

MATTER 3 – HOUSING

Issue - Whether the proposed site allocations are justified, effective and consistent with national policy and the Local Plan Strategy (LPS)?

1 Introduction

1.1 Historic England's Objections to the to the housing Policies fall into two groups:-

- (a) For Sites SD3 (Beverley Road, Norton), SD6 (Malton Road, Pickering), SD10 (Amotherby Primary School) and SD11 (Aspen Way, Slingsby), they relate to the impact upon archaeology and the way in which this has been addressed within the Plan.
- (b) For Sites SD6 and SD11 there are additional concerns about the other mitigation measures that are set out in the respective Development Principles.

1.2 This Statement considers each of those elements in turn.

2 Archaeology

2.1 Soundness of the Plan in respect of its approach to archaeology

2.1.1 The identification of Sites SD3, SD6, SD10 and SD11 for residential development as currently proposed is not sound as their allocation is neither clearly justified within the Plan nor are the allocations consistent with either the Policies in the Adopted Plan Strategy or with national policy guidance.

2.1.2 These sites sites lie within the Vale of Pickering, a low-lying plain between the uplands of the North York Moors and Cleveland Hills, to the north, the Howardian Hills, to the west, and the scarp of the Yorkshire Wolds, to the south. This area exhibits evidence of continuing human habitation and activity from the early prehistoric periods through the Roman period, and up to the present day. This area has been the subject of a comprehensive archaeological research project for over 25 years. Based upon this work, Historic England can say with

some confidence not that there is a high probability that these sites will contain archaeological remains, but also that these remains could well be of national importance.

- 2.1.3 The importance of the archaeology of this area is recognised within the Ryedale Plan Strategy. Policy SP12 states:-

“Development proposals which would result in substantial harm to or total loss of the significance ... to the archaeological significance of the Vale of Pickering will be resisted unless wholly exceptional circumstances can be demonstrated”.

- 2.1.4 Paragraph 139 of the NPPF makes it clear that non-designated archaeological remains that are demonstrably of equivalent significance to Scheduled Monuments (such as the ones which could well be present on these sites) should be considered as if they were a designated heritage asset - i.e. that substantial harm or total loss should be wholly exceptional.

- 2.1.5 Paragraph 126 of the NPPF sets out a requirement for Local Plans to conserve heritage assets in a manner appropriate to their significance. When considering the impact of a proposed development upon the significance of a designated heritage asset (or a non-designated archaeological site of equivalence to a Scheduled Monument), Paragraph 132 of the NPPF makes it clear that great weight should be given to the asset’s conservation. The development of these areas could well result in the total loss of, or harm to, elements which contribute to the significance of important archaeological remains.

- 2.1.6 At present, not only is there insufficient justification for why the authority is proposing a number of sites in locations which appears to conflict with a Policy in the Adopted Local Plan Strategy but the Development Principles for the respective Policies do not set out how any archaeology on these sites should be addressed as part of the development process. Consequently, Historic England considers that the allocation of Sites SD3, SD6, SD10 and SD11 for residential development, as proposed in the Submission Local Plan, would be in conflict with the following aspects of the Adopted Local Plan:-

- Policy SP12 in that it could result in substantial harm or loss to the archaeological significance of a number of sites in the Vale of Pickering

2.1.7 It would also be contrary to national policy guidance as set out in the NPPF insofar as it would not:-

- Help to deliver a “*positive strategy for the conservation and enjoyment of the historic environment*” as is required by NPPF Paragraph 126.
- Contribute to protecting or enhancing the historic environment. Therefore, it will not deliver sustainable development in terms of the conservation of the historic environment [NPPF Paragraph 7].
- Conserve heritage assets in a manner appropriate to their significance. Therefore it will run contrary to one of the Government’s Core Planning Principles [NPPF Paragraph 17].
- Give great weight to the conservation of the area’s designated heritage assets (or non-designated archaeological site of equivalent significance to a Scheduled Monument) [NPPF, Paragraph 132]
- Provide clear and convincing justification for the harm that it would cause to the historic environment [NPPF, Paragraph 134].

2.2 The archaeology of the Vale of Pickering

2.2.1 The Vale of Pickering area is an extensive archaeological landscape which stretches along the entire length off the Vale of Pickering across Ryedale and into its neighbouring Planning authority, Scarborough Borough.

2.2.2 The Vale of Pickering contains concentrations of some of the most important archaeological landscapes that are known from the British Isles. The site of Star Carr (at the eastern end of the Vale, in Scarborough) represents one of the most important Mesolithic sites in Europe and the continuously-occupied sand and gravel terraces between the chalk Wolds and the former wetlands of the Vale have been subject to decades of English Heritage/Historic England-funded research through the Landscape Research Centre. This area exhibits evidence of continuing human habitation and activity from the early prehistoric periods through the Roman period, and up to the present day. The buried prehistoric landscapes and the unique, continuous “ladder” settlements are an extraordinary survival of human activity on a landscape scale, preserved beneath thick sand-blown deposits across the Vale.

2.2.3 Based upon the understanding gained during 25 years of archaeological research and excavation on several sites and across the remainder of the Vale of

Pickering, there is a high likely that Sites SD3, SD6, SD10 and SD11 will contain archaeological remains - potentially of national importance.

2.3 Inspector's Question 3.8 – Are the reasons for selecting the preferred sites and rejecting others clear and justified?

2.3.1 No. Historic England fully accepts that, given the extent of the archaeological landscape within which the District is located, it is almost impossible to identify any sites for development around its Market Towns which are not going to impact upon the archaeological remains of this area. Indeed, it would be virtually impossible for Ryedale to meet its objectively assessed development needs were it to try to do so. Consequently, the Local Plan has little option other than to direct a proportion of the plan's assessed development needs to an area where there is a high likelihood of archaeological remains some of which could well be of national importance. However, the Plan needs to explicitly set this out together with the reasons why it is considered appropriate to allocate sites which will result in the loss of, potentially, national-important archaeology.

2.3.2 Given the limitations upon the choice of sites in the District, Historic England has accepted that it is acceptable to allocate land in these areas provided that any development proposals are informed by a robust archaeological assessment which will help further our knowledge and understanding of the Vale of Pickering.

2.3.3 Ryedale is not in a unique situation. Neighbouring Scarborough Borough Council, at the eastern end of the Vale of Pickering, faced exactly the same challenges in their Local Plan. Their reasoning and the approach they set out in their Plan was endorsed by their Local Plan Inspector. Given that both Plans are dealing with the same archaeological landscape, it is suggested that the Ryedale Sites Document adopts a similar approach.

2.3.4 **Suggested Change**

Insert an additional Paragraph in Section 2 (possibly after Paragraph 2.12) which explains why the Local Plan Sites Document has had to identify sites for development which would be likely to result in harm to nationally-important archaeology

[This could be based upon the approach set out Paragraph 2.32 of the Adopted Scarborough Local Plan]

2.4 Inspector’s Question 3.13 (i) – Are the Development Principles effective, justified and consistent with national policy?

2.4.1 As has been said, given the severe limitation upon the choice of sites in the Ryedale, Historic England has accepted that it is acceptable to allocate land in these areas provided that any development proposals are informed by a robust archaeological assessment which will help further our knowledge and understanding of the Vale of Pickering. It is essential that the Plan alerts prospective developers of the likelihood that they may encounter important archaeological remains and also which explains how they might need to deal with this archaeological resource. However, this key element is also missing from the Local Plan

2.4.2 Again, Ryedale can learn from the approach taken by their neighbouring authority, one that was endorsed by their Inspector.

2.4.3 **Suggested Change**

(a) For each of the Policies SD3, SD6, SD10 and SD11 insert the following additional Development Principle:-

“Appropriate archaeological evaluation and mitigation as detailed in Appendix A”

(b) Insert an Appendix at the end of the Plan which sets out additional information and advice about how the archaeology on Sites SD3, SD6, SD10 and SD11 would need to be addressed. The suggested wording is set out in Historic England’s representations to the submitted Plan.

3 The Development Principles for Sites SD6 and SD11

3.1 Introduction

3.1.1 Site SD 6 (Land to the west of Malton Road, Pickering) lies less than 120 metres from Vivers Mill, its outbuildings, Mill House and Mill Cottages. These are Grade II

Listed Buildings. Part of Site SD11 (Land to the south of Aspen Way, Slingsby) lies within the Slingsby Conservation Area.

3.1.2 Paragraph 126 of the NPPF sets out a requirement for Local Plans to conserve heritage assets in a manner appropriate to their significance. When considering the impact of a proposed development upon the significance of a designated heritage asset, Paragraph 132 of the NPPF makes it clear that great weight should be given to the asset's conservation and explains that significance can be harmed by development within its setting.

3.1.3 In order to demonstrate that these allocations were not incompatible with the requirements of the NPPF or Policy SP12 of the Adopted Local Plan Strategy, Historic England considered that there needed to be an assessment of what contribution the currently-undeveloped areas that are proposed as allocations make to the significance of the nearby designated heritage assets and what effect the loss of these sites and its subsequent development might have upon them.

3.2 The Heritage Impact Assessments

3.2.1 The local planning authority has now produced Heritage Impact Assessments of both of these sites. Historic England considers that these provide an appropriate evaluation of the likely impact which the development of these two areas might have upon the significance of the heritage assets in their vicinity and we would agree with the degree of harm which each is likely to have upon the historic environment. Historic England would also endorse the mitigation measures which have been proposed to reduce the impact upon the respective designated heritage assets.

3.3 Inspector's Question 3.13 (i) – Are the Development Principles effective, justified and consistent with national policy?

3.3.1 The Heritage Impact Assessments puts forward a number of measures to reduce the harm. However, only some of these measures are currently reflected in the Development Principles for these sites. Consequently, there needs to be some slight amendments to the Criteria of the respective Policies to ensure that the harm is successfully mitigated as suggested.

3.3.2 Suggested Change

- (a) Policy SD11 (Slingsby) - Insert the following additional Development Principle:-

“The opportunity should be taken to enhance the entrance to the village and the scale and design of the development should relate sensitively to the Conservation Area”

- (b) Policy SD6 (Pickering) - Amend the second Development Principle along the following lines:-

“Open space/Green Infrastructure to the west of the site (as shown on the Policies map) is excluded from the developable area to ensure that developable area is outside area at risk of flooding and to protect the setting of the Listed Building. Further landscaping will be required to minimise the degree of intervisibility between the development and the Listed Building”