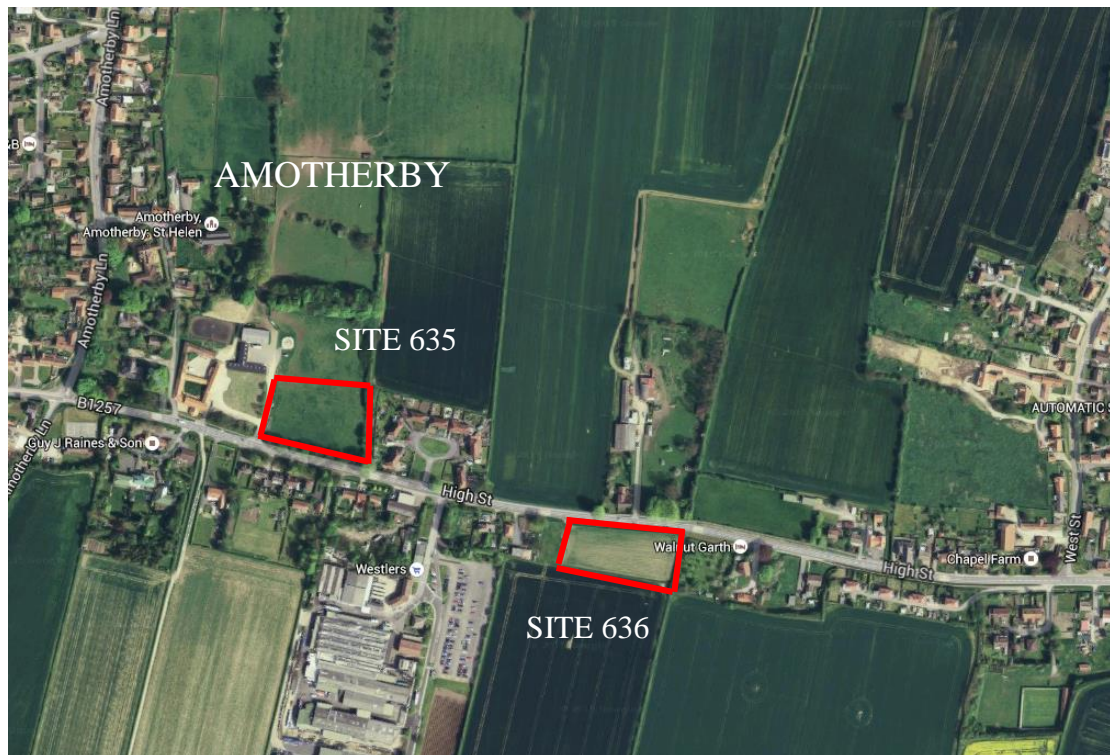


# PDP

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### Ryedale Sites: Consultation Document Plots 635 & 636 : Land Off High Street, Amotherby. June 2015



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## SUMMARY

1 Ryedale Council are consulting on a Sites Allocation Document.

2 Two sites adjacent to the High Street at Amotherby, have been identified by our client as possible sites that would be suitable housing development and these are also identified as such in the Amotherby and Swinton Parish Plan for the Sites Consultation 2015.

3 The sites are presently classed as agricultural but have been identified as being Local Plan Site that could be possible residential sites and have been allocated the numbers 635 and 636 and these would be in a highly sustainable location, between 8 and 10 minutes' bus ride from Malton with its Train Station, schools, shops and local facilities

4 The Council's Site Selection Methodology (SSM) confirms that allocation of the site would be consistent with the Local Plan Strategy and Settlement Hierarchy. These representations confirm that allocation would also be in conformity with the National Planning Policy Framework.

5 The site sits in Flood Zone 1 and is considered to be at low risk from flooding.. [See separate report.](#)

6 These representations confirm that that the site is capable of development, available for development and deliverable within the first five years of the Local Plan. The site should be included as a housing allocation in the Local Plan.

## 1.0 INTRODUCTION

1.1 These representations on the Ryedale Sites Consultation document are made on behalf of Mr David Hume in respect of a sites identified as 635 and 636 in the local plan, and are adjacent to High Street in the service village of Amotherby.

1.2 An application for 11 houses including 4 affordable houses was drawn up at the beginning of 2015 for 635 by the client but was withdrawn from planning before validation. The applicant decided that the uncertainty of the planning outcome and the uncertainty of how much affordable housing may be required represented a significant financial risk to that was slightly more than he was willing to bear at the time.

1.3 The site is identified in the Norton and Malton Site Selection Methodology Assessment Table as 'Site 635 and 636 Land west of East Field and North of High Street, Amotherby, and Land opposite Lime Kiln Farm, and south of the B1257, Amotherby respectively.

1.4 The site selection methodology is a three stage process that allocates potential sites to one of 4 Groups. Group 1 and Group 2 sites are not considered deliverable or developable because they do not fit with the strategic principles of the Local Plan Strategy or because they have technical constraints such as flooding or highways issues that cannot be overcome. Group 3 sites are those where it is considered technical constraints can be sufficiently mitigated if they are required to meet development needs. Group 4 sites are generally considered to perform well across all stages of the SSM

1.5 Both site 635 and 636 are identified as Group 2 sites and are not considered deliverable or developable. The reasons for this, despite been in close proximity to each other, are due to slightly different reasons. Site 635 has been identified as having a potential source protection zone issue and site 636 may have issues to do with form and character due to settlement coalescence. However the assessment of the site did not have the benefit of the attached reports and surveys that have been commissioned by Mr. Hume.

1.6 These representations set out a brief description of the site followed by a resume of relevant planning policy. Section 4 sets out the detail of the representations

## 2.0 SITE CONTEXT AND DESCRIPTION

2.1 Both sites sit outside the development limit as set out in the Ryedale 2002 Local Plan.

2.2 Both sites, and subject of these representations, are located adjacent to the main road (B1257) in the service village of Amotherby. Both sites are in a reasonably sustainable location, within a 5 minute walk of the bus stop from which several buses run between Malton, Pickering and Kirkbymoorside.

2.2 The sites are rectangular in shape with one of the longer sides been directly adjacent to the main road. The Southern boundary of site 635 contains several large trees set within a hedge line that separates it from the main road. Site 636 on the eastern edge of the village is separated by a well-established Hawthorn hedge on its northern boundary from the same main road.

2.3 Both sites are agricultural in nature with site 635 been used recently as grazing and the 636 site for crops. No buildings are present on either of the sites and none have been recorded on any of the Ordnance Survey maps that have been reviewed.

2.4 Site 635 has a total area of 0.56 hectares (1.38acres) while site 636 has a total area of 0.43 hectares (1.06 acres) both the two sites lie within Flood Zone 1. A water extraction point is close to site 636 and this will require careful drainage design and waste management.

### 3.0 PLANNING POLICY

#### National Planning Policy Framework

3.1 The NPPF was published in March 2012 and replaces all previous Planning Policy Guidance notes and some circulars. The Framework sets out the Government's clear intention to facilitate economic growth through sustainable development. In the introduction to the Framework, the Minister for State says:

*The purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices.....*

3.2 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 14 of the NPPF explains that for decision-taking this means:

- *approving development proposals that accord with the development plan without delay and*
- *where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
  1. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  2. *specific policies in this Framework indicate development should be restricted*<sup>1</sup>

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<sup>1</sup> For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

3.3 On the issue of housing the NPPF is clear about the need for a significant increase in housebuilding to address existing backlog and meet future needs. Local authorities are encouraged to “...boost significantly...” the supply of housing. Paragraph 47 of the NPPF states:

*To boost significantly the supply of housing, local planning authorities should:*

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area*
  
- identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;*

3.4 Footnote 11 of the Framework defines deliverable sites as:

*To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.*

3.5 Footnote 12 defines developable as:

*To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.*

3.6 Section 6 of the NPPF sets out specific policies as to how the planning system should meet the challenge of delivering a wide choice of high quality homes. Paragraph 50 of the NPPF states:

*To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:*

- *plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);*

- *identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and*

3.7 Further to this Paragraph 50 of the NPPF states:

*To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.*

3.8 Section 7 of The NPPF also sets out clear objectives in terms of improving the quality of design and states that:

*The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*

3.9 Section 10 of the NPPF sets out specific policies as to how the planning system should meet the challenge of climate change, flooding and coastal change. Paragraph 93 states that:

*Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.*

## **Local Plan**

3.10 The Ryedale Local Plan comprises the Local Plan Strategy adopted in September 2013 and the saved policies of the Ryedale Local Plan 2002. In the Ryedale Local Plan 2002 the sites are clearly marked as outside the development limits of Amotherby but clearly within its parish boundary. The Local Plan Section 5 goes on to refer to PPG3 and states:

*5.1.3 PPG3 states that it is a role of the planning system to ensure that new homes are provided in the right place at the right time. The aim is to provide a choice of sites that are both suitable and available for housing. However, PPG3 advises that only a limited amount of housing can be expected to be accommodated in expanded villages (and only where specific criteria are met), although there should be adequate housing provision to meet the needs of local people.*



3.11 The Ryedale Local Plan Strategy, also states that the District Council will also ensure the land will be available to meet the housing need of all Ryedale's community including rural communities:

*Whilst the majority of new housing development is directed to the Market Towns, the Plan, nevertheless, makes provision for small-scale residential development in a number of the villages throughout the rural area. These are settlements where it is felt development would help to secure a strong and prosperous community over future years and where it is considered that there is scope for development.*

## 4.0 REPRESENTATIONS

4.1 Both the 635 and 636 sites have been considered for development through the various stages of preparation of the Sites Allocation document. The assessment below addresses the principle issues that justify the allocation of the site for residential development.

### Principle of Development

4.2 The allocation of these sites would be consistent with the objectives of National Planning Policy that seeks to “...boost significantly...” the supply of housing. The sites can potentially accommodate up to 22 dwellings that would make a useful contribution to the local housing needs and the housing needs of the District generally.

### Deliverability

4.3 The NPPF places great emphasis on the deliverability of sites. The 635 site has been promoted for development for several years and an application was submitted in January 2015 but was withdrawn prior to validation. The withdrawal was made due to the changing guidelines on the affordable housing element and as such, the plans have yet to be submitted formerly.

### Site Selection Methodology

4.4 The deliverability of the site has been considered through the Site Selection Methodology (SSM) for the Sites Allocation Document. The site was assessed against over 60 criteria and performed well against most of the criteria except those related to coalescence and landscaping of the site. These representations therefore focus on these issues. The table below considers the key issues raised by the SSM and response to those issues:

<b>Site Selection Methodology Issues (Numbers refers to references in SSM assessment )</b>	<b>Response</b>
<b>19. Stage 1 Sift</b> - Conformity with Local Plan Strategy on size  The SSM confirms that the site conforms to the Local Plan Strategy and Settlement Hierarchy SP1  Flood Zone	No issues raised.  No issues raised.  Sites wholly in flood Zone 1 – very low risk of flooding. <b>See Groundsure Report in Desk Top Study.</b>

<p><b>Stage 2 Site Assessment</b> - Conformity with Local Plan Strategy on accessibility to key services.</p> <p><b>Q1A. How accessible is the site to key services.</b></p> <p>Bus Stop</p> <p>Local shops.</p> <p>Nearest Primary School</p> <p>Nearest Development limit</p> <p>Overall Accessibility Site has variable accessibility.</p>	<p>No issues – bus stop within 5 minutes’ walk.</p> <p>In Swinton –a 10 minute walk.</p> <p>In Amotherby 10 minutes’ walk.</p> <p>Re-alignment perhaps as adjacent to both sites.</p> <p>Careful design of site entrance in consultation with Highways.</p>
<p><b>Q2D</b> Has a flood risk assessment been undertaken The SSM concludes and SFRA has been completed but a FRA may be required.</p>	<p>Disagree – The Flood Risk in this area is “very low” according to the Environment Agency as the site is clearly within flood Zone 1 on the side of a hill. The SFRA will confirm this.</p> <p><a href="#">See attached Desk Top Study and Hydrogeology and Hydrology report</a></p>
<p><b>Question 8 to 12</b></p> <p><b>Q8</b> What is the capacity of the landscape to accommodate the site according to the Landscape Character Assessments which cover the Ryedale Area and Special Qualities Study (including views and open spaces)?</p> <p><b>Q8(sic).</b>What impact would the site have on the nationally designated landscapes of the North York Moors National Park and Howardian Hills AONB?</p> <p><b>Q10</b> Is the site capable of utilising existing landscape features to minimise its impact or provide adequate landscape mitigation measures?</p> <p><b>Q11</b> Will the site lead to the coalescence of settlements which will impact on their character and setting?</p> <p><b>Q12</b> Will the site affect a designated heritage asset, either directly or indirectly through its setting?</p>	<p>Agreed - Site 635 is separated from the main road by a hedge with several mature trees in it and a shelter belt of trees to the North and East. It is ranked as been “low in landscape sensitivity to being developed” due to these existing features. Site 635’s location within the village of Amotherby would negate any concerns regarding coalescence. This site is well screened by trees from the listed buildings and at a considerable distance from the Scheduled Ancient monument to have little impact on both. All trees would remain.</p> <p>Site 636 has a mature but fairly low level hedge on its northern boundary that sits atop a low bank but together these make for quite a high screen for over half the length of the site as you travel along the road from Swinton. This hedge peters out beyond this point and allows for glimpses of views to the South. It is felt that these issues could be dealt with by a well-conceived and executed landscaping scheme that enhances and allows glimpsed views in the same way. It is also worthy of note that the more favourable views are actually all looking the opposite way to the North (downhill) and not the South (up-hill) across this site. In terms of coalescence we feel that the existing landscape, topography and buildings around this site make this site readable as an extension of Swinton rather than Amotherby despite been outside the parish boundary of Swinton. The spatial qualities that help to visually separate these two communities is created by the two opposing open spaces formed by the field to the west of Site 636 and the expansive view to the hills across the field opposite, that opens up as you pass the listed farm travelling west. These landscape features together create the important visual break between the two communities that is read by the casual observer. This could be further emphasised by careful massing of any buildings on the site with a bias to the</p>

	eastern end opposite the existing farm that will serve to amplify this effect. A well-considered scheme set back as far as practicable from the road would mitigate the impact on the Farmhouse.
<b>Q13</b> Will the site affect a non-designated heritage asset which the Council identifies as having a degree of significance that is worthy of consideration? (Roman and later medieval settlement remains may be present).	Site 635 – An archaeological watching brief and investigation would be an expected “condition of planning” on this site.  Site 636 – An archaeological watching brief and investigation would be an expected “condition of planning” on this site.  <b>See Supporting Geophysical Survey.</b>
D Overall Rating for ‘Culture and Heritage’ Development would adversely affect the significance, character and distinctiveness of the heritage asset and mitigation is not possible –	For both sites the significance of any heritage asset has yet to be identified by archaeological investigation and so mitigation is difficult to quantify.  <b>See Supporting Geophysical Survey.</b>
<b>Q. 23</b> Would the development of this site involve the loss of the best and most versatile agricultural land (Grades 1,2 and 3a)?	Site 635 is currently used for equestrian activities.  Site 636 is used as grazing and as such hold less value in terms of agricultural production.
<b>Q. 24</b> Would the development lead to the sterilisation of mineral resources?	No - Both sites are in a mineral safeguarding area but no deposits have been identified within a 1km radius of the sites and as the sites are located close to or within settlements, they are unlikely to be identified as a key location for a mineral extraction point.
<b>Q. 25</b> Would the development have an adverse impact on a Groundwater Source Protection Zone?	For both sites a Preliminary Environmental Risk Assessment and Hydrology Report have been undertaken and these show that there is very little risk to the Groundwater Source Protection Zone and that precautions and recommendations made by the report can be incorporated into any detailed design.
<b>Q. 32</b> Is the site potentially affected by surface water flooding and is this site considered to be within a critical drainage area?	Both the sites are defined as an area susceptible to surface water flooding, but not a critical drainage area. The Environment Agency require no increase in surface run off from the site. Expect use of Sustainable Drainage Systems to be implemented.

4.5 Summary of the Site Consultation undertaken in October 2015 is shown below:

Site ID	Location	Outcome grouping	Principal Reason for Outcome
635	Land west of East Field and north of High Street, Amotherby	2	Unlikely/ no reasonable prospect that concerns identified at Stage 2 of the Site Selection Methodology (source protection zone vulnerability) can be sufficiently mitigated.
636	Land opposite Lime Kiln Farm, and south of the B1257, Amotherby	2	Unlikely/ no reasonable prospect that concerns identified at Stage 2 of the Site Selection Methodology (form and character issues due to settlement coalescence) can be sufficiently mitigated.

4.6 The representations made in the table above 4.4 clearly indicate that all of the technical issues raised by the SSM have either a technical solution that can be mitigated by careful design or by careful site planning. It is our belief that the supporting information submitted with this representation supports this alternative view.

4.7 The representations above, also provide an alternative view of the issues raised regarding “coalescence” in terms of site 636. When weighed against the given backdrop of the need for approximately 1800 houses in the service villages in and around Malton, it is clear that the difficulties perceived regarding village identity and separation could be tackled by careful siting of any development on the site and by adopting an alternative approach to tackling the issue of village identity. The problem could be tackled by emphasising and carefully redefining the separation space between the two settlements. By maintaining the open space to the west of the 636 site and keeping the buildings away from the same end, coupled with the large expansive field that is opposite, a more clearly defined break between the two settlements would be provided. The opinions expressed in the SSM can be tackled in many ways using various strategies that could be explored more fully through careful planning and good design.

4.8 As such the conclusion (see 4.5 above) that the sites are not considered to be deliverable or developable is incorrect. The supporting documents attached along with the representations above clearly demonstrate this. It is our opinion that the sites should be reconsidered in light of the information supplied and should be allocated for residential development in the Sites Allocation Document.