

**RYEDALE DISTRICT COUNCIL
PLANNING COMMITTEE**

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING

Item Number: 4
Application No: 14/00426/MOUTE
Parish: Malton Town Council
Appn. Type: Major Outline Environmental Statement
Applicant: Commercial Development Projects & Fitzwilliam Trust Corp
Proposal: Erection of new livestock market (sui generis) comprising circa. 2,850 sq m floorspace: Agricultural Business Centre comprising circa. 6,010 sq m of floorspace for uses within Use Class A1, A2, A3, D1, B1, B2, B8 and agricultural vehicle sales (sui generis); and new Business Park comprising circa. 19,040 sq m of floorspace for uses within Use Class B1, B2, and B8 including premises for The Ginger Pig comprising 1,790 sq m of floorspace (for uses falling within Class B1, B2, B8 and A1) along with (in respect of all elements) all associated development including drainage, provision of services, landscaping, boundary treatments, attenuation ponds and access and associated highway works. (Site area 17.8ha).
Location: Land At Edenhouse Road Old Malton Malton North Yorkshire
Registration Date: 29 April 2014 **8/13 Week Expiry Date:** 19 August 2014
Case Officer: Gary Housden **Ext:** 307

CONSULTATIONS:

NY Highways & Transportation	No views received to date
Mr M Potter	Representation - serious concerns
Parish Council	Recommend approval
LEP Mr A Leeming	Support
Highways Agency (Leeds)	No Objection
Vale Of Pickering Internal Drainage Boards	No further comments to make
Environmental Health Officer	Advises Phase 2 Investigation Undertaken - Attach Condition Requiring This
Tree & Landscape Officer	Comments received regarding screening and landscaping
Sustainable Places Team (Yorkshire Area)	Conditional support
Head Of Planning Services	Comments made regarding drainage, planting, visual impact and other matters
Archaeology Section	Recommend scheme of archaeological evaluation be undertaken.
Land Use Planning	Recommends conditions and comments made
Countryside Officer	Comments made regarding habitat creation
Economic Development	Support
National Grid Plant Protection	No views received to date
Mr Jim Shanks	Recommends (PTED) guidance be given consideration on the detailed proposal
Health And Safety Executive	Does not advise against granting of planning permission under two different criteria: 1) Less than 100 people per building 2) More than 100 people per building

PLANNING COMMITTEE

21 August 2014

Neighbour responses:

Mr J Welham, Mrs A Welham, Mr G Allen, N Harper, Mr K P Allen, Barbara Wood, Stuart Colley, P Wood, Mr Richard Mason, Jacquine Gaskell, Mrs Celia Durham, Lt Col A E Hemesley OBE JP, Mr J O Sturdy, Mr B L Bushell, B.A. Watson, Mr R Twiddle, Mr C S Snowdon, Mrs V Simpson, Mrs Janet M White, Rebecca Richardson, Dr Jonathan Pycock, J Claire, Mr W McMahon, Mr James Nolan, Mrs Christine Mason, Mr Gerald Cosens, Ms Kate Morris, Mr Derek Watson, Mr Tom Pycock, Mr John Brown, Mr Tom Watson, Miss Caroline Wyatt, Colonel The Hon. R N Crossley OBE, R.W. Carver, J W Story, Stephen Kelly, Mr Nick Greenhalgh, Mr J M Douglas, Mr David White, Mr Robert Blades, Sharon Foyle, Mr & Mrs Hammill, Mr Jeremy Waind, P G S Foxton, Mr Keith Warters, J Wilkinson, Mr James F Stephenson, Mr Robert Sturdy, Nick Hill, Mrs Gena Douglas, Mr Philip Place, Miss Anne McIntosh LL.B (Hons) MP, Dr Sam Hoste, Ms Annie Jones, Mr Jordan Gowdy, Mr Patrick McCarthy, Mr Michael De Rouffignac, Mr Adam Hall, J R Dransfield, Mr & Mrs Ordidge, Mr Andrew Atkinson, F Wardle & Son, Mr William Tyson, Mr Eric Weightman, Mr David Brotherton, I & H Robertson, Nikki Sey, Blyth Eden, Miss Rebecca Lowery, Mr Reece Langford, B Robinson, Mrs A Nolan, Miss Lynda M Shirley, RE Ward, J W Douglas, Mr Stewart James, M Rhodes, J D Lacy, Mr J Byas, David Jackson, Mr David Simpson, William Douglas, Miss K Baker, Mr JD Wright, J C Draper, B-R- Hull, Mr & Mrs P Chapman, Mr Philip Parker, Cllr Paul Andrews, J S & B Pease, M. E Anderson & Mrs J E Anderson MBE, Mrs Dorianne Butler, Mr derek watson,

Overall Expiry Date:

7 August 2014

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SITE:

The site is located immediately to the north of the junction of the A169 with the A64 trunk road and the red line of the application site covers three linked parcels of land next to the Edenhouse Road.

The Eastern Site proposes a new business park comprising approximately 19,040sq. metres of floorspaces for B1, B2 and B8 uses. The eastern site is bounded by the A169 along its eastern boundary, by Edenhouse Road along its southern and western sides and by a block of established woodland along its northern boundary. There is some existing hedgerow along the east, south and west boundaries, although much of the site is currently open to the A169.

The Western Side is located to the western side of Edenhouse Road and to the north of the existing Russells Farm Machinery premises and Eden Camp Visitor Allocation. There is an established hedgerow boundary to Edenhouse Road and fields to the rear. It is proposed that a new livestock market of around 2,850sq. metres and an agricultural business centre comprising around a further 6,010sq. metres of floorspace would be accommodated on this part of the application site.

The Southern Site (under the pylons) indicates the presence of a large surface water retention pond.

No buildings are proposed on this part of the site.

Plans showing the site location and indicative layout are appended to this report.

PROPOSAL:

This application, along with applications 14/00427/MOUTE, 14/00428/MOUTE and 14/00429/MOUTE is the subject of a detailed series of documents comprising the Environmental Statement. These include Design & Access Statement; Statement of Community; Planning Obligation Draft Heads of Terms Supporting Document; Environmental Impact Assessment; Transport Assessment; Noise Assessment; Heritage Assessment; Archaeological Assessment; Tree Survey;

Landscape and Visual Impact Assessment; Ecological Assessment; Desk Top Study and Flood Risk Assessment)

In addition to the detailed technical reports, Members are advised to refer to the 'overarching' Town Planning Statement and also the Design & Access Statement. Both are appended to this agenda item for ease of reference. A copy of the Environmental Statement, Non-Technical Summary is also appended.

In addition to the list of uses already described for each part of the site above, the proposal includes the construction of a new roundabout at the junction of the A169 and Edenhouse Road with localised road widening and upgrading of Edenhouse Road to the point of entry to the Western Site (proposed Livestock Market and agricultural business centre). The total extent of the red line is approximately 17.8 hectares.

POLICY:

National Policy Guidance

National Planning Policy Framework
National Planning Policy Guidance

Ryedale Plan - Local Plan Strategy

Relevant Policy - Vision Aims Objectives
Policy SP1 - General Location of Development and Settlement Hierarchy
Policy SP6 - Delivery and Distributing of Employment Land and Premises (Malton & Norton - 29.6 - 36ha during life of the Plan)
Policy SP9 - The Land-Based and Rural Economy
Policy SP10 - Physical Infrastructure
Policy SP12 - Heritage
Policy SP13 - Landscapes
Policy SP14 - Biodiversity
Policy SP16 - Design
Policy SP17 - Managing Air Quality, Land and Water Resources
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues
Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy

HISTORY:

Eastern Site Only

07/00656/MOUT: Development of a Business and Technology Park (site area 9.54ha) Resolution to Approve. Called in by Secretary of State 28.02.2008. Withdrawn 01.04.2008

APPRAISAL:

Principle of the Development

The Aims and Objectives of the Ryedale Plan - Local Plan Strategy plans for growth on the District which is comparable with the principles of sustainable development. The recently adopted Strategy (September 2013) was examined and past the publication of the NPPF and is fully compliant with national policy.

The Plan focuses development at the market towns and emphasises the role and regeneration of Malton and Norton as the District's Principle towns. In addition to supporting the delivery of a significant new houses at Malton and Norton (including affordable housing), the plan seeks to support new and existing businesses within the provision of a range of employment sites and premises, including higher quality purpose built sites. The Plan also seeks to support the land-based economy, providing rural enterprises and activity that helps to retain traditional land uses such as food production. This seeks to assist the retention of livestock markets in the District.

Policy SP1 - General Location of Development and Settlement Hierarchy

This policy identified Malton and Norton as the Principal Towns and the primary focus for growth. Opportunities for growth have identified the need for Greenfield sites on the edges of the towns for (amongst other types of development) new business space.

Policy SP6 - Delivery and Distributing New Employment Land and Premises

This Policy is preceded by the following paragraphs:

- 5.1 A strong and healthy economy is integral to the quality of life, prosperity and sense of personal security of residents of the District.
- 5.2 A large part of Ryedale's economy is inextricably linked to its geography. As a predominantly rural area, agriculture is a traditional sector of the economy across the District. Tourism has a strong presence particularly in northern Ryedale where it is centred on specific visitor attractions, the picturesque settlements of Helmsley, Pickering and Thornton-le-Dale and attractive landscapes, including the North York Moors National Park. Throughout history the District's Market Towns have been hubs of economic activity. They are the main centres of manufacturing, retailing and service and leisure based economic activity. The City of York exerts influence in the southern and western parts of Ryedale in terms of commuting patterns and retail expenditure.
- 5.3 Ryedale's economy appears strong; enjoying relatively high levels of business start ups and low levels of unemployment. Underlying these headline figures however, the District's economic base remains dependent on traditional sectors or a small number of large businesses which are vulnerable to wider national and international changes. To help to increase local wage levels, retain and attract young people, reduce out commuting and ensure a more skilled workforce in the longer term, it will be essential to diversify the District's economy to reduce dependence on vulnerable sectors and to foster a wider choice of employment opportunities. Lifting wage levels locally will also assist in addressing some of the significant housing needs of young and working people through the open market.
- 5.4 This Plan looks to support staple sectors of the economy such as manufacturing, tourism and agriculture whilst seeking to provide a step change in diversifying and modernising the economy. Building on the District's existing high tech advanced engineering cluster and supporting growing economic sectors, such as knowledge based economic activity, will be important. The proximity of York with its strong science and service sectors provides an opportunity to build on links with the York economy to help support the diversification of Ryedale's economy.

The Food and Environment Research Agency (FERA) at Sand Hutton is an example of the important inter-linkages that already exist between the District and York. It is a nationally important centre for bioscience undertaking essential research for the Department for Food and Rural Affairs and has also undergone expansion and refurbishment including the creation of the York Science and Enterprise Centre which offers managed commercial space for new or relocating science-based companies.

- 5.8 The Employment Land Review and the update to it, following an assessment of the limited existing supply of available employment land and projected demand for new employment space, recommends that between 37 and 45ha of employment land should be allocated in Ryedale to ensure a continuous rolling supply. This is to enable a step change in the diversification of Ryedale's economy. Policy SP6 sets out the distribution of employment land across the District and reflects the findings of the ELR and ELRU, the roles of each of the towns, the availability and suitability of sites for particular uses and the commercial demand for land and accommodation. The largest concentration of new employment land will be directed to Malton and Norton as the largest centre in Ryedale and the Principal Town. This is due to the availability of employment sites, the potential to attract inward investment, the ability to forge links with the York economy and to cater for the sustainable expansion and relocation of existing businesses. Employment development in Pickering as the key Local Service Centre and second largest settlement in Ryedale, will support indigenous employment opportunities linked to new housing development. Helmsley and Kirkbymoorside are allocated a more modest amount of new employment development to reflect the demand and scale of these towns.
- 5.10 The influence of the City of York is inextricably linked to the economy of Ryedale, given its close proximity to settlements particularly in southern Ryedale, including Malton and Norton. The ELR identifies that a critical way of diversifying Ryedale's economy and 'up-skilling' its workforce is through forging links with the York economy, and in particular with initiatives including the Science City based at the University of York. There are also opportunities to link with other higher education and further education institutions in and around York, to provide necessary skills, training and expertise in these emerging sectors. On this basis land for a purpose built Business and Technology Park, centred on added value sectors including advanced engineering, IT and knowledge based industries, will form part of the allocation of sites for Malton and Norton.

New employment land is focussed in Malton and Norton with approximately 80% of sites to be identified within, adjacent to and on the outskirts of the built-up areas of the towns. The plan allocates a minimum of 37 hectares of net additional employment land during the life of the plan which equates to 29.6 hectares at Malton and Norton alone. A further 8 hectares of land will be released during the life of the plan if it is required.

The policy also states that:-

“Land for employment uses will provide a portfolio of sites and premises offering a range and choice of accommodation in appropriate locations. The intention is to support established sectors in the local economy and provide opportunities for diversification which over the Plan Period, will enable a step change in business growth, improved skills and a more sustainable local economy. This will include the provision of higher quality employment sites and premises which:

- Are capable of supporting the sub-regional economy for science based businesses, including expansion of existing sites and the provision of a new Science and Technology Business Park at Malton and Norton.
- Offer opportunities for specialist sectors including precision engineering and advanced manufacturing and existing key businesses. This will include: expansion space for existing businesses, new sites and premises for move on accommodation to support business growth and growing these key clusters.

- Are able to provide accommodation for small businesses, supporting the high business formation rate in Ryedale. This will include incubator space, new managed workspace, small business units and live-work space.

Proposals for new employment development and in particular Use Classes B2 (general industrial) and B8 (storage and distribution) uses on unallocated sites, will be supported in line with the sources table set out above and which:

- Are of an appropriate scale to their surroundings having regard to their visual impact.
- Are capable of achieving suitable highway and access arrangements commensurate with the nature of their use, without an unacceptable impact.
- Satisfy the provisions of Policies SP12, SP17 and SP18”.

This approach is considered to fully accord with advice contained in the NPPF, which also states:-

Core Principles Planning

Paragraph 17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:

- be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs

Delivering sustainable development

1. Building a strong, competitive economy

Paragraph 18. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

Paragraph 19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 20. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

Paragraph 21. Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. 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; Achieving sustainable development
- set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a
- rapid response to changes in economic circumstances;
- plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries;
- identify priority areas for economic regeneration, infrastructure provision and environmental enhancement; and
- facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.

3. Supporting a Prosperous Rural Economy

Paragraph 28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;

- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where
- identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

Decision Taking

Paragraph 186. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.

Policy SP9 - The Land-Based and Rural Economy

This Policy is preceded by the following text:-

5.34 Land-based economic activity is integral to the District's economy, cultural heritage and identity. Farming, forestry and the equine industry, in particular horse racing, have all been longstanding and traditional components of economic activity. Many of these activities have helped to ensure that Ryedale's valued landscapes are carefully and sensitively managed. In Ryedale the role of local Estates has been a significant factor in influencing rural economic activity and management of the landscape.

5.35 However the land-based sector, and in particular agriculture, has undergone considerable restructuring over the post war period, and is set to continue to restructure as a consequence of both local and global changes. These changes are happening at a rapid rate, can be difficult to predict and are likely to exert a combination of positive and negative pressures on the District's rural economy. This Strategy is intended to support and be flexible to the needs of those who rely on the land-based economy. It also supports new opportunities that may arise from future changes. These range from alternative cropping to renewable energy schemes. It is essential that these new land uses and economic activity must be supported and encouraged where appropriate if Ryedale's countryside is to continue as the living and working countryside that is intrinsic to Ryedale's cultural identity.

5.36 Malton Livestock Market is the last remaining livestock market in Ryedale and is greatly valued by the local farming and wider community. It provides a local sustainable focus for the sale and purchase of livestock, reducing food miles and encouraging the trend towards local food production. The Council considers that the current livestock market is an important use that should be retained in Ryedale. Following the grant of outline planning consent for redevelopment of the current livestock market site, it is very likely that the livestock market will vacate its current location. It is important that any new site for a livestock market reflects the balance of maintaining links to a Market Town in Ryedale but also ensures that it is acceptable taking into account other matters such as highways, amenity, visual impact, character and setting.

SP9 The Land-Based and Rural Economy

Ryedale's land-based economy will be sustained and diversified with support for:

- New buildings that are necessary to support land-based activity and a working countryside, including for farming, forestry and equine purposes
- Replacement dwellings for land management activity if no other existing available buildings suitable or capable of conversion

- Replacement of non-traditional general-purpose storage buildings to support farming, forestry or equine related activity
- Conversion of traditional buildings for tourism or residential uses (subject to the occupancy conditions set out in Policy SP21)
- Conversion of existing buildings and provision of new buildings to support appropriate small-scale rural economic activity in line with Policy SP6
- Appropriate farm and rural diversification activity including innovative approaches
- Local food production and sales. Farm shops which will meet a demand for local produce and which contribute to the local economy will be supported where they do not adversely affect easily accessible convenience shopping.
- Appropriate new uses for land including flood management and energy production related research and education in this field
- Small-scale extraction of local building stone and limited aggregate provision

And indirectly by supporting:

- The retention of a livestock market within Ryedale on a site which is convenient to users, well related to the main road network and in a location which is close to a Market Town but will not harm its character, landscape setting or the amenities of nearby residents
- Local weekday and Saturday markets, farmer's markets and events
- Proposals or actions that would assist in utilising and retaining traditional rural skills including land and woodland management, farming, conservation, local traditional building techniques

The proposal is for the re-location of the livestock market with accompanying Agricultural Business Centre total approximately 2,850sq. metres and 6,000sq. metres respectively on the western site which has an area of approximately 6.33 hectares. In addition, the eastern site proposes approximately 19,040sq. metres of floorspace for uses within Use Classes B1, B2 and B8 which has an area of approximately 8.56 hectares (a net area of just less than 15 hectares).

The sites are located in close proximity to the fully grade separated all directional junction of the A64 junction road and the A169. The sites are located close to the existing premises accompanying the Eden Camp Modern History Theme Museum and Russells Agricultural Vehicles Sales and contracting premises. It is noted that the southern element of the site does not propose any buildings in this area. It is also crossed by substantial overhead lines and is proposed to contain a significant surface water attenuation facility. This means that clear views are retained of the visitor attraction and Russells premises from the A169 approaching from the direction of the trunk road.

In principle, the development proposed is considered to be acceptable because it is well located to the Principal Town; it is well located to the main route network and is of a scale that sits well within the scale of development anticipated in the Local Plan Strategy. A number of more detailed issues are, however, relevant to the consideration of this application, and these are dealt with below.

Drainage/Flood Risk

The Environment Agency, Yorkshire Water and Vale of Pickering Internal Drainage Board have all been consulted on the detailed Flood Risk Assessment work that accompanies the application.

No objections are raised subject to conditions relating to full details of foul and surface water arrangements being agreed and completed before any buildings are brought into use and limitation of surface water run-off to no more than 1.4 litres/second/hectare and that the attenuation storage is provided in line with the submitted Flood Risk Assessment. Whilst concerns have been raised locally in relation to flood risk issues, the matter has been fully investigated and there are no sustainable planning objections on this issue subject to the conditions specified above.

Access/Traffic Matters

The full scheme proposes the provision of a roundabout at the current T-junction with the A169 and Edenhous Road. Localised widening is also proposed to the entrance of the proposed western site entrance. This is considered to be acceptable to NYCC Highways subject to detailed conditions.

It is also of note that the Highways Agency has raised no objection on highway safety/traffic issues in relation to the safe operation of the nearby A64 trunk road. Subject to the final comments from NYCC Highways detailing the conditions, no objections are raised on highway safety grounds.

Design Issues

Whilst in outline, the application is accompanied by a Planning Statement and Design & Access Statement which sets out the design and landscaping approach to the development of both the east and western site and the larger surface water attenuation pond. The scale of buildings set out in the Design & Access Statement are considered to be appropriate and a condition referring to the principles set out in the Design & Access Statement is recommended. Detailed conditions relating to the screening of individual units and the 'structural' landscaping of the sites are also recommended. Aside from The Ginger Pig element which is submitted in detail, the Local Planning Authority will retain final control over the layout and development of the sites through subsequent reserved matters applications.

The Policy Designing Out Crime Officer has recommended no objection subject to a planning condition being placed on any outline permission that is granted to require the provision of full details of how crime prevention has been considered and incorporated into the design and layout of the detailed scheme.

Archaeology

The applicants have submitted an initial assessment based on geological investigation of this site. NYCC Archaeology have requested further pre-decision investigations on site. The applicants have responded in writing advising that they considered this request to be excessive in the circumstances of this site because:-

“In respect of Showfield, Peasey Hills and Eden Camp West, my reasons for recommending evaluation evacuation be a condition of the planning permission, rather than a requirement in advance of a planning decision being made, are twofold: the lack of any clear evidence for archaeological activity, and because these are outline applications with ample opportunity to further test the site in advance development.”

The NPPF para 128 states:-

“Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, Local Planning Authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation”.

The NPPF does not define a 'field evaluation' but geophysical survey is one technique that can be classed as such, as defined in the PPS5 Practice Guide (which has been re-validated as Government endorsed guidance following the publication of the NPPF). Therefore, contrary to the responses from NYCCHT, a field evaluation has been undertaken and this has not identified any significant features of archaeological interest. As such it can be argued that evaluation excavation is not justified at this stage.

The clarify, the geophysical surveys concluded the following:-

Showfield - “Apart from ridge and furrow cultivation and a former field division, the survey did not identify any responses deemed to be of archaeological potential”.

Eden Camp West - "Apart from field boundaries which are marked on 1891 maps, the magnetic survey has not detected any responses which might be indicative of buried archaeology".

Peasey Hills - "Archaeological features are evident in the eastern area surveyed only, i.e. beyond the limits of the application area".

At Old Malton, the clear evidence for archaeological activity identified by geophysical survey has been tested through evaluation excavation and the accuracy of the technique confirmed. This is in accordance with a staged programme of archaeological work, where the need for each stage is judged on the results of the preceding stage. Where there has been clear evidence for archaeological activity identified, our client has committed to programmes of work that allow a proper identification and understanding of those remains. In the case of the sites where no archaeological remains have been identified, there is still a commitment on our client's part to commission archaeological evaluation to test the results of the geophysical survey and, if appropriate, develop a mitigation strategy that will allow archaeological remains to be excavated and recorded in advance of development".

NYCC's Historic Environment Team have responded stating that they consider that the archaeological potential of the site is still not fully understood and therefore, the proposal is contrary to Paragraph 128 of the NPPF. NYCC Historic Environment Team also make reference to the reasonableness of a condition, in these circumstances making reference to Circular 11/95, although the circular has now been deleted following production of the National Planning Policy Guidance.

In this instance, there is clearly an impasse and officers have therefore appraised the submitted information in the context of Policy SP12 and the overall approach contained in the NPPF and NPPG. It is considered that in the planning balance, it is possible to apply conditions to secure further investigation in this instance prior to the commencement of any development on site, and for the most part at reserved stage.

NYCC Historic Environment Team has advised that if Members are minded to concur with this view, that the following conditions should be imposed:-

1.
 - A) No development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
 - i. The programme and methodology of site investigation and recording
 - ii. Community involvement and/or outreach proposals
 - iii. The programme for post investigation assessment
 - iv. Provision to be made for analysis of the site investigation and recording
 - v. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - vi. Provision to be made for archive deposition of the analysis and records of the site investigation
 - vii. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

Reason:- In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary safeguarded, in accordance with the National Planning Policy Framework.

2. The details submitted in pursuance of Condition no. 1. (above) shall be preceded by the submission to the Local Planning Authority for approval in writing, and subsequent implementation, of a scheme of archaeological investigation to provide for:

(i) The proper identification and evaluation of the extent, character and significance of archaeological remains within the application area;

(ii) An assessment of the impact of the proposed development on the archaeological significance of the remains;

Reason:- In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary safeguarded, in accordance with the National Planning Policy Framework.

3. The applicant shall formally notify the Local Planning Authority in writing within 14 days of the completion of archaeological mitigation fieldwork.

Reason:- In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary safeguarded, in accordance with the National Planning Policy Framework.

4. Within 24 months of completing the archaeological field investigations required by condition 1 (above), a report which shall comprise of an assessment of the archaeological remains recovered from the site and an outline of the subsequent programme of analyses, publication (including a date for publication) and archiving, shall be submitted to and approved in writing by the Local Planning Authority. The programme of analyses, publication and archiving shall thereafter be carried out in accordance with the details thus approved, and in accordance with a timetable agreed in writing with the Local Planning Authority.

Reason:- In order to ensure the archaeological resources at the site are adequately investigated, understood, and where necessary safeguarded, in accordance with the National Planning Policy Framework.

On balance, the officer recommendation is that the above-mentioned conditions should be imposed if permission is granted to ensure that this matter is properly controlled and to satisfy both Local and National Policy.

Economic Development Issues

This proposal has the full support of both the Local Enterprise Partnership and the Council's own Economic Development Officer. The LEP officer states:-

“The York, North Yorkshire and East Riding LEP strongly supports this proposal, which forms a key element in strengthening the agri food and bio-economy activity that is the defining element of the York, North Yorkshire and East Riding economy. The Growth Deal offered to this LEP by Government recognises this and states ‘The York, North Yorkshire and East Riding (YNYER) Growth Deal supports the areas ambition to become a national and international centre for the science of food, agri-tech and bio-renewables’.

In recognition of the strategic importance of the proposed developments at Edenhouse Road, this LEP has supported a bid for Local Growth Fund (LGF) towards the infrastructure required for this proposal. Although insufficient funds at a national level prevented a funding allocation in the first round of LGF, the LEP will be continuing to promote this vital scheme in order to achieve the 600 jobs it will generate and the opportunities for businesses linked to the agri food sector.

LGF funding was recently allocated to three other strategic projects that will significantly strengthen the bio-economy within the LEP. All are similarly within a short section of the A64 corridor between York and Malton. The National Agri Food Innovation Campus (NAFIC) at FERA Sand Hutton, the BioHub at York University and an Agri Tech Training Centre at Askham Bryan will all strengthen the bio-economy in the LEP area. However, the proposed development at Edenhouse Road, Old Malton will provide regionally-important facilities in terms of space for businesses linked to agriculture and for grow-on space for businesses at both the NAFIC and the BioHub.

There are no other similar facilities being brought forward within the LEP area at this time and the delivery of this project is a major priority for the York, North Yorkshire and East Riding LEP.

The Edenhouse Road proposals compliment the role of Malton and Norton as the economic and housing focus for Ryedale District. Regardless of the agricultural focus of the current proposals, the LEP supports these proposals in terms of the delivery of a strategically important employment site serving one of the growth towns within the LEP area.

It is noteworthy that the Edenhouse Road proposals will deliver the following policy aspects of the recently adopted Ryedale Plan:

- The provision of a Business and Technology Park (on a site identified in the Ryedale Employment Land Reviews as the best location in the District)
- The opportunity to forge greater links with the York economy and with activities at the FERA site at Sand Hutton
- Implementation of Policy SP6, whereby 80% of employment allocations will be in or adjacent to Malton and Norton
- Support for the land-based and rural economy, including relocation of Malton's Livestock Market, in accordance with the aims of Policy SP9".

In addition, the Councils Economic Development Officer writes in strong support stating:-

Proposed business park development:

- Both the Ryedale Plan: Local Plan Strategy and the Ryedale Economic Action Plan highlight a need for additional employment land:
 - The Ryedale Plan: Local Plan Strategy includes an ambition to achieve "Improved choice and availability of employment land and premises including high quality business space, managed workspace and a Business and Technology Park",
 - The Ryedale Economic Action Plan identifies "Provision of employment land" as a key aim under the objective "To have economic structure and supporting infrastructure in place".
- The proposed site for the development is identified within the Ryedale Employment Land Review (2006, and updated 2010) as one of the best potential sites for higher quality employment development and is consistent with the Ryedale Plan.
- A business park close to Malton / Norton will capitalise on, and strengthen, the links to the York economy and existing high technology operations in Ryedale.
- The development would contribute towards the diversification and strengthening of the local economy.

Proposed agricultural business park development:

- Given the rural nature of the area, agriculture and land-based industries are very important to the local economy and, although the numbers employed in the sector have declined, its importance to the local economy persists, with a greater requirement for a workforce with specialist knowledge and technical skills.

- The land-based economy is recognised as “integral to the District’s economy” within The Ryedale Plan – Local Plan Strategy, and is highlighted for sector specific action in the Ryedale Economic Action Plan.
- The development of an agricultural business centre will support this important sector by housing a range of complementary uses and support services. This in turn will contribute towards enhanced efficiency and resilience of the sector.
- Proposed links with an agricultural college will promote continued development of skills for this ever evolving sector – ensuring that the local workforce have skills appropriate to the opportunities available now and in the future. This is a priority in the Ryedale Economic Action Plan, recognising the impact of low skills levels on the wage base.
- The development will provide further opportunities for growth and employment in companies specialising in rural / agricultural goods and services.
- There are clear synergies between the proposed agricultural business park and adjoining business park and the development of the National Agri Food Innovation Campus at DEFRA’s Sand Hutton Site and the proposed BioHub at York University. These proposed commercial facilities at Malton will provide further development and expansion opportunities both for local businesses and for business that outgrow the facilities at York University or Sand Hutton and / or are seeking rural facilities with a close connection to agri-food / agri-tech.
- The proposed agri-business park is an extremely important element of the wider ‘agri-tech’ theme within the Local Enterprise Partnership’s Local Growth Fund bid of March 2014. This development, linked to the Sand Hutton Campus, the BioHub at York University and enhanced agri-engineering training facilities at Askham Bryan College, York, form part of a corridor (focussed on 25 mile section of the A64) of significant and mutually supporting opportunities in the agri-tech and agri-food.
- sectors in North Yorkshire. This offer is at the forefront of the priorities of the York, North Yorkshire and East Riding LEP Growth Deal Implementation Plan and combines with the BioVale Initiative in Yorkshire and Humber.

Proposed development of a new livestock market:

- The landlords of the existing livestock market site, close to Malton town centre, have secured planning consent to redevelop the site, primarily for retail uses. The existing livestock market operation is subject to a short rolling lease with no security of tenure. An alternative site and a modern, purpose-built facility is therefore required to protect the livestock market by facilitating its relocation.
- The Malton Livestock Market is the only such market in Ryedale and its loss would leave this predominantly rural District without a key element of its economic infrastructure. The scale of the District adds to travelling times and therefore transport costs associated with reaching alternative livestock markets and further reinforces the need to retain such a facility within the District.
- The Council supports efforts to ensure that a livestock market is retained within the District. This is reflected in Policy SP9 of “The Ryedale Plan – Local Plan Strategy” which states:
 - “The retention of a livestock market within Ryedale on a site which is convenient to users, well related to the main road network and in a location which is close to a Market Town but will not harm its character, landscape setting or the amenities of nearby residents”.
- It is understood that the Malton and Ryedale Livestock Market Company will own the new facility and this should help to secure the facility for the long-term.
- Development of a modern, purpose-built facility will also result in the following benefits:
 - Relocation from the existing site will facilitate redevelopment of the existing site (as part of the identified ‘northern arc’) to strengthen Malton town centre’s retail offer and improve public realm,
 - Reduced town centre congestion on market days,
 - Better environmental controls, including effluent management and treatment,

- Increased biosecurity and reduced risk of spreading disease,
- Enhanced animal welfare standards.
- Relocation of the facility from the town centre may result in a reduction in the use of town centre facilities and services by users of the livestock market, however, the location of the proposed site, close to the market town of Malton, should mitigate the scale of such impacts.

Overall development

- It is understood that the proposed development has the potential, over the next ten years, to:
 - create in-excess of 800 full-time equivalent jobs,
 - attract investment of circa £20m into the District.
- The proposed development will require construction of a new roundabout on the A169 and supporting infrastructure. Council officers have supported this via the submission of a £2.1m bid to the Local Enterprise Partnership for funding from the Local Growth Fund. The bid has been submitted for Year 1 (2015/16) of the LGF and will not proceed if planning permission is not granted for the site and the package of inter-linked development.
- Council has recently supported a feasibility study into improving the access by cycle from Malton to Pickering. This would link residential areas in both Malton/Norton and Pickering with some of the key employment sites in the Vale of Pickering, including this proposed business park development.
- The proposed business park / agri-business park development is linked to the three proposed residential developments at Malton and Old Malton which, if granted consent, would provide up to 300 new homes, including 45 affordable homes. Provision of new homes helps to address the supply and demand issues which have contributed to a significant affordability gap for homes in the Ryedale area, with this package including a significant number of new affordable homes, and assists with the supply of an appropriate work force for local employers. New house-building is a direct provider of jobs in construction and its supply chains. Furthermore, the service needs and consumer demands of the new residents will support existing service and retail jobs, including those in local shops and facilities such as Malton Hospital, and support new jobs.

The overall combined package of development would contribute strongly towards

- The Council Plan, Aim 2: To Create the conditions for Economic Success and the following Strategic Objective/s:
 - “Place of Opportunity – economic structure and supporting infrastructure”, specifically “To improve the infrastructure and strengthen the role of the market towns” and,
 - “Opportunities for people – increasing wage and skills levels”
- The Council’s Economic Action Plan:
 - “Objective A: To have economic structure and supporting infrastructure in Place” and particularly
 - A1 - Provision of employment land
 - A2 - Provision of Work space
 - A4 - Communications and Transport Infrastructure
 - “Objective B: Opportunity for people and business” particularly
 - B3 Supporting the business life cycle – Support business growth
 - B5 Sector specific support – Agri-food and land based industries

In summary, the development of a business park, agricultural business park and livestock market at the proposed site, together with the supporting package of residential development, is in accordance with the principles of adopted Council Planning Policy, contributes significantly towards the Council’s corporate objectives and the objectives of its Economic Action Plan, and would contribute greatly towards strengthening the District’s economy:

I would therefore strongly support this application, which is of strategic importance to Ryedale's economy, agricultural sector and community, and which is closely linked to the promotion of agri-tech as the growth sector for this LEP area.

These comments are made purely from an economic development perspective and are made without prejudice to the Council's role as Planning Authority in considering the application".

Health & Safety

The Health & Safety Executive does not advise against the grant of planning permission on Health and Safety grounds.

Ecology

No objection is raised - conditions are recommended with regard to habitat creation.

Members will note that Natural England had raised an initial concern/objection which was responded to by the applicant's agent (see attached letter dated 15 July 2014). Natural England's response has resulted in conditional support for the proposal subject to the imposition of a planning condition.

Third Party Responses

Malton Town Council recommend approval to the proposal making the following detailed points:-

1. Full consideration being given to the recommendations of the NYCC flood impact report in respect of the Old Malton surface water and foul water drainage arrangements and any impact this proposal might have, and consideration of the opportunity to seek from the developer assistance towards permanent remedies to meet current deficiencies in a system upon which this proposed development will rely.
2. Appropriate consideration of the application of a weight restriction on Ryton Rigg Road.

Point 1 is considered to have been satisfactorily addressed by the responses by all of the formal drainage bodies insofar as it relates to the impacts of this application . The planning system cannot be used to address other existing deficiencies in the locality.

Point 2 can be addressed to NYCC Highways for further consideration.

In addition, the Council has received 38 objection letters and 58 letters of support raising the following:

Objectors

- Concern in principle;
- Further risk of flooding;
- Traffic/Infrastructure Deficiencies;
- Loss of Agricultural Land - better brownfield sites;
- Possible smell/odour;
- Ecological impacts;
- Alternative livestock markets elsewhere;
- Facilities at Thirsk/York;
- Visual impact - harm to museum; and
- Adverse impact on farming enterprise.

Supporters

- Clear need for new livestock market and associated businesses;
- New facility will ease congestion in the town centre;
- New job creation is highly desirable;
- Associated enabling development is necessary;
- Malton 'food capital' needs modern facilities for 21st Century;
- Site is close to town for linked trips; and
- Closure of livestock market without replacement will have wider adverse effect on the economy.

These issues have been dealt with elsewhere in the appraisal and approval is recommended subject to conditions and the completion of a S106 agreement relating to developer contributions.

In summary, this application (which also comprises EIA development) is considered to accord with the policies contained in the adopted Development Plan. It is also considered to satisfy national planning policy as set out the National Planning Policy Framework taken as a whole, which seeks to promote sustainable development.

Conditions and developer contributions will be imposed and form part of the decision notice in order to satisfactorily mitigate any impacts arising from the development and to offset any major adverse effects that may otherwise occur as detailed in the officer report.

RECOMMENDATION: Approval subject to completion of a Section 106 Agreement relating to developer contributions and conditions

DETAILED CONDITIONS TO FOLLOW IN THE LATE PAGES