The comment is noted and welcomed	N/a

227	Local Resident 4	Development of the proposed allotment site would result in an increase of cars in this area (dropping off materials, equipment etc) On road parking around this area is already congested - paragraph 207 " there is a serious issue with on- street parking... especially along Main Street - which has a detrimental effect on pedestrian and road safety" The entrance to the field is narrow and crosses the pavement and cars parked road side can make it difficult to exit safely. Car parking within the field would need to address the issue of drainage (parts of the field can flood) and would be intrusive development of a green space that is outside of village planning boundary.	The comment is noted. The issue of parking has been covered within responses to the Parish Action dealing with issue.	Parish Action amended
228	Local Resident 5	A car park is needed. Land behind the village to the south?	That you agree that a car park is needed is noted and welcomed. Initially the proposal in Parish Action 6 is for a car park to be created on part of The Green but alternatives will be considered if this site proves impractical.	N/a
229	North Yorkshire Council (Planning Policy & Place)	The inclusion of policy to manage the impacts of development in relation to car parking is supported. It is noted that specific issues with on-street parking in Kirkby Malzeard are highlighted in the preceding text and that the policy relates solely to proposals in Kirkby Malzeard. Notwithstanding these issues and the need for a specific policy response to them, it is recommended that further consideration be given to the benefit of requirements within KMLD14, where relevant, being applied across the plan area- further information is set out below.	That you are supportive of the policy is noted and welcomed. The advice that the policy be amended to cover the whole of the Plan area is accepted.	Amended
230	North Yorkshire Council (Planning Policy & Place)	Policy KMLD14 (para 1) - Parking standards are set by the Highway Authority. Please add 'authority' so it reads 'up to date highway authority standards'. It is considered that the policy could have greater benefits if the requirement of para 1 for sufficient, safe and convenient parking provision in accordance with standards were applied more widely across the plan area to also help prevent parking problems arising in areas other than Kirkby Malzeard, including on unlit roads away from villages and hamlets.	This comment is noted, and an amendment will be made.	Amended

231	North Yorkshire Council (Planning Policy & Place)	Policy KMLD14 (para 2) - The following changes are recommended to improve the clarity and effectiveness of the policy: Bullet a: Delete unnecessary 'and' so it reads 'and road safety'. Delete 'in the nearby area', which invites the question of 'what is nearby?' and suggests severe adverse effects beyond a certain distance would be acceptable- whilst impacts would tend to be nearby reference to this in policy is considered unnecessary. Bullet b: Replace 'can' with 'will' to ensure that replacement parking is secured as part of allowing any loss, rather than simply ensuring it is possible to provide replacements. It is noted that a further requirement included in an earlier draft of the policy, which included imprecise language, has been removed	The recommendations are noted, and amendments will be made accordingly.	Amended
<b>DO YOU AGREE WITH POLICY KMLD 14 - CAR PARKING IN KIRKBY MALZEARD (PAGE 61 PARAGRAPH 208)?</b>				
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
17 Responses – YES: 14 (82%) NO: 3 (18%) UNSURE: 0 (0%)			The support for Policy KMLD13 by the community is noted and welcomed.	N/a
<b>PARISH ACTION 6 – PROVISION OF PUBLIC CAR PARK IN KIRKBY MALZEARD</b>				
<b>COMMENTS RECEIVED</b>				
232	Local Resident 12	I do not think the Green is a suitable space for car parking, it is used by children and dog walkers. Turning the area of the Henry Jenkins into a car park would be much better.	This comment is noted. It is envisaged that only part of The Green would be utilised as a car park with the remaining areas still being available for children and dogwalkers. The area to the rear of the Henry Jenkins is likely to be needed for parking in conjunction with its eventual redevelopment.	No
233	Local Resident 1	I agree more parking spaces are required but I would not like to see the tree at the bottom of The Green removed to create car parking spaces.	Designs have not yet been prepared but consideration will be given to retaining the tree if possible or replacing it elsewhere on The Green if not.	N/a

234	Local Resident 3	I do not live in the vicinity of this proposal. I agree this should be considered with full consultation of residents of The Green. If it goes ahead, I would like to see the existing corners of the grass area to be retained to give clear definition of the road. I would also like to see the existing tree to be retained.	Residents will be fully consulted throughout the process. The comments in respect of features that should be retained, if practical, are noted.	N/a
235	Local Resident 11	I doubt this will resolve the issue. There are problems with multi-car households especially near the doctors surgery. Some could park elsewhere now but choose not to park either to the rear of their property or in their garage. Those wishing to attend the doctors surgery often have mobility issues which precludes a car-park on the green being of much use.	It is anticipated that measures to provide an area on Main Street solely for disabled users would be made in conjunction with the proposed car park.	N/a
236	Local Resident 7	It should be the decision of the residents on and around the green.	Residents will be consulted throughout the process.	N/a
237	Local Resident 8	It should be the decision of the residents on and around the green.	Residents will be consulted throughout the process.	N/a
238	Local Resident 10	The green is of high community value as a green space. Reducing the green to parking use would reduce the aesthetic value of this area of the village which is of heritage value, nature and recreational value. Additional parking is not required frequently enough to warrant destroying this green space. The impact on the environment is at odds with sustainable travel, land use and nature recovery policies as well as devaluing the character of this part of the village.	It is only proposed that a limited amount of The Green would need to be utilised for a car park, as indicated on the map provided, and the remainder would remain as a green space.	No
239	Local Resident 5	Own land behind village which could be a car park.	If the proposed site proves impractical, alternatives will then be considered but any such area would have to be in reasonably close proximity to the main part of the village to be suitable.	No

240	Highside Playing Field Association	We agree if planned through agreement with residents of The Green. With regard to parking either for HPFA or overspill for the village there is current private parking for 20/30 or so vehicles using the facilities of HPFA beside the Pavilion, but there is no space available for extra parking provision which is not used for sports facilities, within the Playing Fields.	This comment is noted and your agreement in principle is welcomed. Residents will be consulted throughout the process.	N/a
241	Kirkby Malzeard and Masham Surgeries	We are aware of Parking issues on Main Street caused by patients and would welcome the provision of a public car-park nearby, although it is recognised that parking restrictions outside the Surgery may be needed to encourage usage e.g., disabled only parking to front.	This comment that you would welcome the provision of a car park nearby is noted and welcomed. It is anticipated that measures to provide an area on Main Street solely for disabled users will be made.	N/a
242	Kirkby Malzeard Lions Junior Football	Parking is an issue; we always ask their parents to park sensibly, but unfortunately, we have had problems with opposition parents not listening and causing issues for the local residents. We feel that if there was a public car park it would be a great help, or even suggested parking areas around the village that they could direct parents to. There is no space on the playing fields for cars as they take up the whole pitch, and as a club they advise against parking on the playing fields in winter as the cars that currently do so can cause damage to the pitches, which then makes it difficult for the children to play safely. Since the original consultation we also now have the problem of locals parking in the Highside car park on a Saturday morning, taking up spaces that our players could use, forcing them to park elsewhere in the village.	The comment that a public car park would be a great help is noted and welcomed.	N/a

243	North Yorkshire Council (Planning Policy & Place)	<p>While parish actions do not form part of the statutory development plan and are, therefore, primarily a matter for the parish council and community, it is hoped the following comments are helpful in preparing plan content that increase the likelihood that these issues are addressed. A number of important hurdles would need to be overcome in order for a public car park to be delivered on part of the Green, including securing planning permission for the development and gaining landowner agreement for it to proceed. It is recommended that these are investigated further to identify whether there are showstoppers indicating the aim of the action is unlikely to be achieved. This may highlight the need for further consideration of whether the action should be included in the plan or how or whether the plan can address the issues. The Green is protected as public open space (amenity greenspace) by Local Plan policy HP6, any proposal for car parking on the site would lead to a loss of open space and would, therefore, need to meet criterion A of the policy:</p> <ul style="list-style-type: none"> <li>• It is recommended that further work is done to investigate the likelihood that proposals could meet this criterion. This should include considering whether different options for bringing forward a car park on the site i.e. developing different parts and amounts of the site, are more likely to be acceptable because they would lead to less harm to amenity and local distinctiveness. For example, a proposal to extend the additional parking areas along the sides of the site may preserve greater amenity and be less harmful than developing the front portion.</li> <li>• It is recommended that this work be done as part of preparing the NP since it may reveal that it would be beneficial if the plan were to seek to include a planning policy supporting the creation of a car park on a specific site, which a decision maker would need to consider alongside policy HP6.</li> <li>• Any such policy would need to be clearly justified and include, for example, an understanding of the scale and nature of the problem(s) looking to be addressed and how the policy would achieve this. It is noted that para 109 identifies problems associated with use of the playing fields, accommodating users of the GP surgery as well as additional parking for residents of the Green. It is currently unclear whether/how the proposal could address each of these- is any mechanism considered needed to ensure spaces aren't 'permanently' occupied by residents? The</li> </ul>	The comments are noted and will be fully considered.	Parish Action amended. Proposed LGS designation for The Green also removed.
-----	---	---	--	--

		<p>approach may need to focus on solving one or more of the issues and it be recognised that it would only partially address others. • The work may also have implications in relation to the sites (or their extents) proposed for LGS designation under policy KMLD8. The Green is owned by NYC and while another party may secure planning permission for development, it would not be able to take place without landowner consent. • It is recommended that discussions take place with the landowner to understand their position. It should be recognised that if a policy supporting the development is included in the NP and the landowner is unwilling to make the land available, they may object on the basis the proposal is not deliverable. • It is recommended that thought be given to whether ownership of the site is expected to change, who would be responsible for securing planning permission and carrying out the development and who would be responsible for day-to-day management (if this is required) and longer-term maintenance. • The action identifies consideration of public EV charging provision- has thought been given to who would procure, install, manage and maintain these? • If the parish action is retained, please identify 'the landowner' in list of those the parish council will seek to work with.</p>		
--	--	--	--	--

244	North Yorkshire Council (Parks & Grounds)	It makes sense to use some of the Green as car parking but could we be kept in the loop as it is an area we maintain and also which accrues commuted sums so we'd need to amend the size etc on our systems.	The general support for using some of the Green is noted and welcomed. It is agreed that you need to be kept informed.	N/a
245	North Yorkshire Council (Estates)	We can confirm that the Green is owned by NYC. At this stage we are unable to confirm whether NYC, as landowner, would be supportive of creating a car park on part of the Green or would object. In order to come to a view, further information about the proposal would be required. In particular, the extent of the land required as well as an understanding of who would bring forward and develop the scheme, and who would be responsible for management and maintenance etc. It is recommended that discussions take place to better understand the issues involved prior to this being progressed.	That at this stage you are unable to confirm whether NYC, as landowner, would be supportive of creating a car park on part of the Green or would object, is noted.	N/a

**DO YOU AGREE WITH PARISH ACTION 6 - PROVISION OF PUBLIC CAR PARK IN KIRKBY MALZEARD (PAGE 62 PARAGRAPH 209)? PLEASE INDICATE UNDER COMMENTS WHETHER YOU LIVE IN THE VICINITY OF THE PROPOSED SITE.**

**ANALYSIS OF COMMUNITY RESPONSES**

13 Responses – YES: 6 (46%) NO: 4 (31%) UNSURE: 3 (23%)

The response of the community is noted.

**Parish Action amended.**

**PARISH ACTION 7 – LOCAL BUS SERVICES**

**COMMENTS RECEIVED**

246	Local Resident 11	More publicity is needed than social media. Many people do not use social media and so are unaware of services.	This comment is noted. The Parish Action does include reference to the Parish Council undertaking additional publicity.	N/a
247	Local Resident 5	People need to use it or lose it. Small buses only.	This comment is noted.	N/a
248	North Yorkshire Council (Climate)	Parish Action 7 includes a commitment to lobby for better bus services which again is a positive initiative. Other transport initiatives which could be mentioned here are shared transport scheme such as car clubs and journey sharing.	This comment is noted. Reference to journey sharing initiatives included in text although these have not been successful locally.	<b>Amended</b>

<b>DO YOU AGREE WITH PARISH ACTION 7 - LOCAL BUS SERVICES (PAGE 64 PARAGRAPH 215)?</b>				
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
13 Responses – YES: 11 (85%) NO: 0 (0%) UNSURE: 2 (14%)			The general support of the community is noted and welcomed	N/a
<b>POLICY KMLD 15 – ULTRA-LOW EMISSIONS VEHICLE INFRASTRUCTURE</b>				
<b>COMMENTS RECEIVED</b>				
249	Local Resident 15	There is much evidence of EV being too heavy and being made of rare minerals that are mined in often war-torn countries that use child labour. EVs are not sustainable. There is no proof at all that petrol and diesel cars add to 'climate change'- which is an entirely natural phenomena. Pollution is different but the manufacturers of these diesel and petrol vehicles have made huge changes that mean that pollution is minimal. There is no way that that there will be any meaningful change of use to EV. Indeed, the market has spoken, many manufacturers are stopping EV production. The electricity is expensive, the vehicles not completely safe as no-one is able to easily put out a fire from a lithium engine.	The comment is noted although its views differ from that which is generally accepted in terms of determining planning policy.	No
250	Local Resident 5	Unpractical.	The comment is noted although public EV charging points have been successfully introduced elsewhere in the district.	No
251	North Yorkshire Council (Climate)	In terms of climate adaptation, the plan does not discuss in much detail climate impacts like flooding. They note that some localised floods have been an issue in the past, however these may become more concerning in future years. We suggest in the Parish Action 9 they should reference the need for utilities and future developments to take account of this and ensure they are resilient to anticipated climate impacts such as increased likelihood of flooding.	This comment refers to Parish Action 9 – see item 267a.	See item 267a

252	North Yorkshire Council (Planning Policy & Place)	The paragraph includes reference to NPPF para 156 - it is understood this relates to NPPF 2021. The current NPPF was published in December 2023, and within this, the text identified in para 217 of the plan is now found at para 161. The NPPF requirement identified relates to proposals for renewable and low carbon energy generation or supporting infrastructure rather than climate change responses more widely and is, therefore, not relevant to the provision of electric vehicle (EV) chargers and should be deleted. However, support for the approach may be found elsewhere within the NPPF and could be referenced.	Paragraph 217 of the Plan will be amended with reference to NPPF paragraph 117e rather than that currently quoted.	Amended
253	North Yorkshire Council (Planning Policy & Place)	The addition of reference to Local Plan policy T11 following previous comments is welcomed. The policy has been used successfully for several years to deliver charge points on all residential developments, where practicable, at a rate of one charge point per dwelling. More recently, from 2022 Part S of the Building Regulations has placed legal requirements on certain developments in relation to EV charge points. Approved Document S (2021) applies to new residential and non-residential buildings, buildings undergoing a material change of use to dwellings, residential and non-residential buildings undergoing major renovation, and mixed-use buildings that are either new or undergoing major renovation. It is considered that the Building Regulations requirements for EV charging infrastructure should be acknowledged within this section.	The advice is noted – reference will be made to Building Regulation requirements within the text.	Amended

254	North Yorkshire Council (Planning Policy & Place)	Policy KMLD15 - It is noted that the policy encourages development that provides EV charging points, either public and/or private. In light of specific legal requirements for certain developments to provide EV charging infrastructure, set out in Part S of the Building Regulations and discussed above, there may be little benefit in including a policy that merely encourages their use. It is recommended that inclusion of the policy and/or its content is reviewed. For example, policy could seek to encourage provision of public charging and/or seek to encourage delivery of specific types of charging in private settings, such as those enabling vehicle to home charging and/or vehicle to grid charging. Text preceding the policy (para 218) highlights that different types of ULEVs powered by different fuels exist. As the policy focusses on supporting one of these, it is recommended that the policy title is amended to Electric Vehicle Charging Infrastructure.	These comments are noted, and appropriate amendments will be made.	Amended
255	North Yorkshire Council (Economic Development)	It's positive to see that an ambition to mitigate climate change (through measures such as ensuring high standards of energy efficiency, use of renewable energy and installation of Electrical Vehicle charging points) is included.	Your general support for the policy is noted and welcomed.	N/a
256	North Yorkshire Council (Climate)	KMLD15 notes the need for public EVCP infrastructure. Again, it is positive that this is included. I advise speaking to colleagues in the major projects and infrastructure team who can advise on the best type, location and connectivity for charge points, and make sure that any available funding opportunities are flagged up.	The general support is noted and welcomed and the opportunity for further advice will be followed up.	N/a

#### DO YOU AGREE WITH POLICY KMLD 15 - ULTRA-LOW EMISSIONS VEHICLE INFRASTRUCTURE (PAGE 65 PARAGRAPH 221)?

#### ANALYSIS OF COMMUNITY RESPONSES

13 Responses – YES: 10 (77%) NO: 2 (15%) UNSURE: 1 (8%)

The general support from the community is noted and welcomed

N/a

#### PARISH ACTION 8 – PUBLIC ACCESS ROUTES

#### COMMENTS RECEIVED

257	North Yorkshire Local Access Forum	in the introduction to <i>Public Access Routes</i> , page 65, we ask that the heading be changed to <i>Public Rights of Way</i> . This reflects the fact that these routes are on North Yorkshire Council's definitive map, public entitlement to their use and enjoyment being spelled out in the Highway Act 1980. Rights of way are a Material Consideration in any planning application which may affect a public right of way. Additionally wording of The Localism Act 2011 suggests that public rights of way qualify as Assets of Community Value referred to on page 58, and should be regarded as such.	These comments are noted, and appropriate amendments will be made	Amended
258	North Yorkshire Local Access Forum	In 222 on page 65, it is suggested that the words ' <i>footpaths were often used to enable residents to get to and from work.....</i> ' are replaced with ' <i>such paths were often through routes to get to market, by residents to get to work ....</i> ' This covers the fact that many routes were not just local paths but long-distance through ways for markets (Bagby drift road) mills (Gillgate Road) or Rosper Road (reputed to be an ancient track to Fountains Abbey).	These comments are noted, and appropriate amendments will be made. We believe your comment relates to Bagwith drift road in Dallowgill.	Amended

259	British Horse Society	<p>The term ‘Active Travel’ applies to journeys undertaken for a range of purposes, whether to reach a place of work or local amenities, or for recreation. It is also the case that many of the routes that are used to walk or cycle to work or school are the same routes which at other times provide for recreational use. It is now acknowledged that horse-riding is as much an ‘active travel’ mode as recreational walking or cycling. At the recent Parliamentary Debate on Active Travel in Westminster Hall, Robert Courts MP proposed that “horse riders...ought to be thought about in the context of active travel as well.” This was endorsed by Michael Ellis, Minister of State for Transport, who confirmed that “Active travel includes horse riders and bridle paths – this debate includes them.”</p> <p>Cambridgeshire and Peterborough Council has defined Active Travel as <i>“Physically active modes such as walking, or horse riding. It also includes walking or cycling as part of a longer journey.”</i> (See <u>Cambridge and Peterborough report</u> )</p> <p>We therefore suggest that horse-riding should be included within the plan and would welcome the opportunity to contribute to the development of this document.</p>	<p>The Plan will be reviewed and further reference to horse riding will be made where appropriate.</p> <p>We welcome the offer for you to contribute to the development of the Plan.</p>	Amended
260	British Horse Society	<p>We are grateful that Horse riders are included as vulnerable road users along with cyclists and pedestrians in the Kirkby Malzeard, Laverton and Dallowgill Neighbourhood Plan.</p>	<p>The comment is noted and welcomed.</p>	N/a

261	Local Resident 2	There are ample opportunities for riding and walking. Some footpaths are deliberately blocked and signage removed. When this is reported there is no action by NYCC. The current bridleways are rarely used with most riders appearing to prefer the smaller roads of the area that provide good circular routes when the odd link bridleway is used. There is a good argument for providing hitches and mounting blocks both sides of the cattle grids that form the moor boundary. This would, for a very small investment, allow more riders to use the large network of moorland tracks that are inaccessible because of the cattle grids and danger of using the gates when mounted.	These comments are noted. The suggestions concerning hitches and mounting blocks will be referred to the Parish Council for further investigation.	N/a
262	Local Resident 5	Need more.	The comment is noted. It is hoped that the Parish Action will bring positive results.	N/a
<b>DO YOU AGREE WITH PARISH ACTION 8 - PUBLIC ACCESS ROUTES (PAGE 66 PARAGRAPH 226)?</b>				
<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
13 Responses – YES: 17 (79%) NO: 2 (15%) UNSURE: 1 (8%)			The general support of the community is noted and welcomed.	N/a
<b>PARISH ACTION 9 – UTILITIES</b>				
<b>COMMENTS RECEIVED</b>				
263	Local Resident 1	This should be absolutely compulsory	We can confirm that infrastructure is a priority of the Plan, and it continues measures about this issue.	N/a
264	Local Resident 3	I would like to see more content on improving infrastructure such as road, drains and pavements. I would like more emphasis on ensuring no new developments cause an increase in traffic using Main Street.	We can confirm that infrastructure is one of the priorities of the Plan, and it contains several measures which relate to this. A new Policy is to be introduced which seeks to control the impact of new development on traffic on Main Street.	Amended – see KMLD 1 and 2

265	Kirkby Malzeard C of E and St Nicholas Schools	There should be no more new housing until the sewerage system is stabilised /improved.	New Policy KMLD2 introduced to deal with this concern, which is also voiced elsewhere in these comments.	Amended
266	Dallowgill Outdoor Centre	There are only limited Mains services in Dallowgill and the lack of availability of 3 phase electricity is a problem, as is the reliability of the power supply. Broadband is fast and reliable but mobile phone reception is very poor and needs flagging up as a problem. Public charging points for electric vehicles would be welcome.	These comments are noted. We are aware of the limitations to utilities in rural areas. The parish Council will be asked to investigate the adequacy of mobile phone service. The provision of public EV charging points is covered within a specific Policy.	N/a
267	Kirkby Malzeard Pre-School	We have concerns about the adequacy of the sewerage system in the village particularly as we are on the end of the line and are therefore worried about new houses being built and no upgrading being carried out.	New Policy KMLD2 introduced to deal with this concern voiced elsewhere in these comments.	Amended
267a	North Yorkshire Council (Climate)	In terms of climate adaptation, the plan does not discuss in much detail climate impacts like flooding. They note that some localised floods have been an issue in the past, however these may become more concerning in future years. We suggest in the Parish Action 9 they should reference the need for utilities and future developments to take account of this and ensure they are resilient to anticipated climate impacts such as increased likelihood of flooding.	The comment is noted. The issue of surface water flooding has been referred to in the Policy dealing with Ensuring High Quality Design and the text in preceding Parish Action will be amended to reflect this.	Amended

268	North Yorkshire Council (Planning Policy & Place)	Para 227 - The para identifies that the adequacy or otherwise of utilities is not a planning issue. This is not the case, whilst planning cannot require infrastructure providers or developers to address existing inadequacies, the NPPF requires policies to ensure that new development is supported by necessary infrastructure and enables planning authorities to seek developer contributions to help meet the need for new infrastructure that arises as a result of development. These issues are addressed in Local Plan policy T11. The policy also provides support for proposals seeking to deliver wider infrastructure improvements. In addition, policy T15 addresses telecoms infrastructure, including broadband. More recently, since 2022 Part R of the Building Regulations has set specific requirements for broadband infrastructure on new developments. It is recommended that para 227 is reviewed and amended.	These comments are noted and the paragraphs preceding the Parish Action will be amended accordingly.	Amended
269	North Yorkshire Council (Planning Policy & Place)	Parish Action 9 - The infrastructure necessary to support development, both major and non-major, is considered as part of determining planning applications. The policy basis is provided by NPPF requirements and Local Plan policies, principally T14. As such, these issues can be raised with Case Officers. The timing of the delivery of new infrastructure will be dependent on when the additional capacity will be required and may vary depending on the scale of proposals.	The comments are noted. The Parish Council will be asked to ensure that concerns about utilities are raised with Case Officers when planning applications are being considered.	Amended

#### DO YOU AGREE WITH PARISH ACTION 9 - UTILITIES (PAGE 67 PARAGRAPH 231)?

#### ANALYSIS OF COMMUNITY RESPONSES

13 Responses – YES: 12 (92%) NO: 0 (0%) UNSURE: 1 (8%)

The positive support by the community is noted and welcomed.

N/a

#### POLICY KLMD16: SUPPORTING THE DEVELOPMENT OF THE LOCAL ECONOMY

#### COMMENTS RECEIVED

270	Nidderdale National Landscape Joint Advisory Committee	Not Supported - The policy is lacking in any spatial criteria – for example current local plan polices supporting economic development vary their approach depending on the location of the development – whether within settlement limits, open countryside or farm based for example. This qualification is important in terms of the scale and nature of the development and whether it is appropriate to its location. Since the policy does not include this spatial criteria it is not supported in its current form.	The concerns expressed are noted and appropriate amendments will be made.	Amended
271	North Yorkshire Council (Economic Development)	From an Economic Development point of view, we are supportive of the vision set out in the draft Kirkby Malzeard, Laverton and Dallowgill Neighbourhood Plan which includes an ambition to enhance the local economy by supporting a diverse and extensive array of businesses. It recognises that existing enterprises should be safeguarded and improved; appropriate farming diversification should be encouraged; and new businesses supported - providing of course that these align with the area's existing character and National Landscape designation. Although the plan rightly recognises the importance of tourism to the local economy, we'd be keen to ensure that the growth and expansion of any small business is encouraged through the conversion of existing buildings as well as well-designed and suitably located new buildings, as per Policy KLMD16.	That you are supportive of the vision is noted and welcomed.	N/a

272	North Yorkshire Council (Planning Policy & Place)	It is noted that KMLD16 seeks to support new commercial and business development across the plan areas subject to criteria. The planning authority objects to this policy on the basis that it is contrary to the Local Plan (LP) growth strategy, in particular in that distinction is not drawn between proposals within settlements and those outside settlements, in the countryside. Policy GS3 already provides in principal support for commercial and business development within Kirkby Malzeard but states that proposals outside development limits (in the countryside) must be expressly permitted by other national, local or neighbourhood policies. In terms of business/commercial development in countryside, LP policies EC2, EC3, EC4, EC7, HP7 and HP9 encourage and support the expansion of existing businesses, new development, farm diversification proposals, sustainable rural tourism, new sports and recreation facilities and community facilities respectively; with each policy including specific tests relevant to the type of proposal. The proposed in-principal support for any type of development that would support local employment to take place in the countryside would undermine the aim of directing such development to settlements where possible and be contrary to the NPPF. Given that the parish sits within the Nidderdale National Landscape it is considered that the approach would also be contrary to LP policy GS6. It is recommended that the policy is removed from the plan or reworked to focus on the specific types of development the parish council wish to encourage in the countryside and how policy can effectively support these whilst including sufficient safeguards for the countryside in general and in particular the AONB designation.	The concerns are noted and appropriate amendments will be made.	Amended
273	North Yorkshire Council (Planning Policy & Place)	Paras 232-246 - In-light of comment on policy KMLD12 set out above, it is recommended that this section is reviewed following further consideration of the policy. The discussion should include identification of the relevant planning issues that any proposed policy seeks to address and how the approach is intended to overcome these in order to justify the approach.	The comments are noted and appropriate amendments will be made.	Amended

**DO YOU AGREE WITH POLICY KMLD 16 - SUPPORTING THE DEVELOPMENT OF THE LOCAL ECONOMY (PAGE 70 PARAGRAPH 246)?**

<b>ANALYSIS OF COMMUNITY RESPONSES</b>				
13 Responses – YES: 12 (92%) NO: 0 (0%) UNSURE: 1 (8%)			The positive support by the community is noted and welcomed.	
<b>APPENDIX A POLICY KMLD5: NON-DESIGNATED HERITAGE ASSETS</b>				
<b>COMMENTS RECEIVED</b>				
274	North Yorkshire Local Access Forum	15. Potato House, The Grange, Carlesmoor, Dallowgill.- On page 95 Carlesmoor Lane (route 15.75/2/5) is described as a bridleway/footpath. For the sake of accuracy, this is a bridleway on the definitive map - which is also available to walkers of course. However, to mix the status is muddling so the word 'footpath' should be taken out.	The comment is noted, and wording will be amended accordingly	Amended