



# **The Ryedale Plan Draft Core Strategy Summer 2010**

## **Responses to Comments December 2011**

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## **Introduction**

This document sets out the Council's response to the issues raised by the comments made to the Draft Core Strategy that was consulted on in Summer 2010. This should be read in conjunction with the comments summary document, which is also available on the Council's website. There were substantial levels of support for much of the content of the 2010 Draft Core Strategy and this is reflected in the comments summary document. The Council notes this support. The comments of support need to be considered in context with this document as it primarily addresses those representations that suggested changes or disagreed with the approach suggested.

The layout of this document mirrors the sections in the Draft Core Strategy. It firstly sets out the main changes to each section of the 2010 Draft Core Strategy both in terms of the policies and supporting text. Responses are grouped by issue rather than addressing each individual comment raised. In this respect not all responses will be aligned to the order in which comments have been collated. Given the substantial response to this consultation, this enables the key messages to be considered and addressed where appropriate. In some cases comments may be repeated as they have been raised in response to different parts of the 2010 Draft Core Strategy.

This document makes clear where changes have or have not been made in light of comments. The reason for the decision is clearly justified and also details where in the document the change has been made.

Where necessary the Council's response draws on the evidence base. This is where representations have been made which relate to the evidence used to underpin the strategy.

## **National and Regional Changes Since 2010**

There have been a number of changes in National and Regional Planning Policy since 2010. The Regional Spatial Strategy for Yorkshire and the Humber (RSS) will soon be abolished following the enactment of the appropriate section of the Localism Act. In light of this, the nature of what a development plan constitutes will change from the regional plan and the Local Development Framework. Instead of this there will now only be the plan at the local level (this is now referred to as a Local Plan rather than the previous title of Local Development Framework).

At the time of the 2010 consultation we referred to the document as the Draft Core Strategy as part of the Local Development Framework (LDF). Given the changes to the planning system outlined above, the Council has changed the name of the Local Development Framework to 'The Ryedale Plan', although it has the same status as part of the development plan. Like the LDF, the Ryedale Plan is made up of two elements 'Strategy' (the part that was previously known as the Core Strategy) and 'Sites' (the allocations for development). This document still refers the 2010 Draft Core Strategy as this was the name at the time. It also refers to the 2012 Publication Draft which reflects the current formal stage of the Strategy Document. This 2012 Publication Draft is largely on the basis of the 2010 Draft Core Strategy, but taking into account the consultation responses and the national/ regional policy changes outlined. Any references to the Ryedale Plan, Local Plan and Local Development Framework for the purposes of this document are interchangeable.

It's worth noting that in addition to the Local Plan, communities are eligible to prepare Neighbourhood Plans which set out in more detail how they wish their areas to develop. These sit under the Local Plan. If consulted and prepared in accordance with the regulations and if supported by a local referendum, then the Neighbourhood Plan forms part of the development plan.

New draft national policy has been released called the National Planning Policy Framework (NPPF). This is a single document which replaces 25 separate documents expressing national planning policy. Whilst in draft form, it is anticipated that a final version of the NPPF will be published before

April 2012. Given this transitional time, this document refers to both existing and emerging national policy where appropriate.

## Policy Key

References to policies in this document are based on the 2010 Draft Core Strategy which was the subject of this consultation. However reflecting the changes listed above, policy numbers and prefixes have been changed. In some cases new policies have been added, some deleted and some split into two. Below is a key which lists which policy from the 2010 Draft fits matches the 2012 Publication Draft which is the subject of this consultation:

**Table 1 - Equivalent Policies**

<b>Policy in 2010 Draft Core Strategy</b>	<b>Equivalent Policy in 2012 Publication Draft</b>
CS1 - General location of development and settlement hierarchy	SP1 - General location of development and settlement hierarchy
CS2 – Delivery and Distribution of Housing	SP2 – Delivery and Distribution of Housing
CS3 – Affordable Housing	SP3 – Affordable Housing
CS4 – Type and Mix of New Housing	SP4 – Type and Mix of New Housing
CS5 – Sites for Gypsies, Travellers and Travelling Showpeople	SP5 – Sites for Gypsies, Travellers and Travelling Showpeople
CS6 – Delivery and Distribution of Employment Land and Premises	SP6 - Delivery and Distribution of Employment Land and Premises
CS7 – Town Centres	SP7 – Town Centres
CS8 – Tourism	SP8 – Tourism
CS9 – The Land Based and Rural Economy	SP9 – The Land Based and Rural Economy
CS10 – Community Facilities and Physical Infrastructure	SP10 – Community Facilities SP11 – Physical Infrastructure
CS11 – Ryedale’s Historic Environment	SP12 – Heritage
CS12 – Protecting and Enhancing Ryedale’s Landscapes	SP13 – Landscapes
CS13 – Ryedale’s Biodiversity	SP14 – Biodiversity
CS14 – Green Infrastructure	SP15 – Green Infrastructure Networks
CS16 – (The ‘design’ element of this policy made into individual policy in the Publication Draft)	SP16 - Design
New policy in Publication Draft – not present in 2010 draft	SP17 – Managing Air Quality, Land and Water Resources
CS15 – Responding to Climate Change	SP18 – Renewable and Low Carbon Energy
CS16 – Development Management Policy	SP19 – Generic Development Management Issues
CS17 – Occupancy Conditions	SP20 – Occupancy Restrictions
CS18 – Developer Contributions	SP21 – Developer Contributions
CS19 – Site Selection Criteria	Policy deleted – to be addressed through the Sites Document and Helmsley Plan

# **1 Responses to Section 1: Introduction**

- 1.1 Minor changes to the introductory section have been made in response to the limited comments made on this section, in order to assist clarity and understanding and to reflect recent changes to the planning system which will be introduced by the coalition government.
- 1.2 A specific comment has been made expressing concern that the Helmsley Document should not be treated 'on a par' with the Sites document as illustrated. The diagram is intended to reflect the role/ type of documents which will make up the Ryedale Plan and should not be interpreted as a prioritised list. The diagram illustrates that the Helmsley document, alongside the Strategy and Sites Documents is a key policy document, a 'Development Plan Document', which will have Development Plan status on adoption.
- 1.3 Further text has been included in the introduction to expand upon the joint working which the District Council and National Park Authority aim to undertake to ensure a holistic approach in settlements split by the National Park boundary.
- 1.4 One of the implications of changes to the national policy context which does need to be reflected in the document relates to the intention of the coalition Government to replace national planning policy statements (PPS's) with a single national planning framework. The Council had intended to produce the Core Strategy in a way which reflected and did not repeat National Policy. Key policies in the Core Strategy would establish the principles of development and alongside national PPS's and Supplementary Planning Documents, such as Conservation Area Appraisals, these would provide a strong context for the development management process. This certainly reflects the thinking of the previous Government which included a detailed development management policy framework in each of the more recent Planning Policy Statements that were produced towards the end of its time in office. However, the current Government appears committed to replacing the existing suite of PPS's. The Ryedale plan has been amended to include further detail to assist the development management process.
- 1.5 Conservation Area Appraisals are area based and are used in the development management process to help implement Conservation Area policies/ legislation.
- 1.6 Reference to Catchment Management Plans are included in the Plan
- 1.7 The 2010 consultation draft included an update on the position with the Regional Spatial Strategy at July of last year. In order to produce a Publication version of the Core Strategy which is as close as possible at this stage, to a final version, limited references to the RSS are now included in the context section of the revised Plan.
- 1.8 A limited number of comments received in relation to these sections of the draft document are supportive of the fact that the RSS is to be abolished, mainly where this would provide the opportunity to further specific individual policy aspirations. It should be noted that the substantive policy issues embodied in the RSS are considered alongside comments received in further sections of this report.
- 1.9 The introductory section contains a revised end date for the Core Strategy to reflect the fact that it is required to cover a minimum fifteen year period from adoption. The Council will aim to adopt the document in 2012 which establishes an end date of 2027.

## **2 Responses to Section 2: Context**

- 2.1 A number of comments have been made in response to the context section which do not directly relate to factual inaccuracies in the text but have been made to further a particular policy position or stance. It is considered appropriate that the context section should remain as factual context. Responses to substantive policy choices are covered in further sections of this report.
- 2.2 In response to one comment, it is considered appropriate that the main evidence documents used to prepare the Core Strategy are listed as an appendix to the document.
- 2.3 The Plan is a plan which will be used/ implemented by a range of bodies. It is not just the Council's Plan but rather a Local Plan for the District.
- 2.4 The Council and North York Moors National Park Authority appreciate the need to progress the Helmsley Plan to ensure a consistent planning approach across the Town.
- 2.5 The Plan includes acknowledges that local estates are an important feature/ characteristic of Ryedale.
- 2.6 The process of producing the Plan has engaged partners necessary for its delivery and it this is considered to be key to its implementation. Text in the Plan itself does not need to explain the process by which partners have been involved/ engaged in the process of production.

### **Relationship with other Plans and Strategies**

- 2.7 A reference to the sub-regional work currently being undertaken by Local Government York and North Yorkshire has been included in Section 2 ( Relationship with other plans and strategies) to reflect currently agreed working arrangements. This is an important element of the new 'duty to co-operate' which will be placed on public bodies under forthcoming changes. Given that LGYNY is working to ensure some co-ordination and collaboration within the sub-region, it is considered appropriate that this is reflected in the text. To reflect recent changes, the section also includes a reference to the Local Economic Partnership.
- 2.8 The diagram supporting this section has been amended to delete reference to specific documents to help prevent the Core Strategy from dating too quickly. The emphasis now is on the organisations/ groups whose aims/ objectives the Core Strategy seeks to help deliver.
- 2.9 Responses to some of the detailed points raised are as follows;
- Whilst the Local Planning Authority must balance the need to accommodate development and the need for Greenfield sites with the need to protect the landscape, it is not correct that 'every bit' of Greenfield land will be developed as part of this plan/ strategy
  - The maps within this section are designed to provide a context for those users of the Plan who are not residents of Ryedale
  - Addressing drug and alcohol abuse is a key objective of partner service providers. It is not an explicit land use issue which can be addressed by the Local Plan.
  - Imagine Ryedale was compiled following detailed community planning exercises. it's content reflects the aspirations and feelings of local communities
  - The document includes limited updated references to the RSS which are still considered relevant for the context section of the document.
  - The Plan as revised includes a policy framework which is considered appropriate for

Ryedale in the context of the forthcoming revocation of the RSS.

## **Issues and Challenges**

- 2.10 Minor changes to the Issues and Challenges section have been made to help clarify the text. The most significant change to this section has been the inclusion of a section relating to climate change in response to some concerns that the issue of climate change did not have a sufficiently high profile in the Plan.
- 2.11 Responses to some of the detailed points raised are as follows:
- The reference to educational attainment in paragraph 2.17 as was, reflects school leaving qualifications. The Sustainability Appraisal also makes reference to the fact that the skills level of the population working within Ryedale are lower than average
  - The commentary on population reflects the situation as it is in Ryedale
  - Domestic CO2 emission rates are referred to as oppose to 'from homes' as this also includes car use
  - The benefits of ancient trees and specific measure to improve habitats and biodiversity, including rivers are acknowledged within policies included later in the document.
  - Inclusion of additional references to the challenges facing historic assets
  - Inclusion of additional text to make reference to the importance of the supply and delivery of new homes.
  - Work to support the revised Plan has included a full objective assessment of housing requirements and the housing target included in the Plan is one which is considered the most appropriate for the area.
  - The District Council and Registered Social Landlord partners do manage the existing affordable housing stock.
  - The District Council considers that the need for affordable homes arises primarily as a result of the combination of low wages and high house prices.
  - The Strategic Housing Market Assessment illustrates some demand for flatted accommodation which represents a very low proportion of the Districts existing housing stock. This is in a number of locations across the District and is not just limited to the Towns.
  - The Council apply the minimum discount on Council tax that it is able to under current legislation
  - The Council is aware of Great Habton's desire for a redevelopment of a site within the village for housing. Whilst the proposal would not be supported under this proposed strategy, it is considered that the effectiveness of the strategy as proposed will be thoroughly addressed during the examination process. Alternatively, the community could, potentially, seek the redevelopment of this site through the new Community Right to Build powers which are currently being promoted by the coalition Government.
  - In terms of the employment section, it is the purpose of the text to provide a brief overview of the key characteristics of Ryedale's economy. Specific policies later in the document expand upon the value of specific sectors/ attractions.
  - The Council considers that new homes and jobs are both required to help support a balanced and sustainable economy.
  - The strategy reflects the limited availability of public transport across Ryedale and the pressures facing transport providers. The strategy will look to deliver improved cycling and pedestrian facilities within, to and from the Towns.

### **3 Responses to Section 3: Aspirations and Strategy**

- 3.1 This section of the document is comprised of three main elements. A spatial 'vision' for Ryedale which is accompanied by thematic Aims and Objectives; the Spatial Strategy which looks to distribute development and co-ordinate land use and activity in a way which is considered to best meet the Vision, Aims and objectives . This is followed by the inclusion of more detailed town specific growth priorities, opportunities and principles.

#### **Vision, Aims and Objectives**

- 3.2 The Vision and Objectives of the original Core Strategy have been refined over time, particularly following the major public consultation exercise in 2009 and as the Core Strategy was drafted for consultation in 2010. This led to the inclusion of:

- Aims within the document
- An additional objective relating to the land based economy
- Additional references to climate change and Ryedale's ageing population
- Much expanded Vision and other refinements to enhance local specificity

Further revisions have been made to this element of the Plan following the 2010 consultation and in response to the emerging national planning policy framework.

#### **2010 Consultation**

- 3.3 In general, there is significant support for this section of the document or specific elements of it. It is considered that no fundamental points have been raised which would indicate that the vision, aims and objectives of the document are entirely inappropriate for Ryedale or which cannot be justified on the basis of evidence or provides an effective/ appropriate framework on which to base policy choices.
- 3.4 Inevitably, the most recent consultation has generated a number of specific requests for detailed amendments to the text. Changes have been made where it is considered that these do not alter the meaning or intent of elements of this section or where a particular point is not covered in another part of the Core Strategy.
- 3.5 A limited number of respondents have used this section to challenge key policy choices that are integral to the strategy. In particular, a number of rural landowners have argued that the vision, aims and objectives fail to provide explicit support for sufficient development in smaller rural communities. Whilst it is inevitable that those with an interest in the release of land for development will make this point in a number of ways, essentially, this is an issue which is a detailed policy choice and which should be considered alongside other concerns received in response to strategic policy choices. The Vision, Aims and Objectives do reflect the general need for the Ryedale Plan to support the District's rural communities.
- 3.6 Similarly, those who are opposed to development, particularly in the villages have argued that development in the villages would undermine some of the key aspirations included in this section, particularly with regard to the landscape and environment aims and objectives. It would appear that these comments may be specifically related to the conservation deficit issue/ policy option which was consulted upon as part of the 2010 document and considered by members in February 2011.
- 3.7 In addition, the section has received following general concerns:
- Aims and Objectives do not amplify the Vision and are not sufficiently locally distinctive



- It is not sufficiently legible with significant repetition/ duplication
- It represents 'empty words' and is not clear how the vision will be achieved and how others will contribute to achieving the vision
- vision and strategy is too aspirational and lacks spatially specific policies
- lack of reference to masterplans produced by those of notable interest and influence

- 3.8 It is considered that the aims and objectives, whilst largely thematic, do amplify the vision and are locally distinctive and relevant to Ryedale. It should be noted that the following strategy section seeks bring the vision, aims and objectives together and articulate these spatially. Changes to the document divide the strategy section into one part which aims to articulate the role of different places across the District and a second which outlines in more detail, some of the priorities, opportunities and principles to guide development and change at the Towns. Articulating thematic and spatial issues within the Core Strategy has proved challenging, however it is considered that these changes do help the legibility of this section. It is considered that the Strategy is strategically focussed and provides a clear strategic direction. The inclusion of an additional section to guide growth at the Towns is considered to further improve the strategic direction of the document.
- 3.9 The Core Strategy (and future documents which will be prepared as part of the Ryedale Plan) need to be read as a whole. The key policy choices made as part of the strategy together with all of the policies and the accompanying text which details their implementation and deliverability are the ways in which the Plan can help ensure that the vision is achieved. This section relies on the policies which follow in the rest of the plan to help deliver the vision, aims, objectives and strategy. The implementation sections of each policy are designed to illustrate how the roles and responsibilities of different organisations/ groups each help to deliver this strategy for the District.
- 3.10 One local estate has argued that the section should refer to masterplans produced by themselves as material considerations. The Core Strategy does make reference to Estate Management Plans such as the Castle Howard Conservation Management Plan and the context this provides for the conservation and management of the Estate. The role of Estate Management Plans are recognised by the document and it is considered that it is not necessary that a specific reference is included in this section of the document. The role of rural estates is recognised by the document when read as a whole.
- 3.11 Responses to detailed comments are as follows:

### **Vision**

- The vision for Pickering has been amended in order to attempt to address concerns that the earlier version appeared too pejorative in comparison with the other Towns.
- Additional text has been included to reflect the fact that the redevelopment of brownfield sites provides an opportunity to clean up contamination.
- Inclusion of reference to biodiversity in the vision
- The Core Strategy in itself cannot require that strategic health facilities remain open and available. Indirectly, the document can help support the continued requirement for such facilities through, for example, a concentration of population.
- Norton is not ignored in the Vision
- The emphasis on the role of Malton and Norton within the strategy will not be at the expense of the other towns
- Although reference to Malton and Norton as Ryedale's rural 'capital' received some support, this section of the vision has been amended to refer to the principal Town reflecting the demise of Yorkshire Forward and the Rural Capitals initiative.

- The document as a whole ( via the implementation tables) illustrates how other organisations contribute to the delivery of the vision.

## **Aims**

- Aim 3 has been revised to include reference to increasing resilience to climate change. The style of the document is to include succinct aims and not to expand upon how they will be achieved, which will be through the implementation of wider objectives and policies.

## **Objectives**

- 3.12 The following revisions refer to the Objectives as numbered in the 2010 consultation draft. These are renumbered in the revised Plan following the inclusion of an additional objective relating to planning for sustainable growth, included in response to the emerging National planning Policy Framework and comments made following the 2010 consultation. Former Objective 10 has also been subdivided to assist clarity.
- Objective 3 covers Ryedale's key special qualities in a generic way which helps to prevent the list of objectives from being overly long. Clearly the policy framework later in the document covers each of the main environmental aspects separately.
  - Inclusion of specific reference to entertainment, leisure and recreational facilities in Objective 1
  - Emphasis on Malton and Norton in Objective 1 will not be at the expense of the other Towns
  - There is nothing in the Core Strategy which would prevent the North York Moors Railway from being linked with Malton. However, in the absence of any real prospect that this is deliverable or achievable there is a danger that including such an aspiration may raise expectations which cannot be delivered.
  - Objective 5 as written, would cover the housing needs of rural communities. Additional reference to meeting housing needs in rural areas has not been included. The plan considers the District as a whole to be rural and establishes a policy framework to support housing to address needs, across the District.
  - The Council cannot use Objective 6 of the plan to gain a binding agreement to prevent a reduction in services at the hospital
  - Inclusion of reference to facilitating markets in Objective 9 as well as to supporting them
  - The contribution of the Estates is reflected in the Issues and Challenges section of the document. It is considered that Objective 9 does not need a specific reference to the role of the estates in providing employment and housing
  - Inclusion of reference to racing in Objective 9
  - Inclusion of amendments to Objective 10 to refer to improving the quality of the environment and supporting the generation of energy from renewable and low carbon sources.

## **Spatial Strategy**

- 3.13 The skeleton of the strategy is the settlement hierarchy. From the outset of the preparation of the initial Core Strategy, decisions over the location and distribution of development have proved one of the most topical elements of the Core Strategy. The issues which have been consistently raised, considered and in some cases, reconsidered by Members of the District Council can be summarised as follows:

- **Broad approach**
  - the relationship between Town and County / the fate of smaller villages and use of the local needs occupancy condition
  - Detailed points
- **The focus on Malton and Norton**
- **Strategy and aspirations for other Towns**
- **Selection of Service Villages**

### **Broad Approach**

#### **2010 Consultation**

- 3.14 Comments received from the last consultation are reflective of those which have been made previously. In general fewer people have made comments on the proposed approach than following the 2009 consultation. This is likely to be due to the fact that sites were not included as part of the most recent consultation. Broadly and not unlike previous consultation, the numbers of those supporting or in favour of the approach are counter balanced by those who disagree. In general, the former tend to be local residents, larger house builders/ developers and service providers, the latter, rural landowners, planning consultants and some Town and Parish Councils of those settlements identified in the settlement hierarchy.
- 3.15 Those who disagree with the approach do so for one of two reasons. Some consider that a more concentrated option of locating more development at the Towns is a more sustainable option for Ryedale. Others, the majority of those who are opposed to the strategy, believe that it should support more development (in particular, housing development) in the rural area. It is noted however, that very few respondents support an approach of complete dispersal of development across Ryedale, the majority favouring an approach which would support more service villages, expanded development limits or a second category of villages where, in housing land allocations in particular, would be supported in principle.

### **Broad Approach - Relationship between Town and Country**

- 3.16 As a broad strategic approach the strategy and principal of the settlement hierarchy is considered appropriate and justified. The approach will help to ensure that new development is guided to the more sustainable locations in Ryedale, manages externally driven demand and balances the need to provide for development requirements and need with the need to protect the landscape, countryside and character of the District.
- 3.17 Ryedale is one of the most sparsely populated areas in the Country. Ryedale's Towns are not large urban environments, they are rural market towns which serve wide rural hinterlands. Focussing development at the Towns is aimed at supporting their roles as service centres for their own residents and those of the surrounding rural area and in particular, to:

- Increase the use of existing shops, entertainment facilities and services which will help to support these in the longer term
- Concentrate investment to support improvements to supporting infrastructure such as schools, roads, public spaces and leisure facilities
- Improve the choice and availability of housing in the more sustainable locations offering transport choices and a concentration of a range of employment opportunities
- Help to manage the costs of public sector service delivery over the longer term

3.18 The strategy does not prevent new development in any Ryedale's villages but through the use of development limits and a local needs occupancy condition, aims to ensure that the scale and type of housing development which takes place in the smaller villages better reflects local housing requirements as opposed to externally driven demand which is a strong force in Ryedale's housing market outside of the Market Towns. This is an approach aimed at managing and making best use of housing supply across the District to ensure that the level of housing taking place in less sustainable locations better reflects local demand whilst at the same time, supporting the release of housing sites in the more sustainable locations.

3.19 Concerns have been raised that such an approach will be the 'deathnail' for Ryedale's smaller villages and their services and that over time, smaller villages would lose their vibrancy and vitality. The District Council does not consider that this will be the case. Over the life of the existing Local Plan approximately 40% of Ryedale's housing was built in the rural areas outside of the market towns. This is pattern and scale of development which cumulatively has not led to or supported significant increases in services or facilities for many rural settlements or resulted in the provision of affordable housing in any meaningful way. In addition and even against that context, a number of villages will not have experienced significant levels of housebuilding. This has not led to their demise or fuelled a situation where they are unattractive places to live. The existing stock of housing will continue to provide some choice for those wishing to locate to smaller settlements and the Plan is supportive of the building of affordable housing exception sites to address affordable housing needs of local people in these locations. This is an important way in which the vitality and vibrancy of local rural communities can be sustained in the longer term.

3.20 Options for the strategic distribution of development have been widely consulted on and considered and subject to sustainability appraisal and the reasons for taking forward the market Towns and service village option is well documented. It is considered that appropriate emphasis was placed on strategic options at the 2009 consultation.

3.21 A number of comments suggest the inclusion of an additional tier of villages into the settlement hierarchy. The Council has considered the use of a further tier of villages to include a policy mechanism to support the use of 'hybrid' affordable and market 'exception' sites. These were not taken forward as part of the strategy in the face of concerns that such an approach would weaken the use of the rural exceptions policy and support the dispersal of housing development to less sustainable locations. A further tier of villages as locations for housing would represent a strategy of increased dispersal of housing which is not something the Plan looks to support whilst trying to address and balance a range of social, environmental and economic issues.

3.22 Suggestions for further villages being suitable locations for new development are noted, although these are not locations which the Council consider should be included as locations suitable for planned new development under the Plan.

### **Broad Approach – detailed points raised**

- 3.23 The Plan provides an indication of the wide range and type of development which will come forward across the rural area. The language used is not considered to be unduly restrictive and is broadly reflective of existing and emerging national policy.
- 3.24 Currently, agricultural buildings are not defined as Previously Developed Land under national definitions.
- 3.25 The strategy summary table makes reference to tourism. This is generic and it is considered that it is not necessary that this should include a specific reference to nature tourism. Stewardship schemes are explicitly referred to in the environment policies in the plan.
- 3.26 The Plan, as written does not support the use of caravans and chalets as permanent residential units. The development management process, in implementing the policies of the Plan will aim to ensure that Ryedale's countryside is not over urbanised and will aim to ensure that any development in the Area of Outstanding Natural Beauty does not undermine the designation.

### **Focus on Malton and Norton**

- 3.27 A key part of the strategy is the role of Malton and Norton. Together the Twin Towns are identified as the District's Principal Town and the location where the majority of new development will be steered towards.
- 3.28 The Twin Towns were identified as Ryedale's only Principal Town in the Regional Spatial Strategy primarily as a reflection of the level of services, particularly the higher order services such as the railway station and hospital which are present. Irrespective of the fate of the RSS, it is considered that together, Malton and Norton do form a significant service, employment and transport hub within the District and function as the its Principal Town.
- 3.29 The role of Malton and Norton as a focus for the majority of new development has been one of the most controversial elements of the strategy as it has evolved and through the various stages of consultation. Consistent support for the approach has been demonstrated through consultation particularly from service providers, the major housebuilders and residents, particularly those living outside of the twin towns. This support is countered with longstanding concerns of some residents, the Town Councils and the Malton and Norton Area Partnership. Whilst for the most part these groups recognise that as main towns in the District it is not unreasonable that Malton and Norton accommodate new development there is specific concern relating to the scale of development associated with the approach, why this is 'needed' and the impact this will have on infrastructure and the character of the Towns.

### **2010 Consultation**

- 3.30 The issues raised in previous consultations have been largely repeated in the 2010 consultation on the draft plan. Concerns raised can be summarised as under the following headings:
- Rationale for the approach
  - Concerns over transport Infrastructure/ capacity
  - Use of Greenfield and Brownfield Land
  - Distribution of development between the Towns and the pattern of development
  - Detailed/ wider points raised

### **Rationale**

3.31 The role of Malton and Norton as a focus for new development and growth has been central to the strategy from the outset of preparing the Core Strategy in 2005. The rationale for this is influenced and justified by a combination of reasons, for example:

- The Towns provide the greatest range and choice of shops and services in the district and are home to 'higher order' facilities such as the District Hospital and railway station. Concentrating and growing the population will support existing services and to help improve existing shops, service and facilities.
- These are locations where employers are keen to locate. This provides the opportunity to locate new housing near to concentrated sources of employment and to develop and strengthen links with the York economy.
- The Towns have the greatest concentrations of households in affordable housing need in the District
- Public transport services such as the railway and bus/coastliner service to centres of employment outside of the District, particularly, York and Scarborough which have a strong commuting patterns with Ryedale. This is particularly important given that a significant proportion of new homes built in the District will cater for the demand arising from in-migration.
- The towns are less constrained in landscape terms than other towns in the District
- The towns have the greatest concentration of brownfield sites in Ryedale as well as a good supply of deliverable and developable land which provides choice and flexibility to support the maintenance of a supply of land for the main land uses
- Concentration of new development will support (through developer contributions) the delivery of strategic infrastructure improvements, which would be required to support new development.

3.32 The Council is aware of concerns relating to the impact of the scale of proposed development and work undertaken to support the Plan provides a clear indication of the infrastructure improvements that will be required to mitigate the impact of growth. The Council is committed to ensuring that developer contributions and the Community Infrastructure levy will be used to address the infrastructure improvements needed to support the planned growth of the Towns.

### **Transport Infrastructure/ Capacity**

3.33 Concerns relate to the following issues:

- Impact of the strategy on highway capacity and reliability of the Strategic Transport Assessment (STA) which has been prepared to assess the implications of new development on the highway network and to identify improvements to internal junctions in the central road network which would help to increase capacity
- Improvements needed to deliver the strategy (including car parking and the promotion of alternative travel choices) and lack of a long term vision for further strategic transport improvements
- The impact of new development/ the scale of new development on the Strategic Road Network (A64)

### **Highway Capacity/ Malton and Norton Strategic Transport Assessment (STA)**

3.34 The Malton and Norton STA is one of the most detailed pieces of technical evidence that has been commissioned to inform the strategy. The Council is confident that the transport modelling which has been undertaken does demonstrate that the level of development proposed in the strategy can be accommodated without an unacceptable increase in

congestion within the towns on the basis of the Brambling Fields junction improvement and improvements to internal junctions in the network. The work undertaken to date is designed to support strategic choices within the Core Strategy. Clearly, the detailed site specific choices will have a specific effect on the highway network. Detailed transport modelling to accompany site selection will be undertaken as the Sites document is prepared in order to ensure that the cumulative and localised impact of specific sites is identified in order to help inform the site selection process.

- 3.35 Concerns have been raised that the STA is fundamentally flawed, primarily because it includes a number of sites in a 'baseline' (Group 1) scenario which may or may not come forward. Sites included within this group included those with planning permission at the time of the study, key brownfield sites and sites that were included in the Malton Town Centre and Rail/ River corridor studies and the Employment Land Review. The STA is a technical as opposed to a policy document. It is not the role or intention of the STA to elevate the status of any site within Group 1. Its role has been to model the implications of the development of the sites should they come forward. Indeed, runs of the transport model were undertaken which included and excluded some of the more sensitive and controversial sites within this category. This considered to be a pragmatic way in which to undertake the study which ensures that potential development sites and significant traffic generators close to the central road network are modelled as part of the study. Clearly a number of sites included in Group 1 may not come forward for development.
- 3.36 A number of concerns have also been raised primarily by the Town Councils and Area Partnership that the STA contains a number of inaccuracies regarding assumptions made about the status/ definition of sites and errors in the links between the number of dwellings and related vehicles. It is considered that these concerns were addressed at a briefing held to discuss the STA with these parties, which were as a result of typographical errors and omissions made by the consultants preparing the draft report of the study. These were addressed and amended in the June 2010 STA report.
- 3.37 The role of the STA in the decision making process has also been challenged as a procedural matter. In particular concern has been expressed that key decisions on the strategy were made without the final STA report being available to members and that the document has not been subject to consultation. Work on the STA began in 2008 during which time further sites and iterations of development scenarios have been continually assessed. The work has proven complicated, detailed and time consuming and it is believed to be the first assessment of its type to be prepared to support a Core Strategy in North Yorkshire. Although the full STA report was not finalised in advance of Council making key decisions on the Core Strategy in December 2009, officers were aware that the study findings supported the strategic/ key decisions. North Yorkshire County Council released a statement for that meeting stating that the work undertaken as part of the STA demonstrated that it did support/ evidence the Core Strategy.
- 3.38 The STA is a technical study. It does not, in itself make policy choices. It is used to inform policy choices. Its findings are the result of technical modelling and assessment. As such, the key role for consultation on such a technical study is in relation to the methodology and technical assumptions. In this respect, North Yorkshire County Council as Highways Authority has had continual involvement in the study from the outset. Members of the Malton and Norton Area Partnership were briefed on the study findings.

### **Transport Improvements required to deliver the approach**

- 3.39 The funding available for transport infrastructure improvements is very limited. Ryedale is not an area which is in receipt of significant public money for such improvements and this is particularly relevant at the present time in the face of public sector spending cuts. The

funding for significant transport improvements in Ryedale will be sought from developer contributions and in the future, via the Community Infrastructure Levy. These sources of funding also need to contribute to the improvements to other facilities which will be required as a result of additional development and are provided alongside affordable housing contributions.

- 3.40 Against this context, it is important that the strategy is clear about the transport infrastructure which is necessary as part of this focussed approach at Malton and Norton. The STA work has demonstrated that alongside improvements to internal junctions in the central road network of the towns (outlined in STA), a package of strategic road improvements would generate significant highway capacity. A desktop costing of these works puts a total cost of these works at £60 million pounds. This is not a figure which it is considered can be sustained by the level of development proposed for Malton and Norton under this plan.
- 3.41 The STA has shown that with the least expensive strategic transport improvement – the Brambling Fields junction, together with internal junction improvements can, theoretically, accommodate the traffic generated by this level of development arising from a pattern of sites distributed in and around the towns. Clearly, detailed site selection choices may impact upon this, which is why transport modelling will play a vital role in the site selection work which will be undertaken as part of the sites document. The Brambling Fields junction is considered by the Highways Authority to be the most critical improvement required not only to support the ability of the Town to accommodate additional growth but also in addressing air quality management issues at Butcher Corner.
- 3.42 As Brambling Fields is considered a critical piece of transport infrastructure. The Council and North Yorkshire County Council have agreed to front fund the scheme with a view to recouping money via developer contributions/ Community Infrastructure Levy funding.
- 3.43 It is also clear from the STA that traffic generated during this plan period utilises most of the capacity provided by these limited transport infrastructure improvements and that to accommodate further growth beyond 2027, a choice will need to be made as to which of the additional strategic infrastructure improvements will be required to support growth in the longer term. Clearly this is a matter which will be determined when the Core Strategy is reviewed. Decisions over the scale and pattern of growth together with the viability and deliverability of further strategic improvements will need to be considered as part of this process. Given that the Twin Towns are likely to accommodate development post 2027, the review of the Core Strategy in advance of this date will provide the context for the collection of CIL monies to fund the growth and development of the towns in the longer term.
- 3.44 It is considered that the Plan is clear about the transport infrastructure which are critical and which are aspirational. Clearly there are local residents and landowners that are keen to see the delivery of wider strategic infrastructure improvements including a junction with the A64 at Broughton Road; a second rail/ river crossing and a Scarborough to Beverly Road link. However whilst the benefits of these improvements are not disputed, the Council is of the view that from work undertaken to date, these improvements are not critical to accommodating planned levels of growth and that in addition to the necessary Brambling Fields improvement, further improvements are highly unlikely to be deliverable / viable within the context of the planned level of growth. Against this background, the Council has considered the recommendations of the Malton Revitalisation Group. It is understood that the group itself had aspirations to secure the Broughton Road improvement although it is not in a position itself to deliver the project. In the absence of the need for the improvement and confirmation that the project could be realistically delivered, the Council would struggle to protect or reserve land in the immediate vicinity of Broughton Road. It is considered that access to/ from the A64 in this area of the Town is not precluded in the future if required and supported by the Highways Agency.



- 3.45 The Plan recognises that road junction improvements need to be complemented with improvements for pedestrians and cyclists. Public realm improvements and enhanced cycling facilities and routes will be delivered through the use of developer contributions and CIL. It is considered that this will help to mitigate increased traffic albeit in a limited way. Such projects would continue to support the higher than average cycling use which already exists at the towns. Decisions over the location of development are a key way in which alternative travel choices can be supported and this is an integral part of the strategy of the plan.
- 3.46 The Council is currently working on a car parking strategy for the Towns which will ensure appropriate levels of provision to support the strategy. New development will be required to provide additional car parking in accordance with the standards used by North Yorkshire County Council.

#### **Impact on A64**

- 3.47 The Highways Agency (HA) in particular, has raised concerns about the impact that the approach/ strategy would have in terms of increasing traffic on the A64 and the capacity of the Brambling Fields junction improvement to cope with additional flows on and off the Strategic Road Network.
- 3.48 Modelling work undertaken by the Highways Agency has demonstrated that Ryedale's Core Strategy in combination with that of the City of York and Scarborough Borough Council has a cumulative impact on the traffic levels and flow along the stretch of the A64 linking the three authorities. Clearly the A64 is a vital transport route serving the area. In consultation with the HA, it is considered that a commitment to the use of travel plans as part of the development management process together with a commitment to secure cross boundary improvements to the A64 through the use of the Community Infrastructure Levy and/ or developer contributions will help to mitigate the cumulative impact of the traffic arising from additional new development.
- 3.49 The Brambling Fields junction improvement has been designed to take account of future growth in traffic arising from new development.

#### **The Use of Greenfield and Brownfield land at Malton and Norton**

- 3.50 As Local Planning Authority the Council is required under national policy to provide a deliverable supply of land for housing. The Strategic Housing Land Availability Assessment prepared to help manage supply, inform strategic policy choices in the Core Strategy and the selection of specific sites through the Sites Document reveals that Greenfield land is required in order to address development requirements and that the release of Greenfield land is required immediately.
- 3.51 The SHLAA demonstrates that deliverable and developable brownfield sites at the Malton and Norton are limited in number and are often constrained by flood risk, contamination, land ownership issues, accessibility and generally high development costs. Whilst in principle, the Council would look to support the reuse of brownfield sites, within the context of Planning Policy Statement 3 and the Council's Employment land review, Greenfield sites will be required to support the delivery of new homes and jobs at Malton and Norton.
- 3.52 The strategy does not look to actively defer the Woolgrowers Site from coming forward for development. The Council and a range of other organisations including North Yorkshire County Council and the Environment Agency have spent a great deal of time over a number of years working with landowners to bring the site forward and will continue to do so.

- 3.53 The strategy recognises that the need for greenfield land provides the opportunity to enhance and repair some of the existing edges of the Towns through careful and appropriate landscaping and location and form of new development. The detailed site selection process which will be undertaken as the Sites Document is prepared will look to ensure that the impact on biodiversity is minimised and mitigated. The Strategy recognises that the need for Greenfield sites provides the opportunity to secure improvements to green infrastructure links between the existing built up area of the Towns and the surrounding countryside.

### **Distribution of development between Malton/ Norton and the pattern of development**

- 3.54 The strategy looks to accommodate development at the Towns through a pattern of small/ medium sized sites in and around the towns as opposed to focussing new development in a major strategic urban expansion site. Broad locations are referred to in the draft Plan although not as single locations, which in effect, could represent a strategic site. Two major areas of land have been put forward by landowners/ developers for consideration as sites or broad location for development – a site to the east of Norton between the Beverley and Scarborough Road and another site, ‘Derwent Park’ which includes and extends the Woolgrowers site at south east Norton behind Welham Road. As part of the Summer 2009 consultation, options covering the pattern of development at the Towns were consulted upon. It was recommended that the strategic sites were not taken forward as an element of this strategy for a combination of the following reasons:

- The Strategic Housing Land Availability Assessment and Employment Land Review demonstrates that there is a choice of smaller deliverable and developable sites able to accommodate planned levels of growth. The delivery of the strategy is not dependant on a strategic site to accommodate growth
- The above provides flexibility for the strategy which reduces the risk associated with the reliance on a single site/ identified location. This is considered particularly relevant in the context of national policy which looks for a continuity of supply of housing land and the currently fragile housing market
- The majority of consultation responses (2009) supported an approach of a pattern of small/ medium sized sites in and around the towns
- The selected option/ pattern of development performed better in the Sustainability Appraisal against sustainability objectives
- The selected option/ pattern of development performed better in the habitat Regulation Assessment as it provided for flexibility in the allocation of sites to avoid impact on the internationally protected River Derwent Special Area of Conservation.
- Significantly, the sites have not been supported with a level of evidence which would demonstrate that they are deliverable or developable in their entirety and that they are able to provide the strategic transport improvements associated with each (ie the Beverley to Scarborough link road and second river crossing.)
- A commitment to either site/ broad location would effectively predetermine development at the towns beyond this plan period. Clearly, whilst there are significant advantages to such an approach, not least the co-ordination and delivery of infrastructure, work on the preparation of this plan to date has not looked to extend the end date of this strategy beyond 2027. Decisions over the scale and location of longer term growth at the Towns will be a decision for the review of this strategy.

- 3.55 Many of the issues outlined above remain relevant and unless the Council chose to plan for a significantly higher level of development in Ryedale/ Malton and Norton, it is considered that the plan does not need to rely on the delivery of a strategic site to address development requirements. Indeed, given the current fragility of the housing market, the strategy as

proposed is considered more resilient in terms of delivery and provides greater choice in the housing market which may in turn support the delivery of housing in the District.

- 3.56 Concerns have been expressed that the strategy places an emphasis on the location of development at Malton rather than Norton and that the towns should be treated equally or that the strategy should be focussed on locating development to address transport issues/infrastructure. The latter point has been made by those promoting the release of strategic sites. The Strategic Land Availability Assessment indicates that deliverable and developable land is available at both Towns. Against the context of the development requirements that the Plan seeks to provide at Malton and Norton, the strategy looks to put emphasis on new housing provision at Malton. This will not mean that new housing is delivered exclusively at Malton. The Plan uses the term 'rebalance' between the towns in a descriptive rather than empirical/ literal sense to help illustrate the approach. The Council is not in receipt of any evidence which would confirm that the promoters of strategic sites (the alternative strategy for the towns) are indeed able to deliver or commit to delivering further, long term transport infrastructure improvements.

#### **Detailed/ Wider points raised**

- 3.57 The spatial strategy summary table is intended to recognise that together the Towns are the Principal Town for Ryedale. It is not the role of that table to identify the differences between the two places. The new additional section relating to the growth of the Towns helps to highlight town specific issues/ opportunities and read as a whole, the Plan does reflect the differences between Malton and Norton which will have implications/ be reflected in the Sites Document.
- 3.58 It is considered that the Plan does provide clarity in relation to the spatial strategy for the Towns as it relates to the preferred development pattern. Just because the Plan does not rely upon the use of a single broad location or strategic site to address development requirements does not mean to say that it is unclear in terms of its spatial strategy/ aspirations.
- 3.59 The strategy summary table does make it clear that growth and new development will be focussed at Malton and Norton. The Plan as a whole recognises that there is a need to increase the delivery of new housing and this is therefore implicit in the table as it relates to Malton and Norton.
- 3.60 Malton and Norton have been separated in the Retail Hierarchy for retail purposes, reflecting the differentiation of their individual roles.
- 3.61 Concern has been expressed about the provision of new retail space when empty shops area available and support for national brands. The Council's evidence indicates that the Principal Town lacks a range of modern shop formats that can support the range of retail requirements. Some empty shops will be unsuitable for retailers, particularly national chains. The Council recognises the importance of local independent retailers and believes that an appropriate balance needs to be struck with a national retailing presence. This will help increase the attractiveness to residents and visitors, increase footfall and expenditure and in turn, support further investment in the Towns.
- 3.62 Developer contributions to the Brambling Fields junction improvement does not in itself determine the location of development. Contributions will be sought/ negotiated from development that will impact upon the Butcher Corner junction.

- 3.63 The Plan as a whole aims to retain the character of villages and this would include the character of Old Malton. It is also considered that the Plan as a whole does make it clear that Malton and Norton are two places.
- 3.64 The strategy table and new section relating to the growth of the Towns does make explicit reference to the redevelopment of Rail/ River corridor sites including the Woolgrowers Site.
- 3.65 Detailed, site specific proposals will be taken forward through the Sites Document and/ or the Malton and Norton Neighbourhood Plan. These will identify sites and establish principles relating to their release and as part of this process, the Council will aim to ensure that deliverable sites close to the Town centre are prioritised for development/ redevelopment. The extent to which such sites are released in advance of expansion sites will be a function of their deliverability in the context of development requirements. The Council does not intend to produce an Action Area Plan for the Towns.

### **Pickering , Kirkbymoorside, Helmsley**

- 3.66 A limited number of comments were made in relation to the specific strategy/ aspirations for the other Towns. The inclusion of the new section into the Plan to provides further strategic direction/ guidance for growth at the Towns to provide further clarity on opportunities and priorities.
- 3.67 Most of the comments received relate to the role of Pickering as expressed in the 2010 consultation document. It is considered that the Plan as a whole does recognise the importance of tourism to Pickering and would support, in principle the growth/ diversification of existing facilities. Equally, the Council is very aware of the pressure which can occur as a result of tourism. The plan recognises the need to support additional car parking/ access arrangements to support attractions and reduce the adverse impact of traffic. The Council is not able to control the use of existing homes as holiday cottage accommodation.
- 3.68 The strategy of the Plan aims to distribute Ryedale's housing requirement which is designed to provide for existing and future requirements including the needs of in migrants. It is for this reason that the strategy is guided by principles of sustainable development as opposed to one which is limited to addressing the current requirements of existing residents. It should be noted that even the scale of development proposed for Pickering will not address the Town's affordable housing need in entirety.
- 3.69 The Council is aware of the sensitivity of the landscape around Pickering and the setting of the Town and this will form a key consideration in the selection of new development sites.
- 3.70 The Council will work closely with service providers and the Town Councils at each of the Towns to ensure that as new development comes forward it is used to systematically address local issues whether this is by ensuring that the mix of development aligns to local requirements or by ensuring that developer contributions/ Community Infrastructure Levy monies are used to mitigate and improve infrastructure.
- 3.71 The new managing resources policy makes reference to the need to protect source protection zones, including those in the vicinity of Pickering.
- 3.72 Ryedale District Council and the North York Moors National Park Authority are committed to preparing a joint Helmsley Plan which will ensure that the aspirations and policies for the Town are consistent/ harmonised. It is considered that the process will establish whether it is appropriate to provide for a limited increase in the amount of housing for the Town as part of the site selection process.

## Service Villages

- 3.73 The main issues raised in relation to the Service Village category reflect many issues which have been previously considered, including consideration at the previous Core Strategy examination. These include:
- Designation of Service Villages
  - Scale of development at Service Villages
  - Concern about reviews of villages in the category
- 3.74 The criteria used to identify Service villages as appropriate locations for small scale development were identified from the outset of the Core Strategy process and through consultation. The previous examination considered the criteria used to identify service villages and found them to be appropriate. The revised plan makes reference to a daily bus service which provides access to a higher order settlement. Identification criteria is an issue which the Council has repeatedly considered and it remains of the view that the criteria used to identify Service Villages are appropriate ways in which to identify locations suitable for small scale planned growth in a sparse rural area such as Ryedale and to implement a strategy which looks to carefully manage demand for open market housing in Ryedale's villages. The Council does not consider that other villages proposed by landowners which do not have these services should be defined as service villages. The Council does not interpret PPS7 as meaning that rural residents should expect to access health care facilities on foot.
- 3.75 The grouping of villages has been considered and a several villages where, as a result of their close proximity, services can be easily accessed and shared. It is considered that this would not extend to the wider networks of villages which are more physically separated. Amotherby and Swinton are included for these reasons. Swinton does have a food shop which does sell a limited range of convenience goods. The inclusion of Nawton and Beadlam in the category as an exception to the approach is considered to remain appropriate given the presence of Ryedale School. This was fully considered at the previous examination and there are no additional reasons which would indicate why the villages should not be included.
- 3.76 Villages included in the category are considered to fulfil the criteria according to the latest information held by the District Council and produced with information provided by local Parish Councils. The Council have continued to monitor the situation and over recent history only Welburn has seen, in theory, an increase in services which could potentially alter its position in the settlement hierarchy. This has not been taken forward on the basis that the shop facility at the village is currently very limited and subservient to another use of the building.
- 3.77 Concerns have been raised about the scale of development at the Service villages. The Core Strategy is not site specific. Sites will be identified in the Sites Document which will adopt a planned approach to development at the settlements as opposed to a piecemeal approach. The approach will ensure that full consideration of the impact of new development on the character of the villages will be taken into account as sites are selected. The sites document will also take account of any existing committed housing schemes in individual villages and the extent to which these will address housing need. The Council will take full account of the impact of development at service villages along the A64 on the strategic road network . It is considered however, that the level of development is unlikely to lead to significant issues.
- 3.78 Infilling or rounding off will not facilitate the provision of small scale housing sites at the larger villages. It is appropriate that Thornton-Le-Dale is included in this category.

- 3.79 Concerns have been raised in relation to the process of reviewing the Service Villages category and sites within it. The revised plan makes it clear that only a formal review of the sites document will trigger a review of villages in the service villages category. Clearly, a review of the Core Strategy would also have the same effect but the Sites document itself has the potential for review in advance of a review of the strategy. This is designed to give the Strategy a degree of flexibility. Any review through a formal process would ensure full consultation and scrutiny. The point has been made that only services which have been proved to be viable should inform the designation of a service village. It is considered that whilst it is important that the approach should not be open to abuse, such a strict approach runs rather counter to the fact that new development can help to support the viability of services. For this reason it is not considered that this should be a strict test to be applied as part of a formal review of the Plan.

### **Development Limits**

- 3.80 The principle and application of development limits supports the implementation of the strategy of the Plan. The existing saved development limits will be reviewed as part of the Sites Document in order to assist the identification of new development sites. The wholesale review of development limits across Ryedale in order to provide for development requirements is not considered necessary. Development requirements will be addressed through the allocation of new sites and other policies in the plan which support development both within and outside of development limits and which are considered to be clear.

### **Brownfield land**

- 3.81 The Plan will prioritise the re-use of brownfield sites above greenfield land. However, the Council has to comply with national policy on housing provision and housing land supply and will only be able to prioritise brownfield sites where it can be demonstrated that it is realistic that the site can be delivered.

### **Re-Use of Rural Buildings**

- 3.82 The Plan supports the re-use of rural buildings for residential use.

### **Key Diagram**

- 3.83 The Council acknowledges that the print quality of the 2010 consultation document meant that the key diagram did not reproduce well. Amendments to the Key Diagram have been made to reflect a number of comments made.

### **Further detailed points raised**

- 3.84 A number of further detailed points were made in relation to the strategy section of the draft 2010 version of the Plan.
- 3.85 The District Council is of the view that the strategy does provide clear strategic direction for the distribution and accommodation of development in Ryedale.
- 3.86 The Strategy has not been pursued for the purpose of extracting developer contributions. Developer contributions will be sought where they are necessary to support planned growth. Work in preparing the Plan has recognised that in order for the Principal Town to accommodate additional growth the Brambling Fields junction would be required.

- 3.87 The Plan does provide detail to guide the Sites document. Ryedale has a committed supply of housing and employment land and it is considered that the Core Strategy itself does not need to identify new development sites in advance of the Sites document.
- 3.88 The Plan itself will not lead to a deterioration of public transport provision which is sustained by existing users. It is considered that any deterioration in provision is more likely to relate to either reduced usage by existing residents or as a result of changes to existing subsidies.
- 3.89 Read as a whole, it is considered that the Plan does take account of the AONB and the AONB Management Plan.
- 3.90 The Development Management process will ensure that any Sustainable Drainage proposal on or in the vicinity of a contaminated site would be subject to detailed investigation/scrutiny.
- 3.91 The summary section of the Plan is designed to outline key objectives as they apply spatially in different places. Read as a whole, the Plan provides support for significant heritage and landscape assets.
- 3.92 The Council recognises the importance of progressing the Sites Document to adoption to reduce speculative applications.
- 3.93 The allocation of further land at FERA for future FERA related growth will be considered as part of the Sites Document.
- 3.94 The Plan as a whole, as revised is considered to provide an appropriate policy framework to address the implications of flooding.

## **4 Responses on Section 4: Housing**

- 4.1 The Housing section of the plan is made up of four strategic policies which will directly contribute to addressing the priority of this Council and its partners of addressing housing need in Ryedale.
- 4.2 The four broad policy areas which were consulted upon in 2010 remain unchanged although specific amendments to individual policies have been made either in response to consultation comments; to further clarify or enhance the policy or to reflect more recent/ updated evidence and emerging national policy.

### **Policy CS2 – Delivery and Distribution of New Housing**

- 4.3 This policy is designed to establish the level of housing provision for the District and to distribute this to various settlements across Ryedale in line with the Settlement Hierarchy. The supporting text and implementation table are used to outline how this will be delivered and managed over the plan period. The policy also outlines the sources of housing which will come forward in different areas of the District and provides a steer for the pattern and distribution of housing development at settlements in the hierarchy which will be taken forward through the Sites Document. The supporting text to the policy has been substantially redrafted to reflect the current position and policy context.

#### **2010 Consultation**

- 4.4 As well as a variety of general issues, the key issues raised in response to the draft policy relate to the Housing target and the distribution of housing numbers.

#### **Housing Target**

- 4.5 Concerns have been raised that the target is too low and reflects the target established for Ryedale by the Regional Spatial Strategy (RSS), which was based on outdated information and is to be abolished.
- 4.6 The Council has reconsidered the housing provision figure/ target in the light of more recent evidence (latest household projections), the intended revocation of the RSS and the emerging National Planning Policy Framework. Having undertaken a full assessment of objectively assessed requirements, the Council is of the view that the figure of 200 homes per annum remains an appropriate level of house building for the District, for a range of reasons. It should be noted that the higher household projections which were consulted on in 2010 have been significantly reduced/ revised down in the most recent ONS projections. Latest household projections used to inform the Plan are very close to the projections used to inform the development of the RSS.
- 4.7 The figure would not meet unrestricted demand for housing in Ryedale or reflect some objective assessments of housing requirements. The District Council is of the view that to provide for a level of housing development which significantly exceeds historic levels of build and current household projections would seriously undermine the rural character of the District and its settlements and the longstanding role the area has played in the sub-region. It is considered inappropriate, that the role of a sparse rural area should change to become an area of significant housing growth. To do so has the potential to: undermine the growth aspirations of neighbouring authorities, particularly Scarborough: to fuel long distance commuting and would create pressure for less or unsustainable patterns of house building in this rural District.



- 4.8 The District Council is keen that the District plans for a level of house building which can be accommodated through sustainable patterns of housing development and which is considered deliverable. The Council recognise the importance of supporting the in-migration households into Ryedale, specifically to support the areas economy. However, it is concerned that the longstanding trend in the in migration of retiring households fuels the Districts ageing population and population imbalances. Establishing a housing figure below the ONS projection, together with the spatial distribution of new housing land are ways in which the Plan can respond to this major sustainability issue.
- 4.9 The proposed housing figure has been subject to widespread consultation and is a level of house building which the Council believe can be delivered through sustainable patterns of development.
- 4.10 The Council has prepared a Background paper on the level of housing provision which will outline the objective assessment and evidence that has been used to confirm the housing target. It will be made available alongside the Publication version of the Plan. In itself that work will also form a more detailed response to the issues raised in relation to the housing figure from previous consultation.
- 4.11 A number of respondents have raised concerns that the Plan as drafted did not make provision for the undersupply of housing from the RSS base date. At the end of March 2011, this represents 425 dwellings (net). A shortfall in supply and political resistance has been cited as reasons why the shortfall has not been included in the draft policy.
- 4.12 The District Council is of the view that the undersupply of housing against the RSS rates are relates to the lack of effective demand for housing rather than supply constraints or political resistance. Although the District has not always had a five year supply of deliverable permissions, its Strategic Housing Land Availability Assessment illustrates a plentiful supply of deliverable housing land and it is considered that under Planning Policy Statement 3 (PPS3), supply could not be constrained in principle, by the Local Planning Authority. The District Council has not demonstrated political resistance to the release of sites and has, over the past year, granted a number of permissions for the large scale release of green field housing land to support housing delivery in Ryedale in response to sites being brought forward by developers.
- 4.13 The reality of the undersupply in Ryedale is that effective demand for housing reduced during the economic recession. The role of Ryedale in the sub-region is not as a growth area. If the District Council felt that the role of the District was as a significant growth area then it would be appropriate to roll forward an undersupply. This is not the case. Housing growth in Ryedale does need to be carefully managed and establishing a future level of house building based on 'making up' a theoretical undersupply/ catering for demand which did not exist is not considered an appropriate policy response for this rural District .
- 4.14 The Plan will make provision for a 15 year period as required through national policy and not just the RSS. It is considered that the draft policy was compliant with PPS3 in terms of its commitment to supply. References to deliverability and developability will ensure that the phasing of sites is influenced by PPS3.
- 4.15 The Council consider that the nature of housing land supply is a critical factor which enables greater build rates. The strategy of the Plan as a whole is designed to reduce Ryedale's longstanding reliance on small housing sites by supporting the release of larger housing sites in order to achieve more sustainable patterns of housing development, support the role of the market towns, the delivery of affordable housing and higher and more consistent build rates. The plan as a whole is designed to provide a more responsive approach to land supply.

- 4.16 The point has been made that new housing development does need to be sustained by jobs. In view of Ryedale's ageing population it is considered that this should not be problematic.
- 4.17 A limited number of comments make reference to the five year land supply and suggest a prescriptive approach to managing permissions. It is considered that the process of maintaining and managing a five year supply is more than a strict numerical figure. The Council consider that it must hold a supply of land which is capable of delivering planned rates. The performance of sites in a five year supply may vary and this is something which the Council must monitor and respond to. In general however, unless there are any significant issues which arise and constrain the deliverability of sites in the five year supply, the Council would not look to release further sites into the five year supply in advance of the Sites Document unless this was considered necessary in response to the level of completions. The Council fully agree that the Sites Document will provide the certainty over housing supply which does not exist in the absence of a five year supply.
- 4.18 The Authority has not constrained housing land supply. The Council does not build or deliver new homes - that is the role of the development industry. A supply of housing land exists. The speed at which it is delivered will be determined by developers and the wider economic circumstances.
- 4.19 The Council needs to provide a supply of housing to address a range of housing requirements. It is considered that it would be unreasonable to restrict all new housing development to be affordable housing. Such a position would conflict with national policy and would fail to provide for the range of housing needed to address social and economic issues in Ryedale.

### **Brownfield land target**

- 4.20 The target for the delivery of brownfield land has been removed in the revised policy. This is against a background of changes in emerging national policy, changes to the definition of brownfield land and the limited supply of brownfield land in the District. Revised Strategic Policy 1 includes a reference to the prioritisation of brownfield land in the selection and release of development sites. In conjunction with other requirements, such as the need to ensure sites are deliverable and developable, this is considered an appropriate policy response.

### **Distribution of Housing**

- 4.21 A number of the comments made in response to the distribution of housing are closely linked to the policy choices which have been made in relation to the spatial strategy / settlement hierarchy and the Council's response should be read in conjunction with its response to comments made in relation to the settlement hierarchy.
- 4.22 The strategic approach to the distribution of housing reflects the current role of the towns and the Council is confident that the distribution strategy is deliverable in terms of the availability of land and in the context of infrastructure constraints. The towns are a focus for employment, housing and services in Ryedale and residents across the District will travel to the towns to access their range of services. Whilst it is acknowledged that existing residents are employed across the District (and would need to travel to employment outside of the towns if new housing is focussed at the towns), the majority of new employment is likely to come forward at the Towns in the future. This is an important reason why new housing development should be focussed at the towns. The towns provide the opportunity to accommodate sustainable patterns of growth and development in the District.

- 4.23 Within the context of the amount of housing Ryedale is to provide to address requirements, the level of development proposed for the Service Villages is not inappropriate. The level of housing to be built in the future will cater, predominantly for in migration. The Council is keen to ensure that the majority of this growth is guided to Towns as opposed to Ryedale's villages which have less capacity to accommodate development in terms of their character and services. The identification of Service Villages as part of the Plan, was designed to allow an element of planned growth to help to address affordable housing need at some of Ryedale's more sustainable villages. The level of growth to be distributed to the Service Villages would allow for small housing sites to be provided at each location which is unlikely to conflict with or be out of character with the existing size of these villages.
- 4.24 A more dispersed pattern of housing development would not provide for a more sustainable pattern of development. Significant or cumulative levels of house building in the villages is likely to fuel long distance commuting and the in migration of retiring households and will result in new housebuilding being divorced from the services residents require. The approach does not prevent housing from coming forward in Ryedale's smaller rural settlements. Taken as a whole, the plan supports market housing to address local needs and rural exceptions sites to address affordable housing needs.
- 4.25 Irrespective of the anticipated revocation of the Regional Spatial Strategy, it is considered that existing and emerging national planning policy confirm the need to support sustainable patterns of house building in rural areas.
- 4.26 The distribution of housing development in the District is a choice which reflects and responds to a range of planning issues. It is considered that a distribution strategy which is based solely on a 'fair or equitable' distribution of development is unlikely to represent the most appropriate policy choice to address the range of issues that the Plan needs to respond to.
- 4.27 Revisions to the supporting text of the Plan are designed to confirm that in managing the release of sites, the Council would not support the provision of new housing to significantly exceed the planned levels of provision. The sites document will be used to broadly phase the release of sites to help ensure as far as possible a consistency or spread of supply for the Towns across the Plan period.
- 4.28 In identifying new development sites as part of the Sites Document, the Council will take full account of landscape, infrastructure and other constraints.
- 4.29 For a range of reasons the District Council consider that it remains appropriate that Malton and Norton accommodate the majority of future housing development within the plan period. The Towns have the greatest level of services and will be the focus for new employment provision over the coming years. The Towns provide sustainable transport choices to and from York and Scarborough which is significant given the strong travel to work patterns between Ryedale and these neighbouring towns and they are well positioned to foster economic links with the City of York, which is an important strategic aspiration to help diversify Ryedale's local employment base. Additionally the Towns have the highest and most concentrated level of affordable housing need of any of Ryedale's service centres.
- 4.30 The Council is confident that highways infrastructure is capable of accommodating the proposed level of growth with infrastructure improvements which can be realistically delivered. The Brambling Fields junction improvement is required to support new development at Malton and Norton. Whilst North Yorkshire County Council and Ryedale District Council have agreed to 'front fund' this project, the cost will be recouped through developer contributions and over time, the Community Infrastructure Levy. Whilst it is anticipated that CIL monies raised across Ryedale will be needed to cover some of the cost

of the highway and other infrastructure improvements required to support the growth of the Principal Town, the level of development proposed for the Principal Town does need to reflect the infrastructure requirements needed to support growth. The requirements for strategic infrastructure improvements to highways and schools are necessary to support the proposed figure of 1500 homes as well as the 1,000 homes proposed by the Town Councils. The policy/ text has been revised and no longer includes reference to 'at least' in respect of the level of planned provision for the Towns to provide more certainty for local communities regarding the scale of future housing growth.

- 4.31 The supporting text makes it clear that as part of the strategy of the Plan, emphasis will be placed on locating new housing sites at Malton.
- 4.32 The Council consider that the level of development proposed for Pickering can be accommodated at the Town without detriment to its character. The Town does have development requirements which do need to be addressed and it is important to note that the Remoter Rural sub-area policy is not designed to restrict development, in principle in service centres such as Pickering.
- 4.33 North Yorkshire County Council and the Primary Care trust and local health providers have been involved in the preparation of the Plan and have helped to identify the necessary infrastructure improvements required to support planned growth through the use of the Community Infrastructure Levy and/ or developer contributions. The Council is acutely aware of the need to co-ordinate new development with the infrastructure improvements required to support it. The Plan places considerable emphasis on this and on prioritising the Community Infrastructure Levy charging schedule which will be a key way in which infrastructure improvements are funded in the future.
- 4.34 The Council is confident that the level of development proposed for Kirkbymoorside can be achieved through the stated distribution pattern. The Strategic Housing Land Availability Assessment provides an initial assessment of opportunities and provides evidence to support the Core Strategy in respect of each of the settlements in the settlement hierarchy.
- 4.35 The strategy section of the Plan makes it clear that greenfield land will be required to support the delivery of new homes in Ryedale.

#### **Distribution / Broad locations**

- 4.36 A number of comments received have criticised that lack of reference to broad locations in the Plan. It is considered that the settlement hierarchy provides a clear strategic indication of the broad locations for housing growth. In a District with over 100 settlements, location of the majority of housing development to five towns is considered to provide a strong indication in itself of the strategic location of housing growth. Within this, the draft policy provides a strategic steer for the pattern and broad locations of housing sites to be taken forward through the Sites document. The District Council has considered and dismissed the need to rely on single strategic sites or single broad locations as part of this strategy. In the absence of a full assessment of the site opportunities which would meet the preferred approach to accommodating housing and which will be undertaken for the Sites Document, it is considered that the proposed approach is appropriate for the Core Strategy.
- 4.37 The revised policy includes a definition of infill to assist interpretation of the policy. The reference to within the boundaries of the A64 is not an attempt to identify a particular site/ area of land. It is aimed at establishing the principle that the Council would not support the 'leapfrogging' of the A64 by housing development. The revised policy clarifies that this is in respect of development at Malton.

- 4.38 It is considered appropriate that the policy does provide an indication of the locations of future housing development to guide the Sites Document. The Plan does not predetermine the location of all housing developments at Kirkbymoorside. It indicates that the search for sites will be predominantly but not exclusively, to the north of the A170.

### **Development Limits**

- 4.39 The existing development limits support the strategy of the Plan and from the outset of the Core Strategy process, the Council has made it clear that a wholesale and widespread review of development limits across Ryedale is not required to support the preparation of the new Plan. As the Core Strategy is not site specific, the development limits have not been reviewed as part of its production. Current development limits will be revised to reflect the need to accommodate planned development as the Sites Document is prepared.

### **Sources of housing**

- 4.40 This element of the policy is designed to establish in principle the sources of new housing in different locations across the District. It is an element of the Plan which does need to be read in conjunction with other policies in the Plan.
- 4.41 The Council cannot prevent the use of an existing dwelling as holiday/ tourist accommodation.
- 4.42 It is considered that the Council should apply a consistent approach to the use of the Local Needs Occupancy Condition. This is not proposed for use with new build housing in the Districts main centres and it would be inconsistent if it were applied to the conversion of property/ tourist accommodation in these locations. The Council is proposing the use of a Local Needs Occupancy Condition specifically to address the pressures for housing in Ryedale's smaller settlements and as a means of managing housing supply to encourage increased housing provision at the larger and more sustainable Towns and Villages.
- 4.43 Exception sites are designed to address the rural affordable housing needs of smaller settlements and this element of the policy needs to be read in conjunction with the Affordable Housing policy.
- 4.44 Proposals for replacement dwellings can relate to a range of property types and sizes. The main considerations which the Council apply relate to the design of a scheme and its effect on the character of an area. In general this leads to replacement dwellings being of a like for like size and type across Ryedale.
- 4.45 The Plan supports in principle the reuse of farm buildings for residential purposes subject, in some areas to the application of a Local Needs Occupancy condition.
- 4.46 The Council is guided by national definitions of Previously Developed Land. Small 'windfall' sites continue to come forward across Ryedale and can continue to be created through the redevelopment of land and buildings. Not all of Ryedale's villages are designated Conservation Areas and the scope for the redevelopment of existing land and buildings within development limits is not prevented in principle by the Plan.

### **Wider Issues raised**

- 4.47 Concerns have been raised regarding the reference to the use of Compulsory Purchase Powers in implementing the policy. The Council has no intention of using these powers as a broad brush way of addressing undersupply or indeed providing for its housing requirements. Nevertheless, the powers are a valid planning tool which the Council can use

should this prove necessary for valid planning reasons. For this reason it is not inappropriate that this is referred to in the implementation table. It is appropriate that the table makes it clear that the Council will consider the use of Compulsory purchase powers. Use of these will inevitable result in significant costs to the Council and after all alternative option have been exhausted.

- 4.48 The need for Greenfield land in Ryedale is driven by the need to ensure the provision of deliverable and developable housing land and is not led by a need to generate developer contributions.
- 4.49 A definition of Local Needs occupancy is included in a specific policy in the development management section of the Plan.
- 4.50 It is considered that the implementation table will appear broad brush given that it is incorporated into a strategic document. The Sites document and on-going monitoring of housing delivery and supply over time will provide the detailed context to accompany the implementation table.
- 4.51 It is not the intention that Broughton, Amotherby and Swinton should coalesce as a result of this strategy.

## **Draft Policy CS3 - Affordable Housing**

- 4.52 This policy outlines the ways in which the District Council and its partners will look to address the most significant imbalance in the District's housing market, the acute shortfall of affordable homes. The main changes which have been made to the policy are in relation to the tenure targets which reflect revised definitions of affordable housing in national policy and the emerging findings of the York and North Yorkshire Strategic Housing Market Assessment and the removal of the minimum national site threshold as supported by emerging national policy. A section of the draft policy which looked to increase the affordable housing target to 40% if viability work demonstrated this was viable in the longer term has been removed. Changes to national policy will support an ability to undertake selective alterations to development plans and it is considered that this will be the most appropriate way in which to establish a revised target if this is appropriate in the future.

### **2010 Consultation**

- 4.53 The 2010 consultation highlighted a number of concerns with the policy and Affordable Housing Viability Study, which is a key piece of evidence which was used to inform the draft policy. As affordable housing provision is a key priority for Ryedale, the District Council has commissioned further viability work to inform the need for any revisions to the proposed policy target. Key aspects of the policy which attracted concern are as follows:

### **The need for Affordable Housing**

- 4.54 A limited number of responses to the consultation have questioned the need for affordable housing in Ryedale. The Council considers that the need for affordable housing is well documented and evidenced. The 2006 Housing Needs Assessment identified a total annual shortfall of affordable accommodation of 292 units. This was updated as part of the 2010 Strategic Housing Market Assessment which indicated that despite a fall in house prices during the economic downturn, this shortfall only decreased to 278 units per year. The District continues to have one of the highest 'affordability ratios' in North Yorkshire as well as in the Country. The SHMA shows that in terms of lower quartile house prices and incomes, the income to house price ratio in Ryedale is 8.17 making the District the third least affordable local authority area in Yorkshire and the Humber after Richmondshire and Harrogate.
- 4.55 The 2006 Housing Needs Assessment data is currently being updated as part of the production of a York and North Yorkshire Strategic Housing Market Assessment. Whilst this is yet to report it is not anticipated that the findings will reveal a significant change in the need for affordable housing in Ryedale. The emerging document indicates an annual affordable housing requirement of 270 units. The single most significant change in the housing market over recent years has been the reduction in house prices in the District which both Strategic Housing Market Assessments have revealed a very limited effect on the level of affordable housing required to address the shortfall in need each year.
- 4.56 The Council does monitor affordable housing need through the Strategic Housing Market Assessment; Local Housing Needs Assessments and the Housing Waiting list.
- 4.57 One point has been made that individuals and families who occupy holiday park accommodation should not be included/ incorporated into estimates of local need as they are occupying holiday accommodation. Genuine holiday home owners will not be eligible for affordable housing. However, if the inability to access affordable housing has resulted in local people being forced to occupy holiday accommodation, then it is considered that it would be appropriate to define such households as being in affordable housing need.

- 4.58 Households which cannot meet their housing requirements in the housing market and which are, as a result, forced to live with parents are considered to be in housing need.

### **Delivery/ Source of Affordable Housing**

- 4.59 The Council is aware that increased level of affordable housing can be provided through increased housing delivery. Whilst affordable housing from developer contributions on new housing sites represents one of the most significant ways in which new affordable homes are provided in Ryedale, this does however, need to be balanced against the effect that increased levels of house building will have in an area such as Ryedale. It is also of the view that the nature of housing land supply is also an important factor which can influence the delivery of affordable housing.
- 4.60 It should be noted that the housing strategy embodied in the Plan recognises that the nature of housing land supply is an important factor in delivering affordable housing from developer contributions. A very clear role of the strategy is to move from a reliance on small windfall housing sites to the use of a planned supply of larger sites in the more sustainable locations and those locations which have the highest concentrations of affordable housing need.
- 4.61 One response to the 2010 consultation has sought clarification on the evidence which would prevent all new house building in Ryedale from being restricted to be built as affordable homes. Clearly, national policy establishes a policy context for housing which is focussed on the delivery of planned rates, maintaining a flexible supply of housing land and the provision of housing to meet a range of requirements. National Policy also outlines the way in which Government expects affordable housing provision to be secured through the planning system. Restricting all new house building to affordable house building would, it is considered, run contrary to national policy. Equally, it is considered that any local policy position which sought only to provide affordable homes would fail to provide opportunities and choices for existing residents seeking to move in the open market or for those looking to move into Ryedale now and in the future. Although Ryedale's housing target is proposed at a level which would not satisfy all externally driven demand for new housing in the District, it is considered unreasonable to require that all new homes should be built as affordable and additionally, not in the best interests of the area's economy. In addition, the Council is not in receipt of any evidence which would suggest that landowners would be prepared to release land on this basis or that Registered Social Landlords would be in a position to acquire the land on the scale needed to deliver such an approach.
- 4.62 A limited number of comments have suggested that the policy should further expand on the wider ways in which affordable housing can be delivered. The policy has been amended to include additional references to further sources of affordable housing provision. Clearly there are a number of ways in which affordable housing can be delivered. However, in addition to the reuse or repair of existing properties the main mechanism which supports the delivery of affordable housing is through various forms of development. The policy supports the provision of new build affordable units through 'Exceptions Sites' and as a contribution or proportion of new build housing sites. It also supports the provision of affordable housing from the conversion of buildings, including commercial buildings where this is consistent with wider housing policies in the plan.
- 4.63 A comment has been made that affordable housing contributions should not be sought from purpose built housing schemes for the elderly. It is considered entirely appropriate that, in principle, affordable housing contributions are sought from all forms of market housing where schemes fall within policy thresholds and where affordable housing provision is viable.



- 4.64 The policy would not prevent Estate workers in affordable housing need from occupying properties and would not prevent in principle, Estates from delivering affordable housing to meet the needs of estate workers.
- 4.65 The cost of affordable housing is borne, for the most part from the land value. It is not the role of the policy to establish a policy for social housing. It is the role of the policy to provide a mechanism to secure the delivery of a range of affordable housing tenures to reflect local need. The policy will be supported by Supplementary Planning Guidance to provide detailed information on its implementation by the private and public sectors.
- 4.66 Several comments have been made in relation to the spatial distribution of housing and affordable housing delivery. The policy as a whole supports the delivery of affordable housing across Ryedale. The need to support the delivery of affordable housing has to be balanced with the need to ensure that housing development is guided to the more sustainable locations in the District. It is for this reason that the majority of affordable housing from developer contributions will be delivered at the Towns which also have the greater concentrations of need while the rural exceptions policy is considered to be the most appropriate policy mechanism to address rural needs.

### **Occupancy**

- 4.67 Occupancy/ eligibility criteria are included in legal agreements to ensure that affordable housing delivered through this policy is occupied by local people in affordable housing need. The proposed policy should be read in conjunction with a later policy in the Plan which outlines occupancy criteria. These are designed to ensure that local people living or working in the vicinity of new affordable housing are able to access it. However, if occupancy/ eligibility criteria are too restrictive this may hamper that ability of affordable housing providers to invest in provision.

### **Definition of affordable housing**

- 4.68 A definition of affordable housing has been included in the supporting text to the policy and this also includes amendments/reference to the proposed changes to the definition of affordable housing which are being introduced by central government as part of the introduction of its new affordable rent model.

### **Affordable Housing from Developer Contributions**

#### ***Tenure***

- 4.69 A limited number of respondents believe the policy to be too prescriptive in terms of tenure. National Planning Policy does make it clear that separate targets for affordable tenures should be included in local plans and therefore it is appropriate that this is reflected in the Plan. The tenure target has been revised to take account of the new definitions of affordable housing which have been introduced by the Government and the existing and emerging Strategic Housing Market Assessment information. These act as a district-wide target which can be considered in conjunction with local / area specific need information. It is considered important that clear targets for the types of affordable tenures are included in the policy to ensure that contributions do reflect and address identified needs. The range of affordable tenures will also influence the development economics of a scheme and on this basis, it is appropriate those developers and landowners are provided with a clear indication of the proportions of affordable tenures which the Local Planning Authority will look to secure as a starting point for the development management process. Revisions to the supporting text have been included to indicate that this is a general starting point which may alter depending

on specific needs in different localities and to provide scope for flexibility where this would improve the viability of the scheme and support the delivery of the overall policy target.

### ***Thresholds***

- 4.70 The lower policy thresholds are reflective of the Council's current policy which has been successfully implemented. Further viability work supports the continuation of these policy thresholds.
- 4.71 The Council notes that minimum density targets are no longer to be applied but it is considered that it remains appropriate for good planning reasons to ensure that land is developed efficiently. The policy aims to ensure that thresholds are not deliberately avoided by the inefficient use of land and this is not considered unreasonable.

### ***Targets/ Viability***

- 4.72 The affordable housing target is expressed as a target to reflect the fact that provision/ contributions are negotiated with developers in the context of the viability of a scheme. As this will vary on a site by site basis, the policy target is to be considered a target as oppose to a requirement. The Council has applied its affordable housing policy in this way. The wording of the policy and text makes it clear that affordable housing targets and the extent to which these are achieved will depend on the viability of individual schemes.
- 4.73 The target of 35% has been a longstanding policy target for Ryedale which has been regularly achieved. The development management process in Ryedale has illustrated that in implementing affordable housing policy the Council does not take an unreasonable or an unrealistic approach in instances where it can be demonstrated that for reasons of viability, the policy target cannot be achieved.
- 4.74 The viability study commissioned to inform the new affordable housing policy does indicate that in the current economic circumstances and in conjunction with other requirements, the policy target of 35 % will be challenging in some areas of the District. The work was undertaken in consultation with representatives of the development industry to agree the key assumptions used in the study/ methodology. It is accepted that the study is a 'high' level broad study which did focus and test on the implications of other standards and requirements. In response to some concerns, further site specific viability work has been commissioned. This demonstrates that for much of Ryedale a target of 35% is not unrealistic. The work demonstrates that the extent to which this can be achieved on a site by site basis will relate to the location of the site in the District, the size of the site and proposed size and mix of dwellings and, in particular, the level of CIL which may be applied. The work also demonstrates that 40% affordable housing provision is achievable from some sites in higher value areas. For this reason the policy seeks contributions of 40% affordable housing in higher value areas through a combination of on site provision and off site contribution.
- 4.75 Viability assessments which have accompanied recent planning applications have also helped to confirm the proposed targets. Taken together, the evidence demonstrates that the proposed targets are not unreasonable or unrealistic and the policy approach provides for reduced contributions where viability issues indicate that the target cannot be achieved. Against the scale of affordable housing need in Ryedale, the approach is considered appropriate.
- 4.76 Although the RSS provided an indicative target for affordable housing provision of 40% in areas such as Ryedale it is important in the current context - economic circumstances and the anticipated revocation of the RSS, that the District establishes its own affordable housing target on the basis of up to date evidence. It is also important that the affordable housing

target is also established at a level which will support other necessary developer contributions and the application of a CIL charge in order to mitigate the impact of new development.

- 4.77 Site specific viability work will be undertaken to accompany the preparation of the Sites and Helmsley documents and the Council aims to prepare the CIL charging schedule in conjunction with this work. This will ensure that all issues, including the impact of site specific design requirements can be considered as site specific policies are compiled and new development sites selected.
- 4.78 The widespread compulsory purchase of land for affordable housing provision is not considered to be a realistic option for the Council. The Council or Registered Social Landlord partners could not resource such an approach.
- 4.79 The off-site/ financial contribution (5%) policy target will be negotiated in lieu of affordable dwellings which would otherwise be provided on site. In implementing the policy, if in the limited circumstances where off site provision is to be made in lieu of on-site provision then the Council will expect a contribution which ensures that an equivalent level of provision can be secured/ delivered elsewhere. These issues will be expanded upon in a Supplementary Planning Document to support the implementation of the policy.

### **Exception Sites**

- 4.80 The Council will take full account of key protection policies as rural exception site proposals are considered. It would be inappropriate if protection policies were to prevent rural exception sites in principle. These are a key way in which rural affordable housing need can be addressed in Ryedale.
- 4.81 The policy wording has been clarified to make it clearer that the mechanism is designed to support rural affordable housing needs.
- 4.82 It is considered that securing the occupancy of rural exception housing in perpetuity is consistent with existing national policy. The Council may consider the allocation of 100% rural exception sites as part of the Sites Document where landowners and Registered Social landlords are agreed such sites are deliverable. Exceptions sites are not listed in the sources section for Malton and Norton as due to the scale of the settlement, this would not meet the definition of an exception site. All other settlements in Ryedale do meet the definition.

### **Contributions from Small Sites**

- 4.83 A comment suggested that a 'flat rate' affordable housing target was inappropriate as it penalised smaller developments and instead suggested a percentage of the value of the scheme should be used to secure off-site affordable provision. It should be noted that there is a threshold when affordable housing is required on site – this differentiates between larger sites which have the capacity to provide affordable housing on-site and those smaller sites where it is impractical. In the past small sites have traditionally accounted for a significant source of housing supply in Ryedale, but have generally not contributed to affordable housing provision as they were under the threshold. Viability work has indicated that contributions from small sites can be viable. The revised policy makes provision for financial contributions to be negotiated as a proportion of the value of a scheme.

### **General points raised**

- 4.84 The Council cannot prevent the use of existing residential properties as second homes. The scale of affordable housing need in Ryedale is unlikely to be addressed in a significant way

by restrictions on second home ownership. Increased delivery of purpose built affordable homes and diversification of the District's employment base to improve wage levels and increase access to the housing market will be central to addressing affordable housing need.

- 4.85 The Council will work closely with the North York Moors National Park Authority to ensure a consistency of approach where this is necessary.
- 4.86 It is considered that the policy and supporting text taken as a whole provide a clear indication that significant emphasis is placed on the delivery of affordable housing from developer contributions as the main way in which affordable housing will be delivered in Ryedale.
- 4.87 The policy makes it clear that as part of its wider housing role and work with partners, affordable housing provision through the use of empty properties is explored.

## **Policy CS4 – Type and Mix of New Housing**

- 4.88 This policy aims to ensure that new housing development provides choice in the housing market and helps to achieve a balanced housing stock. It also provides a framework for securing housing to meet the needs of an ageing population and specialist housing needs. The policy has been revised to include a section covering the design of housing development. This places emphasis on creating well designed, safe, inclusive and sustainable housing environments. It should be noted that the addition of this section aims to reinforce the need to create inclusive housing schemes capable of meeting the needs of all in society. It is not the intention that this policy should cover the detailed design and appearance of new homes in an architectural sense. This is covered by the generic development management policy later in the document and will be supported through the production of a Design Guidance Supplementary Planning Document.

### **2010 Consultation**

- 4.89 It is clear from the 2010 consultation that there are a number of concerns with specific elements of the policy, in particular its use to apply standards. The policy has been drafted to take account of information in the Strategic Housing Market Assessment and does reflect the findings of the 2010 SHMA and the emerging SHMA. That document provides an indication of stock shortfalls. The document has been used to underpin this strategic policy and will also be used by developers and the local planning authority to inform the precise mix of units on individual schemes in different locations across the District. The key concerns raised are as follows:

### **Lifetime Homes Standards**

- 4.90 The policy proposes that all homes be built to Lifetime Homes Standards from 2013. This reflects national targets and will be an important way in which social and health care programmes aimed at supporting people in their own homes can be achieved over time. In view of this, this is key element of the policy which is supported by North Yorkshire County Council.
- 4.91 One comment that has been received in relation to this element of the policy is that it is unclear about what is to be provided. It is considered that the policy is very clear. It does not, however, specify individual Lifetime Homes standards/ design criteria as these are lengthy and can change. To assist readers and any developers who are not aware of the standards, it is considered appropriate that the Design Guidance SPD which will be produced provides the necessary detail. This will also help to ensure that the relationship with building regulations is clear. Whilst some of the standards reflect current Part M of the Building Regulations, generally they exceed what is required by current regulations. Moving to the adoption and use of the standards through planning will help to ensure that over time the housing stock will provide a more flexible source of accommodation. It is considered an entirely reasonable and appropriate response to evidence which demonstrates an acute need to address the housing requirements of the elderly in Ryedale. Whilst there may be some elderly people who do not wish to remain in their own homes throughout life, the approach will help to ensure the options for those who do are improved and that overall, Ryedale's future housing stock improves to cater for its ageing population.
- 4.92 Concerns have been expressed that the costs involved in such an approach may hamper the viability of development and threaten the delivery of affordable housing. Clearly there are costs associated with building homes to Lifetime Homes standards. Research commissioned by the Government indicates that these can range between £500 and £1600 per property. Clearly these costs would have to be covered if the standards became mandatory through

building regulations and to achieve the national target date of 2013. The Council's affordable housing policy is drafted to ensure that the affordable housing contribution target is sought where this is viable. In instances where taken together, these policies would impact upon the viability of individual schemes, a reduced affordable housing contribution could be sought/justified. Whilst the delivery of affordable housing is a key priority for the Council, the need to address a range of housing needs is also very important and must also be weighed in the balance. Developers will be urged to consider the proposed policy target at an early stage in the design of a scheme. Government research into the implications of Lifetime Homes would indicate that this does influence the costs of building to the standard.

- 4.93 The point has been made that all homes built to Lifetime Homes standards should also be zero carbon, essentially a building specification which would equate to Level 6 of the Code for Sustainable Homes. Viability work to support this plan has demonstrated that such a building specification would have a significant impact on the ability of the Council to secure affordable housing from new development and this is reflected in the Climate Change policy of the plan. Currently under national standards, there is no requirement that homes built to Lifetime Homes standards should also be carbon zero.
- 4.94 To improve consistency with other areas of the Core Strategy which support the building of homes to lifetime homes standards, it is considered that this policy should make reference to the principles of designing 'Neighbourhoods for Life' – ways in which design can assist the elderly and those with dementia. Given Ryedale's ageing population and the projected increases in dementia, this would be appropriate.

### **Mix**

- 4.95 The proposed policy makes reference to the use of the Strategic Housing Market Assessment (SHMA) to inform the mix of units in development schemes. Concerns have been raised that the specific requirement in relation to bungalows is overly prescriptive. This has been included as a specific policy criterion on the basis that bungalows are an attractive housing option for elderly people and because the SHMA finds that shortfalls in the stock generally occur across the District. To address concerns that the approach may make schemes unviable or undeliverable in terms of design, caveats have been included in the proposed policy. It is considered that the policy criteria, whilst explicit, is no more onerous for developers than the need to provide housing development of a mix which reflects the findings of the SHMA and on this basis, given the imbalance in the current stock, it is considered more appropriate if the criteria reads 'at least 5%...'
- 4.96 The extent to which housing mix impacts upon the viability of development will be specific to individual schemes and the Council is aware that a number of policy requirements will influence the development economics. These issues will be considered through the site selection and the development management process, so as to ensure schemes are not rendered unviable through a combination of requirements.
- 4.97 The point has been raised that the impact of the extension to dwellings on the stock of smaller properties should be considered. This is an issue that the District Council as planning authority has given consideration. For many households, extensions to represents the only way in which they can afford to live in a house which best meets their requirements. In the face of high affordable housing need in the District, it is considered that a prescriptive policy response limiting extensions to dwellings has the potential to further fuel affordable housing need in Ryedale and for this reason this has not been taken forward.
- 4.98 Stock imbalances arise through a combination of demand for housing and availability/provision. It is important that requirements for a range of house types and sizes identified by the Strategic Housing Market Assessment are provided for.

### **Extra –Care/ Homes for the Elderly**

- 4.99 One comment received has questioned the demand for extra-care provision and believes the policy to be unclear as to its intentions. Demand for extra-care ( for those individuals who are unable to 'self fund' their care) is well documented through work undertaken by North Yorkshire County Council. To clarify, the policy looks to ensure that land for extra-care provision is identified and secured through the site allocation process with facilities provided or acquired by private sector or public sector providers. Provision will be secured either through the redevelopment or re-use of existing publicly owned land and buildings or through the allocation of land specifically for the purpose. Given that the role of identifying new housing sites involves the selection of sites which will best meet housing requirements in Ryedale this may involve the acquisition of land or alternatively, may involve the negotiation of the provision of land in part, in lieu of other developer contributions. Ultimately, the way in which provision is secured will depend on the partnering arrangements that NYCC enter into and which at the current time are undecided.
- 4.111 Specific concerns have been raised by developers who are keen to provide larger Care Village facilities in Ryedale. The Council, together with NYCC is concerned that Care Village models have the potential to further fuel the in-migration of an elderly population into Ryedale. It is accepted however that the existing population do and will have specialist housing requirements. The policy has been amended so as not to rule out the provision of Care Villages but rather, to ensure they are of a scale which does not significantly exceed local needs and requirements.
- 4.112 It is considered that it would be inappropriate to restrict the occupancy of extra-care facilities with a strict Local Needs Occupancy Condition similar to that proposed for housing development in smaller settlements. This would restrict access to facilities for a number of people and is unlikely to support the private sector investment in provision which is a necessary way of ensuring facilities are provided.

### **Sheltered Accommodation at Service Villages**

- 4.113 The proposed policy framework would not prevent this type of development coming forward at Service Villages although the scale of housing sites envisaged at these locations are unlikely to support a combination of both sheltered and family housing on individual sites/ size in these locations.

## **Draft Policy CS5 – Sites for Gypsies and Travellers and Travelling Show People**

- 4.114 A limited number of comments were received in response to the draft policy. The District Council is currently investigating the extension to the existing site and will as part of the Sites Document, look to identify an appropriate location for additional provision. The Council is aware that some families do not want to live at a permanent site and it works closely with a range of partners to support these families and to minimise impact on settled communities.



## **5 Responses to Section 5: Economy**

- 5.1 The Economy section is comprised of four strategic policies which will directly contribute to addressing this Council's and partners priority of achieving economic success through the diversification of the Ryedale economy into new sectors and the strengthening of existing forms of employment.
- 5.2 The four broad policy areas remain which were consulted on in 2010 remain unchanged although specific amendments have been made in response to consultation or to further clarify the policy or to reflect more recent evidence.

### **Draft Policy CS6 – Delivery and Distribution of Employment Land and Premises**

- 5.3 This policy sets out what sources of employment development are appropriate in the different tiers of the settlement hierarchy. It then sets out the overall employment requirement for Ryedale over the plan period based on the findings of the Employment Land Review 2006 and Update 2010. It then details how much employment development should go where based on a hierarchy of settlements reflecting market demand. To ensure that the aims of the policy in strengthening and diversifying the economy are reflected, it also details the typologies of new provision, building on existing strengths and seeking to address the current low-wage economy existing in Ryedale. The policy also seeks to protect key employment areas in Ryedale from development to other uses. The main changes to the policy in light of the 2010 consultation responses and a further consideration of relevant evidence are:
- Employment Distribution – There is now a combined total for Malton, Norton and Pickering to allow for greater flexibility to address the ELR Update's recommendation that "there should be sufficient planned supply to allow for choice, variety and competition".
  - Specific reference to net additional employment land provision – the total figure for employment land will now take into account major extant consents for employment development at the point when allocations are being made through the Sites Document and Helmsley Plan.
  - Revised, more flexible approach to the amount of land for employment to be allocated. The policy now proposes between 37ha and 45ha of land for employment reflecting the findings of the ELR Update.
  - Amendment to the policy to ensure that reference to re-use of rural buildings for employment purposes is consistent and cross refers to Policy CS9.
  - New criteria for guiding decisions on unallocated employment sites.
  - New criteria for the consideration of applications which involve significant industrial processes in the open countryside.

### **2010 Consultation**

- 5.4 The key areas of concern were as follows:

#### **Amount of Employment Land**

- 5.5 Only a limited number of responses relating to issues around the amount of land proposed for employment purposes. One response expressed concern with the word “approximately” when reflecting the quantum of employment land to be distributed to the tiers in the hierarchy, requesting that exact figure should be used but expressed as a minimum to cater for changing circumstances. There is perhaps a contradiction in this comment, requesting an exact figure but allowing for flexibility. However the figures are expressed in that way as they are a product of the percentages set out for each town. Clearly through the allocation process, the word approximately allows some flexibility to within these figures, though these proportions will be respected. The figure for Malton, Norton and Pickering is now expressed together which also allows some flexibility, though the intention is that the majority of this provision will be at Malton and Norton.
- 5.6 Another perceived concern was that competing with York for new employment will not achieve the 45ha of high tech business proposed. The context to Policy CS6 clearly sets out that the economic strategy is to build on links with the York economy and not to compete. In this sense the approach is complementary and reflecting the strong influence of the York economy into its surrounding hinterland. There are already examples of this such as the Food and Environmental Research Agency (FERA) centre at Sand Hutton. This is a nationally important bioscience centre which is situated in Ryedale, but has clear links to York. The Employment Land Review (ELR) and Update (ELRU) make clear that there is potential for higher value added industries in Ryedale, however the right location and accommodation is essential. It is also important to note that the aspiration for Business and Technology Park only forms part of the total employment land required as set out in the typologies in Policy CS6. The Council is relying on a portfolio of sites for different purposes, to cater for market demand. It is essential that the right amount of development is allocated – enough to ensure that the needs of business are met but not too much that some allocated sites will never come forward. Therefore the approach concerning the amount of employment land has changed. This now refers to a range of between 37ha and 45ha being allocated. A total of 45 ha of land for employment uses will be allocated in the Sites Document and Helmsley Plan. However it will comprise of two parts: an initial 37ha of allocations and a further 8ha should further releases be required in the latter stages of the plan period. This more closely reflects the findings of the ELRU and reflects this balance and ensures flexibility that the needs of business in this regard are met and are not unnecessarily constrained. Although not mentioned specifically through consultation, the Council has sought to clarify that the amount of land for employment is expressed as a net figure, as is it will take into account any major extant consents for employment development at the time allocations are being made. This is due to the fact that a number of permissions for new employment have been granted outside development limits in the towns and this existing supply should be reflected in the overall total at the point of allocation through the Sites Document and Helmsley Plan.

### **Distribution of Employment Land**

- 5.7 A number of comments related to various aspects of the distribution of employment land. Whilst supportive of the focus on Malton and Norton, concern was expressed why with such a concentration of employment development in Malton and Norton, there also wasn't a greater housing requirement, reflective of Policy CS1. Other suggestions were made relating to the site specific location of employment opportunities which is a matter for the Sites Document and Helmsley Plan. Concern was raised at the proportion of employment outside of Malton and Norton, particularly for Kirkbymoorside whose 5% provision is shared with Helmsley. In light of this, a suggestion was made that Kirkbymoorside and Helmsley should each a maximum of 1.5 ha. Similar concern was expressed at the lack of employment allocations for the service villages and other villages, particularly as there is a significant presence of “cottage industries” in Ryedale. Two general comments linked to this issue were

raised regarding how the strategy would encourage the location and/or relocation of business in Ryedale and the lack of employment opportunities for younger people.

- 5.8 The approach to the distribution of land for employment is reflective of the findings of the ELR and ELRU, hence the difference with the distribution of housing albeit the greatest concentration is still at Malton and Norton. The greatest market demand for new employment premises is substantially in Malton and Norton, followed by Pickering. For Kirkbymoorside and Helmsley there is localised demand but this is smaller in nature. This distribution therefore reflects market demand, encouraging new employers to locate in Ryedale, giving them certainty when allocations are eventually made and also encourages the relocation of existing employers whose current facilities are unsuitable.
- 5.9 The Council has no direct control over where people work, and simply increasing housing numbers in Malton and Norton would not change this. Malton and Norton in particular also have excellent transport links which is a key factor in businesses locating for both their operations but also for the ability to attract suitable staff. However it is important to encourage people to live and work locally by providing opportunities and the distribution proportions reflects this. Additionally Malton, Norton and Pickering have the greatest concentration of existing residents, and therefore have the greatest supply of a potential workforce already. On this basis it is not possible or desirable to match housing and employment proportions as they are distinct uses. Therefore it is appropriate that the distribution of housing and employment are different but do reflect the general approach of the Spatial Strategy in focussing development at Malton and Norton.
- 5.10 The 5% distribution of employment to Kirkbymoorside and Helmsley is reflective of the nature of the demand for new employment sites. The split of allocated employment land between Kirkbymoorside and Helmsley will be determined through the Sites Document and Helmsley Plan and it is inappropriate to have an arbitrary figure given the general low demand for additional employment space. It should also be mentioned that in Helmsley and Kirkbymoorside, the focus is more on the expansion or relocation of existing businesses. This is something which is specifically supported through Policy CS6. Although it also should be noted that suitable non-allocated sites coming forward for employment purposes will be supported and new criteria has been added to guide these.
- 5.11 Given the generally smaller scale of employment and market demand in service villages and other villages, it is not appropriate to make site specific allocations. The only exception to this is existing medium to large employers who may wish to expand. However Policy CS6 supports both the expansion of existing employers and small-scale employment sites coming forward inside and outside of development limits in Service Villages. It also offers a similar level of flexibility in other villages and therefore supports the creation or relocation of micro-businesses in Ryedale. This approach therefore caters for both existing and new employers who wish to locate or expand in service villages and other villages, appropriate to their scale. Having site specific allocations would be too prescriptive in these locations. This approach also ensures that there is a step change in both the amount and type of employment land available for development, whether through allocated sources or windfall development elsewhere in the District. In turn this increases the level of potential job opportunities for residents including younger people.

#### **Protection of existing employment areas and encouraging re-use of vacant employment buildings**

- 5.12 Limited responses were received relating to the protection of existing employment areas. A comment was made that change of use from employment should not be permitted unless in exceptional circumstances where they contribute to the sustainability of the local economy. Conversely a specific suggestion was made regarding releasing employment land where it

wouldn't have a detrimental impact on the provision of employment land across the district. Indeed another comment went further and suggested that Policy CS6 was not flexible because it did not suggest reuse of vacant or not fit for purpose sites.

- 5.13 Policy CS6 does seek to protect what are considered to be 'core' employment sites in the District as well as other employment sites if they are considered to contribute to the sustainability of the local economy. This approach is in line with the comment made regarding the change of use of employment sites to other uses. Similarly this approach also provides the test for where it may be appropriate for the change of use of employment sites to other uses, as the policy includes reference to the wider economy. It would not be appropriate for this policy to actively encourage the loss of employment facilities, however the policy has the flexibility of addressing vacant or not fit for purpose sites through the test referred to above. It is therefore not considered appropriate for changes to this element of the Policy.

### **Employment typologies and specialist sectors**

- 5.14 A number of concerns related to the need to make the provision of land for specialist businesses and in particular that a science and technology park was essential. Linked to this concern was raised that FERA was not referenced. Policy CS6 in the second bullet list does recognise the need to make provision for specialist sectors (both existing and emerging) in the District, reflecting those identified in the ELR and ELRU. This includes the allocation of a Science and Technology business park in Malton and Norton. There was only a limited reference to FERA in the supporting text to Policy CS6. This has now been expanded in recognition of its contribution to the economy of the District.
- 5.15 Comments were raised that greater promotion and encouragement should be made in the Policy relating to mixed-use residential and employment such as home working and live-work units. The supporting text to the Policy does recognise that micro-businesses in Ryedale cumulatively make a significant contribution to the economy of the District. The nature of these enterprises enables employment to be available locally and can reduce the need to commute. The last bullet point of Policy CS6, together with the sources identified in the Table for each level of settlement does support the growth of micro businesses and in particular live-work units. However there was only limited reference to this in the supporting text to the Policy. This has been amended and expanded to reflect this important and growing facet of the Ryedale economy.

### **Employment uses / Re use of buildings in the open countryside**

- 5.16 A general comment was made that any rural diversification schemes must be appropriate to the rural setting. Whilst not specifically mentioned in this Policy, the document needs to be read as a whole with Policy CS9 on the land based economy and Policy CS16 regarding Development Management. A specific comment was also raised that there needed to be clarification of the position on re-use of rural buildings as policy CS9 covered this issue but CS6 did not. In light of this the list of employment sources in Policy CS6 has been amended to reflect this in terms of economic uses and is consistent with Policy CS9. Whilst not specifically mentioned in the consultation criteria have been added to guide proposals for significant industrial processes in open countryside to assess their suitability for development and to minimise their impact on the rural landscape and amenity of residents.

### **Allocations**

- 5.17 A number of comments related to the process of, and making of, allocations. These included that Helmsley employment sites needed to be addressed through the Helmsley Plan and Sites Document, general concern over the delay in the Council allocating sites. There were

also specific comments expressing support for certain sites, particularly those with close proximity to the A64. These comments, given their site specific are more appropriate for the process of allocating sites which will be undertaken through the Sites Document and Helmsley Plan.

- 5.18 A particular comment related to the need to identify a gas plant in Pickering rather than Thornton le Dale. This relates to a recent planning application and appeal in the National Park and again is a site specific issue. For this type of proposal within Pickering would be the responsibility of NYCC as the minerals and waste planning authority either through a planning application or through their Minerals and Waste Local Plan. However it is also important to note that the Publication Draft of the Core Strategy will have a resources policy which sets out this Council's general position on the use of natural resources.

### **General**

- 5.19 A range of general comments and objections were received on Policy CS6 and its supporting text. Some were observations such as the need to have regard to highways, the highlighting of a typographical error in para. 5.8 where a figure should be 2000 and not 200 sq m. These are noted as highway capacity is integral to the spatial strategy of the Core Strategy and is covered in further detail under Policy CS10. The typo error has also been corrected. Also a comment was received regarding the implementation table for CS6, suggesting use CPO powers to overcome obstacles to delivery. It should be noted that this mechanism is already mentioned in the Implementation table and therefore no change is required.
- 5.20 A number of concerns were general but did not justify the reason for the comments such as the view that Policy CS6 is not in line with PPS1 and principles of sustainable development and a separate but related concerns that employment need should be addressed above all others and that financial, environmental and infrastructure incentives should be in place to attract new and expanding businesses. The Council considers Policy CS6 is in line with PPS1, having regard to a balance of social, environmental and economic factors as evidenced by the Sustainability Appraisal of this Policy and policy options under the various consultation exercises undertaken. The Sustainability Appraisal reports of this and other policies is available alongside this document. It is unclear which element of the Policy this respondent thought was not in line with PPS1. The need to promote sustainable development, by balancing those social, environmental and economic factors, is a core tenet of the Ryedale Plan. The Council cannot simply promote one element only; however the policy approach chosen does support and encourage employment development in a sustainable manner, taking into account the needs of Ryedale. The Council cannot offer financial or infrastructure incentives as this would contravene state aid regulations. Although other external funding initiatives may be available to business.
- 5.21 A comment was also expressed that the infrastructure in Ryedale is antiquated and leasing arrangements do not attract business. It is important to note this strategy has fully taken into account the likely infrastructure requirements of the levels of development proposed and this is set out in Section 6 relating to Community Facilities and Infrastructure. It is not true that the infrastructure is antiquated, however to accommodate new development and to support the towns as a whole, new infrastructure will be required to support the spatial strategy.
- 5.22 An individual comment suggested that the strategy must link to higher education provision by NYCC, universities and colleges, to attract business and improve labour skills. The approach of this strategy is to improve the skills and therefore wage levels locally to enable a more balanced economy, particularly with the high levels of housing need in the District. In light of this, text has been added to the introduction of this chapter to reflect the importance of higher education institutions in assisting in the 'up-skilling' of the existing workforce and in

attracting both employers and employees to Ryedale. Related to this issue, a comment was received which expressed concern at the lack of employment opportunities for young people in the smaller towns. This is clearly not an issue isolated to Ryedale, however together with encouragement for linkages with higher education institutions, Policy CS6 encourages focuses new employment development to the towns and encourages the appropriate expansion of existing employers as well as setting out opportunities for new employment provision.

## **Evidence Base**

- 5.23 A smaller number of comments which either expressed concerns directly or indirectly related to the studies used to evidence the approach taken in the Draft Ryedale Plan. One respondent has a direct concern that there was not a credible and robust evidence base to support the approach to justify 45ha of employment land, and which also failed to have proper regard to evidence base of the Yorkshire and Humber Regional Spatial Strategy. The respondent concluded that they thought the approach chosen was contrary to PPS1. They also considered that the ELR and ELRU adopt inappropriate approaches to the quantification of land as PPS 4 provides different approaches to reviewing employment land.
- 5.24 The 37-45ha total that was expressed in the Draft Core Strategy is based on the findings of both the ELR and ELRU which form the evidence base for this element. The Council believes this to be a robust and credible evidence base in accordance with PPS1. Both the ELR and ELR Update were prepared in line with Government guidance, namely the ODPM Employment Land Reviews guidance note 2004. This included considering the demand and quantification of employment land as part of the 14 steps in the guidance. The reports do reference the Regional Econometric Modelling that was undertaken as part of the preparation of RSS, however this was only forecasted to 2021. Indeed the former Local Government Yorkshire and the Humber acknowledge that the employment forecasts set in 2008 are out of date. The Ryedale ELR is a local survey which looks at the particular issues such as historic performance and market demand, to quantify the amount of employment land required to 2026. It is unclear from the representation what elements regarding the quantification of employment the respondent believes are inappropriate or how the approach of the draft Core Strategy fails to consider the broader regional context of the region. Following a request for further information, no response has been received by the Council.
- 5.25 The Local Government Yorkshire and the Humber (which is longer in existence) made the Council aware that the indicative employment forecasts in the May 2008 RSS are now out of date and that the Council can make use of the Regional Econometric Model, managed by Yorkshire Forward (which again is now no longer in existence) if basing need for employment land on job forecasts. This information is noted, however employment land forecast to 2026 in the ELRU was based on a synthesis of information and not the 2008 indicative employment forecasts for the District.
- 5.26 Another comment was made that the ELR didn't feature any sites in Rillington. The ELR considered all sites that had been forward since the 2006 ELR. However given that allocations will be focussed in the towns means that no specific employment allocations for Rillington will be made. However as set out above, small scale employment development is supported by the plan in Service Villages and therefore allocations are unnecessary

## **Draft Policy CS7 – Town Centres and Retailing**

5.27 This policy sets out a retail hierarchy for the District to address current qualitative and quantitative retail deficiencies, as well as the source and distribution of new retail floorspace. Allied to the guiding of new retail development, Policy CS7 also seeks to protect primary retail areas from non-retail uses to ensure vital and viable town centres. In recognition of the wider draw of town centre, the policy also sets out wider measures which will be supported through this strategy. The main changes to the policy are:

- The latest quantitative comparison and convenience need figures from the Retail Capacity Study and Impact Assessment Update, July 2011 reflected in the policy and associated changes to supporting text
- Clarification over the assessment of Impact and local impact threshold set out.
- Reference added regarding taking into account retail commitments at the time of making any retail allocations through the Sites Document and Helmsley Plan
- Further streets listed as primary retail frontages for Malton and Pickering
- Reference added to landscaping in bullet point list
- Reference added relating to local food initiatives
- Reference to A2 uses (financial and professional uses) added
- Various minor textual changes to reflect both existing and emerging national planning policy

### **2010 Consultation**

5.28 Key areas of concern were as follows:

#### **Retail Hierarchy, Sources and Distribution**

5.29 A number of responses related to the retail hierarchy and sources and distribution table set out in Policy CS7. The separation of the hierarchy from the proportions set out in the sources and distribution table caused some concern relating to Malton and Norton. In the hierarchy Malton is the principal town centre but Norton is a local town centre, however the distribution of retail development of 70% is to Malton and Norton. A view was expressed that that Malton and Norton should be kept separate and given different allocations. Another respondent agreed that Malton should remain the principal town centre as distinct from Norton as a local town centre. A suggestion was also made that proportions for each settlement should be made on a case by case basis and are too prescriptive as set out. Instead it was suggested that the policy should support retail in all settlements commensurate with hierarchy. Similarly on this theme a question was asked about how will increasing retail provision in Malton help villages and small towns? The hierarchy set out in Policy CS7 recognises the different role of the various town centres in Ryedale. In contrast to housing and employment development, town centre commercial limits are tightly drawn and there is a clear difference in retail role and function between Malton and Norton as reflected in the Retail Capacity Studies (RCS). On this basis Malton is the only principal town centre in the District. The distribution table reflects the Council's view that Malton and Norton are one settlement, however the supporting text makes clear that the focus of retail development will be in Malton. The Core Strategy needs to set out the distribution of retail development to the various tiers in the

settlement hierarchy, reflecting the differing role each town centre has as required by Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS4). Market towns do serve a wider hinterland including villages and countryside locations. Malton, as the principal retail centre in Ryedale serves a sizable catchment and increasing provision in Malton will help to retain shoppers within Ryedale who currently travel outside the District. The Core Strategy gives the appropriate amount of direction to any allocations made through the Sites Document or Helmsley Plan on this basis. To judge each retail planning proposal on a case by case basis would undermine this requirement and place significant pressure on the planning application process.

- 5.30 Concern was also raised about there being no proportion of retail development allocated outside of the towns in service and other villages. One particular respondent believed the source and distribution table should be removed completely. Beyond the towns, the policy supports retail development to serve a local shop function. Whilst it is unusual for new village shops to open, it remains an appropriate policy approach to ensure retail development is of an appropriate scale across the District.
- 5.31 More detailed comments were received on this part of the policy asking whether the figures gross or net and that the policy did not add to the sequential test set out in PPS4. The policy takes into account PPS4 reflecting national policy principles at a local scale. All figures expressed in Policy CS 7 are net sales area. Other concerns expressed was that the description of Pickering in this section was not as glowing as the other towns and that the role of Norton as a retail centre needed to reflect its need to differentiate its offer. The descriptions of the retail centres in Ryedale are specific to this use. This strategy needs to be read as a whole as the description of Pickering in this strategy initially illustrates its unique function in detail.

### **Quantitative Need**

- 5.32 Concerns generally focussed on there being too much need suggested and the belief that Malton's retail provision will have increased by 100% by 2026. Relating to food (convenience retailing), the 80% retention rate was considered unrealistic as if focussing development in Malton and Norton, part of Ryedale's catchment will never shop in Malton as too far away for some residents. The 2801 sq m of additional food retailing space was questioned in terms of how it was derived or it was suggested this figure even exceeded that available from the evidence. Concern was expressed that this wasn't the up to date figure, taking into account recent retail consents (Aldi and Lidl). Also that amounted to an inappropriate level of detail. No concern was expressed about the level of non-food provision apart from the general observation that more provision was needed.
- 5.33 The level of food (convenience) and non-food (comparison) retailing floorspace suggested in the 2010 Draft Core Strategy reflected the 2009 RCS Update. These figures did not exceed what was set out in the RCS. The Draft also made clear that this figure was in the process of being updated to take into account various factors including retail consents, and this has now been completed and reflected in the Publication Draft of the Core Strategy. The 80% retention rate set out in the RCS Update available at the time was considered a realistic ambition by Roger Tym and Partners as improved offer in Malton would 'claw-back' a significant amount of spend made by residents at other centres. The latest RCS Update advocates a retention figure of 85%, based on the findings of the latest household survey. Clearly residents on the fringes of the District will find other centres such as York and Scarborough more attractive which is recognised in the RCS study which is based on the household survey information. The level of information is standard for evidencing quantitative retail requirements for Local Plans and represents a suitable level of detail. The support for additional non-food retail provision is noted.



- 5.34 A lone suggestion was that the Council should consider restricting sales area of new units over 1000 sq m. Any application for new retail space should be addressing the quantitative and qualitative need identified in the RCS and otherwise would not be given permission. To artificially restrict the sales area of any approved retail consent would not be justified and would be inappropriate given that the RCS advises that a limited number of larger retail units are needed in Ryedale. A local floorspace threshold for the consideration of the impact of new retail schemes has been set and this is mentioned in the 'Impact' section below.

### **Qualitative Need**

- 5.35 A number of respondents expressed the view that there is no need for a new supermarket as people who shop elsewhere will continue to do so. Concerns were already raised that a high quality super market would affect independent traders the most and also could have an adverse affect on local distinctiveness harming tourism and choice. However the RCS clearly identifies a quantitative and qualitative need for another large format foodstore in Malton, providing greater choice for residents as there is currently only one superstore in the District. The impact of this on existing retailers would be subject to the impact test set out in PPS4. The 2011 RCS Update undertook an assessment of impact of a new foodstore provision. This is covered in the section on impact.
- 5.36 For non-food (comparison) shopping a respondent supported the need for additional provision, particularly adult and children's fashion as they considered this limited or non-existent. This support is noted and does reflect the findings of the RCS in relation to key qualitative non-food deficiencies in the District
- 5.37 The inter-relationship between national and independent retailers was a significant concern amongst respondents. They wanted to avoid Malton becoming a "clone town" and that the new purpose built units shouldn't be at the expense of existing independent retailers. Concern that the demand for new retail provision is driven by big business and that national chains would 'drain' money out of the District. Conversely there was support also for more 'high street names', although it was considered that vacant exiting retail shops should be filled before any new retail units are built. A particular comment was that Paragraph 5.16 – should be amended to replace "whilst" with "by" as it currently implies that independent retailers and retail choice are incompatible. Rather than "by", this has been changed to "and" to clarify this matter.
- 5.38 The concerns relating to the effect of existing independent retailers are noted. Malton has a significant number of historic properties in the town centre whose layout is only suited to independent retailers, and whose appearance is integral to the character of Malton. It is therefore unlikely that Malton and the other Ryedale towns will become 'clone towns'. Filling any historic empty shops in the town before building new purpose built units is not appropriate because they appeal to completely different markets as mentioned above. However the needs identified in the RCS update require purpose built new retail units in Malton that are intended to 'clawback' trade lost to other centres such as York and Scarborough, The principle is that this retained custom – people who would otherwise travel outside of the District for their shopping needs - will then shop in Malton for a range of items from both national chains and independent retailers. Whilst the specific operator of a shop cannot be controlled and these may form part of significant national operations, the principle is that retaining custom in Ryedale through purpose built new provision meeting more of the everyday needs of customers, will increase footfall for the existing independent retailers as well.

### **Impact**

- 5.39 Various consultation responses related to questions of impact. Policy CS7 was considered to be inconsistent with PPS4 in relation to the statement on when the testing of impact was required. There was concern expressed over short term impacts of new retail development and impact on the overall shopping mix. Also there was concern that no explanation or justification of the impact of this new development on the town /ands the belief that in order to develop policies which support small businesses and start-ups need further analysis needed of leakage rates and proximity of other centres in order to see whether there is a positive impact on Ryedale's retail ranking and to avoid unintended consequences. There was a view that developments should be phased to ensure that there is no shock to the town centre.
- 5.40 Policy CS7 in the 2010 Draft Consultation did mention that the impact test required by PPS4 should be undertaken if proposals exceeded the retail capacity figures. This has now been amended as all proposals outside town centres need to assess the impact of their proposals on the town centre. To this end, following advice from Roger Tym and Partners, a local impact threshold has included in the Publication Draft of 500 sq m for comparison and 1000 sq m for convenience under Policy EC14.4 of PPS4 (mention local impact threshold). This will ensure that the impact of any proposals outside of the town centre and not in accordance with an up to date development plan, are robustly taken into account.
- 5.41 As set out above proposals outside of town centres will need to assess the impact of their proposal on the town centre. Schemes normally take a number of years from pre-planning to completion. The RCS has assessed the retail needs of the District and proposals which meet that identified need should improve the shopping mix available in Ryedale. This assessment has undertaken detailed analysis of the effect of centres outside Ryedale and current retention rates in the District. An impact assessment of additional convenience retailing in Malton has been undertaken following an assessment of site opportunities. This concludes that whilst there is clearly an impact on the town centre, this is not a significant adverse impact and indeed there are a number of spin-off benefits from such development.

### **Northern Arc**

- 5.42 The inclusion of an area to the north of Malton Town Centre known as the 'Northern Arc' drew many comments. A number of respondents believed this should be deleted as they considered it was not justified and it was inappropriate to introduce this level of detail in a Core Strategy which was going beyond the level of detail required. In addition to the Northern Arc not being specifically mentioned in Policy CS7, such an approach, they considered was too prescriptive and could stifle development. One respondent considered that rather than identify the 'Northern Arc' area, the Council should rely on the RCS 2009 which refers to a need for improved retail offer in north Malton which is a more appropriate level of guidance. Another respondent considered that this site constituted an allocation and should be based on sound evidence, noting that the RCS suggests enough capacity is not available until 2021.
- 5.43 The 'Northern Arc' was identified in light of the conclusions of the RCS Update 2009 which identified that opportunities for an improved retail offer to the north of Malton town centre based on an assessment of site opportunities. The identification of this area visualises an area of opportunity from the RCS studies and does not constitute an allocation for retail development, hence it is not included in Policy CS7. To this end it is an element of local distinctiveness in the Core Strategy.
- 5.44 English Heritage, whilst supporting the inclusion of the Northern Arc, considered that a shift in the retail focus to the north could have an adverse impact on the viability and vitality of the areas around the southern town centre, and therefore the southern parts of the Malton

Conservation Area. If an adverse impact was identified, then they believed a strategy to support and secure those areas which may suffer decline should be put in place.

- 5.45 Any retail proposal in this area would need to assess the impact of their proposal on the town centre. The impact test includes the impact of the proposal on town centre vitality and viability. This ensures that any proposal which may cause an unacceptable impact on the town centre should not be approved.
- 5.46 Natural England identified that opportunities exist within the 'Northern Arc' for new green infrastructure. Whilst not in the specific paragraph concerning the Northern Arc, the bullet point list at the end of Policy CS7 has been amended to include landscaping. It should also be noted that Policy CS14 specifically refers to maximising opportunities for new green infrastructure in development sites.

### **Sites**

- 5.47 There were a number of comments and expressing support and concerns relating specifically to sites, particularly for the Livestock Market, Wentworth Street Car Park and the former Showfield area on Pasture Lane. These by definition are site specific comments and will be a matter for the Sites Document and Helmsley Plan and/or the planning application process. The 2010 Draft Core Strategy referred to a broader area of land called the 'Northern Arc' (which included the area covered by the Livestock Market and Wentworth Street Car Park) and comments on this area (including para 5.27) are set out under the sub-title 'Northern Arc'.
- 5.48 Another comment related to land north of commercial street which was suggested could be used to remove delivery lorries and provide additional parking. Again this is site specific and would be dependent on a proposal being brought forward.

### **General**

#### *Highways and Parking*

- 5.49 A number of comments and concerns were expressed regarding highways and parking. These included that no highway strategy – such as a Strategic Transport Assessment (STA) was in place, and that enough car parking and traffic management were essential. A proposal was even made that a retail unit might need to be demolished to make way for parking. On a related theme, suggestions were made that more car parking was required and that car parking pricing should be reviewed. It was also suggested that car parking pricing was having a detrimental impact to Malton and Norton.
- 5.50 The Council has prepared a STA to assess the impact of future development on the highway network in Malton and Norton. This demonstrated that the proposed levels of development can be accommodated on the network with a number of improvements to the internal junctions. These improvements would take place, on a phased basis, in tandem with development as it comes forward. The Council will ensure that NYCC parking standards in relation to new development proposals are applied. The Council is also reviewing its Car Parking Strategy to ensure that existing parking provision in the District is used as effectively as possible. The Council does not advocate the demolition of a retail unit to enable additional car parking given the historic built environment of Ryedale's towns.

#### *Identity*

- 5.51 The sense of identity was a strong and consistent message from respondents. There was a perception that Malton and Norton are in danger of losing their character and identity with

the addition of extra supermarkets and national retailers which are resulting in “over-shopping”. There were concerns that this would have an impact on independent retailers and also on tourism. The historic fabric of Ryedale’s market towns is integral to their character. The Council wishes to preserve and enhance the town centres as they are all mostly covered by conservation areas and have a significant amount of listed buildings. This historic stock of retail properties is largely occupied by independent retailers given their character, small size and irregular floorplates. National retailers typically require more modern accommodation of a size which suits their operation. This generally can only be accommodated through new purpose built accommodation. National retailers therefore should complement existing centres and it is essential that they are appropriately designed and sited. Comparatively only limited new retail provision will be provided in Malton and given the significant amount of existing independent retailers, this will not undermine the existing role and function of the town centre.

- 5.52 In addition minor textual changes were suggested for Paragraph 5.17 of the 2010 Draft Core Strategy to read “principally located along the ‘high’ street. This change has been made to the Publication Draft version.

#### *Wider Points Raised*

- 5.53 A variety of other comments were received. These included a wider point that to make the towns more attractive places to live, there needs to be improved access to mortgages, that the Town Centre Revitalisation plan has not been fully considered by the Council , and a request that the Fitzwilliam Estate being leases up to date to attract business and to remove reference to Yorkshire Forward in the implementation table. A respondent asserted that the Core Strategy needs to be in line with PPS4 para. EC2.1, regarding the requirement to have a detailed need assessment for land and floorspace for economic development. An unrelated comment mentioned that new retail development beyond commercial limits has a “garish” appearance.
- 5.54 It is important not to read sections of the Core Strategy in isolation. The housing and economy section identify the high need for affordable housing and the need to improve wage levels in the District which will also assist in improving retail spend in the town centres. The Council has fully reviewed and taken into account the Malton Town Centre Revitalisation Plan. The leases of the Fitzwilliam Estate are a private matter between the Estate and their Tenants and it would be inappropriate for the Council to be involved in this issue. Reference to Yorkshire Forward has been removed from the implementation table. The reference to PPS4 is noted and the Council believes the Core Strategy gives a strategic framework which addresses this requirement and which will be delivered through the Sites Document and Helmsley Plan. Any new retail development should achieve high design standards, respecting the character of the locality. The Development Management policy CS16 has design criteria to guide planning proposals.

#### *Protection of primary retail areas from non-retail uses*

- 5.55 A question was asked in light of para 5.27 of the Draft Core Strategy – what does ‘carefully’ mean? Carefully in this context is the same as the dictionary definition. It means that the Council will consider any effects on the primary retail centre with detailed consideration.

#### *Town Centre Enhancements*

- 5.56 A number of respondents referred to wider town centre issues and enhancements. These included that reference to the town centre being a “focus for leisure, cultural activities and tourism” needs to be added to the policy and in particular retention of arts, cultural and community provision. This has not been changes as it is important to reads the Core

Strategy as a whole as the tourism policy refers to this. Other textual changes were suggested, including adding “to the wider local economy” after “Retail and other town centre development”. This also was not included as this policy focuses on retail issues and should be read in conjunction with Policy CS6. There was also a suggestion that a further bullet be added to the bullet list in Policy CS7 to “strengthen and improve the local food economy”. This change has been made. Another bullet point was also suggested regarding retail choice, however this already is mentioned in that bullet point list, so no change is necessary.

- 5.57 A respondent referred to the need for public realm improvements to Commercial St, however these were undertaken in 2011.

### **Evidence Base**

- 5.58 A number of concerns were made relating to the evidence base which supports this Policy. A respondent raised concerns that the Evidence base for this Policy - between the Malton Town Centre Strategy by WSP and the various Retail Capacity Studies (RCS) undertaken by Roger Tym and Partners - is contradictory. In particular that the development of Wentworth Street Car Park is considered appropriate by WSP and not by Roger Tym and Partners (RTP). Also the respondent considers that the evidence is inconsistent and contradicts each other, relying on questionable assumptions and statements supported by flawed logic and unsupported evidence. Other criticisms of the retail study are that it points to overprovision with another large supermarket in Ryedale as there is insufficient capacity. The evidence which supports this Policy is not contradictory. The RCS studies and the WSP report are consistent in their consideration of retail issues. The remit for WSP was not to commission their own retail research but to take into account all existing studies including the RCS. Therefore there are no contradictions in these pieces of evidence. Both the WSP and RTP studies review the possibilities for Wentworth Street Car Park in a very similar manner. The Evidence Base for this Policy is robust with extensive research and investigation undertaken. It is not clear what questionable statements, flawed logic, and unsupported evidence you are referring to.
- 5.59 Another comment related to highway concerns which stated that the Council need to refer to technical report which show that main junctions are overcapacity and cannot accommodate additional traffic resulting from retail development. The Council has prepared a Strategic Transport Assessment (STA) to assess the impact of future development on the highway network in Malton and Norton. This demonstrated that the proposed levels of development can be accommodated on the network with a number of improvements to the internal junctions. Some junctions in Malton and Norton are already overcapacity but this is function of their location in a historic market town setting. This is not unusual in market towns with medieval street patterns
- 5.60 Another request was to access some Axiom data on retail expenditure flows up to September 2011 which was being prepared subregionally. After investigation, this work employs a different methodology to that of the RCS and therefore cannot be used.

## **Draft Policy CS8 – Tourism**

- 5.61 This policy sets out the approach to encouraging and supporting tourism related development including what type of tourism activity is appropriate where, recognising the different roles of places, providing for a range of tourist accommodation and supporting tourist attractions. The policy also sets out Ryedale's unique tourism assets and encourages maximising those tourism assets which are currently underutilised. The main changes to the policy are:

- Reference to 'sustainable tourism' added
- Reference to event arenas added
- Cross reference to occupancy conditions
- Reference to 'nature tourism' added

### **2010 Consultation**

- 5.62 The key areas of concern were as follows:

#### **Sustainable Development**

- 5.63 The general question of how elements of the tourism policy fitted in with the principles of sustainable development, was raised by a small number of respondents. In particular what definition of sustainable (social, environmental or economic factors) are being used to assess tourism development as the Sustainability Appraisal of the tourism policy rated the worst. Another respondent raised concerns that there may be limitations to the ability of places to accommodate tourism as well as other general development and in particular asked what are sustainable levels for Pickering, Helmsley and Thornton le Dale? Conversely a respondent stated that other forms of development should not prejudice tourism in Ryedale. Sustainability Appraisal (SA) of all policies in the Ryedale Plan enables the balance between social, economic and environmental factors to be considered. This involves assessing the policy against both the SA Objectives and Plan Objectives. The SA highlights issues for the Council to make informed choices and does not itself make policy choices. Therefore the process of SA is a rigorous one and the outcome of the SA report for Policy CS8 details the significant assessment undertaken. The supporting text to Policy CS8 recognises that accommodating new tourism development has to be balanced against other factors and any impacts will be assessed. There is not a set level of tourism development for Pickering, Helmsley and Thornton le Dale that beyond which, any further development will be unacceptable. However proposals need to be judged on a case by case basis, according to the provisions of this policy, capacity based on existing infrastructure/ enhanced infrastructure, and the roles of the towns identified in the Spatial Strategy. Policy CS8 has been amended in light of these comments to support and encourage sustainable tourism, minimising its environmental impact. This strategy seeks to guide new development in a way which respects the role, form and character of Ryedale. The overall approach of the Core Strategy is to ensure that new development will be accommodated in a way that is not detrimental to the tourism industry in Ryedale.

#### **Farm diversification**

- 5.64 A small number of responses expressed concern for the support in Policy CS8 for farm diversification as there was potential conflict with the spatial strategy in seeking to concentrate new development in the towns and also that there is a conflict between the need to maximise food production and farm diversification.

- 5.65 Farm diversification involves a range of potential schemes and opportunities and the spatial strategy highlights a range of suitable activities ranging from the towns to the open countryside. The 2010 Draft Core Strategy specifically supports the promotion of rural diversification in the open countryside given that Ryedale is predominantly a rural area. There is also not necessarily a conflict between the need too maximise food production and farm diversification. Many rural diversification do not directly affect the operational requirement of farming such as the reuse of redundant or derelict buildings which otherwise will not have been set to productive use. The requirements of farming have changed and are constantly changing and both this policy and Policy CS9 recognise and plan positively for this. Therefore it would be inappropriate to not to support this approach in principle, particularly as it is also supported by national planning policy.

### **Holiday Homes**

- 5.66 The approach to holiday homes attracted a small number of comments concerned with the restriction of holiday accommodation. One asked that holiday accommodation would be restricted so that it is not used as permanent residential accommodation and related to this another respondent asked that chalet holiday homes should be available for holiday occupation all year. A separate respondent suggested that existing dwellings which are proposed to be used for holiday accommodation should require planning permission for change of use, as it has an effect on rural affordable housing provision. New holiday accommodation will be restricted to avoid the use of holiday homes as permanent residential accommodation. The restriction of the occupancy of holiday homes was set out in para 5.32 of the 2010 Draft, however in light of comments made explicit reference has been added in Policy CS8 which cross refers to Policy CS17 on Occupancy Conditions. Policy CS17 also includes the provision of a year round occupancy condition for non-serviced self-catering accommodation. Planning permission is not required for existing residential properties to be used for holiday accommodation. Therefore a planning application for change of use is not possible under current planning law and guidance.

### **Chalet, Caravan and Camping Accommodation**

- 5.67 Most comments received on the tourism policy were concerned with this area. A key theme emerging was concern around the scale, visual impact (including landscape character), impact on biodiversity, the environment (such as ancient woodland and the AONB) and general character. A number of respondents suggested specific changes to include these elements within this policy. In particular mention was suggested that new caravan and chalet parks should be limited to prevent the encroachment of these form of developments at South Pickering. Also as part of the minimisation of the impact on the environment and to mitigate the impacts of climate change, a number of environmental measures were suggested as part of tourism development such as Sustainable Urban Drainage systems (SUDs), green roofs and habitat enhancement.
- 5.68 These factors are clearly important in assessing proposals for holiday accommodation and it is essential that this policy is read in the context of the other policies set out in the wider strategy as there are a number of policies which address these issues. These are: Policy CS16 – Development Management covering amenity, access, character and scale; Policy CS12 – Protecting and Enhancing Ryedale’s Landscapes and Policy CS13 – Ryedale’s Biodiversity. This issue can only be addressed through general criteria based policies as it is not appropriate to single out areas where this form of accommodation is restricted. Each proposal will be considered on a case by case basis.
- 5.69 Policy CS15 deals with measures to minimise climate change and which can be taken such as SUDs. Given the presence of these policies which cover the issues suggested, it is not

necessary to amend the wording of the policy in this respect as it would create unnecessary repetition.

- 5.70 Other comments received in this area related to the need to define “appropriate” in the type/sources of accommodation table particularly in relation to touring caravan /camping and chalet/static accommodation. The use of this term is deliberate as tourism proposals will be considered on a case by case basis, taking into account the context of the site and the surrounding area. Therefore it is not possible to define this. Another comment related asked the Council to consider motor home development around Thornton le Dale to encourage this form of tourism. The Council is not going to allocate land for tourism development unlike land for housing and employment. It is the private sector who develop individual schemes for where they believe tourism development is appropriate. Any proposal will need to be judged in line with this Strategy once adopted and any other material considerations.

### **Serviced Accommodation**

- 5.71 Only a limited number of comments related to serviced tourism accommodation. These were essentially support for new hotels in Ryedale and particularly in Malton. Policy CS8 supports this type of accommodation and these comments are noted.

### **Attractions**

- 5.72 Representations were made on behalf of Pickering showground including direct reference to Pickering Showground for “economic, leisure and tourism development” in the second bullet list of the policy and also that reference to Pickering Showground should be included in the fourth bullet of the first list regarding the wider role of Pickering as gateway for tourism suggesting that a range of uses would be appropriate. The representations also suggested that para 5.27 should recognise the importance and special character of Pickering Showground for events. Additionally concern was expressed the sources of tourism development listed in the table for Wider Open Countryside: “appropriate expansion of an existing hotel, guest house, public house, farm house, holiday cottage or similar establishment” were too restrictive “. It is not appropriate to specifically mention “economic, leisure and tourism” uses given the nature of this Policy and for an individual site. Given that this strategy is thematic, it is essential to read this Strategy as a whole Similarly, specific reference to Pickering Showground is mentioned in the Strategy section of the document. The Council recognises the importance of Pickering Showground as the key events arena in Ryedale. In recognition of this “and event arenas” has been added to the second bullet list of the Publication Draft Core Strategy. The Council considers the list of sources of tourism in the table for “Wider Open Countryside” are appropriate, having regard to Planning Policy Statement 7 and the National Planning Policy Framework and should not be amended to reflect the ambitions of a site specific proposal.
- 5.73 Other comments were received expressing support for new attractions which bring in significant economic benefits. Policy CS8 supports existing and new attractions in principle and these comments are noted.

### **Nature tourism**

- 5.74 Two comments suggested the potential of ‘nature tourism’ in Ryedale. These included exploiting the excellent potential of Ryedale’s natural environment such as extending Cayton and Flixton Carrs into Ryedale and the Howardian Hills AONB. Another suggestion was the promotion of biodiversity in the management of farms across Ryedale which would benefit nature tourism. These comments are noted and reference to the potential of nature tourism has been added to the bullet point list in Policy CS8.



## **Role of the Towns**

- 5.75 A number of comments related to how the roles of the towns were reflected. These suggested that the heritage of Ryedale especially in Malton and Norton, such as links to the River Derwent should be emphasised and that there should be a riverside cafe. Another view expressed was that Malton does not present itself enough as a tourist or shopping destination and that additional investment is needed all stakeholders. For Pickering it was suggested that reference should be made to Pickering's historic past and that it should be set out as a national or even international tourist centre.
- 5.76 Policy CS9 already sets out the tourism potential of Malton and Norton and in particular linking to its Roman, Medieval and Georgian past. It is more appropriate to refer to these tourist themes however the presence of the River Derwent through these periods is integral to the development of Malton. The supporting text to the Policy and Policy CS8 itself recognises that Malton is not fulfilling its tourism potential and seeks to support and encourage additional investment alongside other development.

## **General**

- 5.77 A number of varied general concerns and comments were made on the Tourism section.
- 5.78 A number of comments supporting and recognising the value of tourism to the Ryedale economy were made. These included that visitors and tourism make up a vital part of the economy, especially in villages and that tourism growth should feature more prominently in the Ryedale Plan. This support is noted and the Council believes is already reflected in the strategy. Having a specific tourism policy as part of the economy chapter emphasises the importance of tourism in Ryedale and is part of the vision expressed in the Aspiration and Strategy section. The Council believes this fairly and proportionately recognises the value of tourism in Ryedale.
- 5.79 One respondent expressed concern that using local food as a driver of tourism is an oxymoron as it is feeding people who travel long way to be there. On a literal basis this is true, however people normally travel significant distances when on holiday in Britain and Policy CS8 seeks to capitalise on opportunities from those who choose to take their holiday in Ryedale. Ryedale needs to continually improve its offer to remain attractive to visitors as it forms such an important part of the economy. It should also be noted taking a holiday in the UK without flying releases significantly less CO2 into the environment
- 5.80 Some specific comments were made relating to the style and layout of the supporting text and Policy. These included that Service Villages and Market Towns should be listed in the same sources box. In response to this, Market Towns, Service Villages and other settlements has been grouped together, however Wider Open Countryside has been kept separate as this involves a different approach.
- 5.81 Other changes suggested and observations made were that there was duplication in paragraph 5.32, Yorkshire Wildlife Trust (YWT) could be mentioned as a partner in the implementation table and the question was asked what will happen after 2011 when the Yorkshire Moors and Coast Partnership ends? In light of these comments the Publication Draft has now been amended. Paragraph 5.32 has been reworded to avoid duplication of phrasing and YWT have been now been included in the revised implementation table. The Yorkshire Moors and Coast Partnership has now been wound up and the key Yorkshire tourism partnership remaining (which includes the Ryedale area) is 'Made in Yorkshire' and therefore their title has been reflected in the implementation table.

- 5.82 A more general concern expressed by one respondent was that Welburn as an area within the Howardian Hills AONB, would be permanently damaged by development of more than a few houses. As the Spatial Strategy, Housing and Economy chapters set out, only limited development will taken place at Welburn as an 'other village'. For tourism development, these will be judged on case by case basis. A key part of this will be assessing any proposal against the policies in this Strategy, including
- 5.83 Development Management Policy CS16. This will ensure that only suitable development of an appropriate scale will be permitted in Welburn.

## **Draft Policy CS9 – Ryedale’s Land Based and Rural Economy**

5.84 This policy supports and reflects particular elements of Ryedale’s land based and rural economy. This includes agricultural and equine activity, rural diversification, rural buildings, criteria for the retention of a livestock market and other rural activity. The main changes to the policy are:

- Additional of criteria for the retention of a livestock market
- Criteria for the replacement and conversion of rural buildings
- Cross reference to the landscape impact of new rural buildings

### **2010 Consultation**

5.85 Only a limited number of responses were received in relation to this policy. The key areas of concern were as follows:

#### **Livestock Market**

5.86 The issues of the retention of a livestock market drew comments from two respondents. English Heritage asked that the strategy should identify the area(s) where the livestock market might be located or include the criteria by which the allocations documents will identify such a site. Another respondent considered that the reference to retaining a livestock market in the District should be narrowed to Malton/Norton. The Council agrees that the reference to the retention of a livestock market could be more detailed to guide future changes. However, given that this is the Core Strategy, it is inappropriate to refer to specific sites for the accommodation of a livestock market. The Council has therefore introduced some criteria to guide the location of any livestock market. This includes the ensuring that the location of any livestock market is convenient to users, minimises landscape impact and is located close to a market town to ensure a continued relationship for associated services. The Council believes it would be inappropriate to narrow the location of a livestock market only to Malton, as it is important to be flexible to the opportunities available to any livestock market operator. It is essential however that the important link between an active livestock market for the sale and purchase of livestock is maintained within the District.

#### **Role of the Estates**

5.87 A number of comments were received from local landed estates around the need to recognise the socio-economic role of the Estates in the District as providers of employment, homes, community facilities and custodians of the landscape, countryside and historic assets. In this role it was suggested that Estates should be given the capacity to contribute to building well balanced communities.

5.88 There was also reference to the role of Local Rural Estate Masterplans or Management Plans in the preparation of the Local Plan and in the consideration of planning applications. It was suggested they should be referred to as a material consideration in the determination of planning applications and in the preparation of development plans. Hovingham Estate drew the Council’s attention to the fact that it had prepared an estate management plan that sets out the plans by the estate for improving sustainability, vibrancy and vitality of the settlement.

5.89 The Council recognises the important role of the Estates to the function and role of Ryedale. Policy CS9 is specifically related to the land based economy and clearly local landed estates have a significant role in this as custodians of a significant part of the District. Reference to the role of the Estates has been added to the supporting text of Policy CS9. The Council is

aware that a number of Estates have prepared Estate Management Plans, Masterplans and various site representations to the Council. These significantly vary in nature and their role in the preparation of the LDF and in the consideration of planning applications therefore will depend on the nature of the document. Some masterplans, including the Hovingham estate management plan, are in essence site representations which will be taken forward through the Sites Document and Helmsley Plan alongside other sites. Other Estates such as the Castle Howard Conservation Management Plan involved significant stakeholder involvement and was focussed on identifying and addressing a substantial conservation deficit. This was considered and discussed at length as part of Issue 1: Release of Development land to address 'conservation deficit' of the Draft Ryedale Local Plan consultation. This was taken to the Meeting of Council in March 2011.

## **General**

- 5.90 A range of varied comments were made on this policy. These included, disagreement that agriculture is set to decline in light of growing food prices and world population, recognising the importance of protecting of soil resources and recognising the importance of the Food and Environmental Research Agency (FERA) to Ryedale's economy. Agriculture has been subject to many pressures and restructuring over recent years. Whilst it has declined over the last few decades, very recent evidence has shown that it has levelled out. In light of this reference to the decline of agriculture has been amended and the importance of local food production has been recognised. The Council also recognises the importance of soil and other resources. In light of this and other comments received, a resources policy has now been created which seeks to protect and guide the approach to natural resources. The Council also recognises the importance of FERA to the economy of Ryedale and has added reference to FERA in the supporting text to Policy CS6, given their economic influence. Reference has also been made to Policy to support research and education related to land based activity in recognition and support of the unique role of FERA.
- 5.91 On a separate matter, a respondent suggested that the Council should be additionally permissive of replacement buildings in accordance with PPS4 – EC6.2d. Clearly it is important that the Ryedale Plan is read as a whole, as there are linkages to other policies such as CS2, CS6 and CS8. However it is recognised that further criteria for guiding replacement dwellings in the open countryside would be appropriate in CS9. In light of this, criteria have been added to Policy CS9 to guide the conversion and replacement of dwellings and other rural buildings in the open countryside.
- 5.92 Finally a respondent requested the addition of "...when there is a net CO2 emission reduction and no loss of food producing land" to the end of bullet "appropriate new uses for land..." Unfortunately a net reduction in CO2 is not a change that can be made as it would be unreasonable to impose this stringent level of carbon neutrality to a range of rural land uses. It would also be a requirement that would be unduly onerous to monitor. It is also not possible to state "no loss of food producing land" as inevitably some agricultural land will be required for development. However a resources policy has been added to the Ryedale Strategy which covers soil resources and this addresses avoiding the best and most versatile agricultural land.

## **6 Responses to Section 6: Physical infrastructure, Community Facilities and Developer Contributions**

- 6.1 This section originally consisted of a single policy on Community Facilities and Infrastructure. However this policy has now been split into two new policies (SP10 – Physical Infrastructure and SP11 – Community Facilities). Policy SP10 seeks to ensure that the broad infrastructure requirements to accommodate the amount and location of new development proposed, is delivered at the point it is required. This information has been drawn from extensive consultation with key service and utility providers which is set out in detail in the Council's Infrastructure Delivery Plan (IDP). This includes consideration of the impacts of development now on the ability to deliver necessary infrastructure in the next plan period such as strategic transport improvements in Malton and Norton. This provides a basis for the detailed infrastructure requirements to be assessed through the allocation of sites through the Sites Document and Helmsley Plan. This policy also guides new infrastructure development such as transport and telecommunications.
- 6.2 Policy SP11 refers to the provision of new community facilities in tandem with new development and the protection of community facilities which contribute to the vitality and character of Ryedale's towns and villages from being lost.

### **Policy SP10 (formerly CS10) – Physical Infrastructure Community Facilities**

- 6.3 Policy CS10a relates to the provision of new infrastructure in tandem with new development, the protection of valued community facilities from being lost, and the improvement of access to services and facilities. The main changes to the policy are:
- Separation of physical infrastructure and community facilities into separate policies (SP10 – Physical Infrastructure and SP11 – Community Facilities)
  - Specific guidance around transport issues added which includes the promotion of non-car modes of travel, consideration of long term transport improvements and reference to car parking standards and policy.
  - Guidance on telecommunications infrastructure and proposals added to the Policy
  - The distinction between critical infrastructure and necessary infrastructure as set out in the IDP.
  - Clarification on the mechanism for collecting developer contributions
  - Inclusion of Contingency and Risk in Tables 1 and 2 which accompany Policy SP10 and which reflect the IDP
  - Reference to the support for the recreational use of former railway routes and for potential reopening.
  - Reference to flood risk and public realm added to Table 2

### **2010 consultation response**

- 6.4 The 2010 consultation had a mixed response receiving both support and highlighting concerns. The key areas which attracted concern are considered in turn below:

### **General Infrastructure**

- 6.5 A particular concern was expressed that infrastructure has not been factored into the housing numbers for Pickering and therefore the numbers proposed in the Draft Core Strategy are arbitrary (link to housing strategy). Policy CS10, together with the supporting text and Table 1, clearly indicates that the impact of development on existing infrastructure, and the ability for new or improved infrastructure to be put in place, is intrinsic to the Spatial

Strategy set out in Policy CS1 and in particular the housing distribution set out in Policy CS2. Planning Policy Statement 3: Housing requires that the Council ensures that their strategy for the delivery and distribution of housing is deliverable. The Council has consulted extensively with relevant infrastructure providers to assess the infrastructure requirements for the settlements where new development will take place (including Pickering) and the spatial strategy has been shaped by this information.

- 6.6 There were a number of general comments such as the suggestion that all aspects of infrastructure (including social, physical and green infrastructure) should be considered, infrastructure should be in place before the development, infrastructure needs upgrading and not just maintaining and that there is a role for cross-boundary working on infrastructure including utilising the Local Economic Partnerships (LEPs). The 2010 Draft Ryedale Plan made clear that a range of infrastructure has been investigated. However this has to be related to the impact of new development and includes the impact on existing infrastructure as well as an assessment of what new infrastructure is required to accommodate the levels of development proposed. In most cases infrastructure is developed in tandem with development taking place (junction improvements) but in some cases such as schools, there will be a trigger point where that improvement is required. This could be a number of years after development has taken place. It is generally more unusual that infrastructure is in place before the development can take place, however the approach that the Council is taking, will ensure that adequate infrastructure is in place at the point it is required. The new infrastructure envisaged in the Ryedale Plan is principally new capital projects, however in some cases (an example could flood defences) contributions may be taken for maintenance of existing infrastructure. Changes to the Community Infrastructure Levy (CIL) Regulations enables this to take place. However this is not intended to replace the capital and revenue programmes of infrastructure bodies which normally have that responsibility once infrastructure is in place. The Council has engaged in cross boundary discussion with neighbouring authorities and this has included potential cross-boundary infrastructure. This has been particularly considered in relation to any A64 improvements which may be outside the Council's administrative area but will deliver benefits for the District. It is likely that the Council will develop Memorandums of Understanding with neighbouring authorities regarding the strategic approach of each Council's emerging Local Plans to demonstrate cross-boundary consideration. The Infrastructure Delivery Plan (IDP) highlights this issue further.
- 6.7 Concern was also raised whether Council partners will deliver the necessary investment set out in Table 1. In particular, there were doubts that North Yorkshire County Council (NYCC) can provide the necessary investment. As set out above, where new development places additional strain on existing infrastructure, it is normal to expect that the developer of the site provides improvements to mitigate or overcome that additional strain. This includes direct contributions from on-site improvements such as new road or junction layouts or pooled contributions towards off site infrastructure such as new primary school space. This principle applies to NYCC, who are responsible for many key elements of infrastructure delivery including education and highways. Detailed consultation with NYCC has ensured that on a strategic level, the necessary infrastructure to accommodate development can be put in place which is likely to be substantially funded by developers.

### **Infrastructure Types**

- 6.8 Many comments and concerns related to specific types of infrastructure. The need for additional school capacity (both primary and secondary) was seen as a priority by a number of respondents. New school capacity was suggested at Amotherby, Primary School, whilst new primary schools being suggested in Pickering and Malton and Norton. Concerns were also expressed that schools should not be lost and in particular that Slingsby primary school should be retained. NYCC are the Local Education Authority (LEA) with responsibility for

states schools in North Yorkshire. The Council have directly liaised with the LEA, providing them with a range of potential housing development scenarios for the LDF. The LEA have provided the Council with information about whether any additional school capacity is required as a result and what form of development this would involve. This is set out in detail in Table 1 which follows Policy CS10. This identified that additional primary teaching space is required at Amotherby, Malton, Norton and Pickering. For Malton and Norton the exact requirements depend on the split of housing development between Malton and Norton which will be decided specifically through the Sites Document. We have recently received slightly amended information from the LEA, which is reflected in Table 1 of the Publication Draft.

- 6.9 Another key infrastructure type referred to was sewerage capacity. Concerns were raised about their being limited capacity at Amotherby, Swinton, Malton and Norton. Other concerns were that sewerage capacity wasn't specifically mentioned in the Draft Ryedale Plan. Table 1 following policy CS10 identifies where there is not enough capacity and what additional infrastructure is required by settlement. This builds on the information set out in the IDP and has been set out by Yorkshire Water. It recognises that Amotherby/Swinton and Norton (though not Malton) require additional capacity to accommodate new development. This can be phased to coincide with the development is likely to take place, in line with Yorkshire Water's investment plan.
- 6.10 In addition to sewerage capacity, concerns were raised about general flooding caused particularly by new housing on floodplains and an increasing population. One respondent mentioned surface water discharge particularly amongst villages of the western part of the Howardian Hills. National planning guidance on flood risk is very clear that development should be steered to land at with the lowest risk of flooding. A sequential test must be applied to achieve this and development on floodplains is avoided unless in exceptional circumstances. This is a site specific matter to be considered through the allocation process and the Council's approach to this issue is addressed in the Site Selection Methodology. It should be noted that the western part of the Howardian Hills is outside the Ryedale area and falls within Hambleton's administrative boundary. However surface water flood risk is an important factor to take into account in the choice of site allocations. The Environment Agency have produced a Surface Water flood risk map which indicates areas which may be susceptible to this form of flooding. The Council's Strategic Flood Risk Assessment (SFRA) also has local information regarding areas which may be vulnerable to surface water flood risk. This, together with the many other factors of flood risk mentioned above will be taken into account through the Site Selection Methodology process.
- 6.11 A number of responses related to varying concerns relating to open space and playspace. There was a general suggestion that new playspace is required and that the definition of leisure and play facilities should be widened to include community buildings/ open space/ cultural, leisure and recreational facilities. Another suggestion was that public realm improvements should be referred to and this should be added to the open space section. A single comment asked also where was the policy on allotment provision? Clearly new playspace is an essential part of delivering additional development and Table 1 sets out the broad requirements at each location. The assessment of need is based on the 2006 Open Space Study, and the local standards now reflected in Table 3 of the Publication Draft.
- 6.12 There is not a specific definition of leisure and play facilities, however community buildings as well as cultural facilities is covered under the community facilities section below. Clearly open space, leisure and recreation facilities are already mentioned in Table 1 by settlement according to the need identified in the 2006 Open Space Study. This also includes allotment provision and therefore it is not necessary to have a separate policy on allotment provision. Public realm improvements were not specifically mentioned in Table 1 of the 2010 Draft Ryedale Plan. However the revised publication draft has incorporated this into the document.

- 6.13 A number of comments related to Malton Hospital. These included that there was no reference to a community hospital in the document, that the document contradicted the fact that the Derwent Ward at the hospital had recently shut, that the hospital should be retained and upgraded and finally that the Primary Care Trust (PCT) were concerned about the additional strain placed on services as a result of additional development. The Council, whilst supportive of NHS services and facilities, has no direct control over the funding of primary care in Ryedale. However focussing development in market towns where most of the NHS facilities are located, ensures that these services are well used. The Draft Ryedale Plan didn't refer specifically to a community hospital, however the issue of primary care was covered settlement by settlement in Table 1. Following consultation with the local Scarborough, Whitby and Ryedale PCT (which has responsibility for both community hospitals and Doctor's surgeries in Ryedale), no capacity issues were identified. The Council also independently consulted with Doctor's surgeries in the market towns and again no concerns were raised about their ability to accommodate additional patients arising from new development. At the time the 2010 consultation was undertaken, Ryedale Ward at Malton Hospital had been temporarily closed due to a trial being undertaken on 'hospital at home'. The six month trial has now ended and Ryedale Ward reopened in May 2011. Ryedale Ward had already recently been refurbished at a cost of £1m, and therefore investment in the hospital has already been made. In addition a replacement Princess Road mental health clinic was built in November 2010 by the Tees, Esk and Wear Valleys NHS Trust at a cost of £1.3m.
- 6.14 A number of respondents highlighted concerns by place and referred to various types of infrastructure. For Malton and Norton this included access issues, poor existing road network, town centre parking problems, concern over loss of funding for Norton primary school, sewerage capacity, additional recreation space (including a park), improved train station facilities, allotments and a mention of flood defences. Whilst the Ryedale Plan can't directly control existing parking provision, it can ensure adequate parking provision from new proposals in line with standards set out by NYCC Highways. It can also reflect and influence the Council's Car Parking Strategy. NYCC Education as the LEA is responsible for state schools in North Yorkshire. Work on upgrading facilities at Norton primary school was halted following the decision to end the Building Schools for the Future programme. An alternative and fully funded scheme is now being taken forward. It is also important to note that contributions to schools as part of new development are principally to address the impact of that additional growth, rather than existing revenue funding. Sewerage capacity, new recreational space and allotments are covered above; however in addition it should be noted that there is a requirement for a new park in Malton and Norton and this will be investigated as part of the Site allocation and planning application process. Reference to flood defences was not mentioned in the 2010 Draft Ryedale Plan, however this is now included in the Publication Draft. Issues relating to highways and the road network are covered below.
- 6.15 Two respondents commented about the perceived lack of public transport and employment provision in Pickering. Pickering is designated as a Local Service Centre in the Draft Ryedale Plan due to its role as a significant market town in the context of Ryedale. This was done on the basis of the level of services and facilities available including regular bus services. Pickering also has two existing employment areas and it should be noted that the development strategy is to allocate both new housing and employment development in Pickering to reduce out-commuting and encourage indigenous growth.
- 6.16 A single respondent expressed concerns about the lack or inadequacy of infrastructure in Slingsby. These included limited phone reception, absence of mains gas, pole based telephone and some electric delivery, antiquated street lighting, issues with both sewers and surface water drainage, and footpaths in need of resurfacing. Given that Ryedale is predominantly a rural area, it is not unusual that many villages lack certain facilities such as mains gas. The spatial strategy aims to focus development in the market towns but



recognises the need to balance the needs of the rural areas. Therefore service villages were identified due to the presence of 3 services and facilities: namely a shop, a school and a reasonable public transport service. Table 1 following policy CS10 of the Draft Core Strategy made clear that upgrading of sewerage treatment facilities in Slingsby will be required. The Council will also seek to ensure that flood risk (including from surface water) is taken into account when seeking to allocate development sites. The upgrading of existing electricity and telephone infrastructure is a matter for the relevant utility companies. Mobile phone signal is not something which has been taken into account as part of the designation of a service village as fixed phone lines are available and different mobile operators have different coverage. There is a program for the maintenance of existing footpaths by NYCC, and this is largely covered by their revenue funding.

### **General Comments - Highway Infrastructure**

- 6.17 Whilst most of the responses regarding highways focussed on Malton and Norton, some general comments and concerns were made regarding highways. These were that the Council needs to be realistic about transport infrastructure by ensuring they're necessary and deliverable and not speculative, stopping rural roads becoming 'rat-runs' (including HGVs damaging minor roads), and that reference to junction improvements at Vivis Lane, Pickering should be deleted.
- 6.18 The Council's general approach to accommodating development is to ensure that the strategy is deliverable and also flexible should circumstances change. This includes the approach to highway improvements. The Strategic Transport Assessment for Malton and Norton (STA) demonstrates that the levels of development proposed can be accommodated with improvements to internal junctions in the towns without the requirement for further major strategic improvements after Brambling Fields. The Council, together with NYCC and the Highways Agency have committed funding to the Brambling Fields improvement which is expected to be delivered in 2011. Therefore the Council's approach to highway improvements is considered to be realistic. This is covered in further detail below. NYCC is the highway authority in North Yorkshire. They have the powers to investigate whether HGV bans are appropriate. They also encourage appropriate road users to travel on rural roads through the use of signage and information provided to Satellite Navigation companies. On a strategic basis they need to ensure that the highway network, particularly A roads, are efficiently managed, by minimising congestion so that heavy traffic does not divert onto smaller rural roads. Where there are specific cases where inappropriate use of rural roads by HGVs are taking place, these should be reported to NYCC Highways. Reference to Junction improvements at Vivis Lane, Pickering has been amended but not deleted. This is due to the fact that Lidl GMBH will be upgrading the traffic lights at that junction to a MOVA system to improve capacity as part of the planning consent granted. Work is likely to take place late 2011/ early 2012.

### **A64**

- 6.19 The A64 due to its important role in connecting Ryedale to the west and east attracted many comments. Some of these focussed on the proposed Brambling Fields junction improvement and associated complementary measures which are covered below. A number of more general comments related to the A64 were made on various subjects. These included that improvements to the A64 were needed, that there appeared to be no commitment to press national Government for improvements to the A64 for facilitating development in Malton and Norton, and the needs for improvements to the A64 at Rillington and Sherburn. The Council recognises that improvements to the A64 are needed and has lobbied for these over many years together with NYCC and neighbouring authorities. A number of studies have been commissioned to investigate the feasibility of various improvements. Most recently the A64 Corridor Study led by NYCC and supported by a number of partners has looked into a

number of options ranging from partial dualling to traffic management measures. Also the STA investigated a desktop costing of a Grade Separated Junction between the A64 and the B1257 at Broughton Road, Malton. The A64 is a national trunk road and as such is managed by the Highways Agency (HA) which is part of the Department for Transport. All other roads in Ryedale are managed by NYCC. Funding at the HA is prioritised on motorways which are part of the Strategic Road Network. Funding for improvements to trunk roads such as the A64 is therefore very limited. The A64 Corridor Study recognises this and analyses the potential for targeted improvements including the use of developer contributions towards these improvements. However even limited improvements attract a significant cost and the viability of development is a key factor. This is covered further below.

- 6.20 The Highways Agency also made comments based on their standard approach to the operation of their network. This relates to having concerns if any development would have an adverse impact on the A64. They also requested that the operational statement set out in their consultation response be included in either the LDF or the evidence base. The Council have liaised with the HA throughout this process and to ensure that any impact on the A64 is taken into account and minimised. The STA provides key evidence to support this. Further information on more specific HA comments are set out below. The operational statement is part of the Evidence Base for the Ryedale Plan as responses to development plan consultations are an integral part of the evidence base.

#### **'Brambling Fields' A64/Scarborough Road junction and Malton and Norton 'Complementary Measures'**

- 6.21 A significant number of comments were received which directly or indirectly concerned the A64 junction improvement at Brambling Fields, Norton, which involves building the final slip road to enable this junction to be full movement. This allows cars from York to turn onto Scarborough Road at this junction and vice versa, reducing the need for through traffic to congest the town centres. To ensure that the implementation of Brambling Fields is successful in needs to be undertaken in tandem with town centre 'complementary measures'. Views were expressed that the Brambling Fields improvement would not answer all the traffic problems for Malton and Norton, and that it seemed to be the only improvement suggested for Malton and Norton. Suggestions were made that further improvements should take place such as a new A64 GSJ at the cross section with Broughton Road, Malton, and a Beverley Road-Scarborough Road link road. Also suggested to alleviate existing congestion problems at Welham Road, Norton and other junctions in Norton was a complete southern link road around Norton including a link between York Road and Welham Road. One respondent suggested that land should be safeguarded around a potential A64/ Broughton Road, Malton junction.
- 6.22 The Council is aware that the Brambling Fields improvement will not solve all Malton and Norton's traffic problems. The Malton and Norton Traffic Management Strategy (TMS) in 2005 identified 5 strategic transport improvements and this was most supported by consultation. Following traffic modelling it demonstrates the most benefit in terms of reducing town centre congestion versus the cost of undertaking the improvement. The STA also demonstrates that this improvement is essential to accommodate the proposed levels of development in Malton and Norton set out in the Ryedale Plan. In 2010 the area around Butcher Corner junction (junction of Castlegate, Wheelgate, Old Maltongate and Yorkersgate) was declared an Air Quality Management Area (AQMA), one of three in North Yorkshire, due to the high level presence of NOx particulates. The Council is preparing an Air Quality Action Plan which set out what actions need to be taken to reduce this – a key part of this is the Brambling Fields improvement which will help to reduce congestion at this key junction (including taking reducing the number of HGVs travelling through this junction). Funding has now been secured predominantly from this Council and NYCC with some funding from HA. This front funding will be clawed back by developer contributions. It is

therefore a deliverable and viable scheme and work is due to commence on-site in January 2012.

- 6.23 Whilst this will be the only strategic improvement proposed to take place in Malton and Norton within this plan period, a number of other improvements to the internal junctions will need to take place. These are set out in the STA. The other strategic improvements suggested such as a new GSJ with the A64 at Broughton Road, a Beverley Road-Scarborough Road link and a York Road-Welham road link would indeed provide benefit. However there is no funding available for the construction of new link roads. The only way these improvements could take place is as part of the development of major extensions. Both the land around Beverley Road-Scarborough Road and Welham Road-York Road have been put forward as major sites through the LDF. Given their scale, these sites would constitute 'strategic sites' and would need to be identified in the Core Strategy if chosen. The Council took the decision not to rely on these strategic sites for a range of reasons including that they had not been shown to be deliverable. The link roads are estimated to be around £25-25m alone. It is also important to note that the scales of development involved in these sites would mean that the benefit of the improvement would be largely taken up by the development required to deliver it. The GSJ at Broughton Road has been estimated at £13-16m. This again does deliver benefit, but again would need to be funded privately. The HA also have a presumption against new accesses onto trunks roads. The costs involved would mean that trying to seek contributions for this improvement from new development, would render it unviable. Given this situation it is not possible to 'safeguard' this area and it should be noted that there are other potential areas where a new access with the A64 could theoretically be created. It should also be noted that the STA demonstrates that additional strategic improvements, beyond that of Brambling Fields, are not required in this plan period. However the STA recognises that in the next plan period (beyond 2026), a further strategic improvement will need to take place to accommodate future development in Malton and Norton, which is reflected in the Strategy. As set out above there are a number of schemes which could be undertaken to achieve this.
- 6.24 As part of the consultation, the HA also requested further information about the proposed Brambling Fields junction to demonstrate that it can accommodate future development proposed in the Core Strategy. As part of the work on the design of the Brambling Fields improvement, consultants WSP who are undertaking this work, carried out highway modelling of the proposed junction based on the information from the STA and therefore taking into account future traffic arising from new development. Following this request, the Council has sent a copy of the STA and the WSP modelling work to the HA. They have confirmed that this is satisfactory.
- 6.25 As set out above, the findings of the STA are predicated on both the Brambling Fields improvement and some associated town centre 'complementary measures being in place. North Yorkshire County Council originally has devised a set of complementary measures which closed Norton Road to traffic. However following stakeholder consultation, a different option has now been chosen which comprises the following:
- Castlegate approach to Butcher Corner reduced to a single lane;
  - One way entry along Norton Road until Asda Local;
  - Traffic calming along Norton Road;
  - Extra pedestrian phase on Butcher Corner traffic lights; and
  - Partial HGV ban at County Bridge.
- 6.26 As these had changed, an addendum to the STA was produced which considered the impact of these measures. The purpose of the complementary measures is to encourage road users to utilise the improvements to the Brambling Fields junction which will be full

movement. They will only be implemented after the Brambling Fields junction improvement has been completed.

- 6.27 A small number of concerns were raised over the nature of these complementary measures and in particular the proposed one way system for Norton Road. Other concerns related to additional congestion being caused, particularly on the Castlegate arm of the Butcher Corner junction at peak times due to the loss of the right turning lane and the additional pedestrian phase.
- 6.28 NYCC have extensively investigated the potential options for these complementary measures and have found that this is the most appropriate option set against the only alternative which is full closure of Norton Road to through traffic. Whilst it is true that these measures will slow traffic down which is travelling through Malton and Norton, it is necessary to persuade road users who are not directly visiting the centres of Malton and Norton to utilise the A64. This is particularly the case for HGVs. Concerns about the congestion caused are based on current traffic volumes and it should be noted that with the Brambling Fields junction improvement in place, less through traffic will need to travel through the centre. NYCC have agreed to monitor traffic levels once Brambling Fields is in place for 6 months prior to the implementation of any complementary measures. This will enable an assessment of the actual impact of the improvement on traffic levels and identify the need for which elements of the complementary measure should be implemented.

### **Other modes of transport**

- 6.29 A concern was raised that no specific proposals were set out to encourage people to walk or cycle in this policy and that more development will worsen this situation. Another respondent said that the Council should encourage more cycling into towns. The Council does support the use of non-car modes to travel and Policy CS10 in the 2010 Draft Core Strategy did refer to the need to provide a network of safe cycling and walking routes which link residential and employment areas, and for new development to link in to these networks where possible. This reference is now contained within Policy SP10.
- 6.30 It should also be noted that the Spatial Strategy aims to focus development in more sustainable locations. In addition, both the accessibility and ability of a site to make links to existing cycle/walking networks is something which will be considered through the site selection process for the Sites Document and Helmsley Plan.

### **Developer Contributions**

- 6.31 Significant comments were made by the development industry relating to the collection of developer contributions to fund the infrastructure identified in Table 1 following Policy CS10. Concerns were particularly raised around viability and included that the Council should adopt a flexible approach with regular monitoring undertaken to ensure that housing delivery was not adversely affected. Other concerns were that Table 1 should not be seen as a 'shopping list' of items to request as developers may not be able to contribute to the full list, that the test of Circular 5/05 should be applied, that not all development should contribute and that the level of contribution should be negotiated through planning applications.
- 6.32 The Council is fully aware of the issues relating to viability, having had a number of Housing Market Partnership meetings with developers in the preparation of the Strategic Housing Market Assessment (SHMA) and the Strategic Housing Land Availability Assessment (SHLAA) and noted the concerns raised. The Affordable Housing Viability Study looked at a range of likely factors and contribution levels which have an effect on development viability, to arrive at a realistic affordable housing target. The Council will also, in tandem with the preparation of the Sites Document and Helmsley Plan, produce a Community Infrastructure

Levy (CIL) Charging Schedule which is a tariff based approach to pooling contributions to various forms of infrastructure. As part of this work a detailed viability assessment will be undertaken and this will ensure that sites allocated will be viable and deliverable. The CIL tariff will also have differential rates for different development uses. For on-site contributions, planning obligations will be entered into, such as for affordable housing and open space. Clearly some obligations such as affordable housing are based on a target and negotiation is possible on a case by case basis. However this will be on the basis of open-book approach to the site viability assessment. This issues is now reflected in the amended Developer Contributions policy.

- 6.33 Some respondents were concerned that developer contributions would not be sufficient to provide the necessary infrastructure required and that reliance on developer contributions for this level of infrastructure might make development unviable. A particular concern was whether there would be sufficient funds to deliver new schools and if there was a shortfall, this needed to be identified now. The level of infrastructure required was a key component in the setting out of the level and distribution of development in the 2010 Draft Ryedale Plan. For example the Council did not include strategic sites in the Core Strategy on the basis that there was not sufficient information to prove they were deliverable and due to the significant infrastructure costs. Adopting a 'patchwork' approach to the pattern of sites coming forward will there have a lower impact on infrastructure provision. The IDP sets out the costs of the various forms of development and work on the CIL charging schedule and Sites Document and Helmsley Plan will ensure that sufficient contributions are generated from development to deliver the associated infrastructure. The Council is closely liaising with NYCC as the Local Education Authority to assess when the extensions to classrooms and new schools are required. It is likely that these will be on a phased basis, enabling sufficient contributions to be collected before they are required to be delivered.
- 6.34 A request was made for clarification on how developer contributions will be sought for major highway improvements in Malton and Norton as they considered that the policy and text set out in Policy CS10 to be unclear. Also related to The HA identified that if any proposals have safety or capacity impacts after Travel Planning measures, then developer contributions would be required and that they could act as the 'ringmaster' where these contributions need to be pooled. The supporting text to Policy CS10 (now SP10) has been amended to ensure that it is clear that developer contributions will be sought through a combination of CIL tariff through the preparation of a CIL Charging Schedule in tandem with the Sites Document and Helmsley Plan and planning obligations secured in line with the Developer Contributions policy (now Policy SP21. The comment of the HA are noted.
- 6.35 Other detailed comments specifically relating to developer contributions are set out in the response to Policy CS18 of the 2010 Draft Ryedale Plan later in this document.

### **Wider Points**

- 6.36 A number of more general comments were received on this subject. Some were more related to the process of site selection as part of the preparation of the Site Document and Helmsley Plan. These included that development in Pickering will be further away from the centre thus increasing car use and causing congestion, new housing estates undermine the essence of Market Towns, have an adverse impact on the local tourist economy and will increase the likelihood of flooding as the population increases. Another respondent suggested that the Council need to support the provision of open space and green corridors from new development. The level and distribution of development set out in the Ryedale Plan has been carefully considered and is not intended to fundamentally alter the nature of Ryedale's settlements. At a strategic level there are policies on flood risk, design and highways in the Draft Ryedale Plan to guide more detailed allocations. However these

issues are detailed matters which will be addressed through the site selection process in the Sites Document and Helmsley Plan.

- 6.37 A limited number of comments related to the need to protect or preserve former railway lines and in particular Beverley to York and Rillington to Pickering for potential future opening. The Council acknowledges the value of some of these former railway lines for recreational use and for potential re-opening, particularly in the case of the Hull-York route. Reference has been added to Policy CS10 (now SP10) to encourage their reuse in this way.
- 6.38 Another respondent commented on the need to respond to need for specialist housing, especially for those with dementia. This Council recognises the various housing needs, including that for dementia and this issue is addressed in Chapter 4.

### **Evidence Base**

- 6.39 Concerns relating to the evidence base for this Policy, principally involved the STA. Key concerns were the methodology and in particular the inclusion of the baseline (Group 1) of sites, the choice of unrealistic sites and suggested inaccuracies. As these comments were of a detailed nature and concerned a technical document, a detailed response has been made.
- 6.40 A respondent suggested the need to drastically reduce through traffic around Malton Town Centre and that extra traffic means that a 2<sup>nd</sup> rail/river crossing should be prioritised. There was concern that a longer term vision was not being considered such as the consideration of additional scenarios which include 1) a link road between Welham Road and Langton Road as part of the proposed development 2) modelling of the link between Welham Road/ Langton Road development in conjunction with the Woolgrowers development, 3) a complete road link to the south of Norton including Beverley Road/ Scarborough Road link to 1) and 2) above. The respondent considers that these additional scenarios are needed to inform a long term vision for Malton and Norton before decisions are taken on land allocations. They considered that this is realistically the only solution to solve the towns' traffic problems though it is necessary to make the Woolgrowers site and associated river/rail crossing viable. The respondent also accepted that it may not be possible to deliver a river/rail crossing and road links to south of Norton over the next 15 years but needs to be looked at now to develop vision for the future.
- 6.41 The Council recognises that there are issues of traffic congestion in Malton and Norton. The Malton and Norton Strategic Transport Assessment (STA) was commissioned to investigate in broad terms the impact of potential new development on the highway network. In particular it evidences that the amount of development proposed in the draft Core Strategy can be accommodated without an unacceptable impact on the highway network. There are a number of choices over how the pattern of development is made in Malton and Norton, principally through the selection of sites. The plan period of the Ryedale Plan is 15 years. Whilst the Council does not wish to prejudice the long term future development of the District (i.e. beyond 15 years ahead), it must focus on the plan period and show that any proposals for development are deliverable.
- 6.42 Scenarios were created on the basis of sites submitted as they represented a realistic chance of potentially coming forward as landowners or developers on their behalf wish their site to be considered for development. Two of the sites submitted – the expanded Woolgrowers site and the Norton East site – explicitly involve new link roads which are proposed as part of their development. (which involves a new river and rail crossing over the River Derwent) and hence this is why these links roads were specifically modelled. No further scenarios of land south of Norton were modelled as the land has not been put forward and therefore no additional links were explicitly proposed.

- 6.43 The Council emphasises that the purpose of the STA was at a strategic level to support the level of proposed development in Malton and Norton. It will be the Sites Document that allocates specific sites for development in Malton and Norton. As part of that process detailed traffic modelling of individual sites will need to be carried out to determine their impact on the highway network. Any strategic link roads that are proposed as part of a sites development will be modelled at this stage.
- 6.44 Malton Town Council expressed concern at the list of Group 1 baseline sites which are meant to represent “development sites which have been given permission and are therefore committed or allocated, and are likely to be developed first”. They considered that bringing together this list of sites as a baseline for the assessment is wholly unrealistic, and some of the sites do not meet the criteria set out for inclusion within Group 1, such as the Wentworth Street site and Eden Road. They consider that it is unrealistic to assume that all Group 1 site will proceed to development. As such, they contend that the report signally fails to advise upon the impact of the more likely and realistic scenarios. Malton Town Council also consider that there are further examples of inaccuracy, such as errors in the links between the number of dwellings and related vehicles, and in differentiation between brownfield and greenfield sites.
- 6.45 The STA is a strategic document and looks at highway capacity in broad terms. Whilst it is based on actual sites put forward through the Ryedale Plan, it was necessary to group sites together to achieve this overview. The 9 scenarios based on the 5 groups of sites in STA, gradually build up levels of development to test the impact of these on the highway network. The STA shows that the level of development proposed for Malton and Norton in the Draft Core Strategy, can be accommodated without an unacceptable impact on the highway network. Whilst the STA gives an indication of the options available to where this development can be accommodated, it will be the pattern of sites which will be individually modelled as part of work on the Sites Document and Helmley Plan. The Group 1 sites are made up sites which are brownfield or are have sought planning permission, or where considered through the Malton Town Centre Strategy or Malton and Norton River/Rail Corridor Study. Wentworth Street car park was included as it was considered under the MTCS and the Edenhouse Road site was included as planning permission had been sought. Officers in liaison with the consultants undertaking the study believed this to be the most pragmatic approach in identifying sites more likely to come forward in the short term. Clearly not all sites will come forward, however the study is only a broad based assessment. The quote made from the STA relates to a draft version that was issued in February 2010. That sentence no longer is in the final report dated June 2010. Whilst comparative tables have been produced which show the difference between Scenario 1 and later Scenarios, the absolute (and not relative) congestion figures (known as Ratio of Flow to Capacity or RFCs) were considered by North Yorkshire County Council in their assessment of the findings of the STA. Therefore the report considers the impact of all 9 scenarios in broad terms.
- 6.46 These suggested inaccuracies were actually typographical errors and omissions made by the consultants in the draft February 2010 document. These were highlighted at the briefing by Ryedale District Council officers to members of the Malton and Norton Town Councils in March 2010. This was subsequently changed in the June 2010 version.

## **Draft Policy CS10 (now Policy SP11) –Community Facilities**

6.47 Community Facilities were previously covered in Policy CS10 of the 2010 Draft Core Strategy. However as set out above, this policy was split and the Community Facilities element is now in Policy SP11 of the 2012 Publication Draft. Therefore policy SP11 refers to the provision of new community facilities in tandem with new development and the protection of community facilities which contribute to the vitality and character of Ryedale's towns and villages from being lost. The main changes to the Policy are:

- Separation of Community Facilities and Physical Infrastructure into two policies (Policy SP10 – Physical Infrastructure and Policy SP11 – Community Facilities)
- Clarification on the mechanism for developer contributions towards community facilities
- Setting the threshold for on-site provision of open space and reference to open space standards together with accompanying local open space standards table
- Widening the definition of community facilities to encompass the value to a community

### **2010 consultation**

#### **General Responses**

- 6.48 The 2010 consultation on this element of the original CS10 policy received only a limited response. Against those who supported this policy and chapter, the responses were:
- 6.49 A respondent suggested that the Council should define community facilities, and the definition should mention arts activities including cultural venues and cinemas. The Council considers that to precisely define Community Facilities would undermine the breadth and range of existing community facilities. However reference to community facilities has been amended to suggest that it is the value that a community attaches to a service, building or other function which defines whether something is a community facility or not.
- 6.50 Another respondent commented that the Council should allow the development of redundant community and leisure facilities if a replacement can be found. Policy CS10 (now Policy SP11) does make provision for the redevelopment of a community facility if a suitable relocation can be found. No amendment is therefore proposed.



## **7 Responses to Section 7: Environment**

- 7.1 The environment section of the plan has been amended to incorporate two additional policies, one covering Design and another which relates to the management of resources. These changes are in addition to a number of amendments which have been made to the draft policies to improve/ clarify the approach and in response to comments received.

### **2010 Consultation**

- 7.2 One general comment which was made in respect of this section in the 2010 consultation relates to the running order of policies. A point has been made that the Climate change policy should precede others in this section. The plan - the sections within it and the policies within sections are not ordered in terms of priority and it is considered appropriate that this should remain the case. The introductory text to this section, together with issues and challenges at the front of the document (which has been expanded upon as the Plan has been revised) make it clear that climate change is one of the most significant challenges facing the District.
- 7.3 A general comment has been made that land management issues are inadequate. The plan is a spatial plan and it is appropriate that it makes references to land management as another key element which will influence the way in which places change; to illustrate how objectives and aspirations for a place are aligned and co-ordinated through joint working. In itself however, the Plan cannot establish land management policies or controls which are outside of the planning system.
- 7.4 The Council does not intend to prepare further detailed DPD's covering environmental policies. Supplementary Planning Documents will be prepared where they can provide further information and guidance on the implementation of strategic policies.
- 7.5 The Council has liaised with North Yorkshire County Council regarding waste management issues and how these are reflected in the Ryedale Plan. The need for one waste transfer station in the District, consistent with NYCC's approach is reflected in Section 6 of the Plan.

### **Historic Environment**

- 7.6 The 2010 consultation was the first time that a detailed policy had been prepared for consultation.
- 7.7 One of the key changes to this policy has been the removal of previous criteria which explicitly related to design issues and the historic environment. These are now included in a new stand alone design policy. A section has been included in the revised policy making reference to the use of the national enabling development policy. This follows specific consultation on the issue of addressing conservation deficit which formed part of the 2010 consultation and the Council's subsequent decision in February 2011 that this is best achieved/established in principle through the use of the national policy.

### **2010 Consultation**

- 7.8 It is considered that the draft policy was generally well received. Amendments have been made to the implementation table to enhance references to involving the community in the identification of locally important historic elements. The supporting text to the policy has also been amended to include reference to the use of Conservation Area Appraisals to inform the decision making process and further text to clarify the consideration of enabling development proposals.

- 7.9 Taken as a whole, it is considered that the plan does set out a positive and proactive strategy for the conservation and enjoyment of the historic environment as required by national policy and does recognise the wider benefits of heritage conservation.
- 7.11 Comments have been made that a number of Estates experience a conservation deficit. Supporting text acknowledges that other Estates may need to use enabling development and the document as a whole acknowledges the important role local estates have in managing the landscape and historic assets. Specific reference to Castle Howard is included in the text as to date, this is the only Estate to the knowledge of the Council which has prepared a detailed Conservation Management Plan, detailing the scale, nature and cost of the repair works required to secure the future of its significant heritage assets. Estate Management Plans are prepared by individual Estates rather than the District Council. The Council will contribute to the preparation of management plans if it is invited to do so. Read as a whole, it is considered that the document does recognise the role and contribution of Estates in Ryedale.
- 7.12 The new design policy contains specific criteria in respect of Visually Important Undeveloped Areas. Existing VIUA's will be reviewed as part of the Sites Document.
- 7.13 It is considered that the design and the historic environment section which formed part of the draft policy is clear that it relates to new development. The criteria are written to reflect the fact that Ryedale's settlements have a historic context which will need to inform many development proposals, not just those which related to development affecting designated historic assets and their settings.
- 7.14 It is not the role of this individual policy to prescribe the extent to which the Towns will grow or the way in which they will grow. The policy aims to ensure that historic character and landscape character are important considerations in this process and on this basis, it is considered that the policy is as sufficiently clear as it needs to be. The Sites Document will take full account of the historic character of the towns and their settings in the landscape as part of the process for identifying future development sites.
- 7.15 The District Council is currently working with Slingsby Parish Council in the production of a Village Design Statement which will identify the elements of village which are valued by local residents. It is understood that the aspiration is for the document to be produced as a Supplementary Planning Document, so that it will have weight in the decision making process.
- 7.16 The draft policy is designed to ensure heritage assets are conserved and enhanced. It is not role of this particular policy to articulate all of the broader social or economic heritage of areas of the District. The plan does however, recognise the significance of racing to Malton and Norton.
- 7.17 The District Council is not in a position to manage heritage assets which it does not own and unfortunately, in this respect, it would be unable to adopt and maintain the naval shell relic between Aislaby and Middleton.
- 7.18 Changes have been made to the implementation table supporting this policy to reflect a number of comments made. The Plan can only make reference to bodies which currently exist and to reflect current activity. Clearly, if roles and responsibilities change significantly over the plan period the Council could produce an informative to sit alongside the Plan to provide clarity.

## **Landscapes**

- 7.19 The 2010 consultation was the first time that a detailed policy had been prepared for consultation. The 2010 consultation was used to consult on the use of a character based approach to landscape protection which did not include reference to the continued use of the local landscape designations – the Areas of High landscape Value. Following consultation and in response to the emerging National Planning Policy Framework, it is considered that the AHLV designations should be retained and taken forward in the Ryedale Plan.

### **2010 Consultation**

- 7.20 The proposed use of a character based approach (as opposed to the continued use of local landscape designations) received wide support as part of the consultation from a range of landowners as well as Natural England. Subsequently however, the Council has considered how effective such an approach could be in terms of accommodating some pressure for change in the landscape. A character based approach would not assist in informing more strategic decisions relating to the location of some forms of development, which by their very nature are less easily accommodated into the landscape. Some forms of renewable energy generation provide a good example.
- 7.21 High quality landscapes are an important and integral part of the character of Ryedale. It is vital that any policy approach is sufficiently robust to ensure that landscape character and quality is not eroded. For these reasons, whilst a character based approach would be sufficient to inform decisions on the majority of proposals for development in Ryedale, it is unlikely to represent the most appropriate approach to deal with some drivers of change in the landscape. Retaining the two Areas of High Landscape Value will help to ensure that appropriate strategic decision/ choices are made in respect of those types of development which are less easily accommodated in the landscape.
- 7.22 This is considered consistent with the emphasis placed on the use of designations (as opposed to a character based approach) in emerging national policy. The retention of the AHLV designation would also align with the policy approach progressed by the East Riding of Yorkshire Council.
- 7.23 In the context of the role of the policy, use of the word ‘encourage’ in the first sentence is not considered inappropriate.
- 7.24 A detailed amendment to the policy to include reference to exposure/ enclosure is included.
- 7.25 It is considered that the policy tests in relation to the AONB are consistent with national policy and as drafted is an appropriate framework to consider development proposals in the AONB.
- 7.26 The policy will form part of any consideration of Enabling Development proposals made by the Castle Howard Estate or any other landowner/ developer.
- 7.27 The Core Diagram provides an indicative map of landscapes in Ryedale. The adopted Proposals Map includes the detailed boundaries of landscape designations. It is not the intention of the Plan/ policy to infer that landscape impact outside of identified areas is not a consideration. Read as a whole the policy and its use in conjunction with the generic development management policy, aim to ensure that landscape character informs the decision making process and this would include consideration of the impact of proposals on the landscape. The policy as written only serves to highlight that specific policy tests will be applied to proposals affecting nationally protected landscapes.

- 7.28 The amended implementation table includes reference to the North Yorkshire and York landscape Characterisation project as part of the evidence base and the CPRE's Tranquillity Maps.
- 7.29 It is considered that the detailed points made in relation to River Corridors would be best addressed through the implementation of policies in the Plan and wider strategies.

## **Draft Policy CS13: Biodiversity**

- 7.30 The 2010 consultation was the first time that a detailed policy had been prepared for consultation.

### **2010 Consultation**

- 7.31 The draft policy has been relatively well received, particularly by key organisations working in this field. A limited number of comments have been received which seek some amendments to the draft text.
- 7.32 The draft policy has been amended to incorporate references to the Priority Landscape – Scale project areas which the Yorkshire and Humber Biodiversity Steering Group and Delivery Plan identify as being the focus for investment in biodiversity protection and enhancement. This will help ensure activity contributes to the objectives and targets of these documents.
- 7.33 References to the Yorkshire and Humber Biodiversity Strategy and Delivery Plans have been included in the implementation table, together with a reference to the North East Yorkshire Ecological Records Centre. Minor changes to the implementation table have also been made to include references to other relevant strategies.
- 7.34 Habitat creation targets are included in wider documents/ strategies which are referenced in the Core Strategy. The Core Strategy itself does not need to repeat these targets at length.
- 7.35 Protected / designated sites are included on the adopted Proposals Map where these are within or close to settlements covered by inset maps. The Proposals Map is saved and the information will be included on subsequent updates to the map. The current Local Plan contains an appendix of more detailed information relating to designated nature conservation sites and scheduled ancient monuments. This is factual information which the Local Planning Authority will compile and reproduce as a document for information.
- 7.36 A number of comments have been made expressing concerns about the conservation / biodiversity value of specific sites. This will be fully explored and considered through the sites selection process for the Sites Document.
- 7.37 The District Council and other relevant agencies provide a range of information to landowners and developers which relates to statutory obligations and other considerations. This is reinforced by a part-time Countryside Officer employed by the District Council.
- 7.38 The Core Strategy makes reference to the role/ relationship with the Howardian Hills AONB. The AONB Management Plan recognises the importance of ancient woodlands and includes objectives to restore ancient woodland and planted ancient woodland sites but notes that this could be more easily achieved through more appropriate national grant incentives.
- 7.39 The policy makes reference to the need to protect, create and enhance ecological networks. This would include wildlife corridors. The policy does not attempt to define those habitats and features which form important corridors/ networks but river corridors would be covered by this element of the policy.
- 7.40 The policy does not prescribe the limits of buffer zones for habitat / sites. The policy is designed to consider the effect of proposals on a biodiversity resource, either indirect or direct. In considering proposals for development therefore, the nature of the proposal, together with the effect of the proposal form the key considerations and in this respect there

can be no 'prescribed' policy buffer zone. It is considered that if the policy were to prescribe buffer zones, this would not be sufficiently robust in identifying the effects of some proposals.

- 7.41 Similarly, in creating habitat and enhancing networks, the need to include buffer zones will be addressed. It is considered however, that rather than prescribe a specific buffer area, that this should be something which is a function of opportunity to incorporate this within a scheme together with the nature/ type of habitat/ network that any enhancement is contributing to. The Council's Countryside Officer would be closely involved in any scheme which provides an opportunity to improve links between habitats and ecological networks to ensure that suitable schemes can be designed.
- 7.42 The policy makes provision for encouraging the use of native species in landscaping schemes. The point has been raised that this should be a stronger policy requirement rather than something which would be encouraged. It is considered that the policy as drafted remains appropriate and includes the necessary flexibility required to agree formal landscaping schemes in specific contexts which can often involve non-native species or to reflect the increasing need to adapt climate change.
- 7.43 The tests included within the policy reflect the wording of national policy. It is considered that seeking a net gain in biodiversity is reflective of national policy which aims to ensure that planning decisions maintain and enhance biodiversity.
- 7.44 A commitment to the absolute protection of irreplaceable semi- natural habitat including ancient woodland is considered beyond the scope of national policy. The policy as drafted reflects the approach in national policy which would, in terms of planning control, ensure that very strict tests are applied to any proposal which would result in the loss of ancient woodland.
- 7.45 The Plan does not seek to describe at length the value of individual habitat, species and features. The protection of Historic Parks and Gardens under the Heritage policy, together with the Biodiversity policy will ensure that ancient trees in a Historic Park or garden are afforded protection via this Plan.
- 7.46 The implementation table includes a reference to the District Council's veteran tree recording project which is a reflection of the District Council and its partners commitment to the recording of ancient/ veteran trees.

## **Draft Policy CS14: Green Infrastructure**

- 7.47 The Plan does not attempt to provide a Green Infrastructure (GI) Strategy for Ryedale. The policy is designed to provide a framework for the improvement and protection of Green Infrastructure which will support a GI strategy as it is developed for Ryedale. GI networks will be mapped as the strategy is compiled. In response to comments received the policy has been substantively redrafted to provide an indication of the different scales of GI, the components of GI and the ways in which GI will be protected, enhanced and created. It is considered that accessibility targets for woodland should be taken forward through the GI strategy. The Council appreciates that the need for GI is as great in rural areas as in urban areas.
- 7.48 Existing VIUA's are saved policies which are referenced in this Plan under the new design policy. The Sites Document will review these and will be the way in which additional VIUA's are identified/ designated.
- 7.49 The Council will consider the range of ways in which brownfield sites can be brought back into use. 'Greening' sites and supporting their amenity reuse can be something which is negotiated with landowners as part of wider applications for development. It is unlikely that the Council will be in a position to acquire sites from landowners in order that they are put to amenity use in their entirety.

## **Draft Policy CS15: Responding to Climate Change**

- 7.50 The 2010 consultation was the first time that a detailed policy had been prepared for consultation.

### **2010 Consultation**

- 7.51 Draft Policy CS15 received significant support from respondents. Key areas of comment and concern are set out below:

### **Structure of the policy**

- 7.52 The CPRE Branch advised that the climate change policy and its justification might benefit from re-ordering so as to be clearer about the nature of the policy and the issues tackled. The structure of the policy has been substantially amended so as to better illustrate the climate change challenges upfront. The remainder of the policy and supporting text is about which climate change challenges are most pertinent in Ryedale and how the policy can seek to address them.
- 7.53 The CPRE also advised that the supporting text should divide climate change adaptation and mitigation into sub-sections. The supporting text has been amended to highlight the difference between climate change adaptation and mitigation.

### **Carbon Emissions**

- 7.54 Some consultees raise the issue that the Government's targets for zero carbon are changing and that the core strategy is out of step with the latest announcements. The revisions to the policy reflect the latest announcements from the Coalition Government. However, there is a balance to be struck between pre-empting national policy that is not yet available e.g. the National Planning Framework and the Localism Act, and the signals provided by the new Government. Fundamentally, much of the strategic policy approach has not changed and it will be the detailed implementation of CS15 (now SP18), e.g. on-site renewables and achieving installed capacity targets, that remain open to question. The policy need to be up to date and endure for as much of the plan period as possible but also must be sufficient flexibility to account for changing circumstances.
- 7.55 The CPRE note that Ryedale should have a target for emissions reduction. This suggestion is supported. A study using Vantage Point modelling is currently underway across all local authorities in the region. This will provide Ryedale with a baseline and future potential emissions scenarios. The results of this study will be fed into the Core Strategy and form the basis of a target for emissions reductions.

### **Energy**

- 7.56 As an area of the Country with both a large renewable energy resource and high quality environment it is clear that a more detailed policy framework must be developed to set out the Council's role in meeting national carbon reduction targets. The Ryedale Plan will provide a strategic message on the potential of the District to play its part in generating and saving energy in order to cut carbon emissions. The potential of the District should be seen as a range of products rather than a focus on just one. To that end, large and small scale wind, biomass, hydro and micro-generation will all play a part in generating renewable and low carbon heat and energy. New and existing development will play its part in reducing energy use and becoming more efficient.



- 7.57 Opportunities for large-scale energy generation are limited in Ryedale because of its high quality landscape, historic environment and biodiversity, but there is still some potential. In order to provide energy generation and CO2 reduction, and maximise the economic, social and environmental benefits that this will bring, some wind farm development will be supported and the utilisation of the large biomass resource will be encouraged. In addition, there will be a particular focus on the role that new development can play in generating energy.

### **Installed Renewable and Low Carbon Energy**

- 7.58 Ryedale District has the potential to generate heat and power from natural renewable sources. Relying less on energy provided by the national grid and gas networks in Ryedale will be a small but significant step in supporting the Government ambitions for the UK to decarbonise its energy and heat supplies by 2030. Policy CS15 (now SP18) also stresses that making best use of renewable and low carbon sources close to home helps improve the security of energy supplies for the long term and helps supports a low carbon economy and green jobs.
- 7.59 Some respondents objected to the Draft Core Strategy approach to installed renewable energy because they felt that a more positive and specific statement was needed including the setting of a target for different technologies in Ryedale.
- 7.60 The amended policy and its supporting text clarifies the role that Ryedale can play in delivering Government ambitions for a decarbonisation of energy supply. CS15 (now SP18) is explicit in the potential that Ryedale has alongside the strategic environmental constraints that hinder widespread deployment of its natural wind resource. While acknowledging that the National Planning Framework consultation is imminent Ryedale's approach is in line with PPS22 on Renewable Energy and the PPS1 Climate Change Supplement, which both call for a more positive approach to planning for renewable energy and a greater emphasis on deliverability.
- 7.61 The approach benefits from the publication of the recent Yorkshire and Humber Renewable and Low Carbon Energy Potential Study (2011). This was to have originally formed the evidence base of the Integrated Regional Strategy, but was amended following the revocation of regional strategies and abolition of regional planning bodies to provide a sub-regional and local strategic evidence base. Of relevance also are the Sub-Regional Energy Target Assessment Study (which fed into the targets in the Yorkshire and Humber Plan) and the North Yorkshire Renewable Energy Study.
- 7.62 The indicative local target for electricity generation in the Yorkshire and Humber Plan for Ryedale was set at 10MW for 2010 and 19MW for 2021. This was based on the Sub-Regional Energy Assessment Targets Study which was undertaken by AEA Consultants in 2006. The target in the more recent Renewable and Low Carbon Potential Study (2011) is significantly higher at 53MW up to 2026 for electricity and 141MW up to 2026 for heat. The AEA Study did not assess potential for heat.
- 7.63 Breaking down the target shows that by far the greatest identified potential is for biomass energy crops and biomass agricultural waste arisings. In order of magnitude of potential MW electricity, the potential in Ryedale is identified below (NB: consider methodology for extracting NYMNP data from this e.g. 37% of Ryedale District is NYMNP so use only 63% of figures; excluding wind and micro-generation):

- 7.64 For heat the RLCPS (2011) also showed the importance of biomass for Ryedale. It also showed the importance of micro-generation technologies including solar thermal and heat pumps.

### **Commercial Scale Wind**

- 7.65 Respondents called for Ryedale to take a positive and specific approach to renewable energy and identify acceptable areas for wind turbines.
- 7.66 A number of consultees noted that the policy on installed capacity should refer to significant adverse impacts on local community, economy, historic and nature conservation interests.
- 7.67 The Council wishes Ryedale to play its part in delivering a decarbonised energy supply to the national grid but in reality the authority has limited opportunity for large commercial scale wind due to landscape sensitivity.
- 7.68 The AEA study identified the potential for 10MW up to 2010 and 15MW up to 2021 which would likely be delivered in 2 small wind farms each of three 2.5MW turbines. The AEA Study noted that:

“The northern part of the district lies within the North York Moors National Park and is classified as having high and very high sensitivity to wind development. The remaining area to the south of the district is mainly classified as having high sensitivity but with a small area to the south-west classified as medium. The scope for wind development is therefore quite constrained... The overall potential for renewable generation in Ryedale is well below the average local authority potential for the region.”

- 7.69 The Land Use Consultants study “Delivering Sustainable Energy in North Yorkshire: Recommended Guidance for Developing Energy Action Plans and Strategies” looked at landscape sensitivity in more detail and supported the conclusions of the AEA study with regards to the National Park and AONB:

“...the majority of landscapes within the National Parks and AONBs are of high or medium-high sensitivity to wind energy developments. The implications of these findings are that although these areas may a high technical wind energy resource potential, such development would be inappropriate due to the sensitivity and value placed on these landscapes.”

- 7.70 The study used more landscape character areas than the AEA study and noted that there may be differences within landscape character areas of the Vale of Pickering and the Yorkshire Wolds:

“This area, covered in the AEAT 2004 sensitivity study by two landscape units, is covered by eleven landscape units in the current study. It is not surprising therefore that there is variation found in the current study. For the eastern part of the Vale of Pickering and the plateau of the Yorkshire Wolds, found to be of medium-high sensitivity in this study, the difference may be one of the numbers of sensitivity categories used. In the western part of the vale, the landscape is more open, and of larger scale, with a less distinctive relationship with the hills to north and south. The coastal areas are more settled, with more evidence of man’s activities and a busier character than the more tranquil inland areas. For these different reasons, the western part of the Vale of Pickering and the coastal area around Scarborough and Filey are considered to be of lower sensitivity than the CCI areas 26 and 27 as a whole.”

- 7.71 The more recent AECOM study took both the 2004 and 2008 studies into account in its identification of a local potential for Ryedale. This identified a potential for 10MW of commercial wind focussed on the Vale of York to the west of the District.
- 7.72 The council is also mindful of a current planning application for a significant number of turbines in the Wolds. Approximately 0.3MW have currently have planning permission and planning permission s being sought on a number of larger scale wind turbine developments. This demonstrates that there is a commercial interest in areas outside of those identified in the most recent AECOM study. It is therefore considered that a spatially specific policy which identified the Vale of York as the only appropriate area for commercial wind development would be too restrictive.
- 7.73 Rather, a positive criteria based approach which is first and foremost concerned with the impact of commercial wind development on landscape quality is proposed. This identifies that two small wind farms would be acceptable within Ryedale and accepts that these could be located in any part of the District. We also consider that the guidance prepared by LUC Delivering Renewable Energy in North Yorkshire and the ongoing landscape work being led by the County Council will provide a sufficient basis on which to take planning decisions.

### **Community Led Renewables**

- 7.74 The CPRE Branch call for a positive statement on encouraging community energy schemes and the Council agree. There have been some notable efforts within Ryedale and the North York Moors National Park to deliver more renewable energy locally. There has been an installation of wood fuel boilers at Ryedale House, Pickering Swimming Pool and new business starter units in Malton as part of a Biomass Development Service project funded by the North York Moors National Park and Howardian Hills AONB sustainable development funds, Ryedale District Council and Yorwoods. The Community Renewable Energy Project has also been very active in the North Yorks Moors National Park and delivered hydro, microgeneration and wood fuel schemes in villages.
- 7.75 The Council also consider that farm-led schemes should also be highlighted and supported.

### **Carbon Compliance – Energy Efficiency and On-site renewables**

- 7.76 Preparing and delivering policies on energy efficiency and on-site renewables has changed since the London Borough of Merton introduced the “Merton Rule” in 2003. This required new developments to generate at least 10% of their energy needs from on-site renewable energy equipment. The practice has been rolled out across the UK and Planning Policy Statement 22 included a requirement for local authorities to set their own standards. The most commonly accepted threshold is 10 homes or 1,000m<sup>2</sup> of non-residential development though this is sometimes lower. This is the type of policy that is included within the Yorkshire and Humber Plan (ENV5) and is the starting point for Ryedale's policy approach on this issue. Policy ENV5 is a starting point for Ryedale's Core Strategy policy. Additional factors that need to be considered are:
- Responses to the Summer 2010 consultation
  - The wider approach to energy in the district
  - The new Government's approach to energy planning
  - Changes to Building Regulations
  - Good practice
- 7.77 Some consultees call for the policy to be tightened. The CPRE calls for a more positive statement on renewable energy and the Ryedale Liberal Party and Scampston Parish

Council wanted a more challenging threshold for the on-site generation. The Ryedale Liberal Party wish to see the removal of the viable and feasible aspect of the policy.

- 7.78 The development industry and local landowners view the policy as unworkable and are concerned that it will lead to delays in the planning process and be onerous. They are also concerned that it will discourage development. Taylor Wimpey believe that the policy should be more flexible and that it should allow for savings from energy efficiency to make up the 10% CO2 reduction not just on-site renewables.
- 7.79 The Environment Agency is supportive of the policy but wish to see a greater focus on ground source heat pumps. English Heritage is supportive of the policy but note that the starting point should be to re-use buildings wherever possible and if it is not possible then the materials should be re-used.
- 7.80 The regional study shows that Ryedale has a wide range of opportunities, particularly for small scale technologies, but that the total generation potential is relatively constrained by the District's high quality landscape. The need to deliver CO2 reduction, along with national targets for CO2 reduction and energy generation, requires the District to maximise delivery of energy efficiency and low carbon energy generation. This will not happen without the contribution from new development and a drive to improve the energy efficiency of the existing built stock.
- 7.81 The Government is tightening building regulations, with the aim of achieving zero carbon new homes by 2016. The plan for achieving zero carbon homes is to use three strategies:
- ensure energy efficient building designs (i.e. carbon compliance),
  - reduce greenhouse gas emissions on-site (i.e. carbon compliance), and
  - mitigate remaining greenhouse gas emissions through carbon savings off-site (i.e. allowable solutions).
- 7.82 It is recommended that this approach be measured in terms of an absolute limit on the emissions of carbon dioxide (and other greenhouse gases expressed as equivalents) per square metre of internal floor space. This is measured as an amount in kilograms per square metre per year (kg CO2(eq) /m2/year).
- 7.83 Carbon Compliance was originally set at a 70% reduction in carbon dioxide emissions from on-site and directly connected sources, compared against 2006 Building Regulations. However, at a national level the building industry expressed concern that this would be too costly and would block development. In 2010 the Government commissioned the Zero Carbon Hub to review the level of Carbon Compliance and establish a stringent target to push innovation, but not to compromise the viability of new housing and the resulting delivery of actual carbon savings.
- 7.84 The Zero Carbon Hub's final report on Carbon Compliance recommends that regulated emissions be reduced for different buildings, based on calculations using an adjusted SAP 2009:
- 10 kg CO2(eq) / m2/year for detached houses
  - (equivalent to a 60% reduction in CO2 emissions)
  - 11 kg CO2(eq) / m2/year for attached houses
  - (equivalent to 56% reduction in CO2 emissions)
  - 14 kg CO2(eq) / m2/year for low rise apartment blocks, four storeys and below
  - (equivalent to 44% reduction in CO2 emissions )

- 7.85 It is expected that these targets will be achieved through Carbon Compliance measures such as energy efficiency and supply of on-site low and zero carbon energy. The remainder of regulated carbon emissions must then be reduced to 'zero' through provision of 'Allowable Solutions' (which have not yet been defined, but may include off-site renewables and community energy funds).
- 7.86 Originally, the 'Zero Carbon' target announced in 2006, was defined as including all energy demand in the dwelling, covering both regulated emissions (space heating, hot water and fixed lighting, pumps and fans) and unregulated emissions (cooking and appliances). However, in March 2011 HM Treasury issued a document entitled 'The Plan for Growth' with the Budget, which states that the 'Zero Carbon' homes target will only relate to regulated emissions. The Government notes that "To ensure that it remains viable to build new houses, the Government will hold housebuilders accountable only for those carbon dioxide emissions that are covered by Building Regulations, and will provide cost-effective means through which they can do this." This change reflects the split between energy demand influenced by the building design (regulated), and energy demand controlled by user behaviour (unregulated). It also may allow unregulated emissions (such as appliances) to be included within allowable solutions.
- 7.87 Capital cost will play a major role in the delivery of Policy CS15 (now SP18). It is difficult to reliably predict the costs of integrating renewables as these depend on many design, site and commercial factors. Costs are also likely to change over time, as will the availability of government and other grant funding e.g. the Feed in Tariff has made a major impact on the viability of technologies and the costs of solar pv have dramatically dropped in recent years.
- 7.88 Some responses raise the issue of viability and the Council must ensure that the policies in the Ryedale Plan are deliverable. The issue of viability is one which should be considered alongside the spirit of Policy CS15 (now SP18) i.e. to investigate the benefits of carbon compliance at the same time as costs and benefits of schemes at as early a stage in the development process as possible. Too often costs associated with delivering carbon compliance arise from failures in master planning and design. Economies of scale are also possible and developers should explore opportunities to link into existing or adjacent new residential development.
- 7.89 The inclusion of renewable energy in buildings usually results in running cost savings (except for biomass where the fuel must be purchased), thus offsetting the additional capital cost. However, the difficulty in using life cycle costing in assessing new buildings with renewable energy, is that most commonly the developer - who pays the construction cost - will not be the occupier of the building who pays the fuel bills. Bulk discounts may be available for some of the technologies (such as solar water heating and photovoltaics). These will need to be negotiated on an individual development basis. Mid-range costs were used to generate the cost indications in the reference tables in section 4.12. The reference tables also indicate the likely impact of renewables costs on total development (build) costs.
- 7.90 Clearly, following national consultation the concerns of industry and business have led to a less stringent approach. This can be taken as evidence that at a national level viability concerns have been at the forefront of defining "zero carbon homes". Moreover, the Zero Carbon Hub modelling shows the marginal additional cost of moving the Carbon Compliance limit (which would also apply to a planning target) by 1kg is relatively small: between £80 and £175 per dwelling using 2016 projected costs. Modelling is based on photovoltaics and, at 2010 prices, the costs range between £280 and £610. It is useful to note that the price of photovoltaic panels is anticipated to reduce significantly year on year and there are already developers able to install them at prices modelled for 2016. This is likely to have a positive impact on viability.

- 7.91 The Code for Sustainable Homes currently defines zero carbon for Code Level 6 as “where net carbon dioxide emissions resulting from all energy used in the dwelling are zero or better. This includes the energy consumed in the operation of the space heating/cooling and hot-water systems, ventilation, all internal lighting cooking and all electrical appliances. Off-site renewable contributions can only be used where these are directly supplied to the dwellings by private wire arrangement.” This definition is more stringent than the current Government thinking on zero carbon as it applies to both regulated and unregulated emissions, and only takes account of off-site low or zero carbon technologies which are directly connected to properties by private wire. Off-site allowable solutions are not accounted for. Although the aim is that all new homes will still be “zero carbon” from 2016, they will now meet only Code Level 5 rather than Level 6 of the Code for Sustainable Homes. It is therefore less misleading to use the term “low carbon” in Policy CS15 (now SP18).
- 7.92 It is understood that Building Regulations and the Code for Sustainable Homes will both be aligned to the Government’s new definition of zero carbon once this has been formally defined. A date for the revisions of these standards is not yet known. It will therefore be important for the Ryedale policy to include references to both Building Regulations and the Code for Sustainable Homes.
- 7.93 The approach taken so far by the Low Carbon Hub has been one of national prescription. Indeed it advises that there should be no local power to set a different limit for Carbon Compliance. The Government may allow local authorities under the spirit of the localism bill to set more stringent measures in their areas. The Council do not consider that there is sufficient experience of the proposed Zero Carbon approach to consider tightening further the requirements. Indeed it is recommended that the Core Strategy set out the broad framework for the approach and that SPD be used to set the appropriate levels – in accordance with national changes and emerging new Building Regulations.
- 7.94 The UK target of an 80% reduction in carbon dioxide emissions by 2050, set by the Government, still remains. Housing represents approximately one quarter of the UK’s total emissions and is expected to play a key role in meeting the national reduction target. Therefore the relaxed definition of zero carbon new homes proposed by the Government means that the existing housing stock will have to take on greater emission reductions in order to realise the national target.

### **Retrofitting**

- 7.95 The CPRE believe that the Core Strategy should have a policy directed at retrofitting existing buildings. 2008 Local Authority Carbon Dioxide figures published 16 September 2010 by DECC and show that 25% of carbon emissions in Ryedale comes from existing domestic properties. Efforts to reduce the impact of new building need to be met with similar efforts to upgrade the current stock. Upgrading the current built stock to become more energy efficient, not only cuts carbon – it can reduce the heating and electricity bills of vulnerable people, especially the elderly and those in fuel poverty. The retrofitting of existing buildings could create local jobs in the low carbon economy, ensure our existing building stock remains affordable in terms of energy use and will also make a significant contribution to carbon emission reduction targets included within the Sustainable Community Strategy.
- 7.96 Given the quality of the historic environment in the district and the high number of listed buildings and Conservation Areas as well as buildings in the AONB and other landscape areas there is scope for detailed guidance in relation to sensitively retrofitting our historic building stock and retrofitting buildings in sensitive areas. Proposals for retrofitting historic buildings should also ensure that the integrity of European wildlife sites and species (such as bats) are not compromised.

## **Ryedale's Approach**

- 7.97 The justification for an on-site renewable and low carbon energy target is drawn from the evidence prepared as part of the Yorkshire and Humber Renewable and Low Carbon Energy Study which identifies a potential for solar and heat pump technologies in association with new and existing developments.
- 7.98 The setting of a planning target that is more stringent than current building regulations is justified by the ambition of the District to play its part in delivering more renewable energy whilst retaining its high quality landscape and also by its commitment to reduce carbon emissions. It is also justified by the recent work by the Zero Carbon Hub for Government (Carbon Compliance: Setting an appropriate limit for zero carbon new homes - Findings and Recommendations, February 2011). This work indicates that the approach would be viable and feasible.
- 7.99 In setting a target two aspects need to be considered: technical feasibility and financial viability. The recent Blyth Valley decision has implications for determining the impact of requirement on viability – this stated that the Council needed to take account of current market conditions. A growing shopping list exists for developers with contributions requested for affordable housing, open space, transport improvements etc. In requesting contributions from new schemes the District Council will need to be clear on its priorities. It is unlikely that a developer will be able to meet all requirements.
- 7.111 A “low carbon” approach will be used to assess development in Ryedale as it is applicable to all stages of the energy hierarchy. Low carbon will be measured as an amount in kilograms per square metre per year (kg CO<sub>2</sub>(eq) /m<sup>2</sup>/year). The important point to note is that measuring carbon emissions saved encourages both energy efficiency AND reduced emissions through on-site energy and heat supply measures. The latter fulfils the objectives of securing a more local and sustainable supply of energy. It also goes some way towards meeting Ryedale's ambition of a 10MW generation of energy by 2026. The former is part of an approach to more sustainable development i.e. reduced carbon use.
- 7.112 Future development proposals/briefs should ensure that potential for renewable energy generation is incorporated into plans. Opportunities for CHP should also be encouraged.
- 7.113 The target proposed here seeks to reflect an appropriate balance between the economic, social and environmental imperative of higher standards and the commercial realities of property developers.
- 7.114 The performance of different building types vary and this affects the viability or otherwise of a target. For example, it will be easier to achieve higher standards in larger, low rise properties. The target of 6 kilograms of CO<sub>2</sub> per square metre per year will only apply, therefore, in ‘district heating network priority areas’ and developments over 10 dwellings or non-residential developments over 1,000m<sup>2</sup>. However clearly not all housing will have decentralised heating sources and the Council recognises that this would in some cases remain a challenging target, particularly for certain building types, and so it will be acceptable to average compliance across all buildings in a development.
- 7.115 It is expected that apartment blocks will need to use communal solutions to meet the target. However, most house types should be able to meet the target by installing photovoltaics.
- 7.116 By mirroring the building regulations compliance regime, demonstrating compliance with the planning target will simply be a case of presenting the information prepared for building control and showing how the additional savings will be achieved. Applicants should use open

book accounting to enable the planning authority to determine viability. Liaison between the planning and building control departments is recommended.

- 7.117 Taylor Wimpey Homes contends that the policy should allow for a 10% saving of CO<sub>2</sub> emissions from both energy efficiency and renewable and low carbon generation. Ryedale have amended the policy to strengthen the separate requirements of Carbon Compliance in accordance with the new Coalition Governments intents and the work of the Low Carbon Hub. This work has been tested nationally. The intent is to deliver a policy that promotes carbon savings at each stage of the development process through an energy hierarchy. Requiring developers to reduce CO<sub>2</sub> emissions at each stage means that the District has a stock of new buildings which are as energy efficient as is feasible and viable.
- 7.118 The Council will prepare further guidance to support developers in complying with this policy.
- 7.119 The CPRE branch called for a more positive statement on on-site energy generation.
- 7.120 The Environment Agency support the use of ground source heat pumps and notes that much of the District is suitable for their use. The phrase "where feasible" is intended to provoke applicants to make an assessment of the many technologies that are available to them to generate heat and energy on-site in association with new development. To be too prescriptive at policy stage would unfairly prejudice this feasibility test. When assessing feasibility applicants should assess the type of technology, its costs of installation and running, whether there are opportunities for renewable energy installations to power renewable heat installations e.g. a solar pv cell powering an air, ground or water source heat pump, the intended users of the property i.e. different technologies can appeal to different homeowners (the elderly may benefit from a more consistent heat provided by underfloor heating, which lends itself to a heat pump while single people who are at work all day may want a system that can give them an evening boost of heat). All this is too detailed for a Core Strategy and the Council intends to prepare a supporting SPD on sustainable design in accordance with Climate Change Skills Training on offer at the end of 2011.
- 7.121 Many consultees submitted the same comment that the policy on sustainable building was unworkable and that it would lead to delays in the planning process and be onerous. They were concerned that it would discourage development. These types of policy are common and developers are coming up to speed with their requirements. The local authority, especially through the climate change skills programme and further guidance will ensure that this policy is implemented and does not prove to delay applications.
- 7.122 English Heritage note that the starting point should be to re-use buildings wherever possible and if it is not possible then the materials should be re-used. While the principle of this is supported by the Council in terms of sustainable use of materials such a policy should not override the importance of the location of development, whether new or converted. To that end, it would be appropriate to include reference to examining the potential to re-use and retro-fit buildings as part of the energy hierarchy but not to suggest that all buildings capable of re-use should be re-used or their materials used elsewhere. It is proposed that the energy hierarchy be applicable to both new and converted buildings. Policy CS11 (now SP12) encourages the re-use of historic buildings in Ryedale. It is considered appropriate that Policy CS15 (now SP18) would apply to such buildings subject to the energy hierarchy, viability and feasibility tests. A core strategy policy on the re-use of materials from buildings that are not suitable to convert would seem too detailed where such activities are not commonplace in Ryedale. However, within the spirit of Policy CS15 (now SP18) a proposal to do this would be considered on its merits and it is accepted that the re-used material could help to satisfy the first part of the energy hierarchy i.e. "having lower embodied energy through use of sustainable materials". It is proposed that this issue be examined in further Sustainable Design Guidance or Supplementary Planning Document.



## **Monitoring**

- 7.123 It is not yet clear what monitoring arrangements the Government expects of local authorities following the removal of National Indicators 185 and 186. The CPRE recommend that the Core Strategy complies with NI185 and 186. The Department for Communities and Local Government announced in October 2010 that it was decentralising Local Area Agreements and replacing the National Indicator Set with a single comprehensive data list from April 2011. The content of the single comprehensive data list has not yet been announced and will be drawn up by the Department for Communities and Local Government in consultation with other Government Departments and Local Authorities.

## **8 Responses to Section 8: Managing and Controlling Development**

- 8.1 This section of the draft Plan covered a limited number of generic policy areas which are regularly used as part of the Development Management process. In revising the Plan, Policy CS 19 (Housing Site Selection criteria) has been removed from the Core Strategy altogether on the basis that the Council has agreed a detailed Site Selection methodology to inform the preparation of the Sites Document. It is considered that this, together with the strategic policy steer provided by the Core Strategy, will be an appropriate framework to consider the selection of future development sites.

### **Draft Policy CS16: Development Management**

- 8.2 The draft policy covered generic planning issues that are regularly and consistently considered in the development management process. The draft policy was the only area of the draft Plan which made reference to the protection of natural resources and in considering some comments raised, it is considered appropriate that a more comprehensive policy covering resource management and protection (SP17 – Managing Air Quality, Land and Water Resources) should be included in the environment section of the Plan. The revised Plan also contains a more detailed and specific policy on design (SP16 – Design) which the revised Development Management Policy now includes a cross reference to.

### **2010 Consultation**

- 8.3 The 2010 consultation represented the first time that the policy detail had been subject to consultation. The draft policy covered a range of ‘traditional’ or standard development management issues which in themselves are not overly controversial. This is reflected in the comments which have been received. The issues raised can be grouped as follows:

### **Development Control Detail**

- 8.4 A limited number of concerns have been raised about the role and place of detailed development control policies in the Ryedale Plan. The Strategy has been drafted with the aim of providing a local policy framework which, in conjunction with national policy is sufficient to cover all matters of policy which will be considered in the development management process as well as some of the more generic issues/matters which are regularly taken into account in the decision making process.
- 8.5 The aim has been to produce a Plan which does not rely on the repetition standard development management criteria. It is also the intention that the Plan should be read as a whole. It is considered that given the style and content of the Plan, a detailed Development Management policies document should not be necessary to support the decision making process.
- 8.6 Concerns over lack of development management detail have been raised specifically in relation to development to fund heritage conservation; farm diversification and telecommunications. Further detail to address these issues has been included in existing policies – in particular those relating to the Historic Environment, the Land Based economy and Community Facilities and Infrastructure.

### **Design**

- 8.7 The draft policy included references to key design considerations which have now been expanded and included in a stand alone design policy. In the longer term the aim is to supplement these generic considerations with Supplementary Planning Documents covering specific topics or sites. The policy approach of the Plan as a whole is not prescriptive in terms of architectural style. Whilst the promotion of local vernacular architecture is important, it is considered that the policy should not be so prescriptive as to prevent or stifle modern design, particularly where this will help to facilitate more sustainable construction and energy efficiency measures. It is considered that a suite of supplementary planning documents can provide more detailed advice and guidance including the ways in which developers can incorporate elements of local vernacular style in their schemes.
- 8.8 Similarly, it is the role of the new design policy to ensure that development proposals designed well in terms of the context provided by their surroundings. Other policies in the Plan, notably policies relating to Landscape and Heritage will also influence such considerations. It is not the role of this policy to prescribe specific energy efficiency measures which can be incorporated as part of the design of a building. These matters are addressed in the Climate Change policy and will be the subject of specific design guidance/ advice notes.
- 8.9 It is considered that references to the design advice produced and now archived by CABE together with Secured by Design, the advice provided by the Association of Chief Police Officers should be included in the implementation table supporting the new Design policy and in Supplementary Planning Documents.

### **Density**

- 8.10 The draft policy made reference to the national minimum density standard which was, until recently included in national policy. This was revoked by the coalition Government after the draft plan was released for consultation. Ryedale has always taken a design led approach to site densities and has not prescribed density standards in existing development plan policies. It is considered appropriate that the new design policy continues to make reference to the need to ensure an efficient use of land – this principle remains an important element of sustainable development and that the reference to a density of 30 is provided as an indicative guide.

### **Parking**

- 8.11 A number of concerns have been raised in relation to car parking and a need for parking requirements as part of new development to reduce on-street car parking. The draft policy made reference to the use of parking standards which are in place at the time. Currently these are maximum standards which are established and considered appropriate by North Yorkshire County Council as Highways Authority. It is considered that the parking standards produced by NYCC should continue to inform the development management process in Ryedale.

### **Environmental issues/ constraints**

- 8.12 As outlined above, the draft of CS16 included a section on the protection of natural resources. It is considered that it would be more appropriate to include this as one stand alone policy within the environment section of the document to cover the range of resource protection issues. The new policy covers the resource constraints which have been identified in response to the draft version of CS16, including soils, Source Protection Zones. It is considered that the revised policy does not need to repeat the policy approach to protecting biodiversity, landscapes and heritage which are covered by specific policies in Section 7 of the revised Plan.

## **Wider issues raised**

- 8.13 It is not the intention that the draft development management policy itself would be used to identify the allocation of sites in the Sites DPD. However, each of the issues covered by the policy and wider policies in the Plan will be considerations in the site selection process.
- 8.14 Comments have been made which seek to prevent further development outside development limits until the policy and the sites document are adopted. It is considered that such a position would be difficult to sustain. A number of saved policies support a range of types of development outside of current development limits and these are reflected in this plan. Recent applications for housing development outside development limits were approved against a context of lack of a five year housing supply and national policy, a material consideration in the decision making process.
- 8.15 The strategy of the Plan does not look to guide substantial development to outlying villages. Criteria within Draft Policy CS16 and now incorporated within the new design policy (SP16) would be used to help determine proposals which are supported in principle by the Plan in such locations such as Rural Exceptions housing. The impact of any scheme on the character of a locality would be assessed and considerations would not be restricted to substantial development.
- 8.16 The previous Governments consultation on a Development Management Planning Policy Statement largely related to development management procedural issues and matters of process. The document was not formally issued as a national planning policy and it is considered that it would not be appropriate to make reference to it. The implementation tables of relevant policies will make reference to the procedural advice provided by the Council and other agencies.
- 8.17 Comments in relation to street lighting are noted. However, some additional street lighting may be required as part of small scale development schemes and a blanket restriction would not be appropriate. In view of concerns over light pollution, it is considered that this issue can be included within the Slingsby Village Design Statement to help guide decisions of North Yorkshire County Council who has responsibility for street lighting of public highways.
- 8.18 It is considered appropriate that the revised policy includes reference to Hazards and retains a reference to land stability.
- 8.19 The Council's enforcement service investigates allegations of unauthorised development.

## **Draft Policy CS17: Occupancy Conditions**

- 8.20 Minor amendments have been made to the policy in response to comments made and to include reference to the occupancy/ eligibility criteria that the Council will use in legal agreements to secure affordable housing.

### **2010 Consultation**

- 8.21 The proposed use of the Local Needs Occupancy Condition (LNOC) has generated the largest response to the draft policy, mainly from developers and rural landowners. As use of the condition is integral to the strategy of the Plan, in many cases, responses repeat concerns raised in relation to the strategy.
- 8.22 The Council has proposed the use of the condition to help manage housing land supply across the District. Whilst the Strategic Housing Market Assessment does indicate internal migration within the District, it highlights the trend of in-migration into the villages with internal migration focussed at the Towns. The strategy looks to facilitate sustainable patterns of housing growth by directing open market housing to the market towns and larger villages. The condition aims to ensure that the limited sources of housing land supply in the less sustainable locations are available to meet the needs of the local population as opposed to external demand. It is anticipated that this will reduce the rate at which housing will come forward in the smaller villages and that this will in turn, support the release of planned housing sites in the more sustainable locations without the District significantly exceeding its housing target.
- 8.23 It is considered that in a large rural area such as Ryedale with its high demand housing market that use of the condition is necessary and an appropriate way in which to manage housing supply which would still enable housing to come forward in those locations. Whilst the approach changes current policy, it is not considered unreasonable and it does support the strategy of the Plan. Existing stock in villages would not be subject to the condition which would always ensure that the free movement of people would not be restricted.
- 8.24 Use of the condition would affect the value of sites but should not render sites unviable. Viability would be significantly affected if the Council were to seek affordable housing contributions in addition to the use of the condition. The Affordable housing policy makes it clear that affordable housing contributions will not be sought in addition to the use of the LNOC. The strategy of the plan is to use Rural Exceptions Sites and affordable housing commuted sums to target housing need in the smaller villages.
- 8.25 The condition would not sterilise deliverable sites. Sites would remain deliverable to address local housing requirements which is consistent with national policy and does not overly restrict the capacity of rural communities to meet their housing needs. Indeed, the approach is designed to prioritise local housing requirements in these locations.
- 8.26 The approach is highly unlikely to prevent new businesses moving into smaller villages. The planning system cannot insist that people live and work in the same place. Against that context, the decision of a business to locate/ invest in a small rural community is unlikely to be influenced by the proposed approach.
- 8.27 The Council has considered the implications of the approach. Without use of the condition, housing growth will continue to come forward as it has historically and this is a key issue which this strategy seeks to address. Within the context of local issues and the strategy of the Plan the approach is not considered unreasonable. The implications of the approach

have been examined as part of the previous examination into the earlier version of the Core Strategy produced by the Council.

- 8.28 One comment seeks an approach which would aim to ensure that if the condition is lifted, homes should be sold to address affordable housing needs. It is considered that this is would be onerous and unreasonable for many home owners who could risk significant financial loss or debt in such cases. Equally, it is considered that such a restriction would impede the ability of mortgage providers to fund purchases.
- 8.29 The point has also been raised that occupiers of holiday accommodation should not be eligible for LNOC housing. This is a sensitive issue. A number of households in Ryedale will live in holiday accommodation because they cannot access the housing they require or need. Housing policies in the plan aim to address local housing requirements not further restrict the ability of people living or working in the area to access new homes. For this reason, it is important that individual cases should be treated on their merits. Clearly, those households who use holiday accommodation but have a permanent address elsewhere would not be eligible under the condition.
- 8.30 Several comments seek to remove the word 'normally' in relation to the criteria covering temporary accommodation and seasonal occupancy conditions. Given that these criteria are those that the Council will look to apply, it is considered that the word normally could be removed.
- 8.31 One comment seeks an extension to the time period for eligibility for the LNOC from 3 to 5 years. It is considered that this is not necessary and that a three year period is a sufficient amount of time for a household to demonstrate that they are permanent resident in the District.
- 8.32 It is appropriate that the condition criteria support occupancy by those who have been forced to meet their housing requirements elsewhere due to pressures in the housing market and have a longstanding connection with the area. It is beyond the spirit and purpose of the condition to enhance eligibility for those who have left villages or Ryedale for employment elsewhere, including the armed forces.
- 8.33 The policy is designed to outline the occupancy restrictions that will be applied to various forms of development. It is not the role of the policy to prescribe the market or rental value of accommodation. Legal agreements used to secure affordable housing provision are designed to ensure that affordable housing is provided at an affordable price or rent.

## **Draft Policy CS 18 Developer Contributions**

- 8.34 The draft policy has been amended to make specific reference to the use of the Community Infrastructure Levy (CIL). The Government has confirmed that CIL will be taken forward and that it is considered a useful mechanism which will help to address infrastructure requirements associated with cumulative levels of growth. This will be important in an area such as Ryedale where historically high levels of smaller developments have not made a significant contribution to infrastructure improvements but have, cumulatively had an impact on the capacity of infrastructure. The policy has been revised to clarify the relationship between planning obligations and CIL.

### **2010 Consultation**

- 8.35 A number of specific but consistent issues were raised through during the consultation on the draft policy. These are as follows:

#### **Lack of detail, Viability and relationship with CIL**

- 8.36 Concerns have been raised that the Core Strategy does not provide sufficient detail over the level of contributions that will be sought and how this will be decided. The policy within the Core Strategy is designed to establish the principles and use of obligations/ contributions in Ryedale to support the development of sites and the infrastructure improvements necessary to support planned growth in the District (identified in the Infrastructure Delivery Plan). As originally drafted the policy aimed to provide a hook for documents such as SPD to include more detailed information relating to standards and charges to be secured as developer contributions/ planning obligations. However, the Strategy as a whole has been amended to be more specific about the standards that will apply to development and to operate alongside a CIL Charging Schedule. This is consistent with the emerging National Planning Policy Framework. The Sites document will also make specific reference to the site specific obligations and standards that will be established and included as part of site specific policies/ allocations. This is appropriate given that it is only through that process that all site specific obligations will be identified. The Plan as a whole, through its strategy document, site allocation document and CIL Charging schedule will include all of the appropriate detail relating to the level of contributions which will be sought from development. Each of these documents will be subject to full consultation.
- 8.37 The policy is designed to complement the infrastructure requirements identified in Section 6 of the Plan. Affordable housing is likely to be one of the most significant contributions that developers will make and Policy CS3 provides significant detail on how this will be achieved. This approach is considered to be consistent with the requirements of circular 05/05 and is not inconsistent with the regulations designed to deliver CIL.
- 8.38 The Council aims to produce its CIL charging schedule in tandem with the production of the Sites document. The effect of charges on development viability in conjunction with other contributions will be fully considered so as to ensure that the level of charging does not prevent development coming forward. This process will also help to ensure that, if necessary, infrastructure improvements are prioritised. The CIL Charging Schedule will be produced in consultation with developers, landowners and local communities. The list of contributions sought will not make development unviable if realistic charges are established and infrastructure requirements prioritised.
- 8.39 A range of stakeholders including Town and Parish Council, Service providers and agencies have informed this Plan and have helped to identify the infrastructure requirements needed to support planned growth in different parts of the District, including strategic infrastructure

requirements. Contributions and CIL monies are sought and secured on the basis that money will be directed for the purpose for which it is intended. For this reason, money cannot be diverted away from the purpose for which it was intended. In some instances, particularly in relation to off-site open space requirements, local councils have had discretion as to how money is spent in the locality in which it was generated. The District Council is keen to work with local councils to ensure that developer contributions/ CIL monies are directed to appropriate and effective end uses.

- 8.40 Given that the Council will look to use the CIL, the range of Supplementary Planning Documents that will guide on-site/ site specific contributions will be limited and will be used to provide further detail on the implementation of standards contained within Plan. It is anticipated that these will be limited to an Affordable Housing SPD; Recreation and Play Space Strategy/SPD. The Sites document will outline any on- site/ site specific requirements or contributions which will be required for the delivery of planned housing sites.

### **Wider points**

- 8.41 The policy was drafted to comply with Circular 05/05 and the CIL charging schedule will be prepared to comply with regulations. There is no reason why the policy itself needs to assert the fact that it has to be implemented in accordance with legislation or national policy. All policies in the Plan will be examined in terms of their consistency with national policy and subsequently all policies will need to be implemented in accordance with national policy and legislation.
- 8.42 It is considered that it would be inappropriate to determine planning applications in principle before contributions are determined. Contributions are an integral element of an application and the decision making process.
- 8.43 The policy should not be construed as selling planning permissions. Contributions are sought where they are necessary and in accordance with other strict tests. This is one reason why the word 'appropriate' was included within the text of the policy.
- 8.44 Other specific policies in the Plan look to ensure that the needs of vulnerable and older groups are incorporated into larger developments. Some of these needs will be secured through developer contributions where this relates to an affordable element of a scheme.
- 8.45 Legal agreements and CIL regulations will determine the appropriate point at which developers will be expected to pay contributions.



## **Draft Policy CS19: Housing Site Selection Criteria**

- 8.46 Comments received in relation to this draft policy were reported to Council on the 10<sup>th</sup> March 2011. It was agreed that the approach be embodied in a site selection methodology to be used to identify preferred development sites.

## **9 Responses to Section 9: Monitoring**

- 9.1 The 2010 Draft Core Strategy had a specific section on monitoring which related to the monitoring of the performance of the various policies throughout the document. The format of monitoring tables has been amended for the 2012 Publication Draft. The Monitoring and Implementation Tables have been combined after each Policy to demonstrate clearly how policies will be monitored and implemented.

### **2010 Consultation**

- 9.2 Limited comments were made on this and these mainly focussed on additional indicator suggestions or queries around targets and layout. A general comment related to the tables being difficult to read. As mentioned above the structure has now been changed which ensures that the tables are easier to read. The main comments are set out in further detail below:

### **Monitoring of Indicators**

- 9.3 The Highways Agency and Natural England suggested additional indicators as part of the monitoring framework. These have been added as indicators in the monitoring table following Policies CS10 (now SP11 – Physical Infrastructure) and CS13 (now SP14 – Biodiversity). A number of respondents asked how the indicators will be monitored as they felt it was not set out in the table. The monitoring table has been modified to include 'Who' is responsible for monitoring and 'When' it will be carried out.

### **Targets**

- 9.4 A comment related to missing targets – though these were not specifically listed. As mentioned above the targets have now been updated where necessary and there are no missing targets.

## 10 Responses to General Comments

- 10.1 A number of comments were made which did not related specifically to a topic area but which are still relevant. Therefore they have been put together under this section.

### 2010 Consultation

- 10.2 To assist in the consideration of these general comments, they have been grouped into key themes. These principally relate to procedural matters; the layout, content and structure of the document; the consultation process; concern at applications being approved prior to the adoption of the plan; the timetable for allocations; site comments; the evidence base and general observations. These are taken in order as follows:

### Procedural Matters

- 10.3 A general concern was about the evolution of the Core Strategy since the previous Core Strategy was found 'unsound'. In particular these related to the view that sustainability and infrastructure issues have not been properly taken into account or debated. The respondent suggests that the 2010 draft was agreed before a highways strategy was in place or economic policy issues being discussed. The respondent went on to say that they believed that decisions were taken on approving the draft without full consideration of the SA report.
- 10.4 The Revised Core Strategy has been prepared in accordance with the relevant development plan regulations (The Town and Country Planning (Local Development) (England) Regulations 2004 as amended by The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008). Whilst it has been prepared over a protracted period, this is due to national and regional changes which have had implications for the preparation of the plan. The 2010 Core Strategy was supported by a substantial evidence base. This includes the Malton and Norton Strategic Transport Assessment (STA) and information relating to economic development and infrastructure capacity. This technical and statistical information is referenced in the document and is available on the Council's website. Member's had full consideration of these issues during the course of agreeing the content of the 2010 draft. Whilst the STA wasn't completed formally until July 2010, North Yorkshire County Council confirmed that at a strategic level, the quantum of development (in excess of that proposed in the Core Strategy) could be satisfactorily accommodated on the highway network. In preparing the Ryedale Plan, the Council is required to appraise the sustainability (the social, economic and environmental factors) of the proposed strategy being taken forward. This is a critical element of the production of the plan and objectively assists with sustainable policy formation. The Council prepared a detailed sustainability appraisal (SA) which appraised both the 'key decisions' and each draft Policy which was incorporated into the 2010 Draft Core Strategy. In conjunction with the approval for consultation of the Draft Core Strategy, the SA report was taken to the 29 July 2010. Members of Council therefore gave full consideration of this at the July meeting of Council.
- 10.5 A point of clarification came from Local Government Yorkshire and the Humber which set out that seeking advice on whether the Draft Core Strategy was in general conformity with the RSS, was no longer required. This is noted.

### Layout, Content and Structure

- 10.6 Varying comments we've received relating to the style and layout – however generally these were low in number and should be balanced against the responses in support of the document. These included that the document was too full of jargon, difficult to participate in, is too complex, has a confusing layout, is long winded, is vague and needs maps and tables.

Comments were also received suggesting that the policies were too long and that there was not enough separation between policy and text. Local Plans contain elements which are quite technical and specific to planning policy. Earlier Core Strategies were more strategic in nature and relied on a further suite of Development Plan Documents (DPDs), however planning reform has meant that additional detail, necessary to give local specificity and to reduce the amount of other DPDs, is required. Inevitably this leads to longer policies with increased supporting text. However, the policies are shaded and within a box to differentiate them from the supporting text. The 2010 Draft Core Strategy was intended as a 'working draft' to stimulate and inform comment, and therefore its layout is fairly basic. Issues around style and layout will be addressed through the final print version of the document on adoption of the plan which will incorporate photos and an attractive layout.

## **Consultation**

- 10.7 Comments were primarily concerned with the perception that consultation was leading, or created unnecessary duplication (it was suggested that Ward Councillors should canvass views), or views weren't listened to, or wasn't simple enough; or wasn't long enough or wasn't democratic (another suggestion was for local referenda). Other comments related to information not being available in the local library and another respondent asked whether the amount of responses to the consultation will be published. Whilst the Council has some discretion over consultation, the Development Plan Regulations prescribe how consultation is carried out. The Council also has a Statement of Community Involvement (SCI) which sets out local consultation requirements. Specific consultation must be carried out for the preparation of the Ryedale Plan. The 2010 Draft followed earlier consultation which asked consultees what they thought should be in the plan. The purpose of having a draft document was to encourage responses as it gave respondents a framework to comment against. Also at this stage, prior to the formal 'publication' of the document, changes can still be made. All comments have been considered which is demonstrated by this document. Having local referenda would be cost prohibitive and logistically difficult given that it is a District Wide plan. However the Localism Act 2011 has brought in Neighbourhood Plans at a local level which will require a local referendum to be adopted as part of the development plan. The 2010 Draft Core Strategy, the accompanying Sustainability Appraisal Report and Consultation Response forms were sent to all libraries in the District. These were available to the public. The Council will ensure libraries are fully aware of the information we send them. Contact details are also left with the libraries if additional copies are required. The evidence base is available online and by request at Ryedale House, however due to the large volume of information it is not sent to libraries. The Council has set out the number of responses to this consultation in previous committee reports. 147 different people or organisations made 2214 individual comments.

## **Planning Permissions Granted in Advance of the Core Strategy (Prematurity)**

- 10.8 A number of comments were received on this theme who disliked the fact that planning permission has been granted for residential developments outside the development limits. They believed constituted ad hoc development and undermined/prejudiced the plan. Given the long gestation period for the production of the Core Strategy, the existing Ryedale Local Plan (2002) (RLP) had only limited remaining housing allocations. Therefore apart from infill development in the villages, limited housing supply was available in the District. Changes to national planning guidance have meant that Council's must look favourably on suitable residential schemes where it does not have an up to date 5 year deliverable housing supply. Therefore permissions have been granted on this basis. However this has been done in recognition of the overall thrust of the Core Strategy. Permissions have been granted in the market towns and proposed service villages and will provide contributions towards a range of measures. Currently 'prematurity' is difficult to argue unless plans are at an advanced stage such as Submission/ Examination stage and the proposal would undermine the

strategy being proposed. At the time permission was granted for major housing sites, the Council was not at an advanced stage and the proposals were not contrary to the general approach. The Council now has 5 year housing supply and will soon be reaching an advanced stage with the Core Strategy.

### **The Timetable for the Allocations Documents**

- 10.9 Concerns were raised about the perceived delay in progressing the allocations documents – the Sites Document and Helmsley Plan. Some suggested the delay was unnecessary, that it was affecting development coming forward and was causing uncertainty. One respondent believed it was difficult to comment on the Core Strategy without the allocations.
- 10.11 The Council's structure for the Ryedale Plan is principally the Core Strategy together with the allocations documents (Sites Document and Helmsley Plan). Given the strategic nature of the Core Strategy it is important that this element is in place first. The Core Strategy sets the direction of the planning strategy for Ryedale and provides clear guidance on the amount and distribution of development to be allocated. Given the delays in preparing the Core Strategy, this has set the allocations documents back. However work is progressing on these. The Council has recently consulted on a draft Site Selection Methodology, which will assist in choosing suitable sites for allocation. A final draft of the SSM is expected to be complete in Spring next year. Once the SSM is applied, then a preferred list of sites can be consulted on. In particular work has started on the Helmsley Plan which is being prepared jointly with the North York Moors National Park. The allocations documents will be subject to the same consultation processes as the Core Strategy.

### **Sites**

- 10.12 A number of site specific comments were made, given that the 2010 consultation also exhibited sites that had been submitted to the Council. These comments will be considered through the Sites Document and Helmsley Plan.

### **Evidence Base**

- 10.13 A limited number of general comments were made regarding the Evidence Base. These were that the Evidence Base was still evolving and therefore it was not possible to derive sound policies and strategies. Another respondent believed the Core Strategy was not sound on the basis that it is not based on 'credible evidence base', and that it is not the most appropriate strategy when considered against the alternatives, and is not consistent with national planning policy.
- 10.14 The Evidence Base is updated on a continuous basis depending on the nature of the technical work involved and this is a normal process. The Council has a substantial evidence base which enables and informs a suitable strategy to be set out. Similarly the Council believes the evidence base is robust and credible and that the strategy being taken forward is the most appropriate when considered against the alternatives and therefore is a sound plan. It is unclear from both respondents which elements of the evidence base are considered to be unsuitable or absent.

### **General Observations**

- 10.15 Miscellaneous comments were made which are difficult to group. In many cases these are observations rather than comments requiring a response. These included Local Government Yorkshire and Humber (now ceased to exist) stating that they are completing Yorkshire and Humber Sub Regional Planning assessments and these will be available shortly; the Malton

and Norton Area Partnership explaining that they're views are shared with those from Malton and Norton Town Councils. These comments are noted.

- 10.16 Other general observations were around the preparation of the Ryedale Plan, such as it's a challenge to prepare, that it should be objective and not swayed by any one particular interest group, that 'procedure' should be scrapped, that we need to see action. These comments are also noted. The procedures for the production of the Ryedale Plan are set in law and the Council must follow them for the plan to be found sound.
- 10.17 Another general comment to the 2010 Draft Core Strategy was that it should not be concerned with ensuring profitability. The words 'viable' and 'feasible' in the document were taken as an indication that this was the case. The Council has a duty as set out in national planning policy to ensure that development it plans for – principally residential, employment and retail – can be delivered. In most cases, the delivery mechanism for development is the private sector. Without this it will not take place and this would jeopardise the strategy. The Council has undertaken a viability assessment on the basis of Affordable housing but taking into account other costs such as developer contributions and construction costs. This is essential to formulate a realistic affordable housing target. This assumes a reasonable but not an excessive developer's profit. This is standard national practice and is essential in a market-led economy.

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SA Comment Number	Person / Organisation	Page	Section / paragraph	Support / Object	Comment	Officer Response	Action Required to draft Core Strategy SA
1	Ms G Woodhead	6	1.15	Support	Option 3 for Tourism	Noted. Option 3 was the chosen option for the basis of the tourism policy.	None
2	Ms G Woodhead	7	1.15	Support	Option 2 for the Re-Use of Rural Buildings	Noted. Option 2 was the chosen option for the basis of the re-use of rural buildings policy.	None
3	Ms G Woodhead	8	1.15	Support	Option 2 for landscape	Noted. Option 2 was the chosen option for the basis of the landscape policy.	None
4	Ms G Woodhead	8	1.15	Support	Option 1 for the Visually Important Undeveloped Area	Noted. Option 1 was the chosen option for the basis of the Visually Important Undeveloped Area policy.	None
5	Ms G Woodhead	16	2.16	Support	All environmental objectives, especially C1, C2, C5	Noted	None
6	Mrs E Gathercole	5	Contradiction between para 1.13 of the SA and pages 11 and 12 of the Supporting Statement	-	Page 11 of the Supporting Information states that "the sustainability appraisal scores option 3 joint highest with option 4". However, this is contradicted on page 12 where it is said of option 2 that "This option represents the most sustainable approach in terms of the co-location of development with existing housing, employment and other services and facilities."	The supporting information statement sets out a summary of the results of the Sustainability Appraisal. Page 11 sets out why option 3 was chosen acknowledging that it scored joint highest with option 4 in the SA. It goes on in the same paragraph to state that "option 3 appears the most sustainable on balance as it uses land more efficiently,	For clarification, amend paragraph 1.14 of the SA by the addition of the following text: "In developing the Sustainability Appraisal during 2009 a fourth option was added as set out in paragraph 1.11.

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					It is also contradicted in section 1.13 of the sustainability appraisal: "options 2 and 3 scores equally in relation to the objectives, however on balance option 2 was considered to be the most sustainable as it received the most ++ scores." The statement on page 11 of the supporting information is therefore misleading and should be corrected.	<p>minimises greenhouse gas emissions and also would be likely to generate the greatest levels of developer contributions for transport infrastructure improvements and renewable energy." Page 12 sets out why the other options were dismissed. In the case of Option 2, it is stated that it provides a "most sustainable approach in terms of the co-location of development with existing housing, employment and other services and facilities. However, it limits the opportunity to address rural housing needs, particularly rural affordable housing."</p> <p>Section 1.13 of the draft SA is referring to the initial SA produced for the draft Core Strategy in 2005 where 3 options were assessed. It is recognised that options 2 and 3 of this assessment scored equally however despite option 2 receiving more ++ scores, option 3 was chosen as it would</p>	The SA Scores..."



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						<p>enable more local housing to come forward in the villages, which the Inspector agreed with at the Examination. Para 1.14 of the draft SA refers to the development of the current Core Strategy where a fourth option was considered as set out in paragraph 1.11. Paragraph 1.14 provides a commentary of the SA of the 4 options that were assessed and sets out why Option 3 was the preferred option as set out above. Paragraphs 1.13 and 1.14 summarise paragraphs 7.2 - 7.4.</p> <p>Therefore there is no contradiction between the Supporting Information and the SA. However, it is recognised that the summary could be set out more clearly.</p>	
7	English Heritage	17	Environmental Objectives – Objective C5	Object	In order to more accurately reflect the terminology of the new PPS5, it would be more appropriate to use "To conserve and, where appropriate, enhance..."	Noted. The Environmental Objective C5: "To preserve and where appropriate enhance the historical and cultural environment" to be amended as suggested to better reflect the new terminology of PPS5.	Amend Environmental Objective C5 on page 17 and throughout the SA by replacing "preserve" with

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							"conserve".
8	English Heritage	26	Figure 6 (and figure 7)	Object	Whilst it is appreciated that the SA is being published alongside the Core Strategy which it is appraising, it would have been helpful for readers of this document to have included the Plan's Objectives within the SA itself (perhaps as an appendix)	The Core Strategy objectives were not included in the SA to avoid confusion should they change following the consultation. However, in producing the final SA and to help readers they can be included in section 4.	Add Core Strategy objectives to draft SA in section 4.
9	English Heritage	60	Core Strategy Policy 7	Object	<p>The relocation of the livestock market could have a significant impact upon Malton in terms of :</p> <p>a. more vacant units at the southern end of the town – thus threatening the vitality and viability of this part of the town centre with a resultant adverse effect upon the character of this part of the Conservation Area and the Listed Buildings within it.</p> <p>b. the new livestock market could impact upon traffic movements, the town's landscape setting, and amenities of it's residents.</p> <p>c. the redevelopment of the existing market could have a significant effect upon the townscape character of that part</p>	<p>It is acknowledged that the draft SA did not directly consider and mention the relocation of the livestock market, as set out in the Northern Arc.</p> <p>To ensure that all effects are considered, the detailed assessment of this policy will be amended to include references to the Northern Arc and any potential effects and mitigation set out o manage any potential economic, social and environmental decline.</p> <p>The assessment will recognise that the policy decision of the location of new retail development in one part of the town may or may not necessarily lead to negative</p>	Amend the detailed SA consideration of this policy (SA Objectives A4, B3, C5 and C10) to take into account the potential impacts as set out by English Heritage together with mitigation measures.

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					<p>of Malton, its Conservation Area and nearby Listed Buildings.</p> <p>However, nowhere is the impact of either the principle of relocating the livestock market or its possible effects assessed. This would seem a significant omission from the SA.</p>	<p>impacts elsewhere such as lower rates of retailing in existing retail areas and impacts upon the conservation area, townscape, amenities and traffic etc. New development can lead to increases in businesses in vacant shops and street-scene improvements which can be more attractive to further investors, residents and visitors.</p>	
10	English Heritage	61	Para 8.34	Object	<p>A shift in the main retail focus of Malton (through the development of the northern arc) may lead to more vacant units at the southern end of the town – thus threatening the vitality and viability of this part of the town centre with a resultant adverse effect upon the character of this part of the Conservation Area and Listed Buildings within it.</p> <p>In terms of potential mitigation, the expansion of the town centre limits should be accompanied by a strategy setting out how the Council intends to manage those areas which may suffer economic decline at the periphery of the existing retail area as a result of this change.</p>	<p>Mitigation measures will include: detailed design and access statements, new public realm improvements including public spaces designed to discourage opportunities for crime and fear of crime, traffic improvements and environmental considerations.</p>	
11	English	215	Appendix 3 –	Object	A shift in the main retail focus of		

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	Heritage		Core Policy 7 SA Objective C5		Malton (through the development of the northern arc) may lead to more vacant units at the southern end of the town – thus threatening the vitality and viability of this part of the town centre with a resultant adverse effect upon the character of this part of the Conservation Area and Listed Buildings within it.  This ought to be identified as a potential adverse effect of the strategy for Malton.		
12	English Heritage	-	-	Support	Overall in terms of the historic environment we would concur with the Council's assessments of the likely significant effects which are likely to arise as a result of the policy framework set out in the Core Strategy.	Noted	None
13	English Heritage	-	-	Support	Support the mitigation measures that have been put forward to reduce the effects of the strategy upon the heritage assets of the Plan area.	Noted	None
14	English Heritage	-	-	-	EH strongly advises the conservation staff of the Council and the County Heritage Unit in Northallerton are closely involved throughout the preparation of the	Noted.  North Yorkshire County Council was involved in the production of the Scoping Report and the	None

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					SEA / SA of the plan. They are best placed to advise on: local historic environment issues and priorities including access to data held in the HER (formerly SMR); how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of historic assets.	<p>draft SA as a consultee and with the provision of data for monitoring.</p> <p>In addition, Ryedale's Building Conservation Officer was involved in the compilation of policies, the appraisal of the emerging policies and the identification of mitigation measures.</p> <p>English Heritage will be involved in the detail of the site selection process and in the design of any relevant planning obligations that may be required on a site specific basis.</p>	
15	Amotherby Parish Council	116	Housing	-	Net additional dwellings since 2004 - We hope that recent developments will be counted as part of the housing allowance directed to each "service village"	This is a policy issue. In planning for future housing land supply, account will be taken of any existing permissions likely to come forward in the future but that have not yet been completed.	None
16	Amotherby Parish Council	196	A4	Support	Scale and location....commensurate with capacity of each settlement – we agree. A larger village can accommodate more additional houses than a small one – a	Noted.	none

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					percentage growth system may be an idea.		
17	Mr GE Wright	-	-	Object	The SA fails to give appropriate weight to the principles of sustainable development (as set out in PPS1) by virtue of its approach and structure.	The SA has been prepared in accordance with the guidance available and has been shaped by general previous consultations. The principles of sustainable development have been central to the 21 sustainability appraisal objectives developed for the Ryedale SA. It is considered that the SA fully embodies the principles of sustainable development.	none
18	Natural England	-	SA Methodology Sections 2-4	Support	We consider that the SA process has been clearly set out in sections 2-4.	Noted	none
19	Natural England	-	SA Methodology	Support	We are pleased to note that any changes to the effects of policies on the sustainability objectives, as well as changes to the baseline data will be monitored annually.	noted	none
20	Natural England	-	SA Methodology	Object	We would advise that for clarity some of the information from the scoping report should be included in the main SA report; this would include the list of relevant plans and programmes influencing the appraisal, and the prompts to	Noted.  The final SA report will include the list of relevant plans and programmes influencing the appraisal as set out in the scoping report.	Change SA as stated by the addition of the list of relevant plans and programmes influencing the appraisal as set

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					assist in appraising policy options mentioned in section 1.7.	The appraisal prompts are set out in the assessment of the locational strategy in appendix 1. They can be added to the - assessments set out in appendices 2 and 3, together with any subsequent assessments.	out in the scoping report, together with the appraisal prompts for appendices 2 and 3 and any subsequent assessments.
21	Natural England	-	Baseline Information Section 5	Support	Natural England considers that an appropriate range of baseline information has been collected as shown in section 5 of the report.	noted	none
22	Natural England	-	Baseline Information Section 5.22	Support	We are pleased to note the recognition of the potential biodiversity value of brownfield sites	noted	none
23	Natural England	-	Baseline Information	Object	An additional piece of information that we would wish to see added to this section is the quality and extent of the public rights of way network in Ryedale, as this reflects how easily people can gain access to the district's natural environment.	<p>The Council is working with NYCC with a view to including data when it is updated / available.</p> <p><b>Current PRoW network length</b> figures for Ryedale (updated annually):  Public Footpath - 600km  Public Bridleway - 300km  Byway Open to All Traffic - 2.6km  Restricted Byway - 0km</p>	<p>The Strategic Policy SA to be amended by the addition of the data provided in the baseline section.</p> <p><b>Current PRoW network length</b> figures for Ryedale (updated annually):  Public Footpath -</p>

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						In terms of <b>quality</b> of the network, this data will be developed based on outstanding issues and included as part of the assessment of sites for the Sites DPD and other subsequent DPDs. In addition, the proximity of sites to the PRoW network will be considered in the Sites DPD.	600km Public Bridleway - 300km Byway Open to All Traffic - 2.6km Restricted Byway - 0km <b>Quality</b> – to be developed  In addition, also include the figures as set out as an addendum to the SA Scoping Report (October 2009)
24	Natural England	-	Issues and Objectives Section 6	Support	We would consider that the key sustainability issues have been identified in section 6.	noted	None
25	Natural England	-	Issues and Objectives	Support	We welcome the inclusion of the fragmented nature of nature of landscape features such as hedgerows, and the pollution risk to the River Derwent SAC, in the list of environmental issues.	Noted.  These points were added in response to Natural England's comments on the SA Scoping Report.	None
26	Natural England	16	Issues and Objectives	Object	We would like to see reference to improving access to the countryside, either as an addition to objective A1 or as a separate objective	Sustainability objective A1 (to ensure that all groups of the population have access to health, education, leisure and recreation services that are	None.



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						required) implies that leisure and recreation are provided in the countryside as well as in the towns. This point was raised at the scoping stage where it was considered that no change to A1 was necessary.	
27	Natural England	16-17	Issues and Objectives	Support	We would consider that all of the key issues have been broadly reflected in the objectives identified in section 2.	Noted.	none
28	Natural England	17	Issues and Objectives	Object	With reference to objective C4, it should be noted that the effects of climate change, such as increased temperatures and changing rainfall regimes, may have impacts other than flooding, and that development will need to be resilient to these.	Noted and acknowledged. Despite on page 38, the key sustainability challenges affecting Ryedale making reference to the need to ensure that new development incorporates both "green" technology to ensure a reduction in greenhouse gas emissions and design, reference to sustainable design and construction is missing from the appraisal prompt for the assessments and should be added for completeness. The revised Core Strategy is to be re assessed and this can be considered.	Add "sustainable design and construction methods" to the appraisal prompts for sustainable objective C4.
29	Natural England	70	Monitoring and Mitigation	Object	Whilst we welcome the measures set out in section 8.92 to mitigate	Noted.	None.

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					for the potentially significant effects on sustainability, we would advise that this should be set out as a separate section of the report as it is an important aspect of the sustainability appraisal process.	However, it is considered that there is merit for the reader if mitigation measures are identified alongside the policy appraisal. A summary of the mitigation effects is provided at the end of the relevant sections.	
30	Natural England	70	Monitoring and Mitigation	Object	We would also advise that the section under “planning application process” makes clear how the various assessments will mitigate for any adverse environmental impacts.	Noted.  However, it is not the role of the SA to set out how the various assessments under “planning application process” will help to mitigate for any adverse environmental impacts. The SA can highlight any potential negative effects. The use of various other assessments in the planning application process can investigate these further with respect to specific developments.	Amend SA in the Mitigation section at the end of section 8 by the addition of the following :  Any potential negative effects highlighted in the SA will be investigated further in the planning application process by the use of the various assessments set out below with respect to specific proposed developments.
31	Natural England	72	Section 9.9	Object	Section 9.9 refers to indicators for monitoring impacts: it would be	Noted.	Add key indicators for

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					helpful to show these indicators in the report.	The key indicators for monitoring the impact of the Core Strategy are set out in the LDF Annual Monitoring Report. They can be added to the SA in an appendix.	monitoring as appendix 5.
32	Ryedale Liberal Party	20	Draft Core Strategy and “Sustainable” definition	Object	What definition of “sustainable” is being used in regard to tourism in the LDF? We presume that it will use the 5 point 2005 UK Sustainable Development Strategy definition that built upon the earlier 1999 definition.	<p>This is a comment more relevant to the Core Strategy.</p> <p>The SA sets out the various definitions for sustainable development in section 3. The SA fully encompasses these various definitions and presents the assessment in terms of 21 sustainability objectives set out as social, economic and environmental considerations.</p>	None
33	Ryedale Liberal Party	61 and 216-218	Draft Core Strategy Policy CS8 + SA of draft policy CS8	Object	<p>In the draft SA policy CS8 rates the worst with 7 negative effects against 8 positive effects and 2 uncertain effects. How is tourism contributing to:</p> <p>1. living within environmental limits? At what point does the level of tourism become too much? Are there to be any controls based on the cumulative effect? ie affordable local housing, types of retail outlets, traffic, tranquillity?</p>	<p>This is a comment more relevant to the Core Strategy.</p> <p>In the SA, Core Policy CS8 is recognised as performing the worst in terms of sustainability. However, the policy performs exceptionally well in terms of the economic objectives. It is recognised that the environmental objectives are potentially compromised by the policy as more tourists and</p>	none

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					<p>2. ensuring and strong, healthy and just society?</p> <p>3. achieving a sustainable economy? (how can tourism wages sustain local people?)</p> <p>4. how does it promote good governance?</p> <p>5. where is the sound science, used responsively?</p> <p>As the whole LDF is meant to be evidence driven, can you show evidence of car parking and traffic management? These are areas where we may be reaching our limits. Therefore these limits need defining.</p> <p>At what levels of tourism will Pickering, Helmsley and Thornton-le-Dale have achieved their maximum development to be sustainable? Maximising opportunities to develop further in these locations may not be a good idea.</p>	<p>attractions may undermine the remoteness and tranquillity that is the attraction of Ryedale in the first place. The policy directs tourism to areas where tourism potential is undeveloped. This includes the towns as well as the countryside. Impacts upon the air, soil, water, greenhouse gas emissions and sustainability can be reduced with appropriate mitigation measures. Any impacts upon the environmental objectives, such as biodiversity, are uncertain as this will be dependent upon site selection. Thus will be considered in the sites DPD.</p> <p>It is not the role of the SA to set environmental limits. The SA process tests the policies against a series of objectives. Environmental limits are usually established by organisations which have the capability and remit to measure and monitor specific environmental limits.</p>	

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						The SA is read in conjunction with the Core Strategy as a whole which includes policies in the Plan which help to ensure that air quality, the protection of wildlife and the population are not affected and they are protected from irreparable damage.	
34	Flaxton Parish Council	44	Figure 11 and para 7.19	Object	Gypsies and Travellers Option 3. New sites	This is a comment more relevant to the Core Strategy policy choice. However, the SA suggests that option 1 is a more sustainable option in terms of locating close to services and facilities.	none
35	Bell Snoxell Associates Ltd on behalf of Nawton Parish Council	36-38	Para 6.2	-	The designation of the term “service village” relates particularly to villages with certain facilities / criteria. A list of such villages is given under CS1 and is included in the key sustainability constraints in para 6.2 of the draft SA...	This is a comment more relevant to the Core Strategy policy choice. The list of service villages is only set out in policy CS1 of the draft Core Strategy. Para 6.2 of the SA sets out the key sustainability constraints and issues affecting Ryedale. The list of service villages is not in this para.	none
35	Bell Snoxell Associates Ltd on behalf of Nawton Parish	36-38	Para 6.2	Object	Ryedale School has a population of less than 600 students and caters for children aged between 11 and 16 only. It has no sixth form (contrary to statement in	Noted.  Ryedale School (Nawton) does not have sixth form facilities and will be removed from the list of	Amend “Access to Education” in para 6.2 by deleting “Nawton” from the list of

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	Council				para 6.2 of the SA) and provides little employment for local people.	schools providing sixth form facilities under "Access to Education" in para 6.2	schools in Ryedale providing sixth form facilities.
36	Bell Snoxell Associates Ltd on behalf of Nawton Parish Council	36-38	Para 6	Support	The current problems affecting Ryedale as set out in para 6 of the SA mentions the high levels of car ownership and the limits that exist as far as public transport services are concerned. This is an important matter and is something that currently creates significant problems for persons living in Nawton and working in nearby market towns.	Noted.	none