

## **Matter 4 – Site Allocations (Part 2 Allocations)**

### **Issue 1 – Site Allocations Methodology**

- Q1. Is the approach taken to the assessment and selection of allocated residential sites, as summarised in response to the *Inspectors' Initial Questions*, justified? Does the submitted evidence demonstrate that the sites have been selected based on a robust, consistent and objective approach? Are the reasons for selecting some sites and rejecting others clear and justified?**

#### **Council's response**

The site selection process is set out in detail within Spatial Distribution and Development Needs Topic Paper (SD19) and Site Selection Methodology and Results (SD23) and summarised in response to the Inspectors' Initial Questions (L001a). A thorough and robust methodology was required due to the nature of the district and the large number of site submissions. The main process for selection was a comprehensive sustainability appraisal that combined GIS databases with comments from consultees to give a resulting traffic light assessment for every site. Due to the rural, arable nature of the district many sites achieved similar scoring. Thus, a further selection process was carried out using a series of criteria and informed by the wider spatial strategy. This selection process is considered to be robust, consistent and objective.

- Q2. How did the process and methodology for allocating residential sites differ from proposed employment sites?**

#### **Council's response**

The process for allocating residential and employment sites broadly followed the same methodology. All sites were subject to a sustainability appraisal then consulted upon during the various stages of the Local Plan. The only difference with the employment allocations were that many of the allocations are existing employment locations that are seeking further development.

- Q3. How was the settlement hierarchy used to inform the site allocation process? For example, did the Council identify a level of growth for each settlement that the Local Plan policies then seek to achieve?**

#### **Council's response**

As discussed in the response to the Inspectors previous questions (LP001a) the settlements that would receive additional growth and the size of the growth ultimately has been informed by a range of factors set out in further detail within Spatial Distribution and Development Needs Topic Paper (SD19) and Site Selection Methodology and Results (SD23). The scale of additional growth proposed has evolved throughout the preparation of the Plan in response to emerging evidence, site analysis and consultation responses received through the Preferred Options 2016 (CD02 to CD02.5), Alternative Sites Consultation 2017 (CD05), Sustainability Appraisal, and ultimately alignment with Council priorities and the preferred spatial strategy.

Establishing the scale of growth to be proposed for each settlement in accordance with the preferred spatial strategy was developed through an iterative assessment process. This has taken into account land availability, site specific characteristics and constraints, the outcome of sustainability appraisal and alignment with the spatial strategy itself.

The starting point for establishing the scale and distribution of growth in any given settlement was the identification of approximately 600 sites as potentially available for development predominantly through submissions from landowners and developers.

The methodology for assessing the suitability of all potential sites identified in 2015 and 2016 is explained within the Preferred Options consultation document. The site selection methodology at this point focused upon two stages of assessment, broad site eligibility and a site assessment based upon the Sustainability Appraisal objectives and criteria – resulting in a RAG (Red, Amber, Green) rating for each site.

This process led to a shortlist of 'Preferred sites' set out within the Preferred Options. This process was repeated to take into account a range of additional sites submitted for consideration and consultation was undertaken on Alternative Sites in 2017.

The outcome of the Preferred Options and Alternative sites stages had identified a range of potentially suitable housing sites whose total capacity significantly exceeds the number that is needed to meet the development requirements over the plan period. Therefore, to identify the most appropriate housing sites as proposed allocations for the Publication Draft it was clear that a further refinement of the section criteria was required.

In discussion with council members and reflecting feedback from respondents to the Preferred Options and Alternative Sites consultation, further analysis was informed by the aims of supporting sustainable travel options, access to services and facilities, and primary education. These priorities underpinned final development of the spatial strategy and the selection of proposed sites for development that result in the level of growth proposed for each settlement.

The capacity for growth at each location is subject to land availability and the specific characteristics of sites and the constraints affecting them. Formal thresholds, setting minimum or maximum levels of growth for each settlement were not incorporated into the selection process but regard was given to the scale of potential development to ensure growth in any given location respected the character and infrastructure capacity of each settlement. This planning judgement sought to implement and reflect the principles of the spatial strategy as set out within Policy S3.

**Q4. Are the allocations also commensurate with the size of settlements and the services and facilities that are available?**

**Council's response**

The allocations identified for each settlement are of a scale and character that they are commensurate with the service and facilities in each settlement. In each case the Council has undertaken a thorough process of review and

assessment of development options across each settlement to establish a range of suitable and deliverable sites that enable the District to meet its housing requirements and reflect the preferred housing strategy of the Local Plan.

This approach has meant that it is not the case that the size of each allocation is directly proportionate to the size of each settlement. This artificial approach to site selection would not have facilitated a sound approach to achieving growth that is in its own right appropriate to their settlements.

As has been discussed previously the largest allocations are located within the District's market towns of Northallerton, Thirsk, Easingwold, Bedale and Stokesley. These market towns each benefit from a wide range of services, facilities and employment opportunities as well as opportunities for sustainable travel and accessibility across the District and wider region. Development within the smaller settlements is generally of a much smaller scale. The key exception to this principle is the proposed developments at Leeming Bar. However, the level of growth ultimately directed to Leeming Bar is a reflection of the wider spatial strategy for economic development at the central transport corridors and the clear opportunities at Leeming Bar for sustainable modes of travel to the extensive opportunities at the Leeming Bar Industrial Estate and further allocation at LEB3 Aiskew Moor. The following table outlines the level of growth in each settlement:

- Northallerton – 485 additional dwellings
- Thirsk and Sowerby – 160 additional dwellings
- Bedale – 145 additional dwellings
- Easingwold – 125 additional dwellings
- Stokesley - 105 additional dwellings
- Service villages – 194 dwellings in seven villages with an average of 27 dwellings proposed in each village.
- Secondary villages – 210 dwellings in three villages, an average of 70 dwellings per village. (n.b. this includes 145 dwellings at Leeming Bar at two allocations where development can benefit from the location's strategic employment opportunities, 40 dwellings are allocated at South Otterington and 25 at Burneston).

**Q5. In determining whether a village should be subject to additional growth, how did the Council take into account the level of existing services, facilities and public transport provision?**

The settlements that would receive additional growth and the size of the growth ultimately has been informed by a range of factors set out in further detail within Spatial Distribution and Development Needs Topic Paper (SD19) and Site Selection Methodology and Results (SD23). The scale of additional growth proposed has evolved throughout the preparation of the Plan in response to emerging evidence, site analysis and consultation responses received through the Preferred Options 2016 (CD02 to CD02.5), Alternative Sites Consultation 2017 (CD05), Sustainability Appraisal, and ultimately alignment with Council priorities and the preferred spatial strategy.

Once the preferred spatial strategy had been established the Council initial focused upon identifying those settlements where growth would accord with the spatial strategy. To establish a final range of sites and scale of additional growth for inclusion within the Publication Draft Local Plan the Council analysed whether such growth would be appropriate, was informed by the aims of supporting sustainable travel options, access to services and facilities, and primary education. These priorities underpinned final development of the spatial strategy and the selection of proposed sites for development establishing the level of growth proposed for each settlement.

The criteria used at this stage prioritised sites that:

1. Are within 1km of the strategic transport network
2. Are within 1km of a town centre
3. Are within 400m of a primary school
4. Have a capacity of 10 dwellings or more increasing opportunities for the viable provision of affordable housing
5. Are part of a settlement well related to a strategic employment location -i.e. Leeming Bar
6. Are not within the Neighbourhood Plan areas of Ingleby Arncliffe and Hutton Rudby.

Leeming Bar was included through the fourth criteria as a reflection of the Preferred Spatial strategy that blends Option 2 and Option 4, reflecting the nature of the location and the opportunity for sustainable living created by the village's proximity to strategic employment opportunities.

These criteria were utilised to filter out potential development sites. Villages with potential development sites that could be found to accord with the above criteria were retained as potential options for additional growth. Those villages that either had no identified available land for development or with potential sites that did not fulfil the above criteria were not retained for potential growth.

**Q6. How were site constraints, such as transport, flooding, landscape character, heritage and mineral safeguarding taken into account as part of the site allocation process?**

The site allocation process was informed by a robust sustainability appraisal that incorporated the aforementioned constraints above. A GIS based database mapped and measured aspects of flooding, transport, landscape character, heritage and mineral safeguarding and used this data in combination with comments from consultees on landscape character and heritage to objectively assess the potential sites.

**Q7. Where mitigation is required, how was this determined and is it adequately reflected in relevant Local Plan policies?**

The sustainability process, supported by GIS mapping, was used to determine where potential issues may arise due to site constraints and where mitigation may be required. The sustainability appraisal also picked up where there would be insurmountable issues with a site that mitigation would not overcome. This work was supported by continual discussion with consultees and the wider Council. Mitigation comes in many forms and most of the site issues and where specific mitigation requirements have been identified for sites these have been identified through the provision in Part 2 of the Local Plan and are also in some instances reflected through anticipated infrastructure projects set out within the Infrastructure Delivery Plan.

**Q8. Are the allocated sites in accessible locations with good access to everyday facilities by a range of means of transport? In the response to the *Inspectors' Initial Questions*, the Council state that in most cases, many accessibility deficiencies could be addressed through developer's contributions and off-site improvements. Is the Plan sufficiently clear about where such deficiencies exist and what mitigation is required to address them?**

All of the proposed allocated sites are located in settlements that the Council have determined through its site selection process are appropriate locations for growth with proximity to public transport, local centres, or primary schools all

featuring as key considerations when establishing whether sites should be retained for inclusion within the Local Plan. The Plan establishes clear policy criteria for the consideration of the accessibility of development through the decision making process whilst Part 2 of the Local Plan and specific projects within the Infrastructure Delivery Plan identify any requirements for specific interventions associated with development.

**Q9. How did the Council consider minerals safeguarding areas as part of the site allocation process? Where sites are allocated for development within mineral safeguarding areas, what implications, if any, does this have for the deliverability of housing?**

All sites have been checked alongside the mapping of the emerging North Yorkshire County Council Minerals and Waste Plan. Many allocation sites do fall within a mineral safeguarding area (MSA) and the implications of this has been considered as part of the Local Plan's preparation, including in the sustainability appraisal process.

Consultation has taken place throughout the Local Plan preparation with the Waste and Minerals team at North Yorkshire County Council and the Coal Authority. They have not objected to any allocations.

Falling within a MSA would not prevent development of the allocations. Landowners are aware of the constraint this presents. As proposals come forward, applicants must demonstrate that safeguarding considerations have been adequately addressed (using the criteria of proposed policy RM6 Minerals and Waste) and that North Yorkshire County Council, as the Minerals and Waste Planning Authority, have been consulted.

**Q10. A number of housing allocations are located in the North Yorkshire Green Infrastructure Corridor. How was this taken into account as part of the site allocations process?**

The North Yorkshire Green Infrastructure Corridor is a wide ranging designation identified within the North Yorkshire Local Nature Partnership Strategy. The corridor extends across wide areas of Hambleton including washing over entirely the market towns of Easingwold, Thirsk and Northallerton. The intention of such corridors to ensure that where development does occur, appropriate regard is given to the importance of ensuring the Council's has had regard to each proposed allocation within the Green Infrastructure Corridor and sets out provisions within Part 2 of the Local Plan to ensure it is taken into account as development proposals are prepared and considered through the decision making process. The relevant allocations will also be expected to demonstrate that they have accorded with the requirements of Policy E4 Green Infrastructure. For all development the policy sets out requirements to protect existing green infrastructure, secure improvements to its safety and accessibility, and secure net gains to green infrastructure provision. In relation to Green Infrastructure Corridors (including the North Yorkshire Green Infrastructure Corridor) criteria c. of the policy establishes that development proposals that would include the identified allocations will be expected to enhance or create links within, to and between the site and the corridor and to enhance the functionality of the corridor.

**Q11. Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account?**

Approximately 600 potential sites were assessed from across the district. The potential sites were derived from previous unbuilt allocations, Council owned sites, and site submissions from the call for site process. Referencing the

answer to question 1 above, the site selection criteria process was robust with various criteria built into the sustainability appraisal. This was then followed by further criteria based on the spatial strategy.

**Q12. Are the site allocations, including proposed site boundaries, justified, effective and consistent with national planning policy?**

The site allocations, including the proposed boundaries, are consistent with national policy, have been informed by evidence and are considered to be deliverable. As previously outlined the Council in developing its proposals for the Local Plan has undertaken a number of stages of engagement including at Preferred Options stage and the consideration of alternative sites. At each stage the evidence available to the Council regarding each site has helped to shape the identified boundaries and the suitability of the site for retention in the Plan. The Council therefore considers the proposed sites to be justified.

All of the identified sites have been considered with regard to their availability and potential for development over the plan period, and the overarching deliverability of development has been tested through the Area Wide Viability Assessment. The Council therefore considers the proposed sites to be effective.

National policy sets out a range of provisions for the allocation of sites including having regard to flood risk, transport, accessibility, heritage and biodiversity. The Council has considered the allocations proposed against all these requirements and is clear that all the sites can be considered appropriate and in conformity with the principles of sustainable development as outlined in national policy.

## **Issue 2 –Development Requirements**

**Q1. The Council’s response to the *Inspectors’ Initial Questions* confirms that the development requirements set out in Part 2 of the Local Plan should be taken as supporting text for each site. As submitted is it clear to decision-makers, developers and local communities what is expected of proposals on allocated sites? Is the Plan effective?**

Yes, the Plan is effective and the Council consider it to be clear to decision-makers, developers and local communities that the provisions set out within Part 2 are to be considered as expectations to be taken into account as part of developing proposals for each allocation.

Policy HG2 which identifies each of the allocations as a proposal of the Local Plan provides text that explicitly references Part 2 Allocations. Within Part 2 the advice set out for applicants regarding the evidence that can be expected to be required as part of submission of a planning application is clear and unambiguous. The subsequent provisions identified for each specific site meanwhile provide further useful guidance about the likely development requirements for each site.

**Q2. Where sites are allocated in minerals safeguarding areas, the Local Plan requires applicants for planning permission to engage with North Yorkshire County Council (‘NYCC’). Is it sufficiently clear what is required and what outcomes are expected? Is the Plan effective?**

Proposed policy RM6 Minerals and Waste is sufficiently clear that applicants must have had early engagement with North Yorkshire County Council and that proposals must address the criteria listed. The criteria are clear and the supporting text directs applicants to the County Minerals and Waste Plan

where further information is set out if required. The Plan is clear and effective in this regard.

- Q3. The development requirements state that flood risk assessments will be needed where the site is at risk of flooding from any source, where there are critical drainage problems or where the site is over 1 hectare. Is it intended that the relevant flood risk assessments would then inform the site layout and design? Is this clear to decision-makers, developers and local communities? Is the Plan effective?**

This requirement to provide a flood risk assessment (FRA) is in line with footnote 50 of NPPF. In cases where parts of the site are within areas of Flood Zone 2 or 3 this FRA will need to show how these areas are to be avoided and if not avoided then the appropriate Exception Test will need to be carried out with. In all cases appropriate mitigation will need to be investigated and provided, where required.

- Q4. In summary, parts of use classes A, B and D no longer exist, and have been replaced by a new class E (commercial, business and service). What implications, if any, does this change have for the employment allocations and associated development requirements set out in Part 2 of the Plan?**

#### **Council's response**

The council acknowledge that on 21 July 2020, the Government published The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. The changes came into force on 1 September 2020.

It is suggested that some modifications are required to reflect the new use class order to ensure that the employment allocations are used specifically for their intended purpose.

Therefore it is considered that site allocations in the development requirements are changed in order to embrace the new use class E and to protect the rest of the allocation, suggested modifications are required in terms of what the sites are allocated for.

**NOR 2** New description: Business and General Industrial ("B" Class). Frontage of the Darlington Road Business and General Industrial ("B" Class) and/or Commercial, Business and Service ("E" Class) uses.

#### **Change of Use Considerations**

Class E uses on the Darlington Road frontage, may be considered provided that it can be demonstrated how the development will successfully integrate with the existing employment area. In order to avoid harm to the trading in the town centre retail uses would be restricted to the remaining area of employment land.

#### **NOR 3**

Given that all the proposed uses other than the bars and cinema now fall within Class E. it is considered that the description should be amended to read: Mixed use; retail, office, restaurants and cafes (Class E), pubs and bars and cinema (sui generis)

#### **TIS 3**

Given this site has outline approval with a significant proportion of the site now has reserved matters approval for a specified use that falls within B2 planning application reference 20/01128/REM and 10/02373/OUT.

It is considered that a new description should read "Employment use as offices, for research and development of products or processes, or for general industrial or storage and distribution purposes."

**DAI 1**

In order to clarify the use for this site it is suggested that the allocation description is changed to read: "Employment use as offices, for research and development of products or processes, or for general industrial or storage and distribution purposes."

**LEB 3**

In order to clarify the use for this site it is suggested that the allocation description is changed to read: "Employment use as offices, for research and development of products or processes, or for general industrial or storage and distribution purposes."

**EAS 2**

In order to clarify the use for this site it is suggested that the allocation description is changed to read: "Employment use as offices, for research and development of products or processes, or for general industrial or storage and distribution purposes."

**STK 2**

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**Issue 3 – Northallerton Areas Sites*****NOR1 – Winton Road, Northallerton***

- Q1. What is the most up-to-date position regarding approved development on the site?**

**Council's response**

Outline application 20/01687/OUT has been submitted on 3/8/2020 for 145 dwellings this is on the part allocated under the Local Development Framework with site reference NM5C. This forms phase 1 of the wider NOR1 scheme.

- Q2. What is the justification for suggested modification M78? Is this necessary for soundness?**

**Council's response**

Yes, so the deliverable size and number of units is properly shown.

- Q3. Is the scale of development proposed and the site area justified?**

**Council's response**



Yes, the site allocation boundary was drawn on the basis on what size of land could be developed on whilst remaining acceptable in terms of impact on landscape and open countryside.

- Q4. The development requirements state that a proposal 'may' include neighbourhood facilities. Is it clear to decision-makers, developers and local communities what is required?**

**Council's response**

At this stage it is not clear, the extent of the requirements are to be agreed through the masterplanning process.

- Q5. What is the justification for limiting any retail uses to below 200 square metres? Would this restriction apply to the overall level of floorspace provided or in any individual unit?**

**Council's response**

The council considered that anything over 200 square meters would be beyond that needed to meet the day to day needs of future residents. 200 square meters applies to individual units.

- Q6. The development requirements state that highway improvements will be needed, with the scale and nature of improvements confirmed following detailed modelling. Is there sufficient certainty and clarity over what improvements will be necessary and whether they will be effective in mitigating the transport impacts of the development? Is the allocation justified and effective in these circumstances?**

**Council's response**

The locations where additional capacity is required are in critical locations within Northallerton, the principle county town, and the viability of this location would unlock growth in addition to the allocated site. The modelling, identified in response to Matter 1, Issue 1, Question 3, therefore will inform future mitigation.

Developments would be expected to contribute to the portion of additional traffic growth associated with the site using the junctions, as identified by the model and in line with Framework.

- Q7. What is the justification for suggested modification M79? Is this necessary for soundness?**

**Council's response**

Yes, to properly reflect the education facility requirement.

- Q8. Is it clear to decision-makers, developers and local communities how and when the new school will be provided?**

**Council's response**

Prior to the submission of planning application 20/01687/OUT which was submitted to the Council in August 2020 the applicant undertook their own formal

consultation process which informed local communities about the proposed developments and this included the education facilities which may be required.

Given this site is an ongoing application taken from the previous Site Allocation Document, (Core Doc Ref LDF03) NM5 the local education authority have continued to undertake an ongoing forecasts in order to estimate the level of education provision. The local education authority have been engaged with the Council on this site allocation and have stated that some form of educational provision may be required in order to future proof educational needs, and that a land for a one form entry school could be allocated within the development. Notwithstanding this factor the local education authority have stated that forecasts include birth-rates and this can alter the forecast demographics and therefore are prepared to keep this site under review. Following on from discussions with the education authority and the developers it has been concluded that a reduction in land for school provision has been agreed in order to future proof provision for a school.

Therefore in light of the above this change in circumstance has been reflected in the Hambleton Local Plan Schedule of Modifications which suggests a change in the allocation description to state that one form entry primary school (1.5 hectares) is required.

Further modifications are required within the development requirement under the heading 'Education' it is suggested that '*Land to accommodate a two form entry primary school (3 hectares) is required to be provided on this site*' is removed from this description.

In terms of the delivery of how and when this education provision shall be made as stated in the development requirements it is considered that the local education authority should be consulted prior to the submission of a planning application to the council. Furthermore given the size of this allocation it is considered that further consultation process would be undertaken prior to a planning application being submitted to the council by the developer and through the formal planning application process. This would provide the necessary information to the council and the local communities as to how and when the education provision shall be provided.

#### ***BRO1 – Danes Crest, Brompton***

**Q9. What is the current status of planning permission 19/01499/FUL?**

##### **Council's response**

This application was approved by HDC on 26/2/20 giving permission for 21 affordable homes, the applicant has proceeded to discharge conditions in March 2020. A Building Regulation application has been submitted – reference : 20/04712/DOM – building work commenced on site on 28/7/20 and currently 7 dwellings are under construction. This site is allocated under the LDF as site NH3.

**Q10. The site lies predominantly within the Brompton Conservation Area. Will the development of the site for 17 houses preserve or enhance the character or appearance of the conservation area? Where has this been considered?**

### **Council's response**

As part of application 19/01499/FUL a heritage statement (Durham University Archaeological Services) was submitted which assessed the potential impact of the development on the Conservation Area. The planning committee report concluded there, as a result of development, there would be no harm to the significance of the Conservation Area.

- Q11. What is the justification for suggested modification M82? Is this necessary for soundness?**

### **Council's response**

No, however this modification will to ensure the development of the site will preserve and enhance the character and appearance of the Conservation Area.

## **Issue 4 – Thirsk Area Sites**

### ***TIS1 – Station Road, Thirsk***

- Q1. Is it clear to decision-makers, developers and local communities what the intended access arrangements are? Are multiple access points onto Station Road envisaged?**

### **Council's response**

For local plan purposes it is clear that access can be gained for the site. The most appropriate access points and configuration would be confirmed through the subsequent planning process with regard to the technical information submitted.

- Q2. The development requirements indicate that the cumulative impact of traffic generation from the allocation, and site CAM1, will need to be assessed. How has the Council considered the cumulative impacts of development in the area as part of the preparation of the Local Plan? Are allocations TIS1 and CAM1 justified?**

### **Council's response**

The council has not undertaken consideration of the cumulative impacts. This requirement was included in the development requirements following discussions with North Yorkshire County Council. The council understands that the requirement for the assessment of cumulative impacts does not affect the deliverability of either site.

- Q3. The development requirements identify constraints in relation to surface water flooding, heritage, contamination, noise from neighbouring employment and specific requirements on layout. What assessment has been carried out which demonstrates a satisfactory form of development can be achieved based on these site constraints?**

### **Council's response**

Throughout the local plan process key stakeholders and consultees have been engaging with the council on sites which have come forward from landowners. In terms of surface water flooding advice has been sought from the internal drainage board for this area and it is considered that means to mitigate against surface water flooding a requirement of a major application. The heritage comments in the development requirement have come following consultation with North Yorkshire Heritage Records department. Given this is

on land which has an existing agricultural connection the contamination element is considered to be of a precautionary measure. Having consulted the environmental health department no historical land contamination has been registered on this site and there is no evidence currently to support this area may be contaminated. The only exception is to the housing along Station Road and the Pump House. It is considered that a phase 1 and or 2 assessment would be sought in the first instance which would be necessary for a major planning application. The noise mitigation measures would be required and a master plan would be necessary to ensure the houses were adequately separated away from the employment area as part of a masterplan.

### **TIS2 – Back Lane, Sowerby**

#### **Q4. What is the current status of planning application 19/02572/FUL?**

##### **Council's response**

This application was for 64 dwellings. This application was refused by HDC on 7<sup>th</sup> May 2020. There were five grounds for refusal, appeal reference APP/G2713/W/20/3258009 at the time of answering these questions no date has been set yet for a hearing.

#### **Q5. The site is adjacent to the Sowerby Conservation Area and shows evidence of medieval strip fields. How has this been taken into account as part of the allocation of the site for housing? Is the allocation justified and will approximately 50 homes be achievable on the site?**

##### **Council's response**

It is acknowledged that the allocation and adjacent land includes medieval strip fields. The heritage background paper (Core Doc Ref SD24) makes reference to this site on pages number 49-53. Within the heritage background paper this site is referred to as Ref T/139/007, and has made recommendations that the site has a capacity for 50 dwellings. The heritage statement acknowledges the importance of the area with it being in close proximity to Sowerby Conservation Area, listed buildings and buildings of local interest. Recommendations have been set out in this document to provide the reader with the ability to maximize the enhancement of the area and various site requirements which include retaining the historic strip field and maintain the nature of the current field boundaries so that the strip field alignment is recognizable on the ground. This has also been acknowledged in the Development Requirements on page 198 of the Local Plan (Core Doc Ref LP01). Therefore it is considered that this allocation is justified and is considered to deliver 50 homes.

#### **Q6. What is the justification for suggested modification M83? Is this necessary for soundness?**

##### **Council's response**

The changes are made to ensure attention is paid to the historic strip field, this suggestion has been recommended by Historic England following on from the Publication Version of the Local Plan. Therefore the proposed change is considered necessary for soundness.

#### **Q7. What is the justification for having the primary access taken from Back Lane? How have the effects of the allocation on the highways network and safety been considered?**

### **Council's response**

Back Lane is the only adopted highway by which vehicle access can be taken from, onto the site. The Local Highways Authority have advised that safe access can be achieved, through satisfactory visibility splays and the widening of verges for pedestrian footways.

A larger site area was recently refused planning permission (19/02572/FUL) however the reason for refusal was not on highways matter, as such the Council considers the effects of the allocation on the highways network and safety has been considered and is seen as acceptable. The NYCC highways had no objection to the application being approved, subject to several conditions regarding:

- constructional details,
- site management,
- visibility splays,
- footway improvements,
- highway narrowing improvement, and
- retention of parking.

### ***CAM1 – Ripon Way, Carlton Miniott***

- Q8. The development requirements indicate that the cumulative impact of traffic generation from the allocation, and site TIS1, will need to be assessed. How has the Council considered the cumulative impacts of development in the area as part of the preparation of the Local Plan? Are allocations CAM1 and TIS1 justified?**

### **Council's response**

The council has not undertaken consideration of the cumulative impacts. This requirement was included in the development requirements following discussions with North Yorkshire County Council. The council understands that the requirement for the assessment of cumulative impacts does not affect the deliverability of either site.

### ***SOT1 – South Otterington***

- Q9. What is the justification for having the primary access taken from Mayfield Road or Beechfield Road?**

### **Council's response**

This is the closest point of access to the publicly maintained highway network. There is adequate access from both these cul-de-sacs to the land parcel. Access is not easily available from any other point.

- Q10. Is it clear to decision-makers, developers and local communities what conservation measures are required, having particular regard to the ridge and furrow field system?**

### **Council's response**

The Council commissioned Surface Property in October 2017 to survey and write a background paper for the heritage sites submitted to the Council during the local

plan process. With respect to land in Thirsk the heritage background paper (Core Doc Ref SD24) has made one reference to ridge and furrow field system at a site in Sessay which does not form part of the site allocation, other acknowledgements are paid to strip field alignments which are acknowledged in the Development Requirements and within the aforementioned background paper. The other site which has been identified as having a ridge and furrow field system is a site at BUR 1 St Lamberts Drive Burneston. Ridge and furrow field systems are considered to be of an archaeological significance and have been acknowledged within the background paper and the Development Requirement of BUR1. The heritage background paper is just one of many documents available to the public on line where all conservation measures have been set out, and a simplified version has been set out within the Development Requirements of the Local Plan (Core Doc Ref LP01).

## **Issue 5 – Bedale Area Sites**

### ***AIB1 – Northeast of Ashgrove, Aiskew***

- Q1. What is the justification for the site boundary and number of dwellings proposed? What is the site boundary based on and how was it established?**

#### **Council's response**

The boundary uses the contours of the site, the initial assessment of the site considered that given the site used the existing development limit the site would fit well into the settlement boundary. Although the site would be prominent when approaching Aiskew on Bedale Road it was considered that the site would not block significant views to the settlement. The proposed planning permission 20/00497/FUL for 85 dwellings is due to be heard at Planning Committee in October this year has used the same boundary as the one proposed in the Local Plan (Core Doc Ref LP01). In terms of the number of dwellings the rational for the number of dwellings per hectare derives from the Whole Plan and Community Infrastructure Levy Viability Assessment (Core Doc Ref SD01). Assessments where made on planning applications page 24-25 of this document outlines the typical development density in the District.

- Q2. Is the site accessible by transport modes other than the private car? Will the allocation promote walking and cycling?**

#### **Council's response**

The site is considered to be accessible by modes other than the private car, the site is close to a bus route (Bedale to Northallerton) and would promote walking and cycling. However, the development requirements for pedestrian and cycle links, including the provision of secondary pedestrian and cycle access to Bedale Road and through the site to Sandhill Lane, via recent development to the west, are considered necessary to ensure this is achieved.

### ***AIB2 – South of Lyngarth Farm, Bedale***

- Q3. What is the justification for the site boundary and number of dwellings proposed? What is the site boundary based on and how was it established?**

#### **Council's response**

The site boundary has derived from the local plan process and the call for sites. This parcel of land submitted was originally larger than what is currently proposed. The boundary to the west joins onto an existing LDF site reference BH6 as noted in (Core Doc Ref LDF03). Site BH6 is currently under construction, the proposed allocation has been subject to pre-application advice. The southern boundary of the allocation site does not follow a physical boundary but provides a set-off distance from the existing neighbouring dwelling and farm buildings, the farm includes approval of a building 1991 for the keeping of livestock to the south.

In terms of the number of dwellings the rationale for the number of dwellings per hectare derives from the Whole Plan and Community Infrastructure Levy Viability Assessment (Core Doc Ref SD01). Assessments were made on planning applications page 24-25 of this document outlines the typical development density in the District.

### **CRK1 – North of Crakehall Water Mill, Little Crakehall**

#### **Q4. What is the current status of planning application 20/00330/FUL?**

##### **Council's response**

Consideration of this application for 21 dwellings (15 market and 6 affordable) is currently on-going with the Development Management Team.

#### **Q5. How have the effects of development on the Crakehall Conservation Area and the setting of the Grade II listed Watermill been considered as part of the site allocation process? Is the allocation justified?**

##### **Council's response**

The effects upon the development on the Crakehall Conservation Area and the setting of the Grade II Watermill have been considered during the allocation process. The Heritage Background paper (Core Doc Ref SD24) pages 99 - 101 have had regard to these heritage assets. There is acknowledgement that the southern boundary of the site lies adjacent to the conservation area and the listed buildings. The heritage background paper suggests that no development should occur within the area identified on the sensitivity map provided within the aforementioned paper. A landscape buffer has been recommended to be installed along the southern area of sensitivity, between the conservation area and any new development in order to clearly delineate, define and maintain the boundary of the conservation area and the setting of the listed buildings. It has been recommended that sympathetic materials should be used with any new development of the site in order to respect the aesthetic value of the conservation area.

It has also been recognised that any archaeological assessments of potential direct effects on non-designated heritage assets should be undertaken at a planning application stage, if required. Therefore it is considered that given the significance of the conservation area can be mitigated to relevant any potential harm the allocation is justified.

#### **Q6. What is the justification for suggested modifications M85 - M87? Are they necessary for soundness?**

##### **Council's response**

The suggested changes made in the modification document reference M85 and M87 are necessary as they are to correct typos and acting on the back of a

consultation response from Historic England during the consultation of the publication version of the Local Plan (Core Doc Ref LP01)

**Q7. Are the requirements to improve pedestrian links deliverable?**

**Council's response**

There is a strip of land to the south of the site (within the boundary of site) which is to be safeguarded against development to protect the setting of the grade II listed Crakehill Water Mill. Proposed modification M87 is proposed to ensure the designated heritage asset is protected and emphasises the importance of the Grade II Crakehill watermill. It is proposed a further modification is made to the development requirements (access and highways) of CRK1 to add "if possible" at the end of the sentence as the deliverability of this connectivity of a public right of way would be agreed at planning application stage.

**WST1 – Bridge View, Back Lane, West Tanfield**

**Q8. The development requirements suggest that Back Lane may need widening. Is it clear to decision makers, developers and local communities under what circumstances this would be required? Is the widening of Back Lane deliverable and how have the costs been taken into account as part of the Local Plan's preparation?**

**Council's response**

Back Lane is for the majority of its route a single vehicle width road. It would require widening in order to increase trips along it to avoid traffic conflicts. In terms of the costing looking at this site on a very high level it would appear necessary to permit the development and would be part of the site viability testing.

The length to be widened would be maximum of circa 60m, may be much less. This is likely to be possible as there is open space to the south of Back Lane, although it would be complicated by the fact that there is parking for existing properties on Back Lane at right angles to the road.

**Q9. How have the effects of development on the West Tanfield Conservation Area and the setting of the Grade II listed West Tanfield Methodist Church and Chapel House been considered as part of the site allocation process? Is the allocation justified?**

**Council's response**

Surface Property undertook a heritage background paper on behalf of the council (Core Doc Ref SD24). This background paper assessed the heritage significance of the area and included site visits. It is noted that Chapel House (Old Wesleyan Chapel) lies in close proximity to the Methodist Church however the Methodist Church is not listed. Chapel House is not easily visible from the allocated site, there may have been a little confusion between the two buildings. Notwithstanding this the heritage statement has confirmed that Chapel House is surrounded by modern development and therefore it has been considered that the site is adequately separated from Chapel House so as not to contribute to its significance or the appreciation of that significance.



The only visible landmark from the allocated site is the steeple of the Methodist Church. In terms of the West Tanfield Conservation Area the study has created a buffer zone of 100 metres from the site which includes the northern elements of the conservation area. The boundary of the conservation area finishes along Back Lane to the south of the site. The Development Requirements has had regard to the conservation area along with the close proximity of listed buildings, and therefore has respectfully requested that a heritage statement is submitted with the planning application. Having had regard to all of the above it is considered that this allocation is justified.

**BUR1 – St Lamberts Drive, Burneston**

**Q10. What is the current status of planning permission 18/02364/OUT and application 19/02741/REM?**

**Council's response**

The principle of development was confirmed with the approval of 18/02364/OUT in January 2019, this was for five dwellings. The detailed application, also for five dwellings 19/02741/REM was withdrawn in July 2020 by the applicant.

**Q11. How have the effects of development on the Burneston Conservation Area and the setting of the Grade II listed Burneston Hall been considered as part of the site allocation process? Is the allocation justified?**

**Council's response**

The Council commissioned Surface Property Ltd to survey all the sites which potentially may have affected areas of heritage value (heritage background paper Core Doc Ref SD24). The site lies to the northeast behind Burneston Hall and was likely historically associated with the hall or possibly as communal land. According to the background paper it has been recognised that modern development directly to the north of the hall and rear of the historic buildings to the west has limited the contribution of the site to the significance of the hall and other historic buildings as the historic rural setting is no longer available due to this infill of development. The background paper also considers that due to the enclosure of the conservation area to the north by modern infill development and a commercial nursery, the site makes a negligible contribution to the setting of the conservation area. The background paper has considered that effects of development on Burneston Conservation Area and the Grade II listed Burneston Hall. The recommendations of this report considers that any negative effects can be mitigated which ensures that development of this site is delivered whilst avoiding or minimising conflict between the heritage assets and any aspects of development proposals. Within recommendations highlighted in the background paper.

**Q12. Is it clear to decision-makers, developers and local communities what conservation measures are required, having particular regard to the ridge and furrow field system?**

**Council's response**

The aforementioned heritage background paper (Core Doc Ref SD24) has had regard to the ridge and furrow field system. The document has acknowledged that the northern field contains ridge and furrow earthworks. This has also been highlighted in the Development Requirements of the Local Plan (Core Doc Ref LP01). The Development Requirements has brought to the attention of the reader that the site allocation lies within close proximity to Burneston Conservation Area and nearby listed buildings including Burneston Hall.

Further attention is paid to the archaeological significance of the ridge and furrow field system. The Development Requirement also states that a heritage statement would be required when a planning application is submitted to take into account the contribution to the significance of Burneston Conservation Area and Burneston Hall. Therefore it is considered that it is clear to the reader of the local plan and also through the heritage background paper which is available on line or hard copy on request.

- Q13. What are the criteria for determining which of the two accesses are preferable? Is it clear to decision makers, developers and local communities how this decision would be made?**

**Council's response**

The appropriate access would be defined technically based on the site design and compliance with national standards through the planning process and agreement with the Local Highway Authority.

The use of both accesses may provide the greatest benefits in terms of the form and character of the settlement as a single access may result in an uncharacteristically long residential street.

***LEB1 – Harkness Drive, Leeming Bar & LEB2 – Foundry Way, Leeming Bar***

- Q14. Is the cumulative scale of development proposed across the two sites commensurate with the size, role and function of Leeming Bar? Are the allocations consistent with the settlement hierarchy?**

**Council's response**

The cumulative scale of development proposed across the two sites is considered to be commensurate with the size, role and function of Leeming Bar. It is acknowledged that the scale of development is significantly more than has been allocated at other Service or Secondary Villages, however, the scale is considered to be appropriate, given the services and facilities available locally. The proximity of Leeming Bar to Bedale means that the services and facilities available in the town are accessible to Leeming Bar residents.

- Q15. Is it clear to decision-makers, developers and local communities what mitigation measures are required in relation to potential noise impacts from RAF Leeming Bar? Is the policy effective?**

**Council's response**

The sites are in proximity to the military air base of RAF Leeming. Sites have been approved and developed, including the land adjoining Foundry Way, that have addressed the issue of noise from aircraft. The measures required to achieve acceptable levels of insulation to protect the amenity of future residents are required to achieve compliance with Policy E2.

- Q16. For site LEB2, what is the current status of planning application 19/01085/REM?**

**Council's response**

Application 19/01085/REM was submitted in May 2019 and was approved on 2 October 2020.

- Q17. For site LEB2, what is the justification for a single point of access taken from Northallerton Road? How have the effects of the allocation on the highways network and safety been considered? Would the primary access from Northallerton Road be compatible with the development requirement for a linear frontage reflecting nearby housing?**

**Council's response**

See below response for Question 18

- Q18. For site LEB2, is it clear what form the 'additional access' from both points on Foundry Way should take?**

**Council's response**

Assessment of access points would be based on the suitability and appropriate location where safety is not impeded. Design and number of access points would be based on trip generation and incorporation with the existing highway network in line with national design standards.

The reason for specifying a single point of access from Northallerton Road was to avoid multiple private drives from houses fronting onto Northallerton Road, which was not considered acceptable given the nature and volume of traffic on the road.

**Issue 6 – Easingwold Area Sites**

***EAS1 – Northeast of Easingwold Community Primary School***

- Q1. Is it clear to decision-makers, developers and local communities how much land is required for school playing fields, and how and when they will be provided? Is this requirement justified and deliverable?**

**Council's response**

Following communication with NYCC Education they have expressed concern in terms of future expansion to Easingwold Community Primary School if all proposed housing is built.

NYCC have stated that the expansion of Easingwold Community Primary School is not straightforward, due to its undersized playing field. The school's playing field and site area are both currently undersize according to areas guidelines in Building Bulletin 103. Expanding the school by building additional classrooms on the playing field would exacerbate the under provision and is not a reasonable option for the school. Following communication with NYCC Education it is understood that the expansion of the number of school places will occur sometime after the transfer of land occurs and when the pupil forecasts indicate an imminent shortfall of places. It is considered that due to the nature of the school playing fields being under the regulated size the expansion is justified and in terms of deliverability this would be carried through negotiations with the developer, the local planning authority and NYCC Education and be secured through legal agreement.

The approximate size of the land required would equate to circa 0.63ha. NYCC have provided additional information for the examination and this can be found in Appendix A of Matter 4 Site Allocations. Please also note that a confidential pre-application was submitted to the local planning authority and discussions are on going between Development management officers, developers and NYCC Education.

**Q2. How have the effects of development on the Easingwold Conservation Area and the setting of the Grade II\* listed St. John the Baptist and All Saints Church been considered as part of the site allocation process? Is the allocation justified?**

**Council's response**

These effects are considered in SD24 Heritage Background Paper (site E/041/016) and in the Sustainability Appraisal Site Assessments (LP04.2) under objective 10 – to preserve and where feasible enhance the historic environment and improve the understanding of local cultural heritage. This issue was also tested through the consideration of an application for housing development on the allocated land (15/02384/FUL) advice of English Heritage led to amendments and confirmed that development could be undertaken without substantial harm to the setting of the listed building.

**Q3. Is it clear to decision-makers, developers and local communities how much land is required as open space to the south of the site?**

**Council's response**

A specific amount of land for open space has not been stated, however the SD24 Heritage Background Paper shows the high sensitivity area of no development on page 138. The final extent of the open space will be decided at planning application stage.

**Q4. What is the justification for suggested modification M89? Is this necessary for soundness?**

**Council's response**

Yes, to ensure consistency with the national framework and protection of heritage assets.

**Q5. To what extent has the Council assessed the potential risks associated with radon gas? What are the implications of this for the delivery of the site?**

**Council's response**

Environmental Health Department have been consulted as part of the assessment of the site. In the area of Easingwold levels of radon have been detected and at the planning application stage environmental health department would be consulted. There are methods which can be used to reduce radon levels and these would be sought via building control as well as the environmental health department. Within the development requirements of the site, it states "*The site lies within a radon contamination area. Assessments may be required to understand what potential contamination there is on site and whether mitigation is required, prior to any development taking place.*" As given radon is a naturally forming gas it is commonly found throughout England, and although mitigation measures are required it is considered that this does not make the site undeliverable.

**Q6. What is the justification for access being taken from Husthwaite Road? How have the effects of the allocation on the highway network and safety been considered? Is the Plan sufficiently clear in relation to any mitigation measures that will be required?**

### **Council's response**

There is no other suitable access for this site; whilst there are roads off Thirsk road into existing cul-de-sacs which have the potential to be extended to the site these are private roads, and have not been adopted by highways.

The safety and deliverability of the point of access to the site from Husthwaite Road and the junction of Husthwaite Road and Thirsk Road have been considered in the previous planning application 15/02384/FUL. At that time no objection was raised regarding the vehicular access from Husthwaite Road, however more detailed understanding of the impact on the network would be expected through the full planning process and mitigation measures put in place.

There is considered to be space within highway areas to make enhancements to the junction if required without the need for 'third party' land.

### ***HUB1 – South of Stillington Road, Huby***

- Q7. To what extent is it feasible to protect trees on the frontage of Stillington Road, whilst still providing an appropriate means of access? Is it clear to decision-makers, developers and the local community which trees are protected?**

### **Council's response**

There are 14 trees which are to be protected are covered by Tree Preservation Order 2001/02. These are clearly mapped on the Council's publically available interactive map. There is a significant gap between T6 and T7 where it is considered an appropriate means of access can be achieved.

The Point of access would be determined by the site layout and the safe location for site access based on visibility and proximity to junctions/other infrastructure.

- Q8. How have the effects of development on the setting of the Grade II listed Huby Old Hall been considered as part of the site allocation process? Is the allocation justified?**

### **Council's response**

The effects of development on the setting of Huby Old Hall (known as Huby Hall) is considered in SD24 Heritage Background Paper (page 148). It is considered by the Council that any negative effect upon the setting of the conservation area and the listed buildings can be mitigated with the recommendations above, which ensure that development of this site is delivered in a manner that avoids or minimises conflict between the heritage assets conservation and any aspect of development proposals. The allocation is justified.

### ***ST11 – North of Stillington Social Club, Stillington***

- Q9. Is it clear to decision-makers, developers and local communities what is required to mitigate the impacts of development on surface water flooding?**

### **Council's response**

The development requirements in ST11 sets out that a site specific flood risk assessment will be required to determine the nature and scope of

mitigations.LP04.2 Sustainability Assessment Site Assessments scored the site as green (This site has a low risk of flooding and development of this site should not increase this risk) against objective 7. *To protect and improve air quality, reduce climate change and reduce the risk of flooding*, and green against questions: 7c) *Is part of the site or whole site in Flood Zone 3 or 2 or at risk from Surface Water Flooding*, and 7d) *Will development increase the risk of flooding*.

## **Issue 7 – Stokesley Area Sites**

### **STK1 – North of The Stripe, Stokesley**

#### **Q1. What is the current status of planning application 19/00359/OUT?**

##### **Council's response**

At the time of answering these questions this application is still awaiting determination as planning obligation under S106 of the Act is yet to reach agreement.

#### **Q2. What is the justification for including 100 commitments and open space as part of the proposed allocation?**

##### **Council's response**

The justification comes from the original allocation SH1, SH2 and SC1 from the Site Allocations DPD 2010. (Core Doc Ref LDF03 and LDF04) It was considered that 100 units would be considered acceptable given the level of flood risk posed on the site. The aforementioned outline consent has been approved for approximately 100 units.

#### **Q3. What is the justification for the delivery of 3.9 hectares of open space over and above the general requirement set out in Policy CI3? Have the viability implications of this been considered?**

##### **Council's response**

The justification of 3.9 hectares of open space comes from the previous Allocations Document DPD adopted 2010. (Core doc Ref LDF 03 and LDF04) Reference SC1 North of Hebron road and White House Farm, Stokesley (3.9ha), and forms part of a previous site allocation Sites SH1 White House Farm and Crab Tree Farm, Stokesley (6.6ha) and SH2 North of Sowerby Crescent, Stokesley (2.9ha) These sites were allocated for housing development over Phase 1 (up to 2016) and Phase 2 (2016 - 2021). Given this site was a former allocation and has been reallocated as part of the new local plan, the developer is required to provide, equip, layout and maintain 3.9 ha of open space along side the developers of the White House Farm development.

In terms of viability open space requirements have been considered through the Whole Plan and Community Infrastructure Levy Viability June 2019 (Core Doc Ref SD01). In which includes Policy CI 3 Open Space, Sport and Recreation.

#### **Q4. What effect will the proximity of the sewerage pumping station and poultry houses have on the living conditions of potential future occupants? Are the proposed buffer zones of 15 metres and 400 metres respectively justified and effective?**

### **Council's response**

The separation distance of 15 metres of the sewerage pumping station is in accordance with the Design and Construction Guidance for foul and surface water. Used by Water Companies for adoption agreements for water and sewerage companies operating wholly or mainly in England ("the Code"). Under D5 Provision of Pumping Stations criteria D5.1 Northumbria Water stipulate that certain pumping station are required to have a separation distance of 15 metres from the nearest dwelling. This is in order to minimise the risk of odour, noise and nuisance. The purpose of this 15m rule is to provide guidance at the outset of any new development proposal where a new pumping station will be required.

In terms of the 400 metre separation distance from the poultry houses this has been taken as best practice from Development Management Officers and the Council's Environmental Health Officers. The basis of the 400 metre rule is taken from PART 6 Agricultural and forestry Class A of the Town and Country Planning (General Permitted Development Order) 2015. Given Part 6 Class A of the GDPO states that no livestock building can be erected within 400 metres of a protected building it is considered that no new dwelling can be erected within a 400m distance of the said poultry buildings which are already existing. Therefore it is considered that this would seek to minimise any effect on amenity levels to future occupants, therefore given this guidance is from the water authority it is considered to be justified and effective.

- Q5. How has the location of the public sewer been taken into account as part of the site allocation process? Will it affect the deliverability of the site or number of dwellings that it can accommodate?**

### **Council's response**

Early consultation was undertaken with the water companies and Northumbria Water has acknowledged that a public sewer will be required to be diverted or placed within a suitable easement. It is acknowledged that early consultation with Northumbria Water is required for further development of this site. With respect to planning application reference 19/00359/OUT Northumbria Water posed no objection to the proposed development subject to conditions. Therefore it is not envisaged to affect the deliverability of the site or number of dwellings that it can accommodate.

- Q6. What is the justification for the primary access being taken from Westlands? How have effects on the highways network and safety been considered?**

### **Council's response**

In light of the outline consent approved under planning application reference 19/00359/OUT. This application sought to move the original access proposed which joined onto the development at SH1 and a secondary emergency access from The Stripe to the east. The Highways Officer raised an objection to this on the planning application stating that the proposed vehicular access amounts to a Minor Access Road which is not acceptable for a site of 100 properties and that the site required a Major Access Road with 2 points of access. (Although it is acknowledged that this was not the intention at the time of the allocation being made). It was therefore considered that upon inspection of the area it was found that access through The Stripe would present a more convoluted access to distributor roads.

Therefore access through Hebron Road would provide a more direct access, this change to the planning application is in line with the previous site allocation policy SH2 which states that two access points are required, one from Westlands (which will run through the development at the SH1 site to the south and west of the site) and one from Hebron Road (sufficient to serve both developments at SH1 and SH2). Westlands has good visibility at its adjoining junctions. There is no other obviously preferential location for an access and neither is there evidence that Westlands should not be the access point.

This evidence is taken from the Site Allocations DPD June 2010 (Core Doc Ref LDF03). This change in detail lead to a transport assessment being updated and the Highways Officer once being reconsulted had no objection to the scheme subject to conditions relating to: details of road and footpath layouts and their construction; discharge of surface water; construction management; details of works in the highway; provision of access; turning and parking areas; parking for dwellings and provision of a travel plan Therefore with all of this in mind it is considered that the effects on the highway network and safety have been reflected upon.

**Q7. What is the justification for a secondary or emergency access from Hebron Road or The Stripe? Can a secondary or emergency access from The Stripe be achieved whilst still retaining trees, as set out in the development requirements?**

**Council's response**

See the response to question 6.

**Q8. What is the justification for suggested modification M90? Is this necessary for soundness?**

**Council's response**

This proposed change follows on from a representation made to amend the name of the cycleway and therefore it is considered for correction purposes not necessarily for soundness.

**GTA1 – Skottowe Crescent, Great Ayton**

**Q9. How have the effects of development on the Great Ayton Conservation Area and the setting of neighbouring listed buildings been considered as part of the site allocation process, having particular regard to the setting of, and views towards, the Grade I listed Church of All Saints and the Grade II\* listed Ayton Hall? Is the allocation justified?**

**Council's response**

The allocated site has been subject to a heritage assessment (Core Doc Ref SD24). It is acknowledged that this site lies close to the boundary of the Great Ayton Conservation Area. The Heritage Background Paper has had regard to the respected Conservation Area of Great Ayton, and it is acknowledged that the Council has a statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay "special attention" to "the desirability of preserving or enhancing the character or appearance" of its Conservation Areas. Before allocating this site for development an



assessment has been undertaken in order to assess the contribution which this site makes to the elements which contribute towards the significance of the Conservation Area.

In terms of the setting and views to neighbouring listed buildings due consideration has been paid, and it is accepted that multiple Grade I and II\* Listed Building are within the vicinity of the allocated site. It is acknowledged that special regard to the desirability of preserving a Listed Building and their setting is required before allocating this site for development as is required by Chapter 16 Conserving and enhancing the historic environment of the Framework.

Recommendations have been set out in the Heritage Background Paper therefore it is considered that the effects of development on the Great Ayton Conservation Area and the setting of neighbouring listed buildings have been considered as part of the site allocation process, and the allocation is justified. Any proposed development would need to be in conformity with the Local Plan the recommendations of the Heritage Background Paper and the NPPF.

**Q10. What effect will the allocation have on the rural setting and character of Great Ayton? How has this been considered as part of the preparation of the Local Plan?**

**Council's response**

With respect to how the allocation will affect the rural setting and character of Great Ayton it is considered that with sensitive development this could reinstate the narrower historic field alignment enhancing the historic landscape character the development to the east would be adjacent to newer homes. The Settlement Character Study (Core Doc Ref SD28) acknowledges that Great Ayton is significantly built-up in character, offering few opportunities for development without extending into the open countryside. As such, any development would need to balance the effects of the harm upon the significance of the heritage assets, specifically looking to enhance the significance through potentially reinstating small strip field alignments as shown on the historic map in the Heritage Background Paper (Core Doc Ref SD24).

The Heritage Background Paper has provided mitigation measures for any proposed development and the development brief in the Local Plan has also provided some requirements for landscaping, design, open space and green corridors. Key considerations have been made to reduce the number of homes to 30 houses to help maintain aspects of open space and glimpsed views of the countryside from within the conservation area and from listed buildings. The site proposals should be designed to reinstate historic linear strip field alignments at this location, separation of the site from heritage assets should be maintained through landscaping of hedgerows and trees along the southern boundary of the site. On balance it is considered that there are mitigation opportunities that would preserve the sensitive landscape balance, the conservation area and listed buildings, to ensure that the site is delivered in a manner that avoids or minimises conflict

**Q11. What effect will the allocation have on the landscape character of the area, having particular regard to the setting of the North York Moors National Park?**

**Council's response**

The Hambleton Landscape Character Assessment (Core Doc Ref SD27) describes the area as one of intensively farmed low land, with medium size field

patterns with a predominance of arable crops, some pasture and a network of hedgerows and mature trees. The assessment also acknowledges that Great Ayton village bounds the North York Moors National Park and The Cleveland Hills which lie to the east and south. The Assessment notes that skylines are not particularly distinctive within the character area, and tend to be broken up by occasional mature hedgerows, or formed by the Cleveland Hills to the south and east. It is acknowledged that there may be some erosion to the landscape however it is considered that given the site lies next to an existing development and the number of dwellings proposed has been reduced to 30 dwellings. The development requirement states that existing hedgerows and boundary treatments should be retained this would afford some protection to the rural landscape balance, along with additional landscaping to protect the retaining edges of the site.

**Q12. Is the allocation justified and effective with regard to potential impacts on the three SSSIs in the vicinity of the site?**

**Council's response**

Yes, the allocation is justified. The site is located 3.5km from the closest SPA/SAC and the potential impacts from the allocation on the SSSIs have been assessed. Paragraph 5.15 – 5.17 in the Habitat Regulations Assessment report (LP09.3) considered the impacts from the allocation on the North York Moors National Park. Overall the assessment concluded in paragraph 5.18 that the allocation will have '*no adverse effect on the integrity of the North York Moors SAC and SPA due to the fact that the moorland parts of the National Park in the vicinity of Stokesley are the least accessible to casual walkers, the fact that there is ample recreational greenspace located within the National Park which is outside the SAC/SPA and the presence of the National park visitor management framework*' are all measures which can effectively manage the potential impacts.