



## **LAND OFF WELHAM ROAD, NORTON**

**FLOOD RISK SEQUENTIAL ASSESSMENT**  
Final Report v2.0

**January 2019**

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Report Title: **Land off Welham Road, Norton**  
Flood Risk Sequential Assessment  
Final Report v2.0

Client: BP Oil (UK) Ltd

Date of Issue: 31 January 2019

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*Managing Director*

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## Contents

	Page
Signature Sheet	i
Contents	ii
List of Figures & Appendices	iii
<b>1 INTRODUCTION .....</b>	<b>1</b>
1.1 Background.....	1
1.2 Structure of the Report.....	2
<b>2 SITE DETAILS.....</b>	<b>3</b>
2.1 Site Location Proposed Development.....	3
2.2 Existing and Proposed Development.....	3
2.3 Review of Flood Risk .....	4
<b>3 PLANNING POLICY AND GUIDANCE .....</b>	<b>5</b>
<b>4 SEQUENTIAL ASSESSMENT METHODOLOGY .....</b>	<b>7</b>
4.1 Overview of Process .....	7
4.2 Geographical Area.....	7
4.3 Source of Alternative Sites .....	7
4.4 Testing Alternative Sites .....	7
<b>5 SEQUENTIAL ASSESSMENT APPLICATION .....</b>	<b>10</b>
5.1 Identification of Alternative Sites .....	10
5.2 Assessment of Alternative Sites .....	10
5.3 Officer Level Sequential Assessment .....	11
5.4 Conclusion .....	13
<b>6 SUMMARY .....</b>	<b>14</b>

## List of Figures

Figure 1:	Site Location .....	3
Figure 2:	Flood Map for Planning (Rivers & Sea) .....	4

## List of Appendices

Appendix A:	Council Correspondence
Appendix B:	Potential Alternative Sites
Appendix C:	Malton and Norton Parish Map
Appendix D:	Assessment of Alternative Sites

# 1 INTRODUCTION

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## 1.1 BACKGROUND

A full planning application for the "Erection of petrol filling station with forecourt shop sales building, canopy, car parking, 3 no. fuel pumps, below ground offset fills, air/water bay, trolley compound, goods in delivery bay, bin storage, site floodlighting, new access road off Springfield Garth (to serve adjacent site) and ancillary arrangements to forecourt and boundary" (planning reference 17/01249/FUL) was submitted by Rapleys LLP ("the Agent") on behalf of BP Oil (UK) Ltd ("the Applicant") on 16 October 2017. The application was validated on 1 December 2017.

The planning application was accompanied by a Flood Risk Assessment and SuDS Strategy report ("*Flood Risk Assessment and SuDS Strategy in relation to Proposed Development at Land Off Welham Road, Norton, YO17 9DP, Ref: H12199, October 2017, Marks Heely Ltd*").

It was agreed at a meeting in January 2018 with the local planning authority (Ryedale District Council) that the flood risk sequential test would be addressed.

A flood risk sequential assessment was undertaken in February 2018 in accordance with the National Planning Policy Framework (published 27 March 2012) and National Planning Practice Guidance (published 6 March 2014).

The report ("*Flood Risk Sequential Assessment – Land off Welham Road, Norton; Final v1.0, Ref: 4080/FRSA/Final/v1.0/2018-02-15, February 2018, Weetwood Services Ltd*") was submitted to the local planning authority on 20 March 2018.

On 16 July 2018 the local planning authority raised a query regarding the flood risk categorisation of the proposed petrol filling station. An addendum to the Flood Risk Sequential Assessment report ("*Flood Risk Sequential Assessment Addendum – Land off Welham Road, Norton; Final v1.0, Ref: 4080/FRSA\_Addendum /Final/v1.0/2018-07-18, July 2018, Weetwood*") confirmed the proposed development to be Less Vulnerable rather than Highly Vulnerable as originally stated. The Planning Committee report (1 August 2018) confirms that the local planning authority accepted that the proposed development is Less Vulnerable.

Planning permission for the October 2017 application was refused on 2 August 2018. The Decision Notice discloses the following reasons for refusal:

- First reason for refusal: "*It has not been demonstrated through the submission of sufficient evidence that the Malton Livestock Site (Horsemarket Road, Malton) which is at a much lower risk of flooding (Flood Zone 1) and sequentially preferable in flood risk terms to the application site (Flood Zone 3 (a)) is not a suitable and appropriate site to accommodate the proposed development.....*"
- Second reason for refusal "*It has not been demonstrated through the submission of sufficient evidence that the retail sequential test has been met. The Malton Livestock Market (Horsemarket Road, Malton) is considered to be sequentially preferable to the application site in terms of it being regarded as a Town Centre site in the Published Sites Document 2018.....*"

The applicant is appealing against Ryedale’s decision to refuse the application. As such, this updated version of the February 2018 Flood Risk Sequential Assessment report and is submitted for the purposes of the appeal. It replaces the February 2018 report and the July 2018 addendum.

The updates made from the February 2018 report are as follows:

- Section 1.1: Extended to clarify the timeline of events relating to the planning application and the flood risk sequential assessment.
- Section 3.1: Updated to reference the 24 July 2018 revision to the National Planning Policy Framework.
- Section 5, 6, Appendix B and Appendix D: Updated to include the ATS site and the Wentworth Street car park site.

## 1.2 STRUCTURE OF THE REPORT

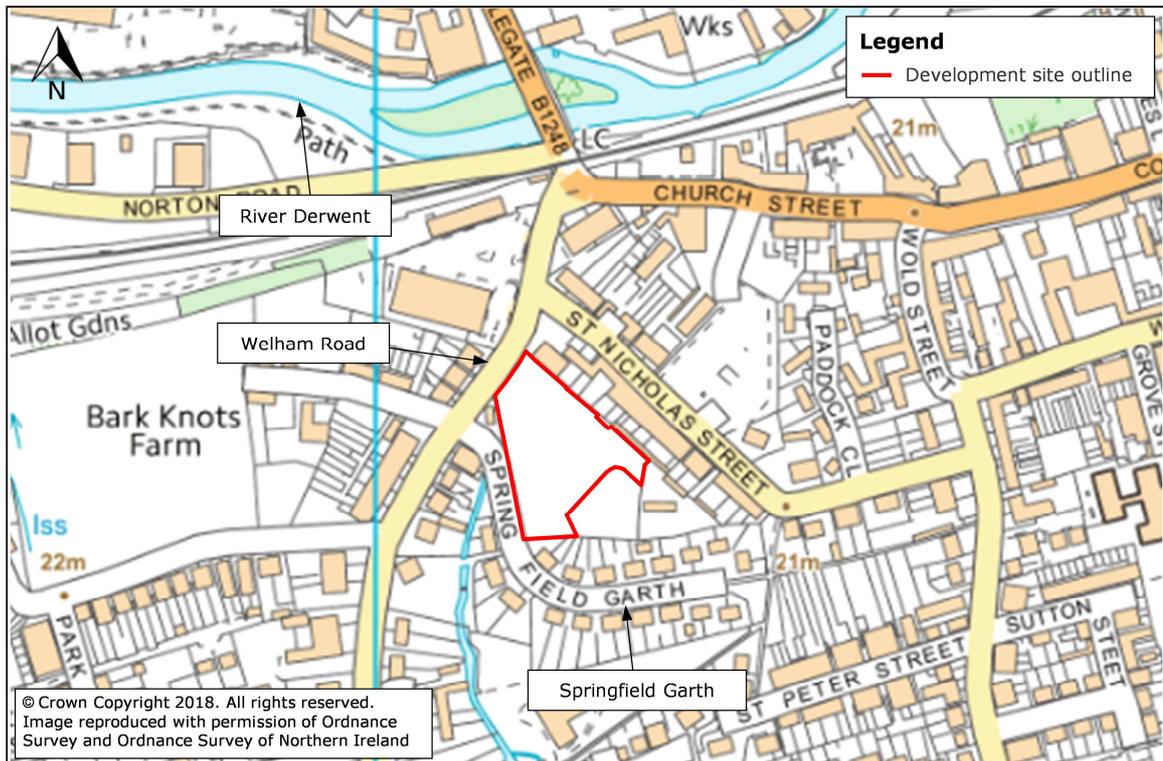
The report is structured as follows:

- Section 1** Introduction and report structure
- Section 2** Presents background information relating to the site, the development proposals and a review of flood risk at the site
- Section 3** Reviews relevant planning policy and guidance
- Section 4** Presents the sequential assessment methodology
- Section 5** Presents application of the assessment to the alternative sites
- Section 6** Presents a summary of key findings

## 2 SITE DETAILS

### 2.1 SITE LOCATION PROPOSED DEVELOPMENT

The 0.56 hectare (ha) site (hereafter referred to as the 'application site'), is located off Welham Road and Springfield Garth, Norton at Ordnance Survey National Grid Reference SE 791 712, as shown in **Figure 1**.



**Figure 1: Site Location**

### 2.2 EXISTING AND PROPOSED DEVELOPMENT

The site was previously occupied by a disused clothing factory. Planning consent was granted in 2013 for the demolition of the existing factory and for the construction of 3 no. small retail units and a nursery (ref. 13/00166/MOUT). The factory was demolished following planning consent; however, the proposed development was not constructed. The site is currently unoccupied.

The proposals are for the "erection of petrol filling station with forecourt shop sales building, canopy, car parking, 3 no. fuel pumps, below ground offset fills, air/water bay, trolley compound, goods in delivery bay, bin storage, site floodlighting, new access road off Springfield Garth (to serve adjacent site) and ancillary arrangements to forecourt and boundary".

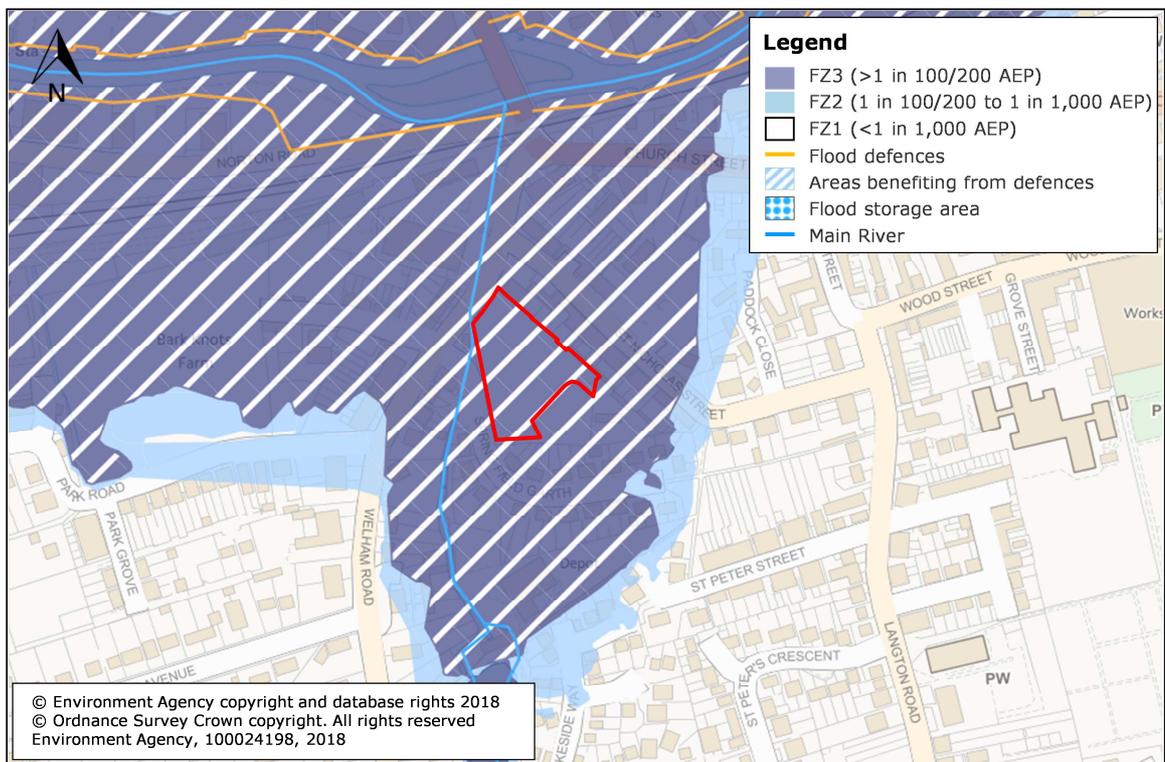
### 2.3 REVIEW OF FLOOD RISK

Flood zones refer to the probability of river and sea flooding, ignoring the presence of defences. The NPPG defines flood zones as follows:

- Flood Zone 1 (Low Probability): Land having a less than 1 in 1,000 annual probability of river or sea flooding.
- Flood Zone 2 (Medium Probability): Land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or Land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding.
- Flood Zone 3a (High Probability): Land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding.
- Flood Zone 3b (Functional Floodplain): This zone comprises land where water has to flow or be stored in times of flood. Local planning authorities should identify in their Strategic Flood Risk Assessments areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency.

The flood zones are shown on the EA Flood Map for Planning (Rivers and Sea). The NPPG states that the zones shown on the EA Flood Map do not take account of the possible impacts of climate change and consequent changes in the future probability of flooding.

According to the EA Flood Map for Planning (Rivers and Sea) (**Figure 2**) the application site is located in Flood Zone 3 i.e. at a 'high probability' of river flooding. The application site is indicated to benefit from flood defences and is shown to be at a less than 1 in 100 annual probability of flooding on the EA Flood Risk from Rivers or the Sea map.



**Figure 2: Flood Map for Planning (Rivers & Sea)**  
(Source: OPEN.GOV website)

### 3 PLANNING POLICY AND GUIDANCE

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The aim of the NPPF is to ensure that flood risk is taken into account at all stages in the planning process and is appropriately addressed.

The flood risk Sequential Test aims to steer new development to areas with the lowest probability of flooding. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate.

Paragraph 155 of the NPPF states that *'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'*

Paragraph 19 of the PPG states:

*'The Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The flood zones as refined in the Strategic Flood Risk Assessment for the area provide the basis for applying the Test.'*

*The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required.'*

*Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required.'*

If, following application of the Sequential Test, it is not possible for the development to be located in an area with a lower probability of flooding, the Exception Test can be applied, if appropriate.

Paragraph 160 of the NPPF states that for the Exception Test to be passed it should be demonstrated that:

- *'the development would provide wider sustainability benefits to the community that outweigh flood risk,; and*
- *the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.'*

Guidance on undertaking the flood risk sequential test is provided within the NPPG (*"Flood risk assessment: the sequential test for applicants; Published 1 April 2012, Updated 28 February 2017"*).

The guidance outlines the approach that should be undertaken when applying the Sequential Test.

The first stage consists of defining the 'evidence base' to be considered during applications of the Test. This involves defining a geographical search area in order to assess which sites should be included, and then identifying potential alternative sites.

Potential alternative sites should be compared to the application site, both on flood risk grounds and in relation to a number of other potential constraints.

Following this assessment, if there are no 'reasonably available' alternative sites within an area at lower risk of flooding, the Sequential Test is considered to have been addressed.

## **4 SEQUENTIAL ASSESSMENT METHODOLOGY**

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### **4.1 OVERVIEW OF PROCESS**

The following approach has been applied in order to sequentially test the application site:

- 1) Define the geographical area over which the assessment is to be undertaken.
- 2) Identify the sources of alternative sites.
- 3) State the method for testing the alternative sites.
- 4) Apply the Sequential Assessment

### **4.2 GEOGRAPHICAL AREA**

On the 9 January 2018 RDC advised (**Appendix A**) that as a PFS is of sui generis use, the geographical search area for this assessment is not considered to be constrained by the settlement limits of Malton and Norton; it should also include sustainable transport nodes, including those on or near the A64 on the periphery of Malton/Norton.

The Planning Committee report (1 August 2018) stated that given the significant town centre use aspect of the scheme, the search area should exclude out of town sites on the periphery of Malton and Norton. Officers based the search on the following criteria:

- Proximity to the Town Centres of Norton and Malton
- Accessibility
- Sustainability

### **4.3 SOURCE OF ALTERNATIVE SITES**

Potential alternative sites have been identified from the following documents:

- The Ryedale Plan: Local Plan Sites Document – Sites Consultation Malton and Norton. October 2015.
- The Ryedale Plan: Local Plan Sites Document – Malton and Norton Background Paper, October 2017
- Site Submissions: Norton – Last Updated 18 April 2017
- Site Submissions: Malton – Last Updated 18 April 2017

### **4.4 TESTING ALTERNATIVE SITES**

Potential alternative sites are typically assessed using availability, deliverability, suitability, other site constraints and flood risk as criteria as set out below.

#### **4.4.1 Flood Risk**

The flood zone designation of potential alternative sites has been assessed using the EA Flood Map for Planning (rivers and sea) and the EA Flood Risk from Rivers and Sea map. The latter indicates that the risk of flooding of the application site is assessed to be at less than a 1 in 100 annual probability of flooding when taking into account the presence of defences.

Alternative sites at a greater or equivalent risk of flooding (taking into account the presence of defences) have been discounted as they are not considered to be sequentially preferable.

Sites have further been discounted as sequentially preferable where part of a site is at a lower risk of flooding but is not capable of accommodating the proposed development for the application site, e.g. if a site is located within Flood Zone 1, 2 and 3, and the proportion of land located in Flood Zone 1 is less than 0.56 ha, it would be discounted.

#### **4.4.2 Site Suitability**

For a site to be considered suitable, it must be capable of accommodating the development proposals for the application site. Sites which are not capable of accommodating the proposed development are not considered to be suitable and will be discounted.

#### **4.4.3 Availability**

If a site is still in use, has already been developed, is under construction or has an extant planning permission, it will be considered to be unavailable for the purposes of this assessment and will be discounted.

#### **4.4.4 Deliverability**

All alternative sites have been assessed for deliverability in the Ryedale Plan Sites Consultation Document (October 2015) using the following Site Selection Methodology (SSM):

- Stage 1 – Initial sift of sites which do not fit the strategic principles of the Local Plan Strategy or which are subject to constraints that would prevent the site from coming forward in principle.
- Stage 2 – Comprises three parts:
  - Considers key strategic considerations of accessibility, highways and flood risk, which were identified as factors which should be given specific weight in the site selection process.
  - Considers a range of thematic issues, for example, environmental constraints and opportunities.
  - Looks at the deliverability of sites in terms of physical, commercial, legal or other factors and also considers the likely ability of sites to contribute to the infrastructure required to support planned growth.
- Stage 3 – Summarises in tabular form the conclusions of the Stage 2 assessment following the Stage 1 'sift'. The collation of the information allows a comparison of the relative merits of sites to be made.

Using the SSM the sites have been compiled into four groups:

- Group 1: Sites which fail Stage 1 and that are not considered to be suitable for allocation for the development types proposed.
- Group 2: Sites where it is considered that there is no reasonable prospect/very unlikely that concerns identified at Stage 2 can be mitigated or sufficiently mitigated. Or, there are compelling reasons which indicate that a site is not considered to be deliverable/developable.
- Group 3: Sites where issues have been identified as part of the Stage 2 assessment. Mitigation could be used to reduce impact/achieve an acceptable form of development on sites within this group if they are required to meet development needs.
- Group 4: The site generally performs well across each of the stages of the SSM.

#### **4.4.5 Other Constraints**

Sites with constraints that are considered significant enough that the site may not be deliverable will be discounted. These include the following:

- Source Protection Zone
- Greenfield/Greenbelt

## 5 SEQUENTIAL ASSESSMENT APPLICATION

### 5.1 IDENTIFICATION OF ALTERNATIVE SITES

The sites presented in **Appendix B** have been identified as potential development sites for employment or mixed use development in Malton and Norton from the on-going Ryedale Site Submissions. 34 sites have been identified. Site outlines and locations identified from the 'Local Plan Sites Malton and Norton Parish Plan' are presented in **Appendix C**.

### 5.2 ASSESSMENT OF ALTERNATIVE SITES

#### 5.2.1 Flood Risk, Suitability, Availability and Other Constraints

The alternative sites have been assessed using the flood risk, suitability, availability, deliverability and other constraints assessment criteria presented in **Section 4.4**. The results of the assessment is summarised below and presented in **Appendix D**:

- Flood Risk: The assessment indicates that of the 49 alternative sites, 6 are at an equivalent or greater risk of flooding than the application site. These sites are therefore not sequentially preferable in flood risk terms and have been discounted.
- Suitability: 40 of the 43 remaining alternative sites are considered to be 'suitable' because they are capable of accommodating the proposed development proposed at the application site.
- Availability: Of the remaining 40 sites, 12 are not considered to be 'available' and have also been discounted. As such, only 28 alternative sites remain viable alternatives.
- Deliverability: Of the remaining 28 sites, 14 fall under 'Group 1', 2 under 'Group 2' and 3 under 'Group 3'. As such, only 9 alternative sites remain viable alternatives.

All 9 sites are edge of settlement/peripheral sites. Policy SP1 of the adopted Local Plan, encourages the use of brownfield land for appropriate uses. On this basis:

The justification for the assessment for each site as reported in the Sites Consultation Document (summarised) is as follows:

- Sites 184b/184c: *Fail SSM Stage 1 due to a combination of either significant flood risk; their effect on the Derwent Special Area of Conservation*
- Site 189: *Fails SSM Stage 1 on basis that it is an isolated collection of fields and would need further land submissions to bring the site adjacent to the settlement, and this would necessitate a site significantly larger than plan requirements (Group 1)*
- Sites 660a/660b/660c: *Fail SSM Stage 1 on basis that it is a strategic site and does not fit with Local Plan Strategy (Group 1)*
- Sites 108/218 and 281 *are greenfield sites on the edge of the Malton settlement*

### 5.3 OFFICER LEVEL SEQUENTIAL ASSESSMENT

The Planning Committee report (1 August 2018) stated the following in respect of the flood risk sequential test:

*“The sequential test (flood risk) is for the Local Planning Authority to undertake, in conjunction with the Environment Agency, if appropriate. The Environment Agency has been consulted and made it clear that they are content for the LPA to consider aspects of the sequential test.... Officers have excluded sites in locations out of town sites on the periphery of Malton and Norton, which are Greenfield sites, because of the significant retail component of the scheme. It is considered that these would be unsustainable locations with poor accessibility, for models of transport other than a car, and be wholly inconsistent with the objectives of the retail sequential test and the Development Plan. Approaching the flood risk sequential test in this way, is also considered to be consistent with the sustainability objectives of NPPF.*

*Using the criteria above, Officers consider that there are three other possible alternative sites. The Officer level assessment of these two alternative sites is:*

#### *Wentworth Street Car Park*

*Wentworth Street car park is owned by Ryedale District Council. It is understood to not be available, as it is proposed to be developed for a Public Sector Hub and town centre car park.*

#### *ATS Site*

*The ATS site is located in flood zones 1,2 and 3. Technically this site could be regarded as sequentially preferable in flood risk terms as it is at a lower risk of flooding. However, the site is smaller than the application site (0.4 ha compared with 0.52 ha) and it has a narrow frontage that would make accessibility very difficult for large vehicles. Pedestrian safety is also likely to be a factor for those using Commercial Street. Furthermore the site is located within the Norton Conservation Area and in close proximity to listed buildings. The restricted frontage and lack of opportunity for commercial advertising are also considered to make the site unsuitable for the proposed development. The site also has an extent planning permission for residential development and there is not information that the site is available for the proposed development. This site is not considered to be suitable or available for the development proposed.*

#### *LMS*

*This site is located in flood zone 1, representing the lowest possible risk of flooding. This site is considered to be sequentially preferable to the application site in terms of flood risk.*

*The LMS at 0.9 hectares can accommodate the proposed development. It is noted that the extant scheme included changes to the existing road network to allow a larger developable area. Whilst the site is constrained to an extent by being in close proximity to several Grade 2 listed buildings and adjoining Conservation Area boundary, Officers do not see this as a reason why in principle the development could not be located on the LMS. A carefully and sensitive scheme would need to be prepared but this is not considered to be unduly challenging. It is noted that the site is identified for retail uses and non-food uses, however it is considered that site could still accommodate such uses if the proposed development were to be located on the site. The assertions about the AQMA are unproven by the applicant, some vehicles accessing the LMS from the south would need to pass through the AQMA, but the actual effect of this has not been shown to be a significant upon the AQMA.*

*In view of the above assessment it has not been demonstrated to the LPA that the LMS is not reasonably available as an alternative location for the proposed development. The LMS is at a much lower risk of flooding than the application site, consequently the development of the application site for the proposed development has not met the sequential test (flood risk)."*

The Council's assessments of the Wentworth Street Car Park site (452) and the ATS site (no ref) concur with the sequential assessment presented in this report, the former being rejected as a potential alternative site on non-availability grounds and the latter being rejected on non-suitability ground.

Whilst the LMS site (250/442) is at a lower risk of flooding than the application site, the LMS is not considered to be 'suitable'. Full evidence substantiating this is presented in the appeal statement. However, the principal reasons are summarised below:

- Site configuration - A public right of way would need to be provided east-west through the site on the approximate line of The Shambles so that pedestrian access to Market Place is maintained. The shape and size of the site south of The Shambles is such that it will almost certainly be necessary to compromise on how delivery vehicles are accommodated on site.
- Position on the strategic road network - the former Livestock Market is fragmented by a number of minor roads providing local access - Horsemarket Road, Victoria Road, Newgate Road, Spital Street and The Shambles. Access to the nearest classified roads are immediately to the north at Newbiggin (B1257) and to the south at Yorkersgate (B1248). Further, traffic flows are very low in absolute terms and substantially below the order of traffic flow that would be needed to support a modern service station.
- Visibility on the strategic road network –the former Livestock Market Site is located not only on unclassified roads, but also behind a row of commercial buildings in a town centre location. This is clearly incompatible with the fundamental need for a petrol filling station to attract the passing trade of motorists.
- Site accessibility – in addition to being able to serve and attract trade from the strategic road network, a petrol filling station needs to be serviced by large delivery vehicles, not least fuel tankers. The road networking servicing the site is not sufficient.

- Utilities – considering the above, it would be necessary to stop up Spital Street. It is not known what utilities plant currently runs under the site along Spital Street (or under the rest of the site). Bearing in mind the need to accommodate underground tanks and to limit wayleaves through the site, it may be necessary to relocate any existing utilities, which would have further cost implications impacting on viability.
- Footpath - The footway provision on Spital Street is intermittent and there is not a continuous footway on both sides, with gaps occurring on both sides for significant lengths of the street.
- Listed buildings – There are a number of listed buildings within the vicinity of the LMS, including The Spotted Cow Public house (Grade II) which is located at the junction of the Shambles and Spital Street, number 11 Mount Road (Grade II) and 1 and 1A Victoria Road (Grade II). As such, development at the LMS, for a modern petrol station including a forecourt sales building, pump islands and canopy, will evidently cause harm to the setting of the designated heritage assets.
- Air quality – the former Livestock Market Site is within close proximity to the Malton AQMA (and closer than the appeal site). In this context, and considering the traffic data, it is not a suitable site for a petrol filling station.

## 5.4 CONCLUSION

Based on the above, the application site is assessed to be the most preferable site within Norton and Malton based upon the flood risk, suitability, availability and viability criteria.

## 6 SUMMARY

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There are proposals for the development of a Petrol Filling Station with a forecourt shop sales building on land off Welham Road and Springfield Garth, Norton.

According to the Environment Agency (EA) Flood Map for Planning the application site is located in Flood Zone 3. As such, the Flood Risk Sequential Test must be addressed to the satisfaction of the Local Planning Authority for development to be approved.

The application site is indicated to benefit from flood defences and is shown to be at a less than 1 in 100 annual probability of flooding on the EA Flood Risk from Rivers or the Sea map.

The assessment has been undertaken in accordance with the requirements of the National Planning Policy Framework (NPPF) using the approach set out within the EA guidance note '*Demonstrating the Flood Risk Sequential Test for Planning Applications*'.

Reference has been made to the Ryedale District Council adopted Local Plan Strategy (2012), the Local Plan Sites Document – Site Consultation (October 2015) and the Local Plan Sites Document – Malton and Norton Background Paper (October 2017).

The Sequential Assessment demonstrates that there are no alternative sites, at a lower risk of flooding, within Norton and Malton that are not greenfield or available, suitable and viable for the proposed development.

On the basis of the presented assessment, the Sequential Test is deemed to have been addressed for the application site.

**APPENDIX A:**

**Council Correspondence**

**RYEDALE  
DISTRICT  
COUNCIL**



BP Forward Planning  
C/O Rapleys LLP (Mr Michael Birch)  
51 Great Marlborough Street  
London  
W1F 7JT

9 January 2018

Dear Sir/Madam



**APPLICATION NO:** 17/01249/FUL

**APPLICANT:** BP Forward Planning

**DESCRIPTION:** Erection of petrol filling station with forecourt shop sales building , canopy, car parking, 3no. fuel pumps, below ground offset fills, air/water bay, trolley compound, goods in delivery bay, bin storage, site floodlighting, new access road off Springfield Garth (to serve adjacent site) and ancillary arrangements to forecourt and boundary

**LOCATION:** 5 Welham Road Norton Malton North Yorkshire

I write in regard to the above planning application with the following comments:

1. This application proposes a shop of considerable size (260m<sup>2</sup>), which constitutes a 'Town Centre use'. In accordance with NPPF and Policy SP7 of the Local Plan Strategy it is considered the proposal should be sequentially tested. The site is an edge of centre site, so sites within the Town Centres of Malton and Norton should be considered first and then sites on the edge of the centres if there are no such central sites. The proposal development includes a Petrol Filling Station so it is appropriate that the development as a whole be sequentially tested.
2. The site is located within Flood Zone 3. In accordance with Para. 100 and 101 of NPPF this application should also be sequentially tested for flood risk purposes. With a Petrol Filling Station being a 'sui generis' use, the search area for this test is not considered to be constrained by the settlement limits of Malton and Norton and also includes sustainable transport nodes, including those on or near the A64 on the periphery of Malton/Norton. I would also add, that para. 100 requires development to be necessary in this location. There are already 2 petrol filling stations in the Towns, it is therefore suggested that you justify why this proposal is 'necessary' pursuant to the requirements of NPPF.
3. An initial comment has been received from WYG on behalf of the Fitzwilliam Estate that has requested that the LPA amend the description of your proposal to emphasise the shop use, and distinguish it from the forecourt sales building. They have suggested the description should be:

"Erection of petrol filling station and shop, with canopy, underground fuel tanks, air conditioning and refrigeration units and associated car parking, works and services"

We have used the description you have used on the application form, I would therefore request your comments on this.

4. I also have concerns at the design and appearance of the proposed building and canopy. The white cladding is very pronounced in this environment. Is the canopy necessary? If so are there are alternatives?
5. The site is surrounded by residential development, in very close proximity. I have serious concerns about the potential noise and disturbance from the proposed development upon the residential amenities of the surrounding occupiers. The 24hr use (the application form appears to indicate no hours of use restrictions), the operation of the ATM's, deliveries, cooler and extraction unit noise and the constant noise from car engines and car doors give rise to serious concerns in this location. I understand the Environmental Health Officers are going to respond shortly about the proposal, their response will be available online.

Of the other notable consultees, I am also awaiting the views of the local Highway Authority.

I would also ask you to consider the Police Architectural liaison Officer's comments and consider how these can be incorporated into your scheme.

I have received objections from Norton and Malton Town Council's along with several letters of objections from local residents.

In view of the information required, I am happy to agree an extension of time to perhaps until the end of March to allow you to obtain the additional information. Please advise me how you would like to proceed this application.

I trust that these comments are helpful but I must stress that they represent an informal Officer opinion only and does not commit the Council in any way or prejudice any decision the Local Planning Authority may make.

Yours faithfully



Alan Hunter, Senior Specialist Officer (Place)  
alan.hunter@ryedale.gov.uk

**APPENDIX B: Potential Alternative Sites**

All sites below are identified from the 'Site Submissions – Norton' from the Local plan sites.

Site Ref	Site Name	Area (ha)	Use
None	ATS site	0.4	N/A
104	Land West of the Avenue	43.33	Mixed
137	Land East of Westfield Way	89.92	Mixed
184 (A-H)	Land at Norton Parks Farm and Norton Grove Stud	118.10	Employment
185	Land Off Hugden Way	1.70	Employment
189	Norton Parks Farm, Scarborough Road	13.72	Employment
471	Land South of River Derwent and West of Welham Road	71.51	Mixed
618	Land West of World View and South of Scarborough Road, Brambling Fields	11.99	Mixed
651	Land East and South of Hugden Way	8.10	Mixed
655 (A-C)	Parcels of land adjacent to Villa Farm and Norton Grove Stud	32.50	Mixed
660 (A-C)	Land off Scarborough Road Norton	134.00	Mixed

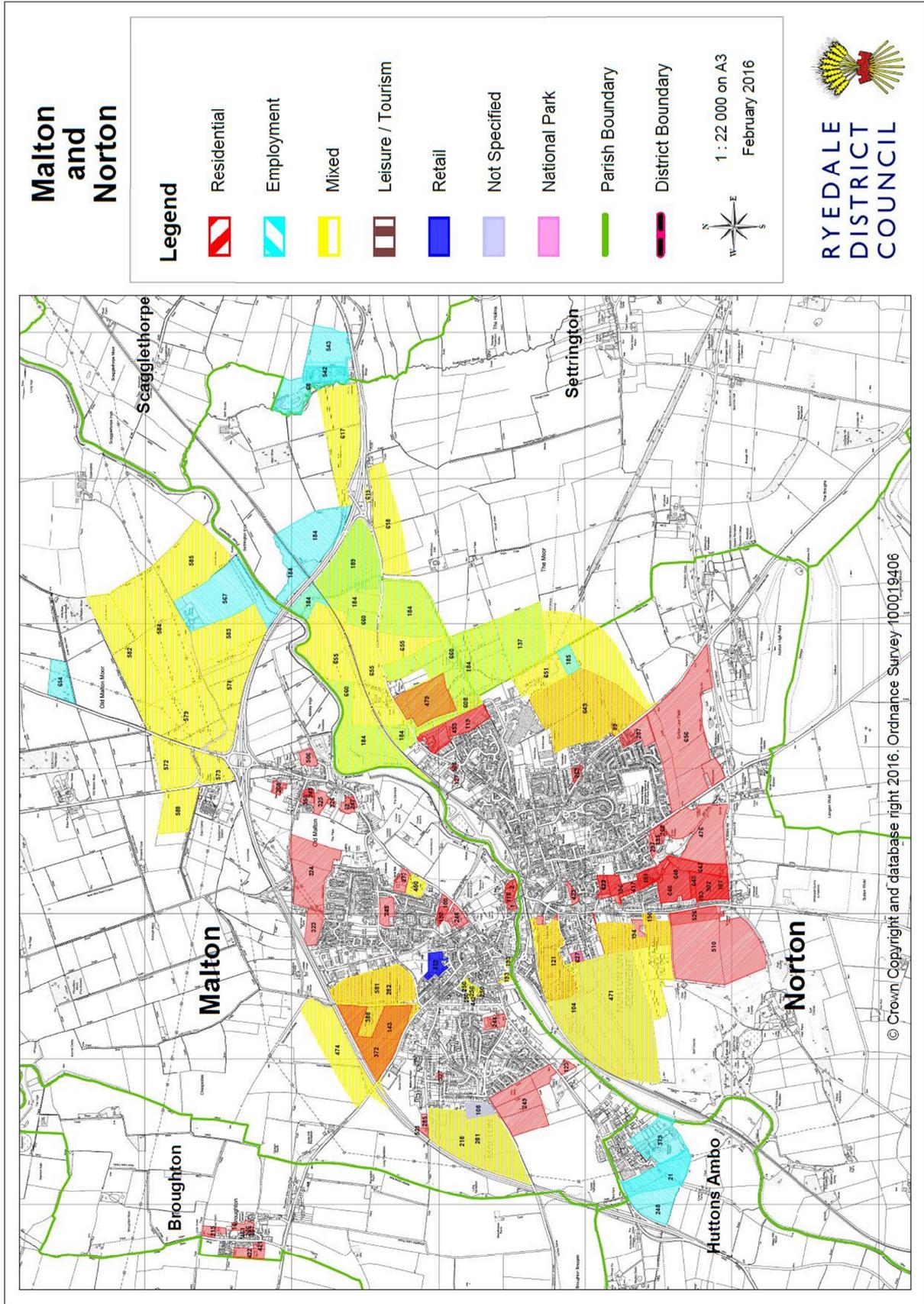
All sites below are identified from the 'Site Submissions – Malton' from the Local plan sites.

Site Ref	Site Name	Area (ha)	Use
21	Land at Cherry Farm	6.86	Employment
108	Land North of Castle Howard Road	1.59	Not Specified
136	Land North and South of Eden House Road	11.62	Employment
193	Former Travis Perkins Yard, Yorkersgate	0.40	Mixed
218	Land North of Castle Howard Road, West of Castle Howard Drive and East of A64	21.21	Not Specified
248	Land West of York Industrial Estate, York Road	12.22	Employment
250	Cattle Market	0.79	Mixed
281	Land North of Castle Howard Road, South of Middlecave Road and East of the A64	21.21	Mixed
282	Land North of Pasture Lane	11.55	Mixed
379	Malton Waste Water Treatment Works, Rye Close, York Road Industrial Estate	7.43	Employment
388	Land North of Pasture Lane and East of Broughton Road	27.26	Mixed
442	Livestock Market, Spital Street	1.04	Mixed
450	Ryedale House, Old Malton Road	1.44	Mixed
452	Land and buildings at Wentworth Street car park	1.7	Retail
474	Land North of the A64 and east of Outgang Lane	13.38	Mixed

567	Land South of Wyse House Farm, Wise House Lane, Old Malton	17.45	Employment
572	Land North of Edenhouse Road	7.97	Mixed
573	Land South of Edenhouse Road	3.66	Mixed
578	Land North of A64 and South of Wise House Lane	13.93	Mixed
579	Land North of Wise House Lane and East of A169	16.46	Mixed
581	Land North of Pasture Lane and East of Outgang Road	11.54	Mixed
582	Land South of Rabbit Lane, Old Malton	16.87	Mixed
583	Land West of Wyse House, Old Malton	11.12	Mixed
584	Land North of Wyse House, Old Malton	25.64	Mixed
585	Land East of Wyse House, Old Malton	15.17	Mixed
588	Land West of Edenhouse Road and North of Freehold Lane, Old Malton	6.40	Mixed
654	Field No SE8074 East of A169 and east of Eden House Malton	3.50	Employment

**APPENDIX C:**

**Malton and Norton Parish Map**



**APPENDIX D: Assessment of Alternative Sites**

Site Ref	Flood Zone (%)			Suitable	Available	SSM Group	Other Constraints	
	FZ1	FZ2	FZ3					
<b>Norton</b>								
ATS	30	60	10	No	No – planning permission granted			
104	0	0	100 (defended)					
137	85	5	10	Yes	Yes	Group 1		
184	A	0	10	90				
	B	0	55	45				
	C	0	50	50				
	D	60	40	0	Yes	Yes	Group 2	
	E	65	5	30	Yes	Yes	Group 3	
	F	90	2	8	Yes	Yes	Group 1	
	G	50	5	45	Yes	Yes	Group 1	
	H	85	5	10	Yes	Yes	Group 1	
185	5	5	90					
189	40	5	55	Yes	Yes		Largely Greenfield	
471	60	5	35 (defended)	Yes	Yes	Group 1		
618	70	5	25	Yes	Yes	Group 1		
651	20	15	65					
655	A	0	20	80				
	B	50	25	25	Yes	Yes	Group 1	
	C	95	3	2	Yes	Yes	Group 1	
660	A	0	20	80				
	B	50	20	30	Yes	Yes		Greenfield
	C	70	5	25	Yes	Yes		Greenfield
<b>Malton</b>								
21	95	5	0	Yes	No – planning permission granted / partly built out			
108	100	0	0	Yes	Yes		Greenfield	
136	100	0	0	Yes	No – planning permission granted / under construction			
193	50	25	25					

Site Ref	Flood Zone (%)			Suitable	Available	SSM Group	Other Constraints
	FZ1	FZ2	FZ3				
218	100	0	0	Yes	Yes		Greenfield
248	95	5	0	Yes	Planning permission granted on part of site / partly built out	Group 2	
250	100	0	0	Site comprises 4 no. separate land parcels, 1 parcel is too small to accommodate the proposed development. Site is not located on a main road or arterial road and insufficient passing traffic for PFS to be viable.			
281	100	0	0	Yes	Yes		Greenfield
282	100	0	0	Yes	No - Planning permission granted		
379	60	35	5	Yes	No - site in use by Yorkshire Water		
388	100	0	0	Yes	No - Under construction		
442	100	0	0	The site is not located on a main road or arterial road and insufficient passing traffic for PFS to be viable.			
450	100	0	0	Yes	No - site in		

Site Ref	Flood Zone (%)			Suitable	Available	SSM Group	Other Constraints
	FZ1	FZ2	FZ3				
					use by Council		
452	100	0	0		No – site to be developed for public sector hub and car park		
474	100	0	0	Yes	Yes	Group 2	
567	80	5	15	Yes	Yes	Group 1	
572	100	0	0	Yes	No – development approved		
573	100	0	0	Yes	No – development approved		
578	95	5	0	Yes	Yes	Group 3	Greenfield
579	100	0	0	Yes	Yes	Group 3	Greenfield
581	100	0	0	Yes	No - Planning permission granted		
582	100	0	0	Yes	Yes		Greenfield
583	90	10		Yes	Yes	Group 1	
584	100	0	0	Yes	Yes	Group 1	
585	90	10	0	Yes	Yes	Group 1	
588	100	0	0	Yes	No – Planning permission granted / under construction		
654	100	0	0	Yes	Yes	Group 1	

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