

Forward Planning,  
Ryedale District Council,  
Old Malton Road,  
MALTON  
YO17 7HH

Our Ref: HD/P5340/04  
Your Ref:  
Telephone: 01904 601977  
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20 November 2015

Dear Sirs,

### **re: Ryedale Local Plan – Sites Consultation**

Thank you for consulting Historic England on the latest iteration of the Local Plan Sites Consultation. We have the following comments to make regarding its contents. Please note that we have only commented on those Sites which are in Group 3 and Group 4 since these are the ones which are most likely to be allocated within the Plan. However, we would be pleased to provide advice on any of the other sites should you wish to pursue them as Allocations:-

#### **Malton/Norton**

##### General

The area to the east of the settlement lies within an extensive archaeological landscape which stretches along the length off the Vale of Pickering to Scarborough. This landscape exhibits evidence of continuing human habitation and activity from the early Mesolithic period through the Roman period, and up to the present day. Based upon the understanding gained during excavations and through accumulated research work across the Vale of Pickering, there is a high probability that many remains in this landscape will be of national importance. National policy guidance makes it clear that archaeological sites that are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the same Policies as for Scheduled Monuments (i.e. that substantial harm or loss should be wholly exceptional).

Before identifying any of the following sites as allocations (184e (Land at Norton Parks Farm and Norton Grove Stud, Norton); 578 (Land North of A64 and South of Wise House Lane, Old Malton); or 579 Land North of Wise House Lane and East of A169, Old Malton )), Historic

England would welcome discussions with the Council regarding how the management of what could be, potentially, nationally-important archaeological remains would need to be addressed within the Local Plan and, subsequently, as part of any eventual planning applications.

Specific comments on proposed sites within Groups 3 and 4

Site Ref	Location	Comments	Suggested Change
62	Manor Farmyard, Town Street, Old Malton	<p>This site lies within the boundary of the Old Malton Conservation Area. This part of the Conservation Area is characterised by linear development along the road frontage and there are also views towards the Conservation Area from the public footpath to the west. There are, in addition, several Grade II Listed Buildings along Town Street.</p> <p>The Council has a statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay “<i>special attention</i>” to “<i>the desirability of preserving or enhancing the character or appearance</i>” of its Conservation Areas.</p> <p>In addition, there is a requirement in the 1990 Act that “<i>special regard</i>” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is submitted, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving a Listed Building or its setting may mean that either, the site cannot actually be developed or the anticipated quantum of development is undeliverable.</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of the Conservation Area and the Listed Buildings in its vicinity and what impact the loss of this site and its subsequent development might have upon their significance.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of the Conservation Area or Listed Buildings, then the Plan needs to set out the measures by which that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development would still be likely to</p>

Site Ref	Location	Comments	Suggested Change
		<p>requirements of the NPPF, or the statutory duties under the 1990 Act, there needs to be an assessment of what contribution this largely-undeveloped area makes to those elements which contribute to the significance of these designated heritage assets and what effect the loss of this site and its subsequent development might have upon their significance.</p>	<p>harm elements which contribute to the significance of these designated heritage assets, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).</p>
324	Land South of Westgate Lane and North of Green Lane, Malton	<p>The allocation of this site would narrow the gap between the main built-up area of Malton and the boundary of Old Malton Conservation Area to 160 metres.</p> <p>The Council has a statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay “special attention” to “the desirability of preserving or enhancing the character or appearance” of its Conservation Areas.</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the statutory duty placed upon the Council under the provisions of the 1990 Act, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the character or appearance of the Conservation Area and what effect the loss of this site and its subsequent development might have upon the designated area.</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to the elements which contribute towards the significance of the Conservation Area and what impact the loss of this undeveloped site and its subsequent development might have upon those significances.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of the Conservation Area, then the Plan needs to set out the measures by which that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development</p>

Site Ref	Location	Comments	Suggested Change
			would still be likely to harm elements which contribute to the significance of the Conservation Area, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).
452	Land and Buildings at Wentworth Street Car Park, Wentworth Street, Malton	<p>Behren's Mausoleum adjacent to the north-eastern corner of this site and the New Malton Cemetery Chapel 60 metres from the site's northern edge are Grade II Listed Buildings.</p> <p>There is a requirement in the 1990 Act that "<i>special regard</i>" should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess.</p> <p>If allocated, the Plan should make it clear that development proposals for this area would need to ensure that those elements which contribute to the significance of this building are not harmed</p>	If allocated, the Plan should make it clear that development proposals for this area would need to ensure that those elements which contribute to the significance of this building are not harmed
184e	Land at Norton Parks Farm and Norton Grove Stud, Norton	This area lies within an extensive archaeological landscape which stretches along the length off the Vale of Pickering to Scarborough. This landscape exhibits evidence of continuing human habitation and activity from the early Mesolithic period through the Roman period, and up to the present day. Based upon the understanding gained during excavations and through accumulated research work across the Vale of Pickering, there is a high probability that many remains in this landscape will be of national importance. National policy guidance makes it clear that archaeological sites that are demonstrably of equivalent significance to Scheduled Monuments	Before identifying this site as an allocation, Historic England would welcome discussions with the Council regarding how the management of what could be, potentially, nationally-important archaeological remains would need to be addressed within the Local Plan and, subsequently, as part of any eventual planning applications.

Site Ref	Location	Comments	Suggested Change
		<p>should be considered subject to the same Policies as for Scheduled Monuments (i.e. that substantial harm or loss should be wholly exceptional).</p> <p>Before identifying this site as an allocation, Historic England would welcome discussions with the Council regarding how the management of what could be, potentially, nationally-important archaeological remains would need to be addressed within the Local Plan and, subsequently, as part of any eventual planning applications.</p>	
578	Land North of A64 and South of Wise House Lane, Old Malton	<p>This area lies within an extensive archaeological landscape which stretches along the length off the Vale of Pickering to Scarborough. This landscape exhibits evidence of continuing human habitation and activity from the early Mesolithic period through the Roman period, and up to the present day. Based upon the understanding gained during excavations and through accumulated research work across the Vale of Pickering, there is a high probability that many remains in this landscape will be of national importance. National policy guidance makes it clear that archaeological sites that are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the same Policies as for Scheduled Monuments (i.e. that substantial harm or loss should be wholly exceptional).</p> <p>Before identifying this site as an allocation, Historic England would welcome discussions with the Council regarding how the management of what could be, potentially, nationally-important archaeological remains would need to be addressed within the Local Plan and, subsequently, as part of any eventual planning applications.</p>	<p>Before identifying this site as an allocation, Historic England would welcome discussions with the Council regarding how the management of what could be, potentially, nationally-important archaeological remains would need to be addressed within the Local Plan and, subsequently, as part of any eventual planning applications.</p>

Site Ref	Location	Comments	Suggested Change
579	Land North of Wise House Lane and East of A169, Old Malton	<p>This area lies within an extensive archaeological landscape which stretches along the length off the Vale of Pickering to Scarborough. This landscape exhibits evidence of continuing human habitation and activity from the early Mesolithic period through the Roman period, and up to the present day. Based upon the understanding gained during excavations and through accumulated research work across the Vale of Pickering, there is a high probability that many remains in this landscape will be of national importance. National policy guidance makes it clear that archaeological sites that are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the same Policies as for Scheduled Monuments (i.e. that substantial harm or loss should be wholly exceptional).</p> <p>Before identifying this site as an allocation, Historic England would welcome discussions with the Council regarding how the management of what could be, potentially, nationally-important archaeological remains would need to be addressed within the Local Plan and, subsequently, as part of any eventual planning applications.</p>	<p>Before identifying this site as an allocation, Historic England would welcome discussions with the Council regarding how the management of what could be, potentially, nationally-important archaeological remains would need to be addressed within the Local Plan and, subsequently, as part of any eventual planning applications.</p>

## Pickering

### General

As is noted, on page 27, the network of historic field boundaries are a distinctive feature of the landscape setting of Pickering and make a significant contribution to the character of the town. With increasing pressure for development around Pickering, this landscape is becoming increasingly threatened. Consequently, we fully endorse the Plan's approach to this historic landscape and the intention to direct development away from the areas where the strip field system is relatively intact and legible.

Specific comments on proposed sites within Groups 3 and 4

Site Ref	Location	Comments	Suggested Change
116	Land to the north of Middleton Road and east of Crook Lane	<p>The allocation of this site would narrow the gap between the main built-up area of Pickering and Middleton Conservation Area to 380 metres.</p> <p>The Council has a statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay <i>“special attention”</i> to <i>“the desirability of preserving or enhancing the character or appearance”</i> of its Conservation Areas.</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the statutory duty placed upon the Council under the provisions of the 1990 Act, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the character or appearance of the Conservation Area and what effect the loss of this site and its subsequent development might have upon the designated area.</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to the elements which contribute towards the significance of the Conservation Area and what impact the loss of this undeveloped site and its subsequent development might have upon those significances.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of the Conservation Area, then the Plan needs to set out the measures by which that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of the Conservation Area, then this site should not be allocated unless there are clear public benefits</p>

Site Ref	Location	Comments	Suggested Change
			that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).
198	Land west of Outgang Lane	With the exception of the loss of one boundary, the historic field pattern is still legible on this site and forms part of an extensive network of medieval strip fields between Outgang Lane and Malton Road.  The loss of this area would result in harm to the historic field system to the south of the town and thereby harm its landscape setting	This site should not be allocated unless there are no other sites better-suited to meeting the assessed development needs of the town.
205	Land south of Firthlands Road and West of Greenlands Road	With the exception of the loss of one boundary, the historic field pattern is still legible on this site and forms part of an extensive network of medieval strip fields that lies to the south of Firthland Road  The loss of this area would result in harm to the historic field system to the south of the town and thereby harm its landscape setting	This site should not be allocated unless there are no other sites better-suited to meeting the assessed development needs of the town.
650	Land south of Enterprise Way and East of Outgang Lane	That part of the site which extends beyond the eastern edge of the existing built-up area of the town extends into a historic strip field system whose boundaries are still clearly legible. Given the significant contribution which this landscape makes to the setting of the town, the eastern part of the site should not be allocated.	The eastern part of the site beyond the edged of the existing built-up area should not be allocated in order to safeguard the strip-field network to the east of the town.

## Kirkbymoorside

### Specific comments on proposed sites within Groups 3 and 4

Site Ref	Location	Comments	Suggested Change
58	Land North of Wainds Field	This site lies adjacent to the boundary of the Kirkbymoorside Conservation Area.  The Council has a statutory duty under the	Before allocating this site for development:-  (1) An assessment needs



Site Ref	Location	Comments	Suggested Change
		<p>provisions of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay “special attention” to “the desirability of preserving or enhancing the character or appearance” of its Conservation Areas.</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the statutory duty placed upon the Council under the provisions of the 1990 Act, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the character or appearance of the Conservation Area and what effect the loss of this site and its subsequent development might have upon the designated area.</p>	<p>to be undertaken of the contribution which this site makes to the elements which contribute towards the significance of the Conservation Area and what impact the loss of this undeveloped site and its subsequent development might have upon those significances.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of the Conservation Area, then the Plan needs to set out the measures by which that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of the Conservation Area, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).</p>

## Amotherby/Swinton

### Specific comments on proposed sites within Groups 3 and 4

Site Ref	Location	Comments	Suggested Change
8	Land to east of properties on Main Street, and north of St. Helens, Amotherby	<p>The Church of St Helen, 40 metres to the south of this site, is a Grade II Listed Building.</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the significance of this Listed Building and what effect the loss of this site and its subsequent development might have upon those significances.</p> <p>In addition, there is a requirement in the 1990 Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is submitted, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving a Listed Building or its setting may mean that either, the site cannot actually be developed or the anticipated quantum of development is undeliverable.</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of this The Church of St Helen and what impact the loss of this undeveloped site and its subsequent development might have upon its significance.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of the Church, then the Plan needs to set out the measures by which that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of this Listed Building, then this site should not be</p>

Site Ref	Location	Comments	Suggested Change
			allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).

## Hovingham

### Specific comments on proposed sites within Groups 3 and 4

Site Ref	Location	Comments	Suggested Change
643	Land North of Mowbray Crescent	<p>This site adjoins the boundary of the Hovingham Conservation Area and, in addition, there are a number of Grade II Listed Buildings to the east of this area.</p> <p>The Council has a statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay “special attention” to “the desirability of preserving or enhancing the character or appearance” of its Conservation Areas.</p> <p>In addition, there is a requirement in the 1990 Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is submitted, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving a Listed Building or its setting may mean that either, the site cannot actually be developed or the anticipated quantum of development is undeliverable.</p> <p>In order to demonstrate that the allocation</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of the Conservation Area and the Listed Buildings in its vicinity and what impact the loss of this site and its subsequent development might have upon their significance.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of the Conservation Area or Listed Buildings, then the Plan needs to set out the measures by which that harm might be removed or reduced.</p>

Site Ref	Location	Comments	Suggested Change
		of this area is not incompatible with the requirements of the NPPF, or the statutory duties under the 1990 Act, there needs to be an assessment of what contribution this largely-undeveloped area makes to those elements which contribute to the significance of these designated heritage assets and what effect the loss of this site and its subsequent development might have upon their significance.	(3) If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of these designated heritage assets, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).

## Rillington

### Specific comments on proposed sites within Groups 3 and 4

Site Ref	Location	Comments	Suggested Change
175	Land North of Scarborough Road and South of Sands Lane	<p>This site lies 215 metres from the boundary of the Grade II* Historic Park and Garden at Scampston Hall.</p> <p>National policy guidance makes it clear that Grade I and II* Historic Parks and Gardens are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the significance of this Historic Park and Garden and what effect the loss of this site and its subsequent</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to the Historic Park and Garden and what impact the loss of this open area and its subsequent development might have upon its significance.</p> <p>(2) If it is considered that the development of this site would harm elements which</p>

Site Ref	Location	Comments	Suggested Change
		development might have upon those significances.	<p>contribute to the significance of this landscape, then the Plan needs to be set out how that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of the Historic Park and Garden, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).</p>

## Sherburn

### Specific comments on proposed sites within Groups 3 and 4

Site Ref	Location	Comments	Suggested Change
71	Land to south and east of Manor Farm, High Street	<p>Pasture House Farmhouse (to the east of this site), Corner Farmhouse and the range of outbuildings to its rear to the north of this area) are Grade II Listed Buildings.</p> <p>There is a requirement in the 1990 Act that “<i>special regard</i>” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess.</p> <p>If allocated, the Plan should make it clear that development proposals for this area would need to ensure that those elements</p>	<p>If allocated, the Plan should make it clear that development proposals for this area would need to ensure that those elements which contribute to the significance of this building are not harmed</p>

Site Ref	Location	Comments	Suggested Change
		which contribute to the significance of this building are not harmed	

## Sheriff Hutton

### Specific comments on proposed sites within Groups 3 and 4

Site Ref	Location	Comments	Suggested Change
51 Peckett's Yard, Church End	51 Peckett's Yard, Church End	<p>This site adjoins the boundary of the Sheriff Hutton Conservation Area and the Churchyard of the Grade I Listed Church of St Helen and the Holy Cross. National policy guidance makes it clear that Grade I and II* Listed Buildings are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.</p> <p>The Council has a statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay “special attention” to “the desirability of preserving or enhancing the character or appearance” of its Conservation Areas.</p> <p>In addition, there is a requirement in the 1990 Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is submitted, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving a Listed Building or its setting may mean that either, the site cannot actually be developed or the anticipated quantum of</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of the Conservation Area and the Listed Church and what impact the loss of this site and its subsequent development might have upon their significance.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of the Conservation Area or Church, then the Plan needs to set out the measures by which that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development</p>

Site Ref	Location	Comments	Suggested Change
		<p>development is undeliverable.</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF, or the statutory duties under the 1990 Act, there needs to be an assessment of what contribution this largely-undeveloped area makes to those elements which contribute to the significance of these designated heritage assets and what effect the loss of this site and its subsequent development might have upon their significance.</p>	<p>would still be likely to harm elements which contribute to the significance of these designated heritage assets, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).</p>

## Slingsby

### Specific comments on proposed sites within Groups 3 and 4

Site Ref	Location	Comments	Suggested Change
429	Castle Farm, High Street	<p>This site lies within the Slingsby Conservation Area. Castle Farmhouse and Height Farmhouse, on High Street, are a Grade II Listed Buildings. The development of this area could also affect the setting of the ruins of Slingsby Castle which is both a Grade II Listed Building and a Scheduled Monument.</p> <p>The Council has a statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay “special attention” to “the desirability of preserving or enhancing the character or appearance” of its Conservation Areas and the NPPF makes it clear that the loss of a building which makes a positive contribution to the significance of a Conservation Area should be regarded as resulting in substantial harm to that area. Consequently, if any of the buildings on this site make a positive contribution to the Conservation Area, they should be retained.</p>	<p>If allocated, the Local Plan should:-</p> <p>(a) Identify which buildings make a positive contribution to the Conservation Area and, therefore, should be retained and,</p> <p>(b) Set out a requirement that development proposals for this area would need to ensure that any other elements which contribute to the significance of the Conservation Area, the nearby Listed Buildings and the Scheduled Monument are not harmed.</p>

Site Ref	Location	Comments	Suggested Change
		<p>Moreover, there is a requirement in the 1990 Act that “<i>special regard</i>” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess.</p> <p>Finally, national policy guidance makes it clear that Scheduled Monuments are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.</p> <p>If allocated, the Local Plan should:-</p> <p>(a) Identify which buildings make a positive contribution to the Conservation Area and, therefore, should be retained and,</p> <p>(b) Set out a requirement that development proposals for this area would need to ensure that any other elements which contribute to the significance of the Conservation Area, the nearby Listed Buildings and the Scheduled Monument are not harmed.</p> <p>Given the sensitivity of this site, a development brief should be produced by the Council to guide development proposals.</p>	<p>Given the sensitivity of this site, a development brief should be produced by the Council to guide development proposals.</p>
464	Land South of 14 Aspen Way and North of Malton Road	<p>This site lies 60 metres from the boundary of Slingsby Conservation Area. In addition, there is a Scheduled Monument (an Iron Age Barrow Cemetery) 100 metres to the east of this area.</p> <p>The Council has a statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay “special attention” to “the desirability of</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of the</p>



Site Ref	Location	Comments	Suggested Change
		<p>preserving or enhancing the character or appearance” of its Conservation Areas.</p> <p>In addition, national policy guidance makes it clear that Scheduled Monuments are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the significance of this Monument and what effect the loss of this site and its subsequent development might have upon those significances.</p>	<p>Conservation Area and the nearby Scheduled Monument and what impact the loss of this site and its subsequent development might have upon their significance.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of the Conservation Area or Scheduled Monument, then the Plan needs to set out the measures by which that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of these designated heritage assets, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).</p>
430	Land East of The Balk and South of Aspen Way	<p>There is a Scheduled Monument (an Iron Age Barrow Cemetery) 100 metres to the east of this site and the western part of this site lies within the Slingsby Conservation Area</p> <p>The Council has a statutory duty under the</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to those</p>

Site Ref	Location	Comments	Suggested Change
		<p>provisions of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay “special attention” to “the desirability of preserving or enhancing the character or appearance” of its Conservation Areas.</p> <p>In addition, national policy guidance makes it clear that Scheduled Monuments are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the significance of this Monument and what effect the loss of this site and its subsequent development might have upon those significances.</p>	<p>elements which contribute towards the significance of the Conservation Area and the nearby Scheduled Monument and what impact the loss of this site and its subsequent development might have upon their significance.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of the Conservation Area or Scheduled Monument, then the Plan needs to set out the measures by which that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of these designated heritage assets, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).</p>

## Staxton and Willerby

### Specific comments on proposed sites within Groups 3 and 4

Site Ref	Location	Comments	Suggested Change
177	Land West of Church Walk	<p>This site lies 120 metres from the churchyard of the Grade II* Listed Church of St Peter. National policy guidance makes it clear that Grade I and II* Listed Buildings are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the significance of the Church of St Peter and what effect the loss of this site and its subsequent development might have upon its significance.</p> <p>In addition, there is a requirement in the 1990 Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is submitted, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving a Listed Building or its setting may mean that either, the site cannot actually be developed or the anticipated quantum of development is undeliverable.</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of the Listed Church and what impact the loss of this undeveloped site and its subsequent development might have upon its significance.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of this building, then the Plan needs to set out the measures by which that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of this Buildings, then this site should not be allocated unless there are clear</p>

Site Ref	Location	Comments	Suggested Change
			public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).

If you have any queries about any of the matters raised in this letter or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

**Ian Smith**

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