

Mrs Jill Thompson
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By email: localplan@ryedale.gov.uk

Your ref:
Our ref: M51TR002.MS.DB
Contact: David Bowe

21 December 2017

Dear Mrs Thompson

Ryedale Local Plan Sites Document - Publication

Thank you for consulting North Yorkshire County Council (NYCC) on the Ryedale Local Plan Sites Document (Publication).

NYCC welcomes the opportunity to continue to engage with Ryedale District Council on the preparation of the Local Plan Sites Document as part of its Duty to Co-operate. We are encouraged to see the plan progress to its publication stage.

Officers from our service areas have reviewed the consultation documentation. The following response has been endorsed by the Business and Environmental Service Portfolio Holders:

Strategic Policy and Economic Growth

The NYCC Council Plan 2017-2021 sets the ambition that *'North Yorkshire is a place with a strong economy and a commitment to sustainable growth that enables our citizens to fulfil their ambitions and aspirations'* with priorities of *'creating high quality places and increased housing provision'* and *'creating the right conditions for business growth and investment'*. Within North Yorkshire the work undertaken by District Councils is vital in ensuring these ambitions can be achieved. For that reason, we welcome and support the intent of the plan in allocating an appropriate level of sites to meet identified needs for both housing and economic growth. Furthermore, the inclusion of an additional 'buffer' within the housing allocation is welcomed as this will ensure sufficient flexibility is built in to the plan.

The distribution of identified sites is broadly in line with the strategic policies of the Core Strategy and is supported. This will help to ensure a sustainable pattern of growth and enable a positive approach to planning for the delivery of infrastructure and services.

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The recognition and inclusion of essential infrastructure within the Development Principles for each site is supported. These principles could be strengthened by providing more clarity about matters such as layout, design and connectivity and how infrastructure will be funded, particularly for the more significant sites such as SD3 Norton and the additional employment site north of the A64 at Malton. This could be achieved in a number of ways including reinforcing the development principles in Plan policy, or Supplementary Planning Documents providing more detailed Development Briefs or Master Plans. This will improve confidence and certainty that the sites will be able to fully address the identified issues and achieve viable and sustainable development. Developer Contributions will be required to secure the necessary infrastructure needed to achieve the sustainable development of the proposed allocations. Without adequate funding the viability and deliverability of sites may be compromised leading to delays in provision.

It is noted that District has adopted a Community Infrastructure Levy (CIL) charging schedule and a Regulation 123 list, but these predate the draft site allocations plan. The County Council previously recommended, in its letter dated 10 December 2015, that the District consider an early review of the CIL 123 list in order to support the Local Plan during the examination process. The County Council would welcome the opportunity to contribute to this with regards to ensuring that adequate provision is made for County Council infrastructure.

Discussions have already taken place between the two authorities with regards to developing an Infrastructure Delivery Statement that will establish how the authorities will work together to ensure that we are best placed to deliver the infrastructure required. We would be keen to continue to work together to progress this through to completion.

Policy SD12 New Employment Land identifies the release of additional employment land as a broad location for further development in the vicinity of the Malton Agri-Business Park at the A64 /A169 junction. In principle we welcome the allocation for future employment growth, however we would seek additional clarification of detailed site boundaries and principles of development to ensure affective alignment with the adopted Malton Food Enterprise Zone Local Development Order and design code, and to ensure compatibility of use and design that supports effective place-making.

Health and Adult Service

NYCC Health and Adult Services has reviewed the plan and feel that paragraph 2.23 broadly reflects the current provision and future requirements for extra care housing within Ryedale, but would make the following specific comments:

- Reference is made to the provision at Helmsley that has been secured and a facility provided at Norton. Reference should also be made here to the scheme that is also provided in Pickering.
- Health and Adult Services procured an Extra Care Housing Framework in 2015 to enable us to deliver further extra care schemes across the County. We initially identified six priority locations for extra care provision and one of these locations is Malton.
- We are aiming to undertake a procurement via Phase 1 of our Extra Care Housing Framework in 2018 to seek new extra care provision in Malton. The exact nature of site requirements/provision that will be included within this procurement is subject the outcome of the One Public Estate work in relation to the Ryedale House and adjacent sites. As such within this context it would seem appropriate that this section should also make reference to the One Public Estate.

- Within our '[Care and Support Where I Live Strategy](#)' we have also identified Kirkbymoorside as a potential location for extra care housing provision in the future. We will review our requirements for extra care schemes in other locations, including Kirkbymoorside, once schemes in Phase 1 of our Framework have been delivered. We therefore feel that the current reference to Kirkbymoorside in paragraph 2.23 is adequate and have no further comments in relation to this location.

Heritage Services

Archaeology

Each allocation site has been screened against the Historic Environment Record and information provided on the likely impact of each allocation on the significance of non-designated heritage assets of archaeological interest and potential. This information is presented in the site selection methodology (Q.13). North Yorkshire County Council would be happy to continue to work with Ryedale District Council to ensure this information is kept up to date and pick up on individual cases as they are progressed through the planning system.

The preferred options have been screened previously for impact on Ecology. It is noted that the Local Plan maps do not show Sites of Importance for Nature Conservation (SINC), which are an important environmental constraint. For example, the Malton & Norton map does not show Lady Spring Wood SINC or the non-SSSI section of the River Derwent, which is also a SINC. The Kirkbymoorside map shows Manor Vale Wood SINC as shaded in yellow, though the map key does not explain what this signifies. A housing allocation is shown overlapping the edge of the SINC.

Landscape

Heritage Services is supportive of the general approach and recognition that the Sustainability Appraisal and Site Selection Methodology places on landscape character and the visual setting of settlement and the use of Visually Important Undeveloped Areas (VIUA's) helps to protect the character and landscape setting in and at the edge of settlement.

It is noted that Cumulative Considerations to Site Selection have been considered in Section 7 of the methodology but does not currently describe the additional changes to landscape and visual amenity caused by a proposed development in conjunction with other development. This may be important where several sites are being selected within the same area and causing the gradual erosion of views and settlement character.

Nationally valued landscapes may be recognised by designations which may have a formal statutory basis. Designations such as AONB's, Registered Parks and Gardens and Areas of High Landscape Value should be considered or explained as part of the 3 stage screening process.

Landscape Sensitivity in relation to change and future development pressures can become a key issue and would benefit from being carefully defined between High, Medium and Low Landscape Sensitivity (Q7 of the individual site methodologies). Current Guidelines use 'value' and 'Susceptibility to Change' to help explain landscape and visual sensitivity.

Generally care should be taken when referring to coalescence where separation is maintained by distance. Where possible, descriptive use of visual barriers such as landform, woodland and trees may be more robust than distance unless this is carefully explained and defined (Q11).

Terms such as 'utilise' and 'Special Qualities, Landscape and Setting', should be explained and defined in the methodology document (Q10 and Q12).

Integrated Passenger Transport

The NYCC Integrated Passenger Transport service supports 'The Sustainability Appraisal and Site Selection Methodology spatial approach' which concentrates allocation on Market Towns and Service Villages which already have some level of public transport. It is important that new developments support existing bus services to improve their sustainability. The provision of new services requires substantial start-up funding and they are unlikely to be sustainable if the development does not create a sizable passenger user base.

Access by public transport will need to be considered for individual sites through Transport Plans and studies.

Public Rights of Way

North Yorkshire County Council sees the production of the Local Plan as the ideal opportunity for the local planning authority to raise awareness and make an important contribution towards the enhancement of the public rights of way network, increasing access to the countryside and the provision of open space creating a more pleasant environment by virtue of the planning processes. There are several benefits of well integrated footpath, bridleway and cycleway networks since they support sustainable transport, recreation, tourism, the local economy, and are recognised as contributing to health and general well-being of local residents and visitors.

The general planning principles should endeavour to achieve safe and pleasant access to and from public transport, and local facilities to reduce dependency on cars. For recreation, families look for easy to use, attractive circular routes ideally accessible from their doorstep. Such routes are preferred where they are away from traffic, offering open space on at least one side, have minimal limitations such as stiles; and, as appropriate for the location, have a good surface accessible for push-chairs, walking and cycling.

To that end it would be beneficial if developers could be required to submit comprehensive Design Access Statements to address the protection and enhancement of footpaths, bridleways, byways and cycle routes, as applicable, within proposed developments of any type. Assurance could be offered to developers that their proposals will be more likely to be supported by the planning authority and the County Council's Public Rights of Way Team where they give regard to:

- a) enhancing usability and amenity value of existing footpaths, bridleways, byways and cycle routes;
- b) accommodating or formally diverting existing footpaths, bridleways, byways and cycle routes within green open space;
- c) avoiding obstruction or confinement of existing footpaths, bridleways, byways and cycle routes;
- d) improving access by creating links between new development and the local network.

Comment is not provided at this stage on each of the locations included within The Sites Document and the Policies Map as each case will be considered individually as part of the formal planning consultation process with reference to the principles above.

If it was considered helpful at this stage the Definitive Map Team would be able to provide mapping data showing public rights of way to the Planning team for inclusion within plans of each of the sites.

Planning Services

North Yorkshire County Council is working with the North York Moors National Park Authority and the City of York Council on the preparation of a Minerals and Waste Joint Plan (referred to as the Joint Plan below). This document, once finalised, will provide the planning policies for taking decisions on minerals and waste related development up to 2030. As North Yorkshire County Council is a 'two-tier' authority, consultation and discussion between the District and County Council is essential, particularly in relation to safeguarding of important mineral resources and mineral and waste related infrastructure. As work on the Joint Plan progresses discussion will continue with the District Council under the Duty to Co-operate.

The safeguarding of mineral resources and existing waste management and transport infrastructure are essential in ensuring the sustainability of the area. Chapter 8 of the Minerals and Waste Joint Plan Publication Document sets out the draft policies for safeguarding within the Joint Plan area. Although the Joint Plan is not yet finalised these policies provide an indication of the approach to safeguarding important mineral resources and mineral and waste infrastructure within the area. The Joint Plan has now been submitted for Examination in Public and this is expected to take place early in 2018. This response provides an indication, regarding the sites proposed for allocation by the District Council, of where safeguarding issues could potentially arise.

Given the progress with the Joint Plan it is considered that there are emerging policies that are relevant to the consideration of some of the proposed Ryedale allocation sites as they proceed through the Local Plan process. In particular these include: Policy S01 *Safeguarding mineral resources*; Policy S02 *Developments proposed within Minerals Safeguarding Areas*; and Policy S06 *Consideration of applications in Consultation Areas*, as well also the text regarding safeguarding exemption criteria. However, there are currently representations with regarding to these Policies that are at present unresolved.

With regard to the exemption criteria set out in paragraph 8.47 of the Joint Plan, the 12th bullet point refers to '*applications for development on land which is already allocated in an adopted plan where the plan took account of minerals and waste safeguarding requirements*'. There is a revision to this bullet proposed in the Addendum of Proposed Changes that was published for consultation in July 2017, but it does not change the essence of the criterion giving scope for taking account of the safeguarding requirements during the local plan process. Essentially if, in response to these comments, the District Council can add to the development requirements of a proposed site allocation text regarding safeguarding then that could lead to a position that a future planning application for the development of that allocation falls within the exemption criteria as it '*took account of ... safeguarding requirements*'.

We can confirm that it is expected that once the Minerals and Waste Joint Plan is adopted we will supply the District and Borough Councils with the appropriate information for their GIS systems:

- the safeguarded mineral resource layer;
- the safeguarded waste infrastructure layer;
- the safeguarded transport infrastructure layer; and
- the minerals ancillary infrastructure layer.

The type of comments made will depend on the nature of the development and the circumstances of the site *at the time*, which is where the exemption criteria will be relevant. As we have indicated in the Addendum of Proposed Changes to the Minerals and Waste Joint Plan that was, we intend to work constructively with the District/Borough Councils and developers to ensure that a proportionate approach is implemented and that it is pragmatic. The aim is that it is not seen as a block to development, rather that it ensures that due consideration is given to the safeguarding of the resource or infrastructure and that its role /potential is considered when determining future developments. Things that might come into that consideration for individual cases may be, for example (and this not an exhaustive list): the size of the proposed development site, its location relative to the road network and other development and the practicalities or appropriateness of prior extraction, or not.

The proposed site allocations set out in the Ryedale Local Plan Sites Document fall into several general categories in the context of the current position of the Joint Plan. These are summarised here and the sites are presented individually in the attached Appendix A:

- Sites 148, 200, 206, 265, 347, 464, 489, 608 and 649 lie within/or partly within an area identified under a Policy or (if applicable, several Policies) of the Minerals and Waste Joint Plan for safeguarding. Therefore, in the event that the Joint Plan is adopted and the site is allocated in the Local Plan adopted by the District Council, the County Council should be consulted on the planning application associated with this development as it not considered currently to meet the exemption criteria in the Joint Plan.
- Sites 21, 250, 371, 442, 450 and Dewhirst lie within an area identified under a Policy or (if applicable, several Policies) and the development proposed may fit within the exemption criteria identified in the Joint Plan (if adopted).
- Sites 156, 259, 588, 650 and 657 lie outside any area identified within the Minerals and Waste Joint Plan for safeguarding and hence it is not considered that any safeguarding issues are likely to arise.
- It appears that the 'Broad Location for Future Employment' to the north east of Malton would, if developed, be on land to the north of the A64 and east of the A169, in which case it would also lie outside any area identified within the Minerals and Waste Joint Plan for safeguarding.

Children and Young People's Services

Amotherby – 40 LP dwellings – Amotherby CP School is operating under capacity and it is anticipated no expansion will be needed.

Kirkbymoorside – 225 + 61 LP dwellings - one approved outline planning application (225) is to provide extra education land for use by Kirkbymoorside CP School. Without this additional land it would be difficult to develop the existing restricted site in response to any new housing. Ryedale Secondary School has been recently expanded.

Malton Primary – existing permissions + 60 LP dwellings may need some small scale expansion of Malton CP School. NYCC are working with the diocese St Mary's RC Primary Malton which will add additional capacity to provide for the impacts of new housing in both Malton and Norton. NYCC are reviewing the position of Malton Secondary to determine the need for and degree of any future expansion.

Norton Primary – 600 LP dwellings – the existing split-site provision and capacity of Norton CP School would be exceeded. Potential new school site with Norton Lodge planning application. Secondary provision in Norton may also need expansion in the long-term.

Pickering Primary – 360 LP dwellings – both the existing community Schools, Pickering Infants and Pickering Junior, would need some expansion. Any significant uplift in the allocation figure would need a review of the need for an additional education site. For Pickering secondary; Lady Lumley's has surplus capacity so no expansion would be needed.

Slingsby – 36 LP dwellings – School will be operating at capacity and difficult to expand, however significant numbers of children attending the school come from out-catchment so expansion may not be required

Highways

Thank you for consulting North Yorkshire County Council (NYCC) in its capacity as Local Highway Authority (LHA) on the publication version of Ryedale District Councils Sites Document and Policies Map of its Local Plan. The following response is made on behalf of the LHA.

The LHA has been working with the Local Planning Authority (LPA) on the development of its highway evidence in support of site allocations. The cumulative impact of various site allocation scenarios has been tested through transport consultants, Jacobs, who have used the Malton and Norton strategic transport model to assess the impact in Malton and Norton, and for Pickering carried out an assessment using individual junction transport models for two key junctions within the town. This assessed the capacity constraints on the highway network at the end of the Local Plan period 2027, with and without the various proposed Local Plan scenarios put forward by the LPA for assessment. The analysis assessed the impact on the local road network as a direct result of proposed allocated sites and identified a number of mitigation measures required to facilitate the cumulative impact of development.

The Sites Document details the Local Plan's allocations with development principles for the sites; the LHA would seek for further detail to be provided within these development principles such as the requirement to provide a Transport Assessment or Transport Statement and Travel Plan if required.

The Infrastructure Delivery Plan (IDP), 2012, lists a number of infrastructure requirements for highway improvements. This was based on the Malton and Norton Strategic Transport Assessment 2010 and discussions between authorities. The IDP lists internal junction improvements in Malton and Norton to accommodate the further development as being a critical infrastructure requirement and it is the LHA understanding that these include the required mitigation measures.

The LHA will continue to assist the LPA in addressing the issues raised above to enable robust transport evidence that the LHA can fully support to be established.

Closing Comments

We trust you find these comments helpful in developing the Local Plan. Should you wish to discuss any aspect of this response please do not hesitate to contact my colleague Carl

Bunnage, Head of Strategic Policy, Economic Growth and Heritage Services, [REDACTED]
[REDACTED]

We look forward to on-going collaboration on Local Plan preparation and delivery matters.

Yours sincerely

[REDACTED]

DAVID BOWE
Corporate Director – Business and Environmental Services

APPENDIX A

Site Ref	Location	Minerals & Waste Planning Comment
AMOTHERBY 148	Land north of B1257 & south of Amotherby Primary School, Amotherby	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable.
371	Malton Foods/Wrestlers. High Street, Amotherby	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable but some of the site may fit into the exemption criteria
489	Land east of Gas Storage & north of the Cricket pitch, Amotherby	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable.
KIRKBYMOORSIDE 156	Land south of Swineherd Lane & east of Springfield Lane, Kirkbymoorside	Outside an area identified under Policies of the Minerals and Waste Joint Plan for safeguarding
206	Land north of Keld Head Close & east of Wayvale Close, Kirkbymoorside	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable. Question: Is the description of this site correct? Should this be 'land north of Keld Head Road & west of Waydale Close'?
259	Land east of West Lund Lane and north of Gawtersike Lane (Part of)	Outside an area identified under Policies of the Minerals and Waste Joint Plan for safeguarding
265	Land north of Swineherd Lane, Kirkbymoorside	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable.
657	Land west of Kirkby Mills Road, Kirkby Mills, Kirkbymoorside	Outside an area identified under Policies of the Minerals and Waste Joint Plan for safeguarding
MALTON 21 & 113	Land at Cherry Farm, Huttons Ambo	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable but may fit into the exemption criteria if involves no additional take to that in the current permission
250	Cattle Market, Malton	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable but likely to fit into the exemption criteria as PDL
442	Livestock Market, Spital Street, Malton	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable but likely to fit into the exemption criteria as infill
450	Ryedale House (Council Offices), Old Malton Road, Malton	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable but likely to fit into the exemption criteria as PDL
588	Agri-Business Park & Business Technology Park, Eden House Road, Malton (Land west of Edenhouse Road and north of	Outside an area identified under Policies of the Minerals and Waste Joint Plan for safeguarding
608	Freehold Lane, Old Malton)	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable.
649 (formerly 88)	Land east of Westfield Way, Norton	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable.
Dewhirst	Land at Norton Lodge, Norton	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable but likely to fit into the exemption criteria as PDL
Dewhirst, Norton		
PICKERING 200	Land west of Malton Road and Haygate Lane, Pickering	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable.
347	Land east of Whitby Road and north of Corbie Way/ Marshall Drive, Pickering	In an area identified under Policy S01 of the Joint Plan, so Policies S02 and S06 are also applicable.
650	Land south of Enterprise Way and east of Outgang Lane, Pickering	Outside an area identified under Policies of the Minerals and Waste Joint Plan for safeguarding
SLINGSBY 464	Land south of 14 Aspen Way and north of Malton Road, Slingsby	In an area identified under Policy S01 of the Joint Plan so Policies S02 are also applicable