

## Local Plan Working Party 24 May 2022

### **Briefing Notes on Enabling Development, the role of Policy SP12 regarding the different forms of Enabling Development, submissions by Landed Estates through the Local Plan Review**

Members are aware that we have recently received site submissions for sites through the Local Plan Review process from Castle Howard Estate. These submissions are at the following settlements:

Ganthorpe,

Slingsby (three sites)

Welburn

Bulmer

Additional, smaller sites are also proposed at specific building complexes.

Members will also be aware that we have had submissions from other landed Estates, notably, Birdsall Estate in their wider land holdings and the Hovingham Estate in land around Hovingham.

It is important for Members to be clear that enabling development can be essentially treated in two distinct ways:

The first is as a formal term and approach 'Enabling Development'. The Historic England definition of Enabling Development is "*Development that would not be in compliance with local and/or national planning policies, and not normally be given planning permission, except for the fact that it would secure the future conservation of a heritage asset*". Any proposal(s) that are coming forward within that specific context would be assessed against the provisions of the Historic England Enabling Development Policy approach. The Document can be read in full here:

<https://historicengland.org.uk/images-books/publications/gpa4-enabling-development-heritage-assets/>

The synopsis on the Historic England website says that: "Whilst only applicable in certain circumstances, enabling development can be a useful tool. The advice in this document is intended to help all those involved in enabling development proposals (local authorities, planning and other consultants, owners, applicants and other interested parties) to work through the possible options in relation to the asset in question, and to understand whether they are acceptable. Through analysis of the process, the likely alternatives to and the potential impacts of enabling development, it sets out a model against which to consider proposals."

Although the process for considering proposals as Enabling Development must demonstrably tie back to the specific conservation of designated heritage assets, and so as procedure it is perhaps far more challenging to specifically identify the spend, and because the investment may be directed not just towards heritage assets (although that would be a significant chunk of the money).

The Ryedale Plan- Local Plan Strategy Policy SP12 is concerned with heritage assets of all forms. There is an arm of the policy which makes specific reference to formal Enabling Development proposals. The Policy wording is:

*Proposals for Enabling Development necessary to secure the future of a heritage asset which would be otherwise contrary to the policies of this Plan or contrary to national policy will be carefully*

*assessed against the policy statement and guidance provided by English Heritage - Enabling Development and the Conservation of Significant Places.*

*In addition to the criteria embodied within the national statement, in considering the extent to which the benefit of an Enabling Development proposal outweighs a departure from this Plan or national policy, the following local criteria will also be used to inform the decision making process –*

- The Enabling Development proposed can be accommodated without material harm to the character of the North York Moors National Park and the Howardian Hills Area of Outstanding Natural Beauty and landscapes identified as being of local value*
- Enabling Development proposed at or within villages is well related to their form, character and landscape setting*
- In cases where there is a need to secure the future of multiple heritage assets within a single ownership, that Enabling Development proposals are:*
  - Based upon an up-to-date conservation management plan for the assets in their ownership aligned with an up to date business plan*
  - Prioritised to address the needs of those assets identified as being at greatest risk unless it can be demonstrated and agreed that the Enabling Development proposal secures the future of a significant asset in conjunction with income generating development that would in turn, support a reduction in conservation deficit*
  - Affordable housing contributions will be negotiated as part of residential Enabling Development schemes on sites which would trigger the application of Policy SP3. Consideration will be given to varying the form of contributions sought through Policy SP3 so as not to prejudice the heritage benefits of the Enabling Development proposal*

The Ryedale Plan Review is not currently proposing to review this policy. It exists to provide an additional policy framework to proposals that *are* formal Enabling Development proposals- and are proposals that come forward *outside* of the plan making process, *and* are not identified in the Development Plan. It was written to support proposals made by primarily Castle Howard, but could have been considered within the context of any other landed estates if they made such applications.

The second form of enabling development is enabling development which is either coming forward through the plan making process (as in this instance) or could already be plan-compliant within the context of the Local Plan and that is development which is enabling the enhancement of estate management through the arms of heritage/conservation/land management/community/investment would be still viewable as ‘enabling development’ based on its objectives but would not be subject to the stringent ‘tests’ set out by the guidance Historic England have prepared.

Castle Howard, Birdsall and Hovingham Estates are proposing sites within the context of looking at development which supports the sustainable, long-term management of their heritage assets and the wider community and land management- and therefore at this point in time not necessarily through the formal Enabling Development route. Although that is an option that would remain open to them at the conclusion of the Ryedale Plan Review- and indeed at any time. In relation to Castle Howard there is a wider, holistic approach to the on-going management of the Estate, and so the money is to be reinvested into a range of areas, and not just to address the conservation deficit.

So sites currently submitted to the Council are not strictly Enabling Development proposals- as they are being considered in the plan-making process. The District Council is considering these sites within the context of potential allocation of sites to deliver its housing land requirements. Fundamentally how it chooses to do this is through the distribution of development and spatial approach- this is informed by the type and nature of sites which are coming forward and the role of places within the settlement hierarchy, and what Members see as being as key drivers and priorities in terms of meeting housing needs and requirements in the forthcoming plan-period and how other plan objectives can be delivered. This will need to be evidenced and justified through the sustainability appraisal process.