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BY EMAIL ONLY

Dear Rachael

Planning consultation: Ryedale District Council Sites Consultation - Local Plan Sites Document

Thank you for your consultation on the above dated 02 November 2015 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Sites Consultation
Malton and Norton

- Site 649 (88) – Land at Norton Lodge (east of Beverley Road) (Circa 578 dwellings) – The River Derwent Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) is around 700m away and triggers Natural England's SSSI Impact Risk Zones (IRZs) for any residential development of 50 or more units. We note that a Habitats Regulations Assessment (HRA) Screening Assessment has concluded Likely Significant Effect (LSE) for this site and await the Appropriate Assessment to see whether these potential impacts can be avoided or mitigated for.
- Site 218 (108/281) - Land North of Castle Howard Road, West of Castle Howard Drive and East of the A64 (Circa 445 dwellings) – The River Derwent SSSI and SAC is around 600m away and triggers Natural England's IRZs for any residential development of 50 or more units. We note that an HRA Screening Assessment has concluded LSE for this site and await the Appropriate Assessment to see whether these potential impacts can be avoided or mitigated for.

Natural England also has concerns with regards to the proximity of the site in relation to the Howardian Hills Area of Outstanding Natural Beauty (AONB). We recommend you discuss this site with the Howardian Hills AONB Partnership to obtain assurances that mitigation is capable of reducing impacts to the AONB to an acceptable level. The site is adjacent to the Malton Bypass Cuttings Site of Importance for Nature Conservation (SINC). Therefore this should be assessed in the Malton and Norton Full Site Selection Methodology.

The size of the site has not been provided in relation to the loss of the best and most versatile agricultural land in the Malton and Norton Full Site Selection Methodology (Q 23).



This should be provided so that impacts are better understood and to bring the site in line with assessments in this regard at other locations.

- Site 249 - Land South of Castle Howard Road (Circa 237 dwellings) – The River Derwent SSSI and SAC is around 150m away and triggers Natural England's IRZs for any residential development of 10 or more units. We note that an HRA Screening Assessment has concluded LSE for this site and await the Appropriate Assessment to see whether these potential impacts can be avoided or mitigated for.

The size of the site has not been provided in relation to the loss of the best and most versatile agricultural land in the Malton and Norton Full Site Selection Methodology (Q 23). This should be provided so that impacts are better understood and to bring the site in line with assessments in this regard at other locations.

- Site 324 - Land South of Westgate Lane and North of Green Lane (Circa 241 dwellings) – The River Derwent SSSI and SAC is around 500m away and triggers Natural England's IRZs for any residential development of 50 or more units. We note that an HRA Screening Assessment has concluded LSE for this site and await the Appropriate Assessment to see whether these potential impacts can be avoided or mitigated for.

The size of the site has not been provided in relation to the loss of the best and most versatile agricultural land in the Malton and Norton Full Site Selection Methodology (Q 23). This should be provided so that impacts are better understood and to bring the site in line with assessments in this regard at other locations.

- Site 578 - Land to the North of A64 and South of Wyse House Lane, Old Malton (13.93ha) – The River Derwent SSSI and SAC is around 500m away and triggers Natural England's IRZs for any residential development of 50 or more units. We note that an HRA Screening Assessment has concluded LSE for this site and await the Appropriate Assessment to see whether these potential impacts can be avoided or mitigated for.

The size of the site has not been provided in relation to the loss of the best and most versatile agricultural land in the Malton and Norton Full Site Selection Methodology (Q 23), although we note that it is listed elsewhere. This should be provided so that impacts are better understood and to bring the site in line with assessments in this regard at other locations.

- Site 579 - Land North of Wyse House Lane and East of A169, Old Malton (16.46ha) – The River Derwent SSSI and SAC is around 600m away and triggers Natural England's IRZs for any residential development of 50 or more units. We note that an HRA Screening Assessment has concluded LSE for this site and await the Appropriate Assessment to see whether these potential impacts can be avoided or mitigated for.

The size of the site has not been provided in relation to the loss of the best and most versatile agricultural land in the Malton and Norton Full Site Selection Methodology (Q 23) although we note it was listed elsewhere. This should be provided so that impacts are better understood and to bring the site in line with assessments in this regard at other locations.

Pickering

- Site 116 - Land to the north of Middleton Road and east of Crook Lane (Circa 117 dwellings) – Newtdale Haugh and Gundale Slacks SSSIs are around 1.5km from this site and trigger Natural England's IRZs for any residential development of 100 or more units. Therefore this should be assessed to clarify whether there are any potential impacts on these SSSIs' interest features.

- Site 200 - Land West of Malton Road and Haygate Lane (Circa 108 dwellings) – Natural England has no comments to make on this preferred site.
- Site 347 - Land East of Whitby Road and North of Corbie Way/ Marshall Drive (Circa 180 dwellings) – Newtondale Haugh and Gundale Slacks SSSIs are around 1.5km from this site and trigger Natural England's IRZs for any residential development of 100 or more units. Therefore this should be assessed to clarify whether there are any potential impacts on these SSSIs' interest features.
- Site 205/387 - Land South of Firthlands Road and West of Greenlands Road (Circa 265- 312 dwellings) – Natural England has no comments to make on this preferred site.
- Site 650 – Land south of Enterprise Way and East of Outgang Lane (16.3 ha) – The Pickering Full Site Selection Methodology states that “The eastern limb of the site would the North York Moors National Park boundary. This area of land has the capability to be viewed in longer distance views and development may appear as a discordant feature within the wider landscape.” Natural England is concerned that there would be impacts on the setting of the National Park, particularly as there is no mention of mitigation in relation to the site. However, the Sites Consultation document states that “it is considered that the constraints of this part of the site can simply be avoided through deletion of the eastern limb from the site's extent.” This seems like a sensible suggestion, particularly as the site is far larger than the hectareage of land identified in the Local Plan Strategy to be allocated for employment uses around Pickering.

Kirbymoorside

- Site 156 – Land South of Swineherd Lane and East of Springfield Lane (Circa 30 dwellings) – Natural England has no comments to make on this preferred site.
- Site 201 - Land North of Keld Head Close and East of Wayvale Close (Circa 18 dwellings) – Natural England has no comments to make on this preferred site.
- Site 259 - Land East of West Lund Lane and North of Gawtersike Lane (Circa 86 dwellings) – Natural England has no comments to make on this preferred site.
- Site 265 - Old Brickworks, Land North of Swineherd Lane (Circa 8 dwellings) – Natural England has no comments to make on this preferred site.
- Site 345 - Land North of Waydale Close and East of Gillamoor Road (Circa 62 dwellings) – Natural England has no comments to make on this preferred site.
- Site 454 - Micro Metalsmiths, Ings Lane (Circa 38 dwellings) – Natural England has no comments to make on this preferred site.
- Site 622 - Field adjacent to Dove Way, Kirby Mills Industrial Estate – Natural England has no comments to make on this preferred site.

Preferred Sites in the Service Villages

- Site 51 - Pecketts Yard, Sheriff Hutton (circa 15 units) – The site is adjacent to St Helen's Churchyard and Old Glebe SINC which includes Coastal and Floodplain Grazing Marsh Biodiversity Action Plan (BAP) habitat. Therefore this should be assessed in the Sheriff Hutton Full Site Selection Methodology.
- Site 430 (incorporating site 464) - Land East of the Balk and south of Aspen Way, Slingsby (Circa 73 units max) – Natural England has no comments to make on this preferred site.

- Site 638 (including previous site submission references 176/286/291/292/536) - Land to east of Low Moorgate and north of Manor View, Rillington (circa net additional 17 units) – Natural England has no comments to make on this preferred site.
- Site 8 - Land to east of properties on Main Street and north of St Helen's, Amotherby (circa 19 units) – Natural England has no comments to make on this preferred site.

IRZs

The IRZs referred to in this letter can be viewed on the MAGIC website (<http://magic.defra.gov.uk/>).

Mitigation

A number of the selected sites require mitigation to reduce potential negative impacts on designated sites and protected species as referenced in the relevant Site Selection Methodology. Natural England has responded on the presumption that the mitigation will be deliverable for each site and will achieve its purpose. If there are doubts as to whether this is possible, then the Site Selection Methodology should take this into account. This could take the form of including additional mitigation to maintain the scoring or reducing the scoring and potentially selecting other, more suitable sites.

Soil and Agricultural Land Quality

Having considered the Sites Consultation, and in the context of Government's policy for the protection of the 'best and most versatile' (BMV) agricultural land as set out in paragraph 112 of the National Planning Policy Framework, Natural England note that it appears that the proposed sites will result in a significant cumulative loss of agricultural land, including that classified as 'best and most versatile' (Grades 1, 2 and 3a land in the Agricultural Land Classification (ALC) system).

Government policy is set out in Paragraph 112 of the National Planning Policy Framework which states that:

'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.'

Consequently, we would request that the above policy is followed.

Assessment under the Habitats Regulations - Screening Assessment

Natural England note that a HRA Screening Assessment has concluded LSE for sites in Malton and Norton in relation to impacts on water quality through changes to surface water, and pollution from run off; and recreational pressure. We await the Appropriate Assessment to see whether these potential impacts can be avoided, and where negative impacts are unavoidable, it should be ensured that effective and deliverable mitigation can be provided. We also note that the links in paragraph 1.4 do not work and so they should be updated.

Sustainability Appraisal Methodology Update

Landscape Character Assessment

Ryedale is adjacent to the North York Moors National Park and includes the Howardian Hills Area of Outstanding Natural Beauty (AONB). The SA should be supported by an up-to-date LCA against which policies and allocations can be assessed. It is not identified within column two (Key Evidence) of Table 2 (Local Sustainability Issues).

Priority Habitats and Species

Paragraph 3.17 rightly identifies internationally, nationally and locally protected nature conservation sites. Whilst there may be an overlap, it should also highlight the existence of priority habitats. The NPPF states that the planning system should:

"Promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan..."

Objectives

The Council should consider whether broader objectives would provide a more equitable assessment of an allocation's economic, social and environmental impacts. Given that the SA is examining the effects of allocations, are the objectives for the strategy still suitable?

There are several indicators which are similar. For example economic objectives include maintain and enhance employment opportunities (B1), maintain and enhance vitality of the countryside (B2), and maintain and enhance factors conducive to wealth creation (B3). Similarly environmental objectives include reduce greenhouse gas emissions (C6), increase renewables (C7) and ensure that fossil fuel consumption is as low as possible (C10).

The SA objectives should not unduly weight one sustainability issue (e.g. employment generation or combating the causes of climate change) through double counting within numerous objectives. Natural England notes that protection and enhancement of biodiversity and geodiversity, a critical consideration of an SA of allocations, is addressed within one objective.

The SA objectives should be sufficiently broad to ensure that reasonable alternatives can be considered. For example an objective which focuses on renewable energy generation would not score a policy which reduces energy use highly, even though they both combat climate change. Broad objectives should be supported by targeted questions which address locally important environmental issues.

Alternatives

If an allocation is likely to significantly affect a local site/priority habitat or protected species, Natural England would expect the SSM/SA to examine whether alternative sites which comply with the adopted strategy and avoid such affects can be allocated. If not what are the benefits of that location to its sustainability which outweigh the harm to the site/species. This information is essential otherwise an informed decision which complies with the 'avoid/mitigate/compensate' hierarchy cannot be made.

Overview of the Sustainability Appraisal Commentary concerning the Site Selection Process used in the Local Plan Sites Document

Natural England has no comments to make on the update to the methodology for the Sustainability Appraisal.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Alastair Welch
For any new consultations, or to provide further information on this consultation
please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Alastair Welch
Yorkshire and northern Lincolnshire Area Team

