



# Malton Fitzwilliam Trust Corporation Sites

Livestock Market, Agri Business Centre,  
Business Park and Residential Development

Town Planning Statement  
Freeth Cartwright LLP



**MALTON – FITZWILLIAM TRUST CORPORATION SITES**

**NEW LIVESTOCK MARKET, AGRICULTURAL BUSINESS CENTRE AND BUSINESS  
PARK ON LAND ADJOINING EDEN CAMP, MALTON; AND RESIDENTIAL  
DEVELOPMENT ON LAND AT PASTURE LANE, MALTON, LAND AT RAINBOW  
LANE, MALTON AND LAND AT WESTGATE, OLD MALTON**

**TOWN PLANNING STATEMENT**

**ON BEHALF OF  
COMMERCIAL DEVELOPMENT PROJECTS  
AND  
FITZWILLIAM TRUST CORPORATION**

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## 1. INTRODUCTION

- 1.1. This Town Planning Statement is prepared on behalf of Commercial Development Projects (CDP) and Fitzwilliam Trust Corporation (FTC) and is submitted in support of 4 no. outline planning applications for an interlinked package of development proposals which will provide for:
1. Relocation of the Livestock Market to land adjacent Eden Camp, Malton along with the creation of an associated Agricultural Business Centre and new Business Park;
  2. Erection of circa. 227 residential dwellings on land north of Pasture Lane (Showfield site), Malton;
  3. Erection of circa. 35 residential dwellings on land south of Westgate, Old Malton; and
  4. Erection of circa. 45 affordable homes for local people on land at Rainbow Lane (Peasey Hills), Malton.
- 1.2. For ease of reference throughout this statement the sites are simply referred to as the "site adjacent Eden Camp", the "Showfield site", the "Old Malton site" and the "Peasey Hills site".
- 1.3. The scope, format and content of the planning application proposals (as set out in Section 4 below) is based on detailed discussions with Ryedale District Council, statutory consultees, stakeholders and local interest groups.
- 1.4. Both CDP and FTC have worked in partnership with Malton and Ryedale Farmers Livestock Market Company Limited and the Local Enterprise Partnership to bring forward these applications with the objective of relocating the livestock market to a new Agricultural Business Centre and Business Park on land adjacent Eden Camp which will create circa. 800 – 1,000 new jobs. That development will, in part, be funded by residential development on both the Showfield site and the Old Malton site.
- 1.5. The retention of the livestock market in Ryedale is an objective of the recently adopted Ryedale District Council Local Plan Strategy. That strategy also identifies a requirement for the provision of up to 45 hectares of new employment land and 3,000 new residential dwellings, with 50% to be provided in Malton and Norton. Accordingly these interlinked applications accord with and facilitate the delivery of that strategy.

- 1.6. Importantly the proposals have also evolved through a programme of extensive public consultation (as set out in the **Statement of Community Involvement** prepared by Freeth Cartwright LLP) in which 93% of those who have made formal comments expressed strong support for the proposals.
- 1.7. The purpose of this Town Planning Statement is to provide an overview of all planning application documents (as identified in the schedule attached at Appendix 1) insofar as they are relevant to the accordance of the Masterplan proposals with relevant planning policy and guidance.
- 1.8. Throughout this statement reference is made to other planning application documents in order to avoid repetition.

## 2. SITE AND SURROUNDINGS

- 2.1. The application proposal is made up of the following 4 no. sites as identified on the plan attached at **Appendix 2**.
- 2.2. **Site No. 1**, Land adjacent Eden Camp is located to the north of the A64/A169 junction and is accessed via Edenhouse Road from the A169. The proposed development site comprises 17.80 hectares of relatively flat agricultural land bounded by hedgerows. The site is outwith the identified development limits boundary.
- 2.3. **Site No. 2**, the Showfield site comprises approximately 11.90 hectares of land to the north of the town centre. The site is bound by the A64 to the north and Pasture Lane to the south. Showfield Industrial Estate adjoins the site to the east and land to the west benefits from planning permission for residential development (in respect of which preliminary works are underway). The site is out with the identified development limits boundary.
- 2.4. The Showfield site is roughly rectangular in shape rising from south to north and comprises an agricultural field with a collection of barns on the western boundary. Various services cross the site.
- 2.5. **Site No. 3**, the Old Malton site comprises of 2.0 hectares of land, part of which is within the defined development limits of Old Malton. Part of the site also lies within the Old Malton Conservation Area.
- 2.6. The site includes the old North Yorkshire County Council Highway Depot and associated buildings, Coronation Farm and associated buildings and Coronation Paddock. Westgate forms the sites northern boundary. There is a cemetery to the south of the site and residential development adjoins to the east and west.
- 2.7. **Site No. 4**, the Peasey Hills site comprises of approximately 3.40 hectares of agricultural land. The site falls from south to north towards the A64. Agricultural land adjoins to the east and west whilst residential development adjoins to the south. Various services cross the site.
- 2.8. A detailed description of each site is set out in the **Design and Access Statement** prepared by Clarity NS and the **Landscape and Visual Assessments** prepared by FPCR and attached as **Technical Appendices 13, 14 and 15** of the **Environmental Statement**.

### 3. PLANNING HISTORY

- 3.1. Whilst both the Showfield site and the Peasey Hills site have been put forward by FTC as potential sites for residential development as part of the preparation of the Local Development Framework the site allocations element of that process is still at an early stage. Both sites are currently in agricultural use.
- 3.2. The site adjacent Eden Camp, Malton has, in part, previously been the subject of an application (Ref: 07/00656/MOUT) in July 2007 for a “business and technology park” on a 9.54 hectare site. That application was subject to a resolution to grant planning permission, albeit was called in for determination by the Secretary of State at which point the application was withdrawn by the applicant. The site is currently in agricultural use.
- 3.3. The Old Malton site has also, in part, previously been the subject of an application (Ref: 13/01176/MFUL) for residential development on the site of the North Yorkshire County Council (NYCC) Highways Depot and Coronation Farm. The use of this site by NYCC has now diminished and in 2013 an application was submitted in conjunction with FTC for housing on the front half of what now forms the application site. This application was withdrawn when it was decided that a more comprehensive scheme to redevelop the whole site, and to include Coronation Paddock to the south, would be submitted to Ryedale District Council.
- 3.4. Both the site adjacent Eden Camp and the Old Malton site have similarly been put forward by FTC as having development potential for consideration as part of the site allocation element of the Local Development Framework.
- 3.5. All 4 no. sites have also been the subject of public consultation with regard to the current proposals and full details in that respect are set out in the **Statement of Community Involvement**.
- 3.6. Importantly, the submission of these applications follows an extremely successful public exhibition in December 2013 at which 93% of those who made formal comments expressed strong support for the proposals. Whilst concern was expressed by a small number of residents in respect of traffic and flooding issues the Commercial Development Projects design team has worked closely with the Environment Agency, Internal Drainage Board, Highways Agency and County Highways prior to submission of the applications in order to ensure that the proposals are acceptable from a highways perspective and that they will not result

in increased risk of flooding. These key issues are addressed in detail in the **Transport Assessment** prepared by Connect Consultants which forms **Technical Appendix 3** of the **Environmental Statement** and the **Flood Risk Assessment and Drainage Strategy** reports prepared by JPG Leeds and ARP Associates which form **Technical Appendices 24, 25, 26 and 27** of the **Environmental Statement**.



#### 4. THE PROPOSALS

- 4.1. All 4 no. applications are for outline planning permission; albeit a significant amount of illustrative information is provided in respect of matters which are reserved for detailed consideration at a later date i.e. layout, scale, appearance and landscaping. Access is for detailed consideration rather than reserved.
- 4.2. The exception to the above is that the application in respect of the site adjacent Eden Camp is a "hybrid" application which, although technically an application for outline planning permission, includes full details for new premises to be occupied by The Ginger Pig for which detailed planning permission is sought.
- 4.3. The extent of illustrative information provided is necessary to inform the completion of the Environmental Impact Assessment of the proposals and establishes parameters as a basis for that assessment. It is expected that those parameters will also form the basis of planning conditions with regard to maximum building heights on the new Business Park etc.
- 4.4. Whilst a detailed description of the evolution of the Scheme is set out in both Chapter 3 of the **Environmental Statement Main Text** and the **Design and Access Statement** the proposals are summarised below.

##### **Land Adjoining Eden Camp, Malton:**

- 4.5. At the site adjoining Eden Camp it is proposed to construct the new Livestock Market and associated agricultural business centre on the western element of the site (to the west of Edenhouse Lane) whilst the new Business Park will be located on the eastern element of the site (to the east of Edenhouse Lane and the west of the A169). Water retention ponds which form part of the drainage strategy will be located on the southern part of the site.
- 4.6. The new Livestock Market building will comprise circa. 2,850sq m of floorspace with a height of circa. 8.30m (measured from finished floor level of the support building) or 9.25m (measured from ground level of the loading dock to ridge vent). Circa. 6,010sq m of additional units will also be provided as part of an Agricultural Business Centre. The Agri Business units will be a maximum of 11m in height to ridge.
- 4.7. The new Agricultural Business Centre which provides 6,010sq m of floorspace requires flexible planning permission to facilitate the occupation of the proposed

units by a variety of uses linked to agriculture. Specifically, uses falling within Class A1, A2, A3, D1, B1, B2, B8 and Sui Generis Uses are envisaged.

- 4.8. Clearly, not all of the floorspace will be used for one particular use and it is suggested that planning conditions, as follows, are imposed to ensure that the units are occupied in the manner intended:
1. No more than 25% of the floorspace of the Agri-Business Units to be occupied for Class A1 use. Such use to be restricted by a further planning condition limiting the range of goods to the sale of agricultural supplies including tools and equipment, animal feed, country sports equipment and associated clothing.
  2. No more than 10% of the floorspace of the Agri-Business Units to be occupied for Class A2 use i.e. a rural land agents office, auctioneers office or similar.
  3. No more than 10% of the floorspace of the Agri-Business Units to be occupied for Class A3 use i.e. a cafe.
  4. No more than 25% of the floorspace of the Agri-Business Units to be occupied for Class B1 use with addition restriction on maximum unit size.
  5. No more than 50% of the floorspace of the Agri-Business Units to be occupied for Class D1 use i.e. veterinary practice and/or agricultural education facility.
  6. No more than 50% of the floorspace of the Agri-Business Units to be used for sale of agricultural vehicle or machinery (sui generis).
- 4.9. 290 car parking spaces will be provided to serve the Livestock Market and Agricultural Business Centre along with 75 car and trailer spaces and 39 HGV spaces.
- 4.10. The new Business Park will be constructed on the eastern element of land adjoining Eden Park and provision will be made for 19,040sq m of new industrial, office and associated workspace along with 320 car parking spaces. Local employer The Ginger Pig have already committed to taking a unit of 1,790sq m in this part of the scheme with that unit being for detailed consideration for Class B8 use. Building heights on the Business Park will be a maximum of 13m to the ridge.
- 4.11. In respect of the new Business Park flexible planning permission is sought for Class B1, B2 and B8 use. It is not considered that any limit should be set on Class B2 and Class B8 use but that a maximum of 4,000sq m of floorspace within Class B1 use should be set by planning condition. That maximum has formed the basis

of the **Transport Assessment** and **Air Quality Assessment** which in turn form part of the **Environmental Impact Assessment**.

- 4.12. The new Livestock Market, Agricultural Business Centre and Business Park will be accessed via a new roundabout junction at the intersection of the A169 and Edenhouse Lane. The latter will also be upgraded between the A169 and the entrance to the livestock market.

**Land North of Pasture Lane, Malton:**

- 4.13. Circa. 227 houses are proposed on the Showfield site. The masterplan for the site indicates that the new dwellings will be laid out around a series of communal green spaces. Access would be taken from Pasture Lane with landscaping and noise mitigation at the sites boundaries with the Industrial Estate to the east and the A64 to the north.

**Land South of Westgate, Old Malton:**

- 4.14. The Old Malton site is proposed to be redeveloped to provide 35 new dwellings including the conversion of one existing building into two dwellings. Access is proposed via Westgate to the north of the site.

**Land at Rainbow Lane, Malton:**

- 4.15. Circa. 45 new affordable homes are proposed on the Peasey Hills site. Access is proposed via Rainbow Lane to the south with landscaping and noise mitigation at the sites boundary with the A64 to the north.

## 5. GENERAL PRINCIPLE OF DEVELOPMENT

- 5.1. In so far as the determination of these applications is concerned, the proposals will be assessed against National Planning Policy set out in the National Planning Policy Framework (NPPF) and associated Practice Guidance (PG). They will also be assessed against the Development Plan, currently comprising the remaining saved policies of the Ryedale Local Plan (2002). The adopted Ryedale District Council (RDC) Local Plan Strategy (2013) and other emerging documents in the Local Development Framework.
- 5.2. With regard to this scheme national planning policy and guidance provides broad strategic themes and objectives that are reflected in the more site specific planning policy and guidance set out in the Development Plan. As such, whilst broad accordance with the higher tier of guidance is noted below (and in the various other planning application documents as referenced) it is principally the local guidance which is relevant to the determination of this application.

### **National Planning Policy Framework**

- 5.3. The NPPF was published in March 2012. It sets out the Government's planning policies for England and how these are expected to be applied.

### **Achieving Sustainable Development:**

- 5.4. Paragraph 6 describes that the purpose of planning is to contribute to the achievement of sustainable development. The planning system needs to perform a number of roles:
- An economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
  - A social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural wellbeing; and

**The Presumption in Favour of Sustainable Development:**

5.5. Paragraph 14 states that at the heart of the Framework is a presumption in favour of sustainable development. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
  - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - Specific policies in this Framework indicate development should be restricted.

**Core Planning Principles:**

5.6. The Framework sets out in Paragraph 17 the core planning principles which should underpin both plan-making and decision- marking. This includes the principles that planning should "proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places that every country needs", "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" and "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".

**Supporting a prosperous rural economy:**

5.7. Chapter 28 of the Framework states that 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 the conversion of existing buildings and well designed new buildings;
- Promote the development and diversification of agricultural and other land-based rural businesses.

### **Local Planning Policy**

- 5.8. Whilst the Local Plan Strategy (LPS) document does not identify or allocate land for development, nor set out site specific policies, it does influence the location, amount and type of new development in certain places, and sets out both a strategy and suite of strategic policies to achieve this.
- 5.9. Primarily this inter linked package of development proposals has been put together to facilitate the relocation of the Livestock Market from its current site, to a more secure and suitable site within Malton.
- 5.10. Land based economic activity has been identified as being integral to the District's economy, cultural heritage and identity. The Local Plan Strategy identifies that Malton's Livestock Market is the last remaining market in the district and is greatly valued by the local farming and wider community as it provides a local sustainable focus for the sale and purchase of livestock, reducing food miles and encouraging the trend towards local food production.
- 5.11. Ryedale District Council have acknowledged that the current Livestock Market is an important use that should be retained within the District and that, following the granting of outline planning consent for redevelopment of the current Livestock Market site, it is very likely that the market will have to vacate its current location.
- 5.12. The retention of the Livestock Market within Ryedale is therefore one of the key strategic policies of the Local Plan Strategy. Policy SP9 states that the council will support 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 which will not harm its character, landscape setting or the amenities of nearby residents.

*“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 maintain 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.”*

- 5.13. Land adjacent to Eden Camp provides an opportunity to relocate the livestock market in line with the specifications of Policy SP9. The site is well connected to the main road network, being located just north of the A69 and west of the A169. The site is still well connected to Malton, and development on this site will not harm the character of landscape of the area (**Landscape and Visual Assessments** prepared by FPCR and attached as **Technical Appendices 13, 14 and 15** of the **Environmental Statement**).
- 5.14. It has been acknowledged that the costs associated with the redevelopment of the Livestock Market site, which include new road infrastructure and the creation of a new Agricultural Business Centre and Business Park are significant and would not be financially viable in isolation (see Section 14 – Planning Obligation Issues below). Ultimately these elements of the development can only be delivered through residential development providing essential cross subsidy.
- 5.15. The twin towns of Malton and Norton are identified within the LPS as the Principal Town for Ryedale and as such will be the focus for the development of the majority of new development and growth, including new housing, employment and retail space. The LPS sets out strategic policies for the delivery of a significant quantum of both employment and housing land over the plan period within Malton and Norton.
- 5.16. As such the interlinked nature of these proposals which delivers both economic growth and housing growth alongside the proposals for the livestock market are acceptable in strategic planning terms.
- 5.17. The Employment Land Review recommends that between 37 and 45 hectares of employment land should be allocated in Ryedale. This is to enable a step change

in the diversification of Ryedale's economy. The largest concentration of new employment land is to be directed to Malton and Norton as the Principal Town. It is also due to the availability of employment sites, the potential to attract inward investment and the ability to forge links with the York economy and to cater for sustainable expansion and relocation of existing businesses.

- 5.18. Strategic Objective 8 of the LPS looks to support new and existing businesses with the provision of a range of employment sites and premises, including higher quality purpose built sites.
- 5.19. Policy SP6 of the LPS states that approximately 80% of the requirement for employment land should be positioned on site within, adjacent to and on the outskirts of the built up areas of Malton and Norton. This equates to the delivery of approximately 29 to 36 hectares of employment land in Malton and Norton over the plan period.
- 5.20. Proposals for new employment development and in particular Use Classes B2 (general industrial) and B8 (storage and distribution) on unallocated sites, will be supported in line with other requirements of Policy SP6 and if they 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 and satisfy the provisions of Policies SP12, SP17 and SP18. These policy criteria are considered further below as detailed development control considerations.
- 5.21. The LPS establishes a housing target of 3,000 new homes over the plan period (2012-2027) which equates to a build level of 200 units per annum, approximately 50% of which will be provided in Malton and Norton. This equates to the provision of approximately 1,500 homes.
- 5.22. The pattern and distribution of site allocations for new homes will focus on sites within the current development limits and small, medium and large extension sites around the town and within the A64 boundary at Malton.
- 5.23. The two sites being proposed for housing in Malton as part of these interlinked proposals are the Showfield site and the Peasey Hills site both of which are on the outskirts of the development limits of Malton. However they both sit between the development boundary as defined by the Local Plan Proposals Map and the natural boundary created by the A64 and are appropriate sites for housing



development. Moreover land adjacent to the Showfield site has also recently been approved for housing development.

- 5.24. The Old Malton site sits partially within the development limits for Old Malton and again represents a suitable site for development for housing. Part of the site is already developed and this application will provide an improvement to the appearance of the surrounding area, in particular the Old Malton Conservation Area.
- 5.25. Moreover Strategic Objective 3 of the LPS is to focus development at those settlements where it will enhance accessibility to local services, shops and jobs and which provide sustainable access to major service centre outside of the District by promoting the use of public transport walking and cycling.
- 5.26. The three housing sites proposed therefore provide the opportunity to provide housing growth within Malton in acceptable and sustainable locations.
- 5.27. In respect of affordable housing there is recognition that there is an immediate need to increase the supply of affordable housing in a meaningful way to ensure that communities do not suffer imbalances in their population. Moreover, in the face of high external demand for housing, emphasis must be placed on addressing the accommodation requirements of local households. However Ryedale District Council acknowledge that local housing needs and requirements will only be addressed for as long as new homes are delivered, reinforcing the need for the plan to support the consistent supply of new homes and deliverable housing land.
- 5.28. Policy SP3 states that where local need exists, the LPA will seek the provision of new affordable homes by negotiating with developers and landowners to secure a proportion of new housing development to be provided as affordable units, supporting registered social landlords in bringing forward wholly affordable schemes within Ryedale's towns and villages and supporting in principle 'rural exception sites'. The provision of circa. 45 affordable homes for local people on the Peasey Hills site will clearly contribute towards the objectives of this policy.
- 5.29. As such these applications are in conformity with Policy SP1, SP2, SP3, SP6, SP9, SP16, SP19, SP20 of the Local Plan Strategy (2013) and overriding policy in respect of sustainable development in the National Planning Policy Framework.

## 6. TRANSPORT AND ACCESSIBILITY

- 6.1. The **Transport Assessment** prepared by Connect Consultants Limited (**Technical Appendix 3** of the **Environmental Statement**) provides a comprehensive assessment of the implications of the proposals on transport and pedestrian amenity.
- 6.2. The assessment has concluded that the residential proposal sites are all within walking distance of a wide range of facilities including supermarkets, schools, leisure destinations, employment areas and Malton Town Centre.
- 6.3. The developments including that on land adjacent Eden Camp will be designed so as to be permeable to pedestrian and cycle access as well as accessible to service vehicles, such as refuse collection vehicles.
- 6.4. No pattern of accidents has been identified within the study area which might have a negative bearing on the acceptability of the proposed residential developments.
- 6.5. Weekday AM and PM peak hour person trips likely to be generated by the proposed residential developments have been disaggregated by purpose, destination, mode and route. Employment and Livestock Market trips have been assessed using the TRICS database.
- 6.6. The residual vehicle trip rates have been added to the surveyed network base, along with the predicted effects of traffic growth as well as several committed developments which have been identified during scoping discussions with North Yorkshire County Council Highways Department.
- 6.7. Junctions at which the proposed development results in a net change of circa. 30 two-way turning vehicles or more, except Butchers Corner, have been assessed for capacity.
- 6.8. Sensitivity tests have been undertaken for the scenario with the proposed Wentworth Street retail development in place, concluding that the proposed development would not result in any severe, adverse cumulative transport effects.
- 6.9. On the basis of the above it is concluded that the development is acceptable from a transport perspective and as such satisfies Local Plan Strategy Policy SP2, SP10, SP16 SP19, and SP20.

## 7. NOISE

- 7.1. A **Noise Assessment** has been undertaken by Peninsular Acoustics in respect of both the Showfield site and the Peasey Hills site. This document forms **Technical Appendix 4** of the **Environmental Statement**.
- 7.2. A detailed noise survey was carried out in February 2014 and showed that the most severe noise exposure for potential dwellings would occur close to the north boundaries of both the Showfield and Peasey Hill sites due to their proximity to the A64 dual carriageway.
- 7.3. On the Showfield site, due to its proximity to the existing Showfield Industrial Estate there is also the potential for exposure to industrial noise where properties will be built along the sites eastern boundary.
- 7.4. Mitigation of noise, whether due to industrial noise or road traffic noise, will be achieved through the use of noise barriers at both sites, which will comprise an earth bund and an acoustic timber fence. This will reduce the external noise to levels which are at or below the WHO criteria for outdoor amenity spaces and gardens.
- 7.5. The resulting internal and external noise levels will comply with the recommendations of the World Health Organisation Guidelines and BS8233:2013 and are therefore commensurate with the 'No Observed Adverse Effect Level' according to the NPPF and the NPSE guidelines.
- 7.6. Calculations show that some slight modifications to the design and layout of houses which are closest to the A64 and the Industrial Estate has been necessary in order to achieve acceptable internal noise levels and as such a 'perimeter' house type has been designed (see Annex A, Technical Appendix 4).
- 7.7. The resulting internal noise levels will fully comply with the recommendations of the WHO and BS8233:2014, while allowing for natural ventilation by having at least one open window in each habitable room.
- 7.8. On the basis of the above the application satisfies Local Plan Strategy Policy SP20, NPPF paragraph 123 and Noise Policy Statement for England.

## 8. AIR QUALITY

- 8.1. An Air Quality Assessment was undertaken by Air Quality Consultants in respect of all 4 no. sites which form this package of planning applications. The document forms **Chapter 10** of the **Environmental Statement**,
- 8.2. The assessment has demonstrated that the scheme will not cause any exceedences of the air quality objectives in areas where they are not currently exceeded.
- 8.3. The construction works have the potential to create dust. During construction it will therefore be necessary to apply a package of mitigation measures (in the form of a construction management plan) to minimise dust emission. With these measures in place it is expected that any residual effects will be insignificant.
- 8.4. The operational impacts of increased traffic emissions arising from the additional traffic on local roads, due to the development have been assessed. Concentrations have been modelled for 59 worst-case receptors, representing existing properties where impacts are expected to be greatest. In addition, the impacts of traffic from local roads on the air quality for future residents have been assessed at 13 worst-case locations within the new development itself.
- 8.5. The proposed scheme will only increase traffic volumes on local roads by a small amount. These changes will lead to an imperceptible increase in concentrations of PM<sub>10</sub> and PM<sub>2.5</sub> at all existing receptors, and the impacts will all be *negligible*. In the case of nitrogen dioxide, there will be *imperceptible* increases at most receptors, with *small* increases at 28 receptors. Assuming that vehicle emissions reduce between 2012 and 2019 the impacts will be *negligible* at most receptors and *minor adverse* at Receptors 57, 58 and 59. Without a reduction in vehicle emissions over this period, the impacts will still be *negligible* at most receptors, but are predicted to be *minor adverse* at nine receptors (15, 27, 40, 56, 57, 58, 59, 60, 61) as identified at **Chapter 10** of the **Environmental Statement**.
- 8.6. The impacts of local traffic on the air quality for residents living in the proposed development have been shown to be acceptable at the worst-case locations assessed, with concentrations being well below the air quality objectives.
- 8.7. The overall operational air quality impacts of the development are therefore judged to be minor.

## 9. HISTORIC ENVIRONMENT

- 9.1. A Heritage Assessment has been undertaken by Prospect Archaeology in respect of the site adjacent Eden Camp, the Showfield site and the Peasey Hills site and MAP Archaeology in respect of the Old Malton site. These documents form **Technical Appendices 5, 6, 7 and 8** of the **Environmental Statement**.
- 9.2. Geophysical Surveys have been undertaken at the site adjacent Eden Camp, the Snowfield site and the Peasey Hills site. These surveys have used a magnetometer to determine the presence or absence of magnetic anomalies that may have an archaeological origin.
- 9.3. Archaeological trial trenching has also taken place at the Old Malton site.
- 9.4. Despite being located on the edge of an important historic town no archaeological activity has been conclusively identified within the site adjacent Eden Camp. The site lies outside the historic core of Old Malton and is believed to have been in agricultural use through the medieval and modern periods. The potential archaeological features identified from cropmarks, a ring ditch, trackway and road were not identified as such by the geophysical survey.
- 9.5. In respect of the Showfield site there has also been no conclusive identification of archaeological activity. The presence of a possible double-ditched feature in the North Eastern Corner has not been confirmed by geophysical survey and there is no evidence for other archaeological activity.
- 9.6. Archaeological evaluation was undertaken on part of the Old Malton site in 2009. The evaluation uncovered archaeological features in the five trenches, the results of which suggest that the proposed development site may have unknown archaeological deposits. However it is unlikely that the remains are of national importance and will prevent development of the site.
- 9.7. Within the Peasey Hills site the geophysical survey identified the Ryton Stile Balk as a former field boundary, which is of no more than local significance. Other slight anomalies of uncertain origin were recorded but none of possible archaeological significance. The position of the site means that it is unlikely to have been developed during Roman and Medieval times. Based on the evidence above the site is considered to have low potential for archaeological activity of any period.

9.8. A programme of evaluation at all sites is likely to be required, in particular to test the results of the geophysical survey, and this can be secured through a planning condition.

9.9. No archaeological research or investigation has found any evidence of any nationally important archaeological remains on any of the 4 no. proposed development sites. Having regard to the scale of any loss and the significance of any heritage assets which have been identified the proposal reflects the overarching principles in Section 12 of the NPPF 'Conserving and Enhancing the Historic Environment and in turn accords with Local Plan Strategy Policy SP12 'Heritage'.

## 10. NATURAL ENVIRONMENT

- 10.1. An **Arboricultural Assessment** has been undertaken by FPCR in respect of the site adjacent Eden Camp, the Showfield site and the Peasey Hills site and by Barnes and Associates in respect of the Old Malton site. These documents form **Technical Appendices 9, 10, 11 and 12** of the **Environmental Statement**.
- 10.2. The proposals should all be considered as arboriculturally sound, with minimal tree loss being required to facilitate the construction of the development and new tree and hedgerow planting set to significantly increase tree cover on the site. The impact on trees associated with the development at Land at Westgate, Old Malton can be mitigated in line with the recommendations set out in **Technical Appendix 11** of the **Environmental Statement**.
- 10.3. An **Ecological Appraisal** has also been undertaken by FPCR in respect of the site adjacent Eden Camp, the Showfield site and the Peasey Hills site and by Wold Ecology in respect of the Old Malton site. These documents form **Technical Appendices 16, 17, 18 and 19** of the **Environmental Statement**.
- 10.4. The land adjacent to Eden Camp is dominated by arable land with limited ecological value. Habitats of greater value including hedges and mature trees will be retained with the design proposals. No direct evidence of protected species were recorded and there is little potential habitat for such species.
- 10.5. The Showfield site is dominated by grazed grassland of limited ecological value. Habitats of greater value including hedgerows, scrub and mature trees will be retained within the design proposals. Evidence of badger activity was noted, but there are not expected to be significant adverse impacts to protected species. Further survey work is underway to ascertain the presence of bats and appropriate mitigation will be clearly set out.
- 10.6. The Old Malton site is dominated by improved grassland and bare ground of limited ecological value. Updated survey work is underway to ascertain the presence of bats and appropriate mitigation will be clearly set out going forward. Further Potential bat foraging habitat will however be retained. Proposals will not adversely affect the overall nature conservation of the local area, or affect the local conservation status of any fauna using the site or local area.

- 10.7. The Peasey Hills site is also arable land of limited ecological value. There will only be small losses of hedgerows for the access. No direct evidence of protected species were recorded and there is little potential habitat for such species.
- 10.8. Accordingly the effects of the development will be negligible, with habitat creation leading to overall biodiversity gains at the sites. Survey work is underway in respect of the presence/absence of bats at both the Showfield and Old Malton sites and mitigation will be agreed as necessary.
- 10.9. On the basis of the above it is concluded that the proposal accords with the overarching objectives of Chapter 11 of the NPPF 'Conserving and Enhancing the Natural Environment' and Local Plan Strategy Policy SP14 'Biodiversity'.



## 11. LANDSCAPE AND VISUAL ASSESSMENT

- 11.1. A **Landscape and Visual Assessment** has been undertaken by FPCR in respect of the site adjacent Eden Camp, the Showfield site and the Peasey Hills site. These documents form **Technical Appendix 13, 14 and 15** of the **Environmental Statement**. Due to the location and setting of the Old Malton site and, in part, its previously developed status no such assessment was undertaken, albeit impact on the Conservation Area with regard to built heritage was assessed by MAP Archaeology at **Technical Appendix 8** of the **Environmental Statement**.
- 11.2. Development on the site adjacent Eden Camp would have a limited effect on the wider landscape or countryside as there are no significant distant views from the wider landscape. There would inevitably be some close range views from the roads that pass the site, where there would be a higher degree of visual change. Users of the roads are however transient and would soon pass the site and mitigation would arise through a high quality design and successful perimeter landscape treatment. The southern portion of the site which would contain the proposed water retention pond as part of the overall drainage strategy would remain undeveloped and will therefore maintain the visual connectivity between Eden Camp and the A169.
- 11.3. Development on the Showfield site will inevitably change the site but the magnitude of change would be no greater than 'low' as the essential characteristics of the wider landscape would be unaffected. The interaction of the landform, woodland and existing development result in a very restricted visual envelope and development of the site would have a limited effect on the wider landscape or countryside.
- 11.4. Development on the Peasey Hills site will involve the loss of some arable land on the northern edge of Malton. However there are no features of landscape value within the site itself and the proposal would retain the majority of landscape features and include them in a new landscape structure. Planting is being proposed along the noise bund on the northern edge of the site, once established this feature would soften views to the existing fairly stark urban edge and provide local landscape improvement.
- 11.5. The comprehensive **Landscape and Visual Assessments** further supports the schemes accordance with Chapter 11 of the NPPF 'Conserving and Enhancing the Natural Environment' and Policy SP16 'Design' of the Local Plan Strategy.

## 12. GEO-ENVIRONMENTAL STUDY

- 12.1. A Geo-environmental study has been undertaken by JPG Leeds in respect of all 4 no. sites. These documents form **Technical Appendix 20, 21, 22 and 23** of the **Environmental Statement**. These documents consider the potential impacts of the proposed development on baseline conditions and the effects of any existing contamination, ground stability, or ground gas issues based on the underlying geology and historic land uses of the site, on human health, controlled waters and the wider environment.
- 12.2. The potential sources of contamination identified in the baseline conditions of the sites are:
- Made ground associated with farm and depot buildings and roads; and
  - Effect of agricultural land use, in particular in respect of pesticide and herbicides associated with farming.
- 12.3. The report which forms **Technical Appendix 22** of the **Environmental Statement** states that the Old Malton site is to be considered low to moderate risk with respect to contamination. This is due to its previous use as a Highways Depot and farm and the classification is largely dependent of the nature of any made ground associated with the former council depot and farm.
- 12.4. The findings of the reports have concluded that in respect of the site adjacent Eden Camp, the Showfield site and the Peasey Hills site no significant made ground materials are expected to be encountered on any of the sites. As there are no significant potential contamination sources, there are unlikely to be any significant effects on the environment or end users of the site during the operational phase.
- 12.5. No visual or olfactory evidence of ground contamination was noticed during the walkover survey undertaken on any of the 4 no. sites.
- 12.6. These reports therefore demonstrate full compliance with the overarching policy in the NPPF and Policy SP17 'Managing Air Quality, Land and Water resources' of the Local Plan Strategy.

### 13. FLOOD RISK AND DRAINAGE

- 13.1. A full **Flood Risk Assessment and Drainage Strategy** has been undertaken by JPG Leeds in respect of the site adjacent Eden Camp, the Showfield site and the Peasey Hills site and by ARP Associates in respect of the Old Malton site. These documents form **Technical Appendix 24, 25, 26 and 27** of the **Environmental Statement**.
- 13.2. Land adjacent to Eden Camp lies within Flood Zone 1 and is therefore at low risk of flooding from river and sea. Surface water shall discharge to the Internal Drainage Board controlled drain at the equivalent Greenfield discharge rate, this being 15.23 litre/second for the development proposals. On-site attenuation in the form of open balancing ponds will also be provided.
- 13.3. The Showfield site falls within Flood Zone 1 and as such is not considered as being at significant risk from flooding. The impermeable area of the proposed development, once complete, will increase and lead to increased run offs. As a result soakaway tests have been undertaken which have established that infiltration is an appropriate method for the discharge of surface run-off at this site.
- 13.4. The Old Malton site is mainly within Flood Zone 1 and as such the sequential test is satisfied. The SUDS system of infiltration techniques are considered unsuitable on this particular site but surface water discharge shall however be restricted to the existing run-off less a 30% betterment.
- 13.5. The Peasey Hills site falls within Flood Zone 1 and as such is not considered as being at significant risk from flooding. The impermeable area of the proposed development, once complete, will increase and lead to increased run offs. As a result soakaway tests have been undertaken which have established that infiltration is an appropriate method for the discharge of surface run-off at this site.
- 13.6. These reports demonstrate full compliance with NPPF Technical Guidance in respect of Flood Risk and Policy SP17 'Managing Air Quality, Land and Water resources' of the Local Plan Strategy.

#### 14. PLANNING OBLIGATION ISSUES

- 14.1. The broad heads of terms with regard to the Section 106 Agreement are attached as a separate planning application document and it is envisaged that the detailed negotiation and associated legal drafting will take place in tandem with the determination of the application. The issues to be considered include highways contribution (to Brambling Fields scheme), education, public open space and leisure, and affordable housing.
- 14.2. It is proposed (and agreed in principle through the Planning Steering Group process) that in respect of both the Showfield site and the Old Malton site the affordable housing requirement (where applicable) will be met off site on the Peasey Hills site. That is the mechanism by which an element of cross subsidy is created to fund, in part, the relocation of the Livestock Market and the necessary infrastructure to facilitate the development of a new Agricultural Business Centre and Business Park.
- 14.3. The costs associated with the development of land adjacent Eden Camp are significant and funding is also being sought from the Malton and Ryedale Farmers Livestock Market Company Limited and the Local Enterprise Partnership.
- 14.4. It is agreed with Ryedale District Council that detailed financial viability analysis will be required in order to support the proposed "off site" provision of affordable housing and, in turn, the creation of cross subsidy which will contribute to the development adjacent Eden Camp. Clearly, that analysis will be commercially sensitive and for that reason will be submitted on a private and confidential basis for review by Roger Barnsley and any such independent review as may be deemed necessary.

## 15. CONCLUSIONS

- 15.1. This inter linked package of development proposals which facilitates the relocation of the Livestock Market to land adjacent to Eden Camp and offers a significant proportion of the quantum of housing and employment land as proposed in Ryedale's Local Plan Strategy represents the realisation of longstanding objectives for a vital and viable economic future for Malton.
- 15.2. The costs associated with the relocation of the Livestock Market which include new road infrastructure, and the creation of a new Agricultural Business Centre and Business Park on land adjoining Eden Camp are significant and would not be financially viable in isolation. Ultimately these elements will create 800 – 1,000 new jobs but can only be delivered as part of an inter linked package of development proposals with the residential development providing essential cross subsidy.
- 15.3. These proposals have evolved through both ongoing discussions with Ryedale District Council and extensive public consultation, which has resulted in revisions to the various schemes prior to submission of planning applications.
- 15.4. Access arrangements are for detailed consideration as part of these outline planning applications. Layout, scale, appearance and landscaping are not for detailed consideration at this stage however a significant amount of illustrative material has been provided to assist Planning Officers, Members and Local People to understand what is being proposed.
- 15.5. The extent of illustrative information provided has also been necessary in order to inform the completion of a comprehensive Environmental Impact Assessment of the proposals and establishes parameters as a basis for that assessment. It is expected that those parameters will also form the basis of planning conditions with regard to maximum building heights on the new Business Park etc.
- 15.6. Overall the application proposals accord with relevant national and local planning policies and guidance, and we request that planning permission is granted.

**APPENDIX 1**

**MALTON - FITZWILLIAM TRUST CORPORATION SITES**

**OUTLINE PLANNING APPLICATIONS FOR LIVESTOCK MARKET, AGRI BUSINESS CENTRE,  
BUSINESS PARK AND RESIDENTIAL DEVELOPMENT**

**ON BEHALF OF COMMERCIAL DEVELOPMENT PROJECTS, FITZWILLIAM TRUST  
CORPORATION AND NORTH YORKSHIRE COUNTY COUNCIL**

**Schedule of Planning Application Documents  
(as submitted on 7 April 2014)**

Document	Technical Author	Relevance to Site			
		Land Adjacent Eden Camp	Land at Pasture Lane (Showfield)	Land at Westgate, Old Malton	Land at Rainbow Lane (Peasey Hills)
Planning Application Covering Letter dated 7 April 2014	Freeth Cartwright LLP	Single Combined Letter			
Planning Application Forms and Ownership Certificate	Freeth Cartwright LLP	Yes	Yes	Yes	Yes
Town Planning Statement	Freeth Cartwright LLP	Single Combined Statement			
Design and Access Statement	Clarity NS	Single Combined Statement			
Masterplan and Drawings	Clarity NS	See Schedule of Drawings			
Statement of Community Involvement	Freeth Cartwright LLP	Single Combined Statement			
Environmental Statement Non Technical Summary	Freeth Cartwright LLP	Single Combined Statement			
Environmental Statement (ES) Main Text	Freeth Cartwright LLP	Single Combined Statement			
<b>ES Technical Appendices</b>					
1 – EIA Scoping Report	Freeth Cartwright LLP	Single Combined Statement (includes Air Quality Assessment)			
2 – EIA Screening Opinion	Freeth Cartwright LLP	Single Combined Statement			
3 – Transport Assessment	Connect Consultants	Single Combined Statement			
4 – Noise Assessment	Peninsular Acoustics	N/A	Yes	N/A	Yes
5 – Heritage Assessment	Prospect Archaeology	Yes	N/A	N/A	N/A
6 – Heritage Assessment	Prospect Archaeology	N/A	Yes	N/A	N/A
7 – Heritage Assessment	MAP Archaeology	N/A	N/A	Yes	N/A

Document	Technical Author	Relevance to Site			
		Land Adjacent Eden Camp	Land at Pasture Lane (Showfield)	Land at Westgate, Old Malton	Land at Rainbow Lane (Peasey Hills)
8 – Heritage Assessment	Prospect Archaeology	N/A	N/A	N/A	Yes
9 – Arboricultural Assessment	FPCR	Yes	N/A	N/A	N/A
10 – Arboricultural Assessment	FPCR	N/A	Yes	N/A	N/A
11 – Arboricultural Assessment	Barnes Associates	N/A	N/A	Yes	N/A
12 – Arboricultural Assessment	FPCR	N/A	N/A	N/A	Yes
13 – Landscape and Visual Assessment	FPCR	Yes	N/A	N/A	N/A
14 – Landscape and Visual Assessment	FPCR	N/A	Yes	N/A	N/A
15 – Landscape and Visual Assessment	FPCR	N/A	N/A	N/A	Yes
16 – Ecological Appraisal	FPCR	Yes	N/A	N/A	N/A
17 – Ecological Appraisal	FPCR	N/A	Yes	N/A	N/A
18 – Ecological Appraisal	Wold Ecology	N/A	N/A	Yes	N/A
19 – Ecological Appraisal	FPCR	N/A	N/A	N/A	Yes
20 – Geoenvironmental Desk Study	JPG Leeds	Yes	N/A	N/A	N/A
21 – Geoenvironmental Desk Study	JPG Leeds	N/A	Yes	N/A	N/A
22 – Geoenvironmental Desk Study	JPG Leeds	N/A	N/A	Yes	N/A
23 – Geoenvironmental Desk Study	JPG Leeds	N/A	N/A	N/A	Yes
24 – Flood Risk Assessment and Drainage Strategy	JPG Leeds	Yes	N/A	N/A	N/A
25 – Flood Risk Assessment and Drainage Strategy	JPG Leeds	N/A	Yes	N/A	N/A
26 – Flood Risk Assessment and Drainage Strategy	ARP Associates	N/A	N/A	Yes	N/A
27 – Flood Risk Assessment and Drainage Strategy	JPG Leeds	N/A	N/A	N/A	Yes
Structural Survey	Jacobs	N/A	N/A	Yes	N/A
Planning Obligation – Heads of Terms	Freeth Cartwright LLP	Single Combined Heads of Terms Document			



**APPENDIX 2**

