
Land off Scarborough Road, Norton (Site Ref: 184, 655, 660)

Written Representations on the Ryedale Local Plan
Sites Document (Publication Version)

Land off Scarborough Road, Norton

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1. Introduction

- 1.1. These written representations have been prepared by Savills (UK) Limited ("Savills") on behalf of the Brewis family and Halifax Estates in support of the comprehensive development of 134 hectares of land at Scarborough Road, Norton ("the site") on which circa 105 hectares of land is promoted for a mixed-use allocation in the Ryedale Local Plan Sites Document ("LPSD").
- 1.2. These representations supplement the previous representations submitted in 2013 and 2015 on behalf of Halifax Estates and the Brewis family in relation to these sites. We do not intend to reproduce the content of these previous representations here. The purpose of these representations is to consider the content of the emerging Ryedale Plan Local Plan Sites Document (Publication Version) ("LPSD-PV") which is the subject of a period of public consultation in the context of these previous representations, which remain duly made, and which will be available for scrutiny by the duly appointed Inspector in his/her examination of the LPSD.
- 1.3. However, it is pertinent to set the tone to these representations by setting out the key points of the Executive Summary to the 2015 representations.
- 1.4. The 2015 representations were prepared by Savills (UK) Limited ("Savills") on behalf of Halifax Estates and the Brewis family who own all of the land identified with the boundaries of the site, and confirmed that the land is available for development and both parties are committed to working together to deliver a comprehensive scheme.
- 1.5. These representations were submitted as a joint representation on behalf of the two long established land owners in the area and in the context of the earlier submissions made them separately during the 2013 Call for Sites process when the sites (identified by reference 655 and 184; and subsequently as 660) were submitted. We noted that Individual Site Selection methodology appraisals had been undertaken by the Council on each area and they have been discounted as sites with potential for development at this stage. The 2015 representations highlighted the inadequacies surrounding the site selection methodology and the area was put forward for re-appraisal following an agreement between the owners to promote land to the east of Norton as a comprehensive development solution to meet development requirements highlighted over the Plan period and beyond.
- 1.6. The site lies to the North and South of Scarborough Road and to the west adjoins the defined settlement boundary of Norton. To the east the boundary is formed by the A64 which contains the settlement in this direction but provides accessible transport links with suitable and recently improved highway access. The site also adjoins the area identified in the LPSD with potential (sites 651 and 649) and the case was made that this could provide a robust urban extension site to the east of the settlement of sufficient size to plan comprehensively for mixed uses including housing, employment, associated infrastructure, community facilities and open space. This remains the case.

- 1.7. The Ryedale Local Plan Strategy (LPS) confirms a requirement of (approximately) 1500 residential units to be delivered at Malton/Norton over the plan period 2012-2027 to meet the objectively assessed housing need identified in Spatial Policy 2. However, it is relevant that in endorsing these housing figures, the Inspector at the Examination to the LPS stated they should be treated as 'minimum' figures. and the policy requires not only the delivery to be 'at least' this figure but that a zone of tolerance some 25% above these figures will be required to boost significantly the supply of housing over the plan period. It is important that the Council addresses this requirement in considering which sites to allocate.
- 1.8. The rationale for a housing allocation on land at Scarborough Road, Norton remains as follows:
- There is a need to provide positively for the comprehensive growth around Malton/Norton and this land would provide for a site of sufficient size to accommodate planned infrastructure and other facilities. The size of the site has the potential to meet development needs beyond the end of the plan period and provide for the additional amount of housing growth highlighted during the Examination into the Local Plan Strategy.
 - The release of the site would not conflict with any of the constraints highlighted by the Site Selection Methodology and can avoid areas of Flood Risk and Site of Area Of Conservation.
 - Development would accord with the settlement hierarchy of the Ryedale Core Strategy (Spatial Policy 3) and a development of circa 105 hectares would deliver a scale of development that accommodates employment and housing growth in a planned manner for the future.
 - This site is required to help meet a shortfall in housing numbers in Malton/Norton to meet its objectively assessed housing need up to 2027 should other sites fall away or have difficulties in delivery.
 - The site has potential to create an integrated scheme as an urban extension to sites 649(88) 651 with new housing providing a range of sizes, types, and tenure and through creating significant new areas of public open space to the river where new development would be limited due to flood risk concerns.
 - The proposals are deliverable within the plan period. There are no known technical constraints that would prohibit the development of the site. The site is therefore, deliverable within the context of the NPPF (paragraph 47) in that it is a suitable location for housing, employment and other uses, there is a reasonable prospect of it coming forward, and it can be viably developed.
 - A site location plan showing the extent of the land holding being promoted as a comprehensive development option is included within this representation at Appendix 1.
 - Halifax Estates and the Brewis Family control all of the land identified within the boundaries of the site and confirm that the land is available for development.
 - On the basis of these representations, the site should be allocated as a mixed-use allocation to provide for development requirements.

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1.9. These representations build on these previous submissions and should be read in tandem.

1.10. The remainder of these representations are set out as follows:

- Section 2 sets out representations to Section 2 of the LPSD-PV – Land for Housing and site specifically site 184D and part of 655B;
- Section 3 sets out representations to Section 3 of the LPSD-PV – Land for Employment.; and
- Section 4 provides a summary of representations.

2. Representations – Land For Housing

Geographical Focus

- 2.1. Our clients' position in relation to housing land supply in Malton / Norton and across Ryedale District generally has been set out in previous representations submitted in 2015. We would however like to make the following representations in relation to Section 2 of the LPSD-PV – Land for Housing.
- 2.2. Paragraph 2.2 of the LPSD-PV confirms that *“Policy SP2 aims to direct the housing land required to meet housing requirements to these settlements which are expected to accommodate planned growth in the settlement hierarchy.”* Policy SP2 confirms that most new development is to be directed towards the largest town of Malton/Norton with some 50% of the housing requirements to be directed to the principal Town. This is a figure of (approximately) 1500 dwellings over the Plan period to 2027.
- 2.3. Policy also allows for an additional 20% (600 dwellings) as part of a further supply buffer and a Zone of Tolerance supply of an additional 25% (750 dwellings), and paragraph 2.4 confirms *“this additional supply is identified at those settlements in the settlement hierarchy where the Plan directs housing growth.”* This effectively gives a buffer range of 600 – 750 dwellings in addition to the global 3,000 figure.
- 2.4. However, it is stated at paragraph 2.20 that *“in allocating sites to provide for the supply buffer in addition to the residual planned housing requirement, the resulting proportional distribution does not follow precisely, the distribution established in SP2, although it continues to reflect the Plan’s strategic settlement hierarchy.”*
- 2.5. On a general point, it is important that the overall housing requirement and buffer is geographically focused in accordance with Policy SP2. Greater clarification is therefore required on this point.

Site Selection

- 2.6. The LPSD-PV identifies future allocations to meet identified housing need across the District. Two significant allocations are identified in the Malton / Norton area. Paragraph 2.11 confirms that each of these sites has been selected from a large number of sites put forward by landowners against a Site Selection Methodology (“SSM”). My client’s views on the SSM, in terms of robustness of approach, and application of the methodology to sites 184 and 655 are set out in previous representations. We maintain those representations.

Proposed Site Allocations

- 2.7. The LPSD-PV sets out the preferred allocations of the District Council in meeting housing need in Malton / Norton to 2027. We do not propose to critique either of these sites at this stage. These sites will be the subject of detailed examination later in the plan-making process.

- 2.8. It is apparent that the LPSD-PV and SD2 only give indicative yields. In order to plan positively and robustly it is imperative that there is some degree of certainty about the ability of the sites identified to deliver the yields proposed.

Sites 655 and 184 (subsequently 660)

- 2.9. We would at this stage seek to re-inforce the ability of sites 655 and 184 (subsequently 660) to meet part of the emerging housing requirement, both within this plan period, and beyond. In previous representations sites 184 and 655 were promoted as a comprehensive development option, to provide residential and employment development, associated infrastructure and open space. This still remains the case.
- 2.10. However, it is clear from the Council's Site Selection Methodology ("SSM") findings that the Council only assessed sites comprising 655 and 184 on the basis of providing employment uses or residential uses – not both, and in terms of delivery in a single hit – rather than in a phased manner. For example we note that site 184D has been discounted as a potential employment site only, and has not been considered as a potential residential site.
- 2.11. Site 184D was only assessed under the "Malton and Norton Other Development Site Selection Methodology" as an employment site. Consequently the ability of this site to meet residential need has not been assessed in any meaningful manner despite the site being promoted to the Council as such as part of a mixed-use development proposal.
- 2.12. The site was discounted as an employment allocation primarily on the basis of impact on the adjacent Listed Building – Grade II Quarry Farm. Any impact on this building or its setting could be easily mitigated through careful design of a residential scheme and the application of a "stand-off" distance between the two development areas. In addition, residential use would be a more acceptable "neighbour" use.
- 2.13. Site 184D, in isolation, has the potential to deliver residential development in the short / medium term, and should be considered accordingly. The SSM considered a number of factors common to both employment and residential development which are considered in summary below.

The Proposed Built Form

- 2.14. Any residential development proposal has the potential to be sensitively designed to respect its setting and adjacent uses. This will include scale, housing mix and type, design and affordable housing provision.

Access and Connectivity

- 2.15. The SSM rated the site as (++) for accessibility to bus services; for access to employment areas and nearest development limits.

Appropriateness of the Site

- 2.16. The proposal represents a logical extension to the 'built-up' extent of Norton. The SSM confirmed that in the wider landscape *"the site has low landscape sensitivity, and landscaping and tree planting can soften the site's appearance."*

Green Infrastructure

- 2.17. The SSM suggests the site has substantial tree cover. This will be sensitively incorporated into any design solution. The SSM indicated that employment use could significantly affect these features. Any impact could be appropriately mitigated.

Biodiversity

- 2.18. Whilst the site is proximal to the River Derwent SAC, the SSM confirmed that any impact could be mitigated as part of the consideration of a planning application. The site is not the subject of any other national / local designation.

Access and Highways

- 2.19. The SSM confirmed that a suitable access could be achieved onto Scarborough Road, given the access onto Westfield Way, is immediate opposite.

Flood Risk and Drainage

- 2.20. Site 184D is located within Flood Zone 1 having the least likelihood of flooding.
- 2.21. In conclusion, the site has the potential to perform well when assessed against the Council's own SSM for residential sites. The site should be properly assessed in this context and consequently allocated as a site suitable for residential development.
- 2.22. In addition, site 184D has the potential to act as Phase 1 to a much larger comprehensive and sustainable development within the Malton / Norton area which is deliverable. The sites are being promoted by a number of landowners working together and can be brought forward in a phased basis.
- 2.23. In the event that SD3 Housing Allocation is adopted and comes forward, development of 184D and other associated land parcels would be entirely appropriate given the focus on the SE quadrant of Norton for future growth, aided by the new link between Scarborough Road and Beverly Road.
- 2.24. We would also make the case that the most westerly part of site 655B (comprising a field to the east of Norton Grove Stud) (2.02ha) should also be more fully considered. This, in conjunction with site 184D, would comprise a development site of suitable scale to be attractive to the market, and still perform well against the Council's SSM as a site for residential development, as an initial phase of the wider redevelopment of this area (as covered by site 660).



- 2.25. The element of site 655B promoted for early release in conjunction with site 184D is not subject to flood risk. The contiguous proposal would also be physically constrained in the first instance by built development to west and east, the Scarborough Road to the south and the railway line to the north.
- 2.26. A plan showing the location of what we anticipate to be the initial phase of this wider redevelopment is provided at **Appendix 1**.

Representation

- 2.27. We therefore object to the non-allocation of sites comprising part or all of sites 655 and 184 previously promoted on behalf of Halifax Estates and the Brewis family for residential development within the plan period. We continue to promote sites 184B and 655B (part thereof) as identified on the attached plan for early release as a contiguous development plot for residential development.

3. Representations – Land for Employment

Employment Land Allocations

- 3.1. Section 3 of the LPSD-PV sites out the proposed allocations for land for employment uses.
- 3.2. The table at paragraph 3.2 sets out the Local Plan requirement. In Malton / Norton a requirement for 29.6ha – 36ha is identified over the plan period. A **residual requirement** of 3ha – 9.4ha is identified.
- 3.3. Paragraph 3.7 of the LPSD-PV states:

*“The Local Plan Strategy directs the majority of employment land requirements to Malton and Norton and land releases to date have supported this strategic approach. **However, additional employment land allocations at Malton and Norton have not been made in this document.** As an alternative land in the vicinity of the Malton Agri-Business Park at the A64/A169 junction is promoted as a broad location for further employment land releases to meet identified requirements if they are need within the plan period.”*

- 3.4. This is justified by the Council on the basis that there is *“a limited availability of alternative, suitable and deliverable sites as well as uncertainty over the rate at which the current proposals for the Agri-Business Park / FEZ will be built out.”*
- 3.5. This is reflected in draft Policy SD12 which states that additional employment land to meet this outstanding identified need will be supported in principle in the above location.

National Planning Policy

- 3.6. Paragraph 21 of the National Planning Policy Framework states that *“in drawing up Local Plans, local planning authorities should:*
- *set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth”; and*
 - *set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period.”*
- 3.7. Furthermore for a plan to be found sound it must be (paragraph 182):
- **Positively prepared** – *the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
 - **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*

- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

Representations

3.8. In order for the plan to be considered sound, planning for the delivery of employment land must:

- i. set a clear vision and strategy;
- ii. constitute sustainable economic growth;
- iii. identify sites to match the strategy; and
- iv. be the most appropriate strategy – when considered against alternatives.

3.9. The Councils approach to the location of development is set out in Policy SP1 of the Local Plan Strategy (adopted in 2013). This policy sets out the focus for development being Malton and Norton, subject to various criteria. The site is promoted as the focus for employment investment in Malton / Norton allied to the Agri-Business Park / Food Enterprise Zone. This approach is not supported given:

- Policy SD12 does not accord with the requirements of the NPPF in that the sites does not match the strategy for local and inward investment and does not meet anticipated needs over the plan period;
- The identification of this site as the site to meet outstanding requirements is not soundly based;
- The identification of land to the north of the A64 / east of the A169 (for B1, B2 and B8 uses) does not accord with the policy approach of Policy SP1;
- The land to meet additional unidentified requirements is not located in a sustainable location;
- There is no evidence to suggest that this expansion land will be required or be attractive to the market if associated solely with the Agri-Business Park / FEZ;
- The site is allocated for B1, B2 and B8 which could be readily accommodated elsewhere; and
- Alternative sites (such as sites 655 and 184 in combination) have not been considered as required by the NPPF.

Representation

3.10. On this basis we object to the allocation of the site at the A64 / A169 junction under Policy SD12 for employment purposes.

4. Conclusions

- 4.1. These representations build on previous representations submitted on behalf of the Brewis family and Halifax Estates in relation to Sites 184 and 655. These representations relate to the Local Plan Sites Document (Publication Version) but are to be read in conjunction with these previous representations.
- 4.2. These representations major on these specific areas:
- Paragraph 2.20 - General comment - The treatment of the “buffer” within the overall housing requirement and the requirement to focus this buffer in line with the spatial requirements of SP2;
 - Policy SD2 - Objection - The non-identification of sites 655 and 184 as potential employment or housing sites to meet need within the plan period (either as a comprehensive redevelopment or on a phased basis) within SD2;
 - Paragraph 2.11 - Objection - The lack of assessment of individual sites within this comprehensive development area for employment or residential uses;
 - Policy SD2 - Objection – Lack of recognition of the immediate development credentials of site 184D and 655B (part thereof); and
 - Policy SD12 - Objection - The focus of employment land on the NAFIC at the expense of other suitable locations in Malton / Norton and lack of inclusion of sites in Policy SD12.
- 4.3. We trust these representations are duly made and will be placed before the Inspector charged with examining this development document in due course.

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Appendix 1 – Site Plan



KEY

- Gross Site Area
139.7 Ha (345.3 Acres)
- Developable Area
105.4 Ha (260.4 Acres)

A- 184D
B- 655B (part)

Land at Norton

on behalf of Halifax Estates and The Brewis Family

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