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<b>PART A:</b>	<b>MATTERS DEALT WITH UNDER DELEGATED POWERS</b>
<b>REPORT TO:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>27 SEPTEMBER 2016</b>
<b>REPORT OF THE:</b>	<b>HEAD OF PLANNING AND HOUSING GARY HOUSDEN</b>
<b>TITLE OF REPORT:</b>	<b>THE RYEDALE PLAN SITES DOCUMENT – VISUALLY IMPORTANT UNDEVELOPED AREAS (VIUAs)</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

1.1 To consider proposed revisions to existing VIUAs and additional VIUAs for consultation as part of the production of the Local Plan Sites Document.

### **2.0 RECOMMENDATIONS**

2.1 It is recommended that consultation on VIUAs should include the following proposals:

- (i) That the sites listed in Table 1 paragraph 6.9 should no longer be identified as VIUAs
- (ii) Clarification of the extent of the boundaries of the existing VIUAs listed in Table 2 in paragraph 6.11
- (iii) Proposed new VIUA sites which are listed in Table 3 paragraph 6.15

### **3.0 REASON FOR RECOMMENDATIONS**

3.1 VIUAs are site-specific protection policies in the Development Plan. It is considered that some limited changes to existing VIUAs need to be made to ensure that the Sites Document is based on up to date evidence and to address a limited number of mapping anomalies. It is also considered that there is some merit in identifying a limited number of additional VIUA sites. Any changes to land defined as a VIUA needs to be taken forward through the development plan process and this includes consultation on proposals prior to policies being finalised.

#### **4.0 SIGNIFICANT RISKS**

- 4.1 There are no significant risks associated with this report. The proposed changes to the VIUA sites will be subject to consultation before members agree the Sites Document. All VIUA proposals will be tested through the Development Plan process when the Local Plan Sites Document is submitted for independent examination.

#### **5.0 POLICY CONTEXT AND CONSULTATION**

- 5.1 Visually Important Undeveloped Areas (VIUAs) are a long-standing policy tool which have been used in Ryedale to identify areas that contribute to settlement form and character. They were originally identified in the 2002 Ryedale Local Plan and were designed to operate in conjunction with the Development Limit policy. All of the VIUAs were retained in principle and carried forward through the adoption of the Ryedale Plan - Local Plan Strategy. Policy SP16 of the Local Plan Strategy states that:

*"The character and appearance of open space and green spaces including existing Visually Important Undeveloped Areas (VIUAs) or further VIUAs which may be designated in the Local Plan Sites Document or in a Neighbourhood Plan. Development proposals on land designated as a VIUA will only be permitted where the benefits of the development proposed significantly outweigh the loss or damage to the character of the settlement."*

- 5.2 The preparation of the Local Plan Sites Document provides the opportunity to consider any detailed revisions VIUAs. The major consultation undertaken in 2009 to develop the Ryedale Plan was used to gather site specific information, including views and opinions on site-specific protection policies. This work has informed the proposals in this report in conjunction with wider work undertaken to inform the selection of development sites.
- 5.3 Consultation on the proposed changes to VIUAs outlined in this report would be undertaken immediately and to allow responses to be considered and VIUA proposals finalised when Members are asked to agree the Local Plan Sites Document.

#### **6.0 REPORT**

- 6.1 The purpose of the VIUA policy has been to:

- protect the character and amenity of settlements
- protect the setting of Listed Buildings and other historic and architecturally important buildings and the character of Conservation Areas
- To prevent town and village cramming
- To retain green areas, open space and trees

- 6.2 Areas of land were designated as VIUAs for one or more of the following reasons:

- The site makes a significant contribution to the character or setting of the settlement;
- The site provides an attractive setting for buildings within it;
- The site is of importance in terms of the historical form and layout of the settlement

- 6.3 Traditionally, six criteria have been used to identify VIUAs. These are as follows:
- Contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from approach roads or paths
  - Contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest
  - Contribution the space makes to the overall form and character of the settlement
  - Extent to which the space provides a vista/viewpoint into the surrounding countryside
  - Extent to which trees, boundary hedges or walls contribute to the character of the space
  - The archaeological or historic interest of the space
- 6.4 It is considered that these remain relevant reasons to identify/protect specific sites as VIUAs.
- 6.5 Currently, the designation covers approximately 150 separate parcels of land and these consist of a range of land uses, including for example, village greens, wide verges, agricultural land, churchyards and playing fields. All existing VIUAs were identified following a comprehensive survey and assessment of settlements as part of the previous Ryedale Local Plan process and for these reasons, it is considered that there is no requirement to undertake a comprehensive district-wide assessment to identify further VIUAs. It is considered however, that there is a need to:
- Update the Development Plan in order to reflect the fact that a limited number of existing VIUAs have permission for development;
  - Confirm the boundaries of some existing VIUAs to address mapping anomalies associated with the existing Proposals Map/ Inset Map boundaries; and
  - Consider the designation of a limited number of additional VIUAs.

### **Review of Existing VIUAs**

- 6.6 In view of the fact that VIUAs were established following a comprehensive District-Wide assessment, a 'light touch' review of the existing designated sites has been undertaken. This has focussed on the extent to which a site/VIUA area continues to contribute to the purpose of the designation and the designation criteria. This is documented in Appendix 1. It should be noted that VIUA's at Helmsley are not included in this review. The two VIUAs at the town were reviewed and included in the recently adopted Helmsley Plan.
- 6.7 Although the VIUA designation aims to protect sites from development, it has always operated on the basis that under some circumstances, development of a VIUA in whole or in part could be acceptable. This is in situations where it can be demonstrated that the economic or social benefits of the development would significantly outweigh the loss of land designated as a VIUA or, where a development would not have a material adverse effect upon the character or appearance of the area. In this respect, planning permission has been granted for the development of a

small number of VIUA sites since these sites were first designated and as such, the sites no longer contribute to the purpose of the VIUA designation.

- 6.8 Previous consultation undertaken to progress the new Ryedale Plan did seek comments on existing VIUAs. These are responses are summarised in Appendix 2. The general consensus is that such areas should be retained, with a small number of representations (largely from those with an interest in the development of specific sites) which sought to remove the designation on specific sites. In the intervening period some of these sites have been the subject of planning permission and are either under construction or completed. It is considered that one objection to a VIUA site at Pickering has some merit. The site is now full of very mature trees and surrounded by development. It is considered that it is no longer apparent that it is an undeveloped area and therefore its contribution as an undeveloped site to the character of the area is now questionable.
- 6.9 Following this review, it is considered that the following sites should no longer be identified as VIUAs on the Local Plan Policies Map for the reasons outlined:

**Table 1**

<b>Location</b>	<b>Reason</b>
The Showfield, Malton	Planning Permission has been granted for residential use of the site and the site is under construction.
Land south of Coronation Farm, Old Malton	Planning Permission has been granted for residential use of the site.
Nawton (land to east of Beckett Close and west of Station Road)	The site has been developed for housing.
The Lodge 103 Middleton Road, Pickering	This relatively small curtilage site is situated within modern residential development. The site frontage is narrow, and the site is covered with now very mature trees which mask any sense that the site is undeveloped in nature. Whilst the trees themselves undoubtedly contribute to the character and amenity of the locality and make a positive contribution to the street scene, they are subject to a Tree Preservation Order, which, it is considered is the appropriate mechanism to ensure their protection.

- 6.10 Members will be aware that one small site on the edge of the Kirkbymoorside VIUA was included as a potential development site in the sites consultation which was undertaken at the end of 2016. If the decision is made to allocate this land for development then the site would not be included as a VIUA on the Proposals Map.

#### **Amendments to Existing VIUAs**

- 6.11 In a small number of cases, the review of existing VIUA designations has highlighted that the extent of some VIUAs has been limited by the boundaries of the existing Local Plan Inset Maps - a by-product of the way in which the mapping was undertaken for the 2002 Local Plan. Members will be aware that a new Proposals/Policies Map will be prepared in tandem with the Sites Document and in the interests of clarity, it is considered that the boundaries of the following sites need to be clarified using boundary features which provide a distinctive physical/visual boundary. This is relevant to the following VIUA sites:

**Table 2**

<b>Location</b>	<b>Reason</b>
Land surrounding Old Malton, to the north and east and south and west	To provide clarity between the 2002 Local Plan Proposals Map and Inset Maps. Boundary extent defined by features which provide a distinctive physical/visual boundary.
Grass verge to west of Thornton le Clay	Clarity to 2002 Local Plan Map. Extent currently ends with edge of inset map, and would continue well beyond the settlement. Propose to truncate to relate better to the settlement
Ebberston, land to north of A170	Clarity to 2002 Local Plan Map. Extent currently ends with edge of inset map. Continue site until trees, to better reflect the landscape contribution.
Flaxton, land to east of Cricket Pitch	Clarity to 2002 Local Plan Map. Extent currently ends with edge of inset map. Continue site until field boundary, including ponds
Staxton, Land to south of Old Malton Road	Clarity to the 2002 Local Plan Map which only identified a small part of the site. VIUA Designation to extent across the full field. Meets following criteria: <ul style="list-style-type: none"> <li>• the contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from approach roads or paths;</li> <li>• the contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest;</li> <li>• the extent to which the space provides a vista or viewpoint into the surrounding countryside;</li> <li>• the extent to which trees, boundary hedges or walls contribute to the character of the space;</li> </ul>

**Additional VIUAs**

- 6.12 The preparation of the Sites Document has also provided the opportunity to consider whether further VIUAs should be designated. In this respect and for consistency, it is appropriate that the criteria used to identify the existing VIUAs are used as a way of identifying additional sites. The criteria are listed in paragraph 6.3 above.
- 6.13 The sources of information that have been used for the purposes of considering new VIUAs include:
- RDC's Site Selection Methodology (SSM) - where sites that have been put forward by landowners for development but which have been identified in the SSM as being significant to the character of a settlement.
  - The Ryedale Special Qualities Study, which has identified areas which contribute to the character and setting of some settlements.
  - Up-to-date Conservation Area Appraisals (e.g. Ampleforth)
  - Up-to-date Village Design Statements and Parish Plans (e.g. Slingsby)

- Sites suggested following Local Plan consultation since 2009 (these are outlined In Appendix 2.)

6.14 Additionally, in considering whether it is appropriate to identify further VIUA sites, it is important to emphasise that the designation is not in itself, a landscape protection policy or a policy designed to provide 'blanket' protection to all / the majority of undeveloped land around settlements.

6.15 Against this context, it is considered that the further areas of land which meet one or more of the designation criteria and which would merit consideration as VIUAs are as follows:

**Table 3**

Location	Reason
<p>Welburn: Wedge of Land to west of Church of St. John</p>	<ul style="list-style-type: none"> <li>• the contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest</li> <li>• the extent to which the space provides a vista or viewpoint into the surrounding countryside</li> <li>• the extent to which trees, boundary hedges or walls contribute to the character of the space</li> </ul> <p>The wedge of land which is open, and lies between the Church and open fields. The land is also identified within the Conservation Area, has mature trees on its boundary. The open land contributes to the setting of the Church, which is Grade II Listed, and affords views out into the wider countryside from a publically accessible site. The site also has a seat within it.</p>
<p>Slingsby: Land to north of Slingsby Castle and west of the Lawns</p>	<ul style="list-style-type: none"> <li>• the contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from approach roads or paths</li> <li>• the contribution the space makes to the overall form and character of the village</li> <li>• the contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest</li> </ul> <p>These two fields in combination provide open, undeveloped views to Slingsby Castle Scheduled Monument and the Listed Church. They provide a frame to the settlement from the west. The northernmost field also contains the Mowbray Oak, which is an Ancient Tree, and is part of a collection of trees which provide an important vista from the public footpath which extends along the eastern extent.</p>
<p>Amotherby: Single field between Amotherby and</p>	<ul style="list-style-type: none"> <li>• the contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from</li> </ul>

<p>Swinton south of the B1257</p>	<ul style="list-style-type: none"> <li>• approach roads or paths</li> <li>• the contribution the space makes to the overall form and character of the village</li> <li>• the contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest</li> </ul> <p>This field is the only undeveloped land between the villages of Amotherby and Swinton, on the southern side of the B1257. It is also within the Area of Outstanding Natural Beauty.</p> <p>It ensures that both Swinton and Amotherby maintain their separate identities. There is also a Grade II Listed Farmhouse to the immediate north of the site, on the opposite side of the road. The setting of this farmhouse would as a lone feature would be preserved. Wider views of the countryside (AONB) is achieved.</p>
<p>Hovingham: Land to the north of the Worsley Arms and south east of the Village Hall and Tennis Courts</p>	<ul style="list-style-type: none"> <li>• the contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from approach roads or paths</li> <li>• the contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest</li> <li>• the contribution the space makes to the overall form and character of the village</li> <li>• the extent to which the space provides a vista or viewpoint into the surrounding countryside</li> </ul> <p>In order for the contribution of the area to the setting of the Worsley Arms complex, the landform extends out from the settlement. Consequently views are achieved of the cart entrance, with archway, and the imposing walls which enclose the area. The land would also adjoin two pre-existing VIUA areas: land to the north of Worsley Arms and garden to the north of Stone House.</p>
<p>Ampleforth: Land known as Knoll Hill, and land to the west of The Bungalow. Land to the south east and west of Brookfield.</p>	<ul style="list-style-type: none"> <li>• the contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from approach roads or paths</li> <li>• the contribution the space makes to the overall form and character of the village</li> <li>• the contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest</li> </ul> <p>Knoll hill is viewable both from within Ampleforth, and from wider views to the south and west. The site's open undeveloped qualities and the elevated topography</p>

	<p>provides a strong end-stop to the village, and contributes to the character of the Conservation Area. Development would be particularly prominent due to topography and open views. This is recognised in the Conservation Area Appraisal. Land to the east of Knoll Hill makes a significant contribution to the setting of Ampleforth Conservation Area, and the Listed Building 'Fern Villa'. They include the collection of fields to the east of Knoll Hill, four linear fields to the west of the Conservation Area boundary (south western) and the field to the south of these fields which is to the north of modern estate development. The northern fields provide a strong end-stop to the village, and contributes to the character of the Conservation Area. Development would be particularly prominent due to topography and aspect, from within Ampleforth. The fields to the south when viewed from the lower elevations to the south of the village, provide context to the evolution of the morphology of Ampleforth.</p>
<p>Ampleforth: Land to the south of St. Hilda's Church</p>	<ul style="list-style-type: none"> <li>• the contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from approach roads or paths</li> <li>• the contribution the space makes to the overall form and character of the village</li> <li>• the contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest</li> </ul>
<p>Ampleforth: Land to the rear of Ludley house</p>	<ul style="list-style-type: none"> <li>• the contribution the space makes to the overall form and character of the village</li> </ul> <p>Identified as important open space within the Conservation Area</p>
<p>Ampleforth: Green verges along main street, between the White Swan Public House and Ford End House</p>	<ul style="list-style-type: none"> <li>• the contribution the space makes to the overall form and character of the village</li> </ul> <p>Verges within the main street of Ampleforth contribute to a sense of space in what is otherwise a tight-knit form of development.</p>
<p>Ampleforth: Land west of St. Benedict's School and east of properties of St. Hilda's Walk</p>	<ul style="list-style-type: none"> <li>• the extent to which the space provides a vista or viewpoint into the surrounding countryside</li> </ul> <p>Land consisting of a field, to the south of Back Lane, Ampleforth, situated between St. Benedict's RC School and a collection of dilapidated outbuildings at the start of Back Lane (east of St. Hilda's walk). The land affords open views of the valley, and gently falls away from the road. As such it contributes to the setting of this part of the Conservation Area.</p>



<p>Pickering: Undeveloped area of a collection of Strip Fields known as Mickle Hill, and land to the south of Mickle Hill extending south to land to the north of Rogers Nursery</p>	<ul style="list-style-type: none"> <li>• the contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from approach roads or paths;</li> <li>• the contribution the space makes to the overall form and character of the town;</li> <li>• the extent to which the space provides a vista or viewpoint into the surrounding countryside;</li> <li>• the extent to which trees, boundary hedges or walls contribute to the character of the space;</li> <li>• the archaeological or historic interest of the space.</li> </ul> <p>This collection of strip fields is particularly prominent, being on the southern entrance to Pickering. The open, lateral strip fields afford views of the gently rising land of Mickle Hill. The rising land of Mickle Hill is both a prominent landform, and it is this topography which contributes in the ability to read the strip field systems, which extend over the hill.</p>
<p>Norton: Land between Welham Road and Langton Road, north of Whitewall and Bazeley's Lane</p>	<ul style="list-style-type: none"> <li>• Contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from approach roads or paths</li> <li>• Contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest</li> <li>• Extent to which the space provides a vista/viewpoint into the surrounding countryside</li> <li>• Extent to which trees, boundary hedges or walls contribute to the character of the space</li> </ul> <p>The collection of fields allow the ability of both Malton and Norton to be viewed. They provide a buffer between the built edge of Norton, with an aligned use of horse grazing with the Listed 'Whitewall' and Whitewall Cottages. The field patterns are more diverse than those which surround the rest of Norton. The fields afford views of Norton and Malton, and the important area of Mill Beck.</p>
<p>Old Malton: Triangular shaped area of land to the west of Old Malton, north of Westgate Lane, and south of the A64</p>	<ul style="list-style-type: none"> <li>• Contribution the space makes to the setting of the settlement viewed either from publicly accessible view points within the settlement or from approach roads or paths</li> <li>• Contribution the space makes to the setting of a building or groups of buildings either listed or of historical or architectural interest</li> </ul>

	<ul style="list-style-type: none"> <li>• Contribution the space makes to the overall form and character of the settlement</li> <li>• Extent to which the space provides a vista/viewpoint into the surrounding countryside</li> <li>• Extent to which trees, boundary hedges or walls contribute to the character of the space</li> </ul> <p>The mosaic patchwork of hedgerows and trees, and the open nature of the space provides an attractive setting for Old Malton and views to Old Malton, including views of Grade I Listed St. Mary's Church. Particularly when viewed from the A64.</p>
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### **Visually Important Undeveloped Areas and Local Green Space**

6.16 The National Planning Policy Framework (NPPF) paragraphs 76 and 77 provides for the designation of land as 'Local Green Space' in either Local or Neighbourhood Plans. It is important to note that whilst there are some similarities between the designations, they both serve different purposes. VIUAs are a locally-derived policy approach to protecting the undeveloped spaces that make a significant contribution to the character of a settlement. Local Green Space is a policy to protect green areas which are demonstrably special to local communities for a range of reasons. The approach to considering development within Local Green Space is also significantly more stringent than that of Visually Important Undeveloped areas. National Policy makes it clear that managing development within a Local Green Space should be consistent with the policy for Green Belts. Although areas of Local Greenspace can be defined in Local Plans, it is considered that because of the emphasis on such sites being demonstrably significant to local communities, that Neighbourhood Plans will be the most appropriate place to designate land as Local Green Space in Ryedale.

### **7.0 IMPLICATIONS**

7.1 The following implications have been identified:

- a) Financial  
The production of the Sites Document and Policies Map is included within existing budgetary provisions
- b) Legal  
VIUAs will form part of the Development Plan for decision making purposes
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)  
No direct implications.

### **8.0 NEXT STEPS**

8.1 Subject to Member's approval, the proposed amendments to existing VIUAs and proposed additional VIUAs will be consulted upon immediately. Any comments received will be reported to Members in order for proposals to be finalised as part of the Local Plan Sites Document. It is anticipated that Members will be asked to agree the Sites Document and accompanying Policies Map in December of this year

although this remains subject to the completion of several technical studies.

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**Background Papers:**  
Ryedale Local Plan Proposals Map (2002)

**Background Papers are available for inspection at:**  
<http://www.ryedaleplan.org.uk>