1. **Purpose of the Report**

1.1 To present the Inspector’s report on the examination into the Helmsley Plan Local Plan and recommend that the Plan is adopted as part of the Development Plan for the National Park.

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2. **Introduction**

2.1 Members will be aware that work commenced on the preparation of the Helmsley Plan in July 2011 and has been produced jointly with Ryedale District Council. The Helmsley Plan allocates sufficient land to accommodate approximately 190 new dwellings and up to 1.9ha of employment land to meet requirements for the town up to 2027. It also contains a suite of policies to guide various forms of development and to manage change at the town.

2.2 A Joint Member Working Group was established to take forward the Helmsley Plan comprising 3 Members from the National Park Authority and 3 Members from Ryedale District Council. The group also included two Members from Helmsley Town Council and North Yorkshire County Council’s Member for Helmsley. The Joint Member Working Group has met on a number of occasions during the preparation of the Plan. The various stages of preparation and consultation on the Helmsley Plan included:

- Discussion Paper for consultation, January 2012
- Draft Version, June to August 2013
- Publication Version, January to March 2014
- Submission to the Secretary of State, May 2014
- Examination, March 2015
- Consultation on Proposed Modifications, March and April 2015

2.3 The purpose of this report is to set out the Inspector’s conclusions on the Plan and formally adopt it.

3. **Examination of the Helmsley Plan**

3.1 Members last considered a report on the Helmsley Plan in December 2013 when the Publication version of the plan was approved for Submission to the Secretary of State under Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012. The formal consultation on the Publication version of the Helmsley Plan took place between 24 January and 7 March 2014. In total 20 responses were received to the consultation which were broken down into 165 individual comments. The examination of the Plan was delayed to allow time to deal with issues relating to deliverability of sites to the South East of the Town. Following a 6 month suspension of the examination a hearing session was held on 3 March 2015 at the National Park Headquarters in Helmsley.
3.2 At the hearing session the Inspector asked the Authorities to consult on a number of proposed modifications which the Authorities considered necessary to make the Plan sound. A schedule of the proposed modifications was prepared and was subject to public consultation from 18 March to 29 April 2015. Following the Ministerial Statement ‘Planning update March 2015’ and subsequent enactment of the Deregulation Act 2015 further amendments were made to the published schedule of main modifications to take into account the implications of these changes in Government Policy. The modifications are attached as an Appendix to the Inspector’s letter which is reproduced at Appendix 1 to this report and in summary are:

- Amendments to the housing policies which removes information on phasing and the provision of bungalows;
- Amendments to the requirement for affordable housing obligations to bring into line with recent changes to Government Policy;
- Amendment to the policy on employment to clarify appropriate use classes;
- Amendments to the policies on community facilities, retail and green infrastructure to provide further clarification;
- Amendments to the policy on renewable energy to reflect changes to government policy guidance;
- Amendments to the policy on telecommunications to provide further clarification; and
- Removal of the design briefs from the main document to an appendix.

3.3 The Inspector’s report was received on 28 May 2015 and concludes that with the recommended main modifications put forward by the Authorities the Helmsley Plan local plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework. The revised version of the Plan proposed for adoption with the modifications incorporated is attached at Appendix 2.

3.4 The existing policies in the Core Strategy and Development Policies Document will continue to provide the strategic context for decision making, however the policies contained in the Helmsley Plan will need to be considered in decision making for proposals in the area of Helmsley identified on the Policies Map.

4. **Next Steps**

4.1 The Helmsley Plan has already progressed through the adoption procedures at Ryedale District Council. Therefore the date of this meeting will be used as the formal adoption date by both Planning Authorities.

4.2 Once a Local Plan has been adopted a copy has to be made publicly available together with an adoption statement and Sustainability Report in line with Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for a period of six weeks. The Helmsley Plan and other supporting documents will be made available at the National Park and Ryedale District Council Offices, Helmsley Library, the National Park visitor centres and on the websites of both Authorities.

4.3 The Helmsley Plan includes a number of monitoring indicators which will be incorporated into the Authority Report which is produced annually by both Authorities. The housing completions for the whole of Helmsley will be monitored in a Ryedale District context to ensure that the District Housing target in the Ryedale Local Plan Strategy is met.
5. **Financial and Staffing Implications**

5.1 The preparation of the Helmsley Plan has been managed within existing staff resources of both Ryedale District Council and the National Park Authority. The costs of the examination and consultation which amounts to £32,602 will be shared equally between the two Authorities.

6. **Contribution to National Park Management Plan**

6.1 The Management Plan seeks to meet the affordable housing needs of local people and support the viability of community facilities, (policies C6 and C9), seeking the views of local people (policy C1) and to increasing the amount of allocated employment land (policy B20). The Helmsley Plan seeks to allocate sufficient land to meet the housing needs of the town over the next 15 years including the provision of affordable housing and an extra care facility.

7. **Legal Implications**

7.1 Under the Town and Country Planning Act Regulations any person aggrieved by the local plan may make an application to the High Court within 6 weeks of the formal adoption date. High Court challenges may be made on the grounds that the document is not within the appropriate power or a procedural requirement has not been complied with.

7.2 The Helmsley Plan has been prepared in line with the Town and Country Planning (Local Planning) (England) Regulations 2012. Once formally adopted the Helmsley Plan will become part of the Authority’s Development Plan and planning applications in Helmsley must be determined in accordance with its policies unless material considerations indicate otherwise.

8. **Recommendation**

8.1 That the Helmsley Plan attached as **Appendix 2** of this report is adopted as part of the Authority’s Development Plan.
Report to Ryedale District Council and North York Moors National Park Authority

by Patrick T Whitehead DipTP(Nott) MRTP

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 28th May 2015

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO HELMSLEY PLAN

LOCAL PLAN

Document submitted for examination on 16 May 2014

Examination hearing held on 3 March 2015

File Ref: PINS/W9500/429/6
Abbreviations Used in this Report

AA  Appropriate Assessment
CS  Core Strategy
DtC  Duty to Co-operate
LDS  Local Development Scheme
MM  Main Modification
NPPF  National Planning Policy Framework
NYCC  North Yorkshire County Council
NYMCS  North York Moors Core Strategy
NYMNPA  North York Moors National Park Authority
OAN  Objectively Assessed Need
RDC  Ryedale District Council
RLPS  Ryedale Local Plan Strategy
SA  Sustainability Appraisal
SCI  Statement of Community Involvement
SCS  Sustainable Community Strategy
SHMA  Strategic Housing Market Assessment
Non-Technical Summary

This report concludes that the Helmsley Plan Local Plan provides an appropriate basis for the planning of the town of Helmsley, providing a number of modifications are made to the plan. The Ryedale District Council and the North York Moors National Park Authority have specifically requested me to recommend any modifications necessary to enable the plan to be adopted.

All of the modifications to address this were proposed by the Authorities. Where necessary I have amended detailed wording and I have recommended their inclusion after considering the representations from other parties on these issues.

The Main Modifications can be summarised as follows:

- Amendments to Policy H1 updating the content, removing phasing information, and requirements relating to type of dwellings;
- Amendment to Policy H2 supporting text for clarification;
- Amendment to Policy H3 to provide consistency with national policy;
- Amendment to Policy H4 to clarify employment purposes;
- Amendments to Policies H6 and H7 to provide precision;
- Amendments to Policy H10 and supporting text to reflect new Government policy guidelines;
- Amendments to Policy H11 and supporting text to provide clarity of purpose;
- Amendments to Policy H14 and supporting text to provide consistency with policies in core strategies and
- Removal of design briefs to an appendix.
Introduction

1. This report contains my assessment of the Helmsley Plan Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan’s preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.

2. The starting point for the examination is the assumption that the Authorities have submitted what they consider to be a sound plan. The basis for my examination is the submitted draft plan (May 2014) which is the same as the document published for consultation in January 2014.

3. My report deals with the main modifications that are needed to make the Plan sound and they are identified in bold in the report (MM). In accordance with section 20(7C) of the 2004 Act the Authorities requested that I should make any modifications needed to rectify matters that make the Plan unsound and thus incapable of being adopted (letter dated 23 February 2015). These main modifications are set out in the Appendix.

4. The main modifications that are necessary for soundness all relate to matters that were discussed at the Examination hearing. Following these discussions, the Authorities prepared a schedule of proposed main modifications and this schedule has been subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report. The Authorities have proposed some amendments in the light of those responses and I have also made some amendments to the detailed wording of the main modifications where these are necessary for consistency or clarity. None of these amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report, and distinguished them by bold italic text in the schedule of main modifications.

5. Following the ministerial statement: ‘Planning update March 2015’ (http://www.gov.uk/government/speeches/planning-update-march-2015) and the subsequent enactment of The Deregulation Act 2015, amendments were made to the published schedule of main modifications [doc PS4 - 12 March 2015 version] to take into account any implications of this change in Government policy. Specifically these are concerning the withdrawal of the Code for Sustainable Homes and the exemption for small housing sites from the allowable solutions element of the zero carbon homes target. None of these amendments [doc PS5] significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where appropriate, I have taken account of additional responses.

6. References in square brackets [ ] are to documents forming the supporting information to the submitted draft plan.
Assessment of Duty to Co-operate

7. Section s20(5)(c) of the 2004 Act requires that I consider whether the Authorities complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan’s preparation.

8. The Helmsley Plan was conceived prior to the DtC. However, it is a result of the two Authorities cooperating on the production of a single plan for the town. The evidence presented [doc PD2] indicates that the Helmsley Plan does not raise any strategic cross-boundary issues beyond the areas of the two Authorities. Nevertheless the document shows that all key authorities and organisations have been fully engaged in the process and have been given adequate opportunity to influence the Plan. No cross-boundary issues have been identified and no neighbouring authorities have made representations objecting to the Helmsley Plan. It is also clear that there has been on-going liaison and co-operation with the nominated statutory bodies resulting in changes to the draft Plan prior to submission. Accordingly, the Authorities have met the requirement under the DtC. No evidence has been presented to the examination to suggest otherwise.

Assessment of Soundness

Preamble

9. The Helmsley Plan is identified by the Authorities as an allocation document which seeks to deliver the strategic levels of development set out for Helmsley in the RLPS [doc RDCD1] which sets the level of housing provision for Helmsley at approximately 150 dwellings (5% of the total provision) up to 2027. So far as the National Park Authority is concerned, the UK Government Vision and Circular 2010 [doc KND1] indicates that NPAs “...have a key role as planning authorities but are neither housing authorities nor housing providers” (para 76). Clarification was provided at the hearing, suggesting that NPAs do have to follow NPPF guidance, and current legal advice is that they do have to go through the SHMA process.

10. The NYMCS [doc NYMD1] does state that the Authority has historically permitted open market housing in the larger settlements on the periphery of the Park, and Core Policies B and J include the provision of additional open market and affordable housing in Helmsley which is identified as a Local Service Centre. The overall level of completions, focussed on the Local Service Centre and Service Villages, is anticipated at around 26 units per annum (para 9.6).

11. It is normal practice for the submitted plan to be accompanied by a map to show how the existing Policies Map accompanying the adopted Local Plan will be changed. However, in this instance the authorities have produced a complete submission version Policies Map to accompany the Plan (Appendix 2).
Main Issues

12. Taking account of all the representations, written evidence and the discussions that took place at the examination hearing I have identified 7 main issues upon which the soundness of the Plan depends.

Issue 1 – Housing land allocations

Overall housing requirement

13. The RLPS [doc RDCD1] was adopted in 2013 and so provides an up-to-date indication of the housing requirement. The Plan sets a District wide target of 200 dwellings per annum to meet the OAN, which includes meeting some of the needs of the National Park within the District. The majority of this new housing will be located in the Principal Towns of Malton and Norton with 5% of the total planned supply directed to Helmsley. This equates to the 150 dwellings required for Helmsley over the Plan Period (para 5.3) through small and medium sized extension sites as shown in Section 4 Housing, p52 of the RLPS. The RLPS does not support a position whereby over the Plan Period the scale of new housing development would significantly exceed the cumulative housing target (para 4.21).

14. The figure of 150 dwellings equating to 5% of the total for the District was found sound by the Inspector at the Examination into the RLPS and overall, he concluded that “...it establishes an effective, deliverable positively prepared and soundly based strategy for Ryedale”. There is no justification for revisiting the basis of the OAN and the allocation document is not the appropriate place to do this, as has been established by the courts (Gladman Development Ltd v Wokingham Borough Council [2014] EWHC 2320 (Admin)).

15. The RLPS also addressed the NPPF requirement that LPAs should “...boost significantly the supply of housing” by providing a 20% buffer of sites which, in the case of Helmsley suggests an overall total provision of around 180 units. It follows that the Plan’s provision for 190 units – excluding the current commitments and the extra care accommodation – more than meets the RLPS housing requirement. To provide more sites would be contrary to the RLPS Inspector’s conclusion that higher figures would not be appropriate in the light of the role, character and environmental constraints of Ryedale.

16. Arguments have been advanced that, on the one hand there should be no housing provision within the part of Helmsley within the National Park, and on the other, that the Helmsley Plan should take into account the wider housing needs of the National Park, not just those relating to Ryedale District. Neither of those arguments is convincing. The 2010 Circular recognises that National Parks are not suitable locations for unrestricted housing (para 78) but it does indicate that the Government expects NPAs to work with local authorities to ensure the needs of local authorities within the Parks are met. The NYMCS recognises this need through Core Policies B and J which support the provision of a relatively low level of open market housing (para 5.5).

17. On the second point, there is clear evidence that housing need for the whole of the NYMNPA area has been properly assessed. Appendix 11 to the North Yorkshire SHMA [doc TH1d], fig 7.12 shows a gross annual affordable housing
need within the whole National Park area of 135 dwellings, of which 38dpa is allocated to Ryedale District. The remainder is divided between Hambleton DC and Scarborough BC. Within Ryedale, the total is further subdivided to show a need for 5dpa for Helmsley. There is no convincing evidence to suggest that these figures are incorrect, or that any additional housing need should be met within Helmsley.

18. As a consequence of this analysis the overall housing requirement of at least 150 dwellings for the period to 2027 is appropriate and provides a sound basis for managing the supply of new homes over the Plan Period.

Policy H1 – New Residential Development

19. The Policy provides for the delivery of 224 dwellings and a 60 unit extra care facility over the Plan Period. The Authorities have made clear that the extra care accommodation will be provided specifically to address the requirements of NYCC and will not be deducted from the overall provision. The sites for development are divided into current commitments and proposed allocations.

Existing Commitments

20. The Authorities have proposed to amend the Policy by moving site NYMH8, for 20 dwellings south of Swanland Road, from the proposed allocations to existing commitments following the grant of planning permission (MM4). There have been suggestions that the site for 14 residential units on land to the rear of the Black Swan should be removed from Policy H1 on the basis that this was a historic legacy site predating the start of the Helmsley Plan and the Authorities are seeking to count old permissions toward meeting new housing requirements. However, the Policy does make clear that the allocated sites do make provision for the development of 190 dwellings, well above the amount of land necessary to meet the OAN. The two sites identified as existing commitments, including the land to the rear of the Black Swan, provide for a further 34 dwellings over and above the 190. Development of both sites is known to be coming forward and so it is appropriate to include them within Policy H1 Existing Commitments. In this respect, with the inclusion of (MM4) the Policy is sound.

Deliverability of Allocated sites

21. Turning to the allocated sites, the most fundamental matter is whether the proposed housing land allocations are deliverable within the Plan period. From the documentation and the representations received there were initial doubts regarding the availability and deliverability within the Plan period of sites 174 and 183, which make up half of the total provision, and all of the housing allocations outside of the NP (95 dwellings). The Development Brief for site 183 indicated that it is subject to a restrictive covenant which prevents its development for residential use, and that it may not come forward within the timescale of the Plan.

22. In addition, there was an indication that site 174 is subject to a ransom position preventing access. In the absence of convincing evidence to show that any obstacles to development of these sites could be overcome, and that they would be developable within the Plan period, the Plan could not be found
sound and the Examination was suspended.

23. The Authorities reported that a number of attempts to bring Site 183 forward through negotiation have not resulted in a positive outcome. Ryedale District Council therefore sought, and gained authority to compulsory purchase Sites 183 and EMP1 under section 226(1)(b) of the Town and Country Planning Act 1990. RDC has also allocated funding to undertake this process and is committed to taking it forward.

24. The compulsory purchase of Sites 183 and EMP1 would enable access to be achieved through to Site 174 and then consequently EMP2. The process of compulsory purchase will also extinguish covenants that are incompatible with the intended use of the site as shown in the Helmsley Plan. Therefore the restriction of the use of Site 183 to commercial uses only, would be extinguished through the process of compulsory purchase. The authority for the compulsory purchase was requested from RDC Planning Committee on 16 December 2014 [minutes at docs R3 and R4] and formal notification for compulsory purchase of sites EMP1 and 183 has now been issued.

25. On this basis the Authorities have now provided convincing evidence of the deliverability of Sites 183, EMP1 and consequently 174 and EMP2; specifically that they can come forward for their intended uses within the Plan period of the Helmsley Plan. The actions taken by RDC have satisfactorily resolved the issues regarding deliverability of sites within the Plan period, and in this regard no modifications are necessary to Policies H1 and H4 or the supporting text.

Omission sites

26. As a consequence of findings that the total amount of land allocated is appropriate to meet the OAN, and that all sites can be made available (if necessary through the use of compulsory purchase powers) and developed within the Plan period, alternative allocations are not necessary. Nevertheless consideration has been given to the various omission sites put forward.

27. The two significant sites, NYMH1 (extension) and NYMH2, were given detailed consideration by the Authorities and not included as allocations for reasons given in Appendix 2 to the Plan. They are identified on the plan which accompanies the Appendix. Both are within the NYMNPA area. The allocation of either of these sites would be inappropriate and unnecessary.

28. NYMH1 (extension) would allow for approximately 30 additional dwellings. Whilst the analysis in Appendix 2 emphasised the importance of the former medieval strip pattern which characterises the site, at the hearing greater emphasis was placed on the visual impact of any development of this site. It appears from visiting the site that its character is similar to that of the allocated site NYMH1, in that both show clear remnants of the medieval open field system. However, the extension of the allocation northwards would increase the visibility of the development both locally, and within the wider landscape of this part of the National Park. The landscape advice sought by the NYMNPA [doc TL1) supports this conclusion. In particular, photos 5 & 6 in the report show the increasing visibility of the northern part forming the proposed extension to site NYMH1.
29. Site NYMH2 is located to the north-west of Helmsley on rising ground leading to a prominent ridgeline. It forms a significant part of a wedge of open land, including playing fields and a cemetery, which links the open countryside with the built-up centre of the town. However, from a relatively short distance along Baxton’s Sprunt, only the visual presence of All Saint’s Church and Helmsley Castle give any real indication of proximity to Helmsley. Development here would appear prominent in the open landscape and significantly affect the visual character of this part of the National Park. The advice to NYMNPA [doc TL2] gives a clear indication that, in landscape and visual terms, the site has little or no capacity for housing development. It is accompanied by photos 1 – 4 which provide visual evidence of the potential impact of development, supporting those conclusions.

30. Other potential sites (NYM4 - NYM7; and sites 458 – 459), seen during visits, are located both within and adjacent to the proposed Development Boundary. They are all small (below the 0.3ha threshold) and would not make a significant contribution to the amount of housing land available. They would be more appropriately considered as windfall opportunities against the criteria in Policy H2.

31. On a related issue, it has been suggested that NYMH3 has the potential to deliver a greater quantity of dwellings than the 35 units identified in Policy H1. An alternative of ‘about 40 residential units’ has been suggested. However, the “Strategic Assessment” of the site, submitted in support of the proposed alteration provides a detailed assessment on p22, based on a preferred “Masterplan Strategy”, which confirms the potential to deliver 35 units whilst prioritising houses designed to meet the needs of older residents. On this basis, and without further convincing evidence, there is no justification for amending the quantity of dwellings shown in Policy H1.

**Requirement for bungalows**

32. The requirement for 5% of all new dwellings on proposals of more than 50 units to be bungalows is derived from the RLPS Policy SP4 and is intended to address the aging population of the town. In practice, the Policy would be applied to only one allocation, NYMH1, which is located in the NYM part of the Plan area, resulting in the provision of only 3 bungalows in total. Accordingly, justification for the Policy is inadequate, whilst its effectiveness in meeting the requirements of the ageing population is questionable.

33. The Authorities state that it was considered appropriate to apply the same requirements of the RLPS Policy SP4 to the whole of Helmsley Plan for consistency. The current situation is that a planning application for the one site allocated in the Helmsley Plan which is above this 50 dwelling threshold has already been submitted for consideration by the LPA. The Authorities have therefore sought to remove this requirement through modifications to Policy H1 (MM7) and deletion of para 5.11 of the supporting text (MM10) resulting in a sound Policy.

**Phasing of Sites**

34. There has been criticism of the Plan for including a section on phasing of the housing allocations which, it is suggested is contrary to the provisions of the
NPPF, para 47, which seeks to significantly boost the supply of housing. Footnote 11 to para 47 advises that, “...to be considered deliverable, sites should be available now...”. Clearly phasing without justification would not be in accord with this advice. Policy H1 does not include phasing by use of different start dates, but does include indicative end times for some sites. Accordingly, using the term ‘phasing’ is misleading and inappropriate.

35. The Authorities have accepted the criticism and responded with modification (MM9). This provides a replacement title to the section, replacing ‘Phasing of Sites’ with ‘Delivery of Sites’, and providing replacement text to paras 5.6 and 5.7. The modification successfully addresses the concerns leading to soundness.

36. It is also necessary, for clarity, to amend the first sentence of Policy H1 which – by referring to the management of the delivery of new homes - implies that development will be phased. Replacement text is proposed through (MM3) to achieve soundness.

Other issues relating to Policy H1

37. Para 5.10 of the Plan contains a reference to the Lifetime Homes Standard. The ministerial statement referred to in para 5, above, clarifies the Government’s intention to create a new approach for the setting of technical standards for new housing, comprising new additional optional Building Regulations. As a consequence, and to ensure soundness, the Authorities have proposed replacement text for the last sentence of para 5.10 (MM33).

38. The locational identification of the sites 183 and 174 is incorrect which could lead to confusion during future more detailed consideration of proposals. This matter is addressed through the Authorities’ proposed amendments (MM5 & MM6) resulting in soundness.

Policy H2 – Windfall Development

39. The Policy relating to windfall developments is generally supported. Requests for clarification, for example that windfalls do not count towards the total housing provision figure, and clarification of the elements contributing towards the historic character of Helmsley were incorporated into the Publication Version of the Plan.

40. Concerns were raised that the Policy is overly restrictive in requiring developments outside the defined Development Limit to be those of an essential or exceptional nature, leading to the prevention of beneficial development. However, both the RLPS (Policy SP2) and the NYMCS (Policy J) provide clear justification for a restrictive approach to proposals outside the defined Development Limit. As a consequence of discussion the Authorities have now proposed further clarification of the requirements through additional text to follow para 5.19, including reference to the strategic policies (MM13). There has been a further representation questioning the logic of the proposed text. As a result I believe a further addition to MM13 would provide greater clarity, resulting in a sound Policy. This does not change the substance of the MM and has been included in the schedule.
41. Para 5.18 sets out the criteria used to establish the Development Limit which is defined on the Policies Map. Criterion (g) indicates that important open areas on the edge of the town have been excluded from the Development Limit. The Proposals Map has been amended to show the extent of those open areas, including the Grade 1 Historic Park and Garden at Duncombe Park, the Howardian Hills AONB, the Area of High Landscape Value and the Visually Important Undeveloped Area (see para 64 below). For clarity, it is necessary to reference these in Criterion (g) and a proposed modification (MM12) provides the necessary text, resulting in soundness. It is also necessary for consistency within the Plan to amend the concept drawing on p8 to denote the extent of the Historic Park and Garden at Duncombe Park (MM2).

**Policy H3 – Affordable Housing Provision**

42. In December 2014 DCLG published a written ministerial statement on support for small-scale developers, custom and self-builders. This introduced changes to national planning policy relating to affordable housing. These include, *inter alia*, for designated rural areas under section 157 of the Housing Act 1985, a lower threshold of 5-units or less, beneath which affordable housing and tariff style contributions should not be sought. The whole of Helmsley, both within and without the National Park, is designated as a rural area.

43. Policy H3 in the Submission Draft sets a threshold of 5 *or more* units which is not consistent with the ministerial statement threshold of 5 *or less* units. The Authorities have acknowledged the inconsistency and have proposed to amend the text of Policy H3 through (MM14), resulting in a sound Policy.

**Issue 2 – Employment land allocations**

44. The main issues raised relating to the provision of employment land are the deliverability of the two allocated sites, EMP1 and EMP2, and the related issue of providing better access to the existing employment sites at Sawmill Lane.

45. Allocation EMP1, the land to the west of Riccal Lane, has been the subject to protracted and so far unsuccessful negotiations along with housing allocation 183 (para 21, above). In addition to its role as an employment site, it provides the key to unlocking the potential development of allocation EMP2 through the provision of access.

46. As reported above in respect of housing allocation 183 (para 23), RDC has sought to address the impasse with the owners of sites 183/EMP1 through seeking authority for their compulsory purchase. In addressing the issue of deliverability of the housing allocation, this action will ensure that the two employment sites can be delivered within the Plan period.

47. However, there are others matters to be addressed in order for the Policy to be found sound. Firstly, the locational identification of the two sites is incorrect which could lead to confusion during future more detailed consideration of proposals. This matter is addressed through the Authorities’ proposed amendments (MM15 & MM16). Secondly, the Policy makes no reference to the development briefs which set out the principles for
development of the sites, a matter addressed through modification (MM17). Finally, the Authorities have determined that, for amenity reasons, new employment uses should be restricted to the business use classes excluding, for example, *sui generis* uses. For clarification, a note to this effect is included in para 6.2 through (MM18). With these modifications Policy H4 is sound.

**Issue 3 – Retail and commercial development**

48. The policies for retail and commercial development, H5 - H7 indicate that certain proposals would ‘be resisted’. These policies do not give the positive steer required by the NPPF (para 154): that policies should indicate clearly what will or will not be permitted. If it is the intention of Policy H6 that permission will only be granted for proposals resulting in the loss of retail floorspace in certain circumstances, it should say so rather than simply suggest they would be resisted. Similarly, Policy H7 should indicate clearly the circumstances in which proposals resulting in the loss of community facilities would be permitted.

49. The Authorities have accepted that the policies need revision in order to be found sound, and have proposed appropriate modifications for Policy H6 (MM19) and for Policy H7 (MM20). With these amendments incorporated both policies are sound.

50. So far as Policy H7 is concerned the NHS Property Services has raised concern that the Policy revision proposed by MM20 does not make specific reference to healthcare facilities as ‘community facilities’ and requests clarification be included to avoid misinterpretation. This is not a matter previously raised by the representor and, in any event, it is difficult to interpret healthcare facilities as anything other than part of the overall community facilities so the Policy is sound without modification. The Authorities have proposed to address the concern by adding a footnote to the supporting text, which they may wish to pursue as an additional modification (AM).

**Issue 4 – Renewable energy**

51. Policy H10 requires all new build residential development to meet the highest Code for Sustainable Homes standard. Prior to the hearing being held, the Government had declared its intention to phase the Code out and replace it through new measures in the Building Regulations so the Policy, as drafted, would be meaningless on adoption. The Authorities had proposed modifications to the Policy and its supporting text in response to concerns raised by representors.

52. However, a recent written ministerial statement by the Secretary of State for Communities and Local Government made changes to Government policy. This included withdrawal of the Code for Sustainable Homes. The statement advises that, following enactment of the Deregulation Act (26 March 2015), LPAs should not set “..*any additional local technical standards or requirements relating to the construction, internal layout or performance of new buildings, including requiring any level of the Code for Sustainable Homes*”. Further advice indicates that local plans should not be used to apply the new national technical standards.
53. The Authorities’ proposed Main Modifications (MM21), changing the title and the wording of the Policy, and (MM23), adding a further paragraph (9.3) to the supporting text remain the same as before. However, in line with the ministerial statement, (MM22) has been further amended with reference to the Code for Sustainable Homes. The ministerial statement also revises Government policy to provide exemption for small housing sites of 10 units or fewer from the allowable solutions element of the zero carbon homes target so that an additional amendment to para 9.3 is necessary to provide consistency (MM32). With these Main Modifications, the Policy is sound.

Issue 5 – Green Infrastructure

54. Policy H11 is a reflection of perceived opportunities through the Helmsley Plan to improve the provision of green infrastructure – a collective term used to cover woodland, grassland, rivers, streams, hedges and verges. However, the Policy is not sufficiently clear in its intent and it is not properly justified by the text. The definition of what comprises green infrastructure assets is inadequate, and there is no clear indication of what would comprise a net gain in green infrastructure in any particular circumstance. The implications of the policy for individual proposals are not clear so that it is difficult to see how it could be applied to any particular application.

55. The Authorities recognise shortcomings with the Policy and have proposed revisions to the text, including a requirement for ‘net gain in biodiversity’ and for ‘enhancements’ to green infrastructure (MM26). They have also proposed a further modification, providing additional text to the Policy, including a reference to the development briefs in Appendix 1 and clarifying the Policy’s implications for non-allocated ‘windfall sites’ (MM27). These modifications provide a sound policy.

56. However, the Policy requires further justification and guidance in order to be effective and properly justified. The Authorities have responded with a reference to the supporting evidence for the RLPS Policy SP15: the Yorkshire and Humber Green Infrastructure Mapping Project finalised in 2011 [doc TE5]. They have proposed a modification (MM24) providing additional text to para 10.1 referring to the Mapping Project which sets out a range of Green Corridors within the region, identifying the related green infrastructure areas in the locality, and the specific features that contribute to the networks in Helmsley. A further new paragraph is proposed to follow para 10.1 to strengthen the justification by indicating the sort of contributions that new developments should seek to make towards improving the green infrastructure networks (MM25). Taken together, these modifications provide a sound policy with sufficient reasoned justification to ensure effectiveness.

Issue 6 – Telecommunications

57. A number of issues were identified with Policy H14 Telecommunications and IT Installations. As drafted, the Policy is not consistent with national policy in the NPPF (para 46) which advises that LPAs should not question the need for telecommunications equipment. Therefore the first criterion should not be incorporated in the Policy.

58. There is inconsistency between the Policy, criterion 3, as drafted, and the
NYMCS, Policy 25, which requires there to be no unacceptable adverse visual impact upon the character of the locality and the wider landscape, or the various requirements regarding character, design and amenity, of the RLPS, Policy SP10. Lastly, the Policy has no requirement for the removal of equipment in line with the specific requirement of criterion 5 of NYMCS Policy 25.

59. The shortcomings of Policy H14 have been recognised by the Authorities and have been addressed through (MM28), providing additional text to para 15.1, and (MM29) which proposes deletion of the first criterion, amended text for what will become criterion 2, and the inclusion of new criterion 3 making provision for the removal of redundant equipment. A further representation has raised concern with the insertion of ‘visual’ as a qualification to ‘adverse impact’, noting that the impact on heritage assets may also be physical in nature. The Authorities have accepted the criticism and amended MM28 and MM29 accordingly. These modifications result in a sound Policy.

Issue 7 – Development briefs

60. The inclusion of development briefs as a component part of the Plan submitted for Examination creates the difficulty that, if circumstances change in respect of any of the sites, the brief can only be amended or modified by subjecting that part of the Plan to a further statutory Examination. This does not provide a flexible and responsive approach to the control of development.

61. The Authorities have agreed that the development briefs should be removed from the Plan and, instead, have proposed these should be attached as an appendix, entitled Appendix 1 Development Briefs (MM30). Accordingly, so far as housing sites are concerned, they have proposed to change the wording of Policy H1 (MM8) and provide additional text following para 5.12 (MM11). Changes are proposed to Policy H4, so far as Site EMP2 is concerned (MM17) and to para 6.2 in relation to both sites EMP1 and EMP2 (MM18). A further addition is proposed to Policy H11, making reference to the Appendix (MM27). These Main Modifications ensure that the Plan is sound in respect of the development briefs.

Other matters

62. A number of proposed modifications have been put forward by the Authorities which, on reflection, do not amount to Main Modifications required to address issues of soundness. These are referenced in the schedule published for consultation as MM28 relating to para 14.2 referring to a potential use for contributions towards open space provision which has not been justified in the context of this Examination; and MM32 – MM34 which relate to text removed to Appendix 1 and therefore no longer part of the Plan. The remaining Main Modifications have been renumbered as appropriate.

63. The Plan contains no indication of the Plan Period. The first reference is within the Vision for Helmsley and supporting text at para 3.3 which advise that it will set the spatial approach for development up to 2027. This is an omission which must be addressed if the Plan is to having meaning to users. The Authorities have sought to address this through (MM1) which provides a timescale of 2014 – 2027 to be incorporated through text on the front cover.
This results in a sound Plan in this respect.

64. The Authorities have proposed to create a new Appendix 5 providing a list of superseded policies as a result of the adoption of the Helmsley Plan, with additional clarifying text (MM31). This is clearly necessary to provide a sound document.

Policies Map

65. The Authorities have provided a revised Policies Map incorporating the changes referred to in para 41, above, through (MM12), and the attached Appendix 2.
**Assessment of Legal Compliance**

66. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

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<tr>
<th>LEGAL REQUIREMENTS</th>
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</tr>
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<tr>
<td>Local Development Scheme (LDS)</td>
<td>The Helmsley Plan is identified within the approved Ryedale LDS January 2015 [doc RDCD 3] and the North York Moors NPA LDS May 2013 [doc NYMD4] the former of which sets out an expected adoption date of September 2015. The Helmsley Plan’s content and timing are compliant with the LDS.</td>
</tr>
<tr>
<td>Statement of Community Involvement (SCI) and relevant regulations</td>
<td>The Ryedale SCI [doc RDCD2] was adopted in November 2006 and that of the North York Moors NPA in August 2006 [doc NYMD3]. The consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed ‘main modification’ changes (MM).</td>
</tr>
<tr>
<td>Sustainability Appraisal (SA)</td>
<td>SA [doc SD2] has been carried out and is adequate. The ‘main modification’ changes have also been subject to SA.</td>
</tr>
<tr>
<td>Appropriate Assessment (AA)</td>
<td>The Habitats Regulations AA Screening Report (January 2014) [doc SD4] shows that, particularly in relation to the allocation of land for development, the plan may have some negative impact, and a full assessment should be undertaken. The AA was carried out [doc SD6] and concluded that, with the application of mitigation measures, the Helmsley Plan will not give rise to any effects that would harm the integrity of the Natura 2000 sites. The ‘main modification’ changes have also been subject to Habitat Regulations Assessment and concluded that no further AA work is necessary.</td>
</tr>
<tr>
<td>National Policy</td>
<td>The Helmsley Plan complies with national policy except where indicated and modifications are recommended.</td>
</tr>
<tr>
<td>Sustainable Community Strategy (SCS)</td>
<td>Satisfactory regard has been paid to the SCS (Imagine Ryedale 2013) [doc RDCD17] and the NPA’s Management Plan 2012 [doc NYMD2].</td>
</tr>
<tr>
<td>Public Sector Equality Duty (PSED)</td>
<td>The Helmsley Plan complies with the Duty [doc PD1, October 2013]</td>
</tr>
<tr>
<td>2004 Act (as amended) and 2012 Regulations.</td>
<td>The Helmsley Plan complies with the Act and the Regulations.</td>
</tr>
</tbody>
</table>
Overall Conclusion and Recommendation

67. The Plan has a number of deficiencies in relation to soundness and for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

68. The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Helmsley Plan local plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

**Patrick T Whitehead**

Inspector

This report is accompanied by Appendix 1 containing the Main Modifications and Appendix 2 showing the Policies Map as modified.
## Appendix 1

### Main Modifications

The modifications below are expressed in the conventional form of strikethrough for deletions and underlining for additions of text.

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<tbody>
<tr>
<td>MM1</td>
<td>Cover</td>
<td></td>
<td>Insert timescale for Plan 2014 to 2027</td>
</tr>
<tr>
<td>MM2</td>
<td>8</td>
<td>Concept Drawing</td>
<td>Amend the concept drawing to denote the extent of the Grade I Historic Park and Garden at Duncombe Park.</td>
</tr>
<tr>
<td>MM3</td>
<td>15</td>
<td>Policy H1</td>
<td>Delete “The delivery of at least 150 new homes will be managed over the period 2014 to 2027. This will be achieved as follows:” and replace with “The delivery of at least 150 new homes will be provided over the period 2014 to 2027. The timescales for development are provided for indicative purposes only”.</td>
</tr>
<tr>
<td>MM4</td>
<td>15</td>
<td>Policy H1</td>
<td>Remove site NYMH8 from proposed allocation to current commitments.</td>
</tr>
<tr>
<td>MM5</td>
<td>15</td>
<td>Policy H1</td>
<td>Change description of site 183 to read “Land to the East of Riccal Drive”</td>
</tr>
<tr>
<td>MM6</td>
<td>15</td>
<td>Policy H1</td>
<td>Change description of site 174 to read “Land to the South of Riccal Drive”</td>
</tr>
<tr>
<td>MM7</td>
<td>15</td>
<td>Policy H1</td>
<td>Delete reference to requirement that “at least 5% of all new dwellings of more than 50 units must be bungalows”</td>
</tr>
<tr>
<td>MM8</td>
<td>15</td>
<td>Policy H1</td>
<td>Delete reference to “detailed planning permission will be supported where proposals fulfil the principles set out in the development briefs contained within this plan”</td>
</tr>
<tr>
<td>MM9</td>
<td>16</td>
<td>Paragraphs 5.5 to 5.7</td>
<td>Amend Paragraphs 5.5 to 5.7 to read as follows: “5.5 Delivery of Sites 5.6 Whilst none of the sites face major constraints in terms of delivery, the Authorities are aware that a number of the sites may require a greater lead-in time to achieve development than others. The allocations are not phased as all sites are capable of coming forward from 2014 onwards. The delivery of sites in Helmsley also assists in ensuring allocated land</td>
</tr>
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<tr>
<td>MM10</td>
<td>17</td>
<td>Paragraph 5.11</td>
<td>Delete paragraph.</td>
</tr>
<tr>
<td>MM11</td>
<td>17</td>
<td>New text</td>
<td>After paragraph 5.12 add “further details on the requirements for each site are contained in the development briefs attached to appendix 1”</td>
</tr>
<tr>
<td>MM12</td>
<td>18</td>
<td>Paragraph 5.17</td>
<td>Add to criteria g the following text “These include the Grade I Historic Park and Garden at Duncombe Park, Howardian Hills AONB, the Area of High Landscape Value and the Visually Important Undeveloped Area (the last two being set out in the Ryedale Local Plan Strategy)”</td>
</tr>
<tr>
<td>MM13</td>
<td>19</td>
<td>New text</td>
<td>Add further paragraph after 5.19 which says “Any proposals for new housing outside of the development limit identified on the Policies Map will need to meet the requirements for new housing development in the open countryside as set out in either the NYMNPA Core Strategy or the Ryedale Local Plan Strategy. Definitions of essential needs are set out in point 3 of NYMNPA Core Policy J and Policy SP2 of the Ryedale Local Plan Strategy”</td>
</tr>
<tr>
<td>MM14</td>
<td>20</td>
<td>Policy H3</td>
<td>Change the threshold in the first line from 5 or more units to 6 or more units. Remove second sentence which says “below the threshold of 5 dwellings or 0.2ha a pro-rated financial contribution will be sought from all residential development where this is viable”</td>
</tr>
<tr>
<td>MM15</td>
<td>21</td>
<td>Policy H4</td>
<td>Change description of Site EMP1 to “Land to the West of Riccal Drive”</td>
</tr>
<tr>
<td>MM16</td>
<td>21</td>
<td>Policy H4</td>
<td>Change description of Site EMP2 to “Land to the South of Riccal Drive”</td>
</tr>
</tbody>
</table>
| MM17 | 21                     | Policy H4        | After “Site EMP2, land to the South of Riccal Drive – up to 0.6ha” insert “detailed
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<tbody>
<tr>
<td>MM18</td>
<td>21</td>
<td>Policy H4</td>
<td>Amend the fourth sentence of paragraph 6.2 in the plan to state “EMP1 and EMP2 allocated 1.9ha of land in Helmsley for employment purposes in the B1, B2 and B8 use classes, subject to amenity considerations set out in the development briefs in Appendix1”.</td>
</tr>
<tr>
<td>MM19</td>
<td>24</td>
<td>Policy H6</td>
<td>Amend wording of policy to say “Proposals which will result in the loss of retail floorspace on Primary Retail Frontages along Bridge Street, Borogate, Church Street and Market Place will only be permitted where it can be demonstrated that it is no longer suitable or viable for retail use”.</td>
</tr>
<tr>
<td>MM20</td>
<td>24</td>
<td>Policy H7</td>
<td>Amend wording of policy to say “Proposals which will result in the loss of community, cultural, leisure and recreational facilities (including Helmsley Town Hall, Helmsley Arts Centre and Recreational Facilities at Baxtons Lane) will only be permitted where:-”</td>
</tr>
<tr>
<td>MM21</td>
<td>27</td>
<td>Policy H10</td>
<td>Change the title of the policy to “Renewable Energy and Sustainable Building”. Add to the beginning of the policy: - “Proposals for new residential development should demonstrate that they have been designed to reduce the need for energy consumption and that the buildings utilise energy more efficiently. Proposals that generate renewable energy and/or low carbon sources of energy will be supported where they do not harm the character of Helmsley”</td>
</tr>
</tbody>
</table>
| MM22 | 27                     | Policy H10       | Add the following text to the supporting text - “Buildings have a long lifespan and contribute towards carbon dioxide emissions so it is important that new homes and buildings have as low an impact as possible. The current recognised standards aimed at reducing energy emissions are the Code for Sustainable Homes *(withdrawn 25 March 2015)* and
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<tbody>
<tr>
<td>MM23</td>
<td>27</td>
<td>Renewable Energy</td>
<td>the Building Research Establishment Environmental Method (BREEAM). At present Building Regulations require that all new development must meet at least level 3 of the Code for Sustainable Homers. However the Government has announced its intention to introduce new standards for energy performance and allowable solutions through Building Regulations in 2016. Whilst it is not a policy requirement both Authorities will actively support developments which seek to exceed these minimum requirements. The Local Planning Authorities will take into account the feasibility and viability issues associated with the delivery of decentralised renewable and low carbon energy, including the use of Allowable Solutions. It should be noted that residential sites of 10 units or fewer are excluded from this requirement.</td>
</tr>
<tr>
<td>MM24</td>
<td>28</td>
<td>Green Infrastructure</td>
<td>Add a paragraph (9.3) which says “Applicants will need to consider the range of technologies available, their feasibility and the impact on the location in question. Careful attention must be made to the siting, colour and materials of the technology in order to ensure it does not harm the character of Helmsley. In the National Park area of the town reference should be made to the NYMNPA SPD on Renewable Energy. Applications in the Ryedale area of the town will be considered against the Energy Hierarchy set out in SP18 of the Ryedale Local Plan Strategy”.</td>
</tr>
</tbody>
</table>

Green infrastructure can be a multi-functional resource such as providing recreational benefit, enhancing and protecting biodiversity, and where possible creating new habitats using indigenous planting. The Yorkshire and Humber Green Infrastructure Mapping Project set out a range of district, sub-regional and regional Green Corridors. Helmsley has a rich variety of contiguous and overlapping green infrastructure areas including: the River Rye (Sub-Regional Corridor)
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<tr>
<td></td>
<td></td>
<td></td>
<td>North York Moors Green Infrastructure Area</td>
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<td></td>
<td>Howardian Hills Green Infrastructure Area</td>
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<td></td>
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<td>The District Corridor of the Cleveland way (Cleveland and Hambleton Hills).</td>
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<td></td>
<td>There are many specific features that contribute to these networks in Helmsley. These include:</td>
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<td>The corridors of Borough and Spital Becks</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>The former railway line.</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>The playing fields</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>Duncombe Park National Nature Reserve</td>
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<td></td>
<td></td>
<td></td>
<td>Helmsley Castle and the adjoining Walled Gardens”</td>
</tr>
</tbody>
</table>

MM25  28  Green Infrastructure  Insert further new paragraph following (paragraph 10.1) “It is important that new development opportunities seek to improve, integrate and enhance these existing features that contribute to these Green Infrastructure Networks to build in biodiversity resilience. This can include considering the effects of garden space, open space and landscape buffers with these various networks”.

MM26  28  Policy H11  Amend policy to say “All development proposals within the Plan area should require a net gain in biodiversity and for green infrastructure networks to be enhanced where possible. This will provide opportunities for activity and relaxation and should include the expansion and enhancement of green infrastructure assets. Where there is existing green infrastructure this should be protected”.

MM27  28  Additional text  Add the following to the end of Policy H11: “The development briefs in Appendix 1 set out the opportunities of the allocated sites in linking with these green infrastructure networks. Development proposals on non-allocated ‘windfall sites’ should address opportunities to link with and enhance green infrastructure networks where possible and in proportion to the scheme. ‘Windfall’ development proposals will not be expected to provide Green Infrastructure where a meaningful
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<tr>
<td>MM28</td>
<td>31</td>
<td>Paragraph 15.1</td>
<td>Add “as installations can cause visual harm to the landscape and built environment and have a direct physical impact upon heritage assets”.</td>
</tr>
<tr>
<td>MM29</td>
<td>31</td>
<td>Policy H14</td>
<td>Amend policy to say:- “Proposals for IT and telecommunications infrastructure will be permitted where: • There are no satisfactory alternatives following an assessment of erecting apparatus on existing buildings where appropriate, masts or other structures; and • The siting and appearance of the proposed apparatus and association structures will have no unacceptable adverse impact on the Conservation Area, the historic environment or the wider landscape particularly the National Park; and • Provision is made for the removal of the equipment when it is redundant”.</td>
</tr>
<tr>
<td>MM30</td>
<td>35</td>
<td>Development Briefs</td>
<td>Rename as “Appendix 1 Development Briefs”</td>
</tr>
<tr>
<td>MM32</td>
<td>27</td>
<td>Paragraph 9.3</td>
<td>Add the following text to the end of paragraph 9.3: “, excluding residential sites of 10 units or fewer where it is not required.”</td>
</tr>
<tr>
<td>MM33</td>
<td>17</td>
<td>Paragraph 5.9</td>
<td>Replace last sentence with the following: “Dwellings should be designed so that they are flexible and can be adapted to meet changes in lifestyle for example coping with illness”.</td>
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Appendix 2
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<td>Development Brief for Site NYM3</td>
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<td>Development Brief for Site 174</td>
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<td>Development Brief for Site 183</td>
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<td>55</td>
<td>Development Brief for Site EMP1</td>
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<td>Development Brief for Site EMP2</td>
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<td>Appendix 2 – Car Parking Provision</td>
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<td>Appendix 4 – Glossary</td>
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</tr>
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INTRODUCTION

1.1 The Helmsley Plan is a planning document for the town of Helmsley as shown on the Policies Map. It sets out what development will go where and by when over the course of the plan period. The Helmsley Plan will comprise part of the statutory planning decision framework of both Ryedale District Council and the North York Moors National Park Authority. As a Local Plan it will be used as the basis for decisions on planning matters which take place in Helmsley. It has been jointly produced as the boundary of the North York Moors National Park runs through the middle of the town. Approximately half of the town lies within the National Park which means it has the highest status of protection in relation to landscape and scenic beauty with statutory purposes to conserve and enhance the natural beauty and promote understanding and enjoyment of the North York Moors. The two authorities recognise that as an important local service centre for the wider rural hinterland, it is important that development in Helmsley is carefully, proactively and jointly planned.

1.2 The plan includes:-

- A Vision for Helmsley
- An overview of how the Helmsley Plan fits in with National Planning Policy including National Park designation
- Where future development will take place and what this should look like

1.3 The allocation of sites in the Helmsley Plan provides certainty to developers, local people and infrastructure providers as to what development is likely to happen in the town. It will also ensure that the town has sufficient housing and employment land to meet its economic growth and increased population.

1.4 Decisions on other elements of planning such as residential extensions will continue to be considered against the policies contained in the relevant development plan for Ryedale District Council or the National Park Authority depending on the location of the property.

How the Plan Has Developed

1.5 Work on the Helmsley Plan began in January 2012 when a discussion paper titled ‘The Helmsley Plan – We Need Your Views’ seeking comments on what the plan should contain was sent to all residents and businesses in the town. This initial consultation resulted in a total of 72 responses. During the summer of 2013 consultation took place on a Draft Version of the Plan with 40 responses received raising some 241 individual comments. These comments were considered and addressed in the final version of the Plan, which was subject to an examination in public in March 2015.

How does it fit with other plans?

1.6 Once adopted, the Helmsley Plan will be part of the Development Plan relating to Helmsley. The North York Moors Core Strategy and Development Policies Document forms the strategic part of the development plan falling within the National Park. The Ryedale Local Plan Strategy forms the strategic development plan for the area of the town falling outside the National Park. The Helmsley Plan will form part of the allocations document for Ryedale District, together with the Local Plan Sites Document, which covers the areas outside of Helmsley in Ryedale District.
A Description Of Helmsley

1.7 Helmsley is a small market town situated on the southern boundary of the North York Moors National Park nestling in a hollow 24 miles away from York and 32 miles from Scarborough. The town sits at the junction of the A170, which runs from Pickering to Thirsk, and the B1257 road, which runs south over the moors from Stokesley. The area to the north of the A170 and west of the Market Place are located within the North York Moors National Park. Entry into the town from the south is over the late 18th century Scheduled bridge which crosses the river Rye forming a natural barrier to the south of the town. The town is flanked by heather moor to the north, rising wooded land to the west and rolling farmland to the South.

1.11 Helmsley lies within the North York Moors and Cleveland Hills National Character Area but is bounded to the south by the Vale of Pickering National Character Area and therefore is probably transitional between the two. In the North Yorkshire Landscape Character Assessment the site falls within the classification of Limestone Foothills and Valleys. Within this assessment the landscape is noted as being of high visual sensitivity as a result of its panoramic views across the Vale of Pickering and strong intervisibility with adjacent landscapes.

1.12 The town was first settled in around 3000 BC and by the time it was mentioned in the Domesday Book had become a modest village with the distinctive features which make up today’s street plan. Helmsley Castle was constructed around the 12th Century in order to control the river crossing. The town thrived with the founding of nearby Rievaulx Abbey and in 1191 the Lord of the Manor, Robert de Ros granted Helmsley the borough charter, which resulted in the burgage plots which remain visible around Market Street and Bridge Street.

1.13 By the beginning of the 17th century the overall form of the town was largely complete and many of the existing buildings date from this period. In 1871 the Pilmoor branch railway was extended to Helmsley and resulted in the development of Station Road, (the station was later closed in 1953). Before the war, the area between Bondgate and Station Road was developed, which was followed after the war by the construction of the award winning Elmslac Estate. In the 1970’s and 1980’s further modern housing developments took place to the east of the town in the form of Swanland Road/Ryedale Close and The Limes.
1.14 The Town has a wealth of historic assets including the stately home and historic parkland of Duncombe Park, Helmsley Castle and the Grade II* listed Canons Garth, which is one of the oldest surviving buildings having been originally constructed in the 12th century. Part of the town is designated as a Conservation Area, which includes 433 buildings, of which 85 are listed. Land to the south east of the town includes three prehistoric burial mounds or ‘round barrows’ which are visible as green mounds within otherwise arable fields and are Scheduled Ancient Monuments.

1.15 Helmsley has two Sites of Importance for Nature Conservation (SINCs); these are East Plock Woods, to the south of the town, and the River Rye, running from Helmsley Bridge to West Ness. The majority of Duncombe Park is also designated a National Nature Reserve and Site of Special Scientific Interest (SSSI).

1.16 Helmsley plays an important role as a service centre for the wider rural area and is home to around 30291 people. According to the 2011 Census there were 1,663 households in the larger Helmsley ward, with around 1,000 of these located in the town itself. However around 14% of these properties have no usual resident (includes holiday cottages, second homes and empty properties), which is above the average figure of 9% across Ryedale as a whole. The town continues to be a thriving market town, hosting a popular weekly market and it has range of shops and community facilities including the primary school and health centre. The town has reasonable public transport links to the larger Market Towns of Thirsk and Pickering. The town’s main employment is focussed on the industrial estate known as Sawmill Lane located to the south east of the town.

1.17 The Concept drawing on the following page illustrates these features of Helmsley, in particular how they constrain the growth of the town. The drawing highlights the landscape setting of the town and shows where there are opportunities for growth.

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1 2011 Census data on Helmsley Ward
POLICY CONTEXT

2.1 The Helmsley Plan has not been prepared in isolation and has been informed and influenced by a number of key documents as set out below.

National Park Designation

2.2 The 1995 Environment Act sets out two purposes for National park Authorities, as follows:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; and
- To promote opportunities for the understanding and enjoyment of the special qualities of the Parks by the public.

2.3 The Act goes on to place a duty on National Park Authorities in pursuing the two purposes ‘to seek to foster the economic and social well being of local communities’.

National Planning Policy Framework

2.4 The National Planning Policy Framework was published by the Government on 27 March 2012. The National Planning Policy Framework (NPPF) must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. Whilst the NPPF should be read as whole, some key elements are set out below.

2.5 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 14 goes on to say that Local Plans should meet objectively assessed needs unless specific policies in this Framework indicate development should be restricted and a footnote refers to examples where policies relate to land within a National Park.

National Park Designation

2.6 The NPPF says that great weight should be given to conserving the landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty.

Delivering a wide choice of high quality homes

2.7 The NPPF says that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Local Plans should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and where they have identified that affordable housing is needed, set policies for meeting this need.

2.8 Local Plans need to identify a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional
buffer of 5%. A further supply of specific developable sites or broad locations for years 6-10 should be identified and where possible for years 11-15.

2.9 It should be noted that paragraph 14 of the NPPF says that Local Plans should meet objectively assessed needs unless specific policies in the Framework indicate development should be restricted. The footnote to this paragraph refers to policies relating to sites located within National Parks.

Building a strong, competitive economy

2.10 In drawing up Local Plans, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. They should do this by setting out a clear economic vision and strategy for the area and identify sites to meet anticipated business needs over the plan period.

The Ryedale Local Plan Strategy

2.11 The Ryedale Local Plan Strategy was formally adopted by the Authority in September 2013. The aspiration of the strategy contained in the Ryedale Plan is to focus growth primarily in the Principal Towns of Malton and Norton and with the Secondary focus for growth being the Market Towns of Pickering, Kirkbymoorside and Helmsley.

2.12 In terms of Helmsley the ambitions of the Ryedale Local Plan Strategy are to:

- Support the Town’s Local Service Centre role, protecting and providing facilities that contribute to this role.
- Provision of some housing and employment growth to address the requirements of the local community
- Retention of major employers and existing employment space
- Support the Town’s regional tourist role by supporting existing attractions such as the Walled Garden and Helmsley Castle and by fostering the role of the town as a niche location for shopping, food and hospitality
- Support Helmsley’s role as a gateway to tourist attractions and recreational activity in the North York Moors National Park.


2.13 The North York Moors National Park Authority Core Strategy and Development Policies Document was adopted in November 2008 and identifies Helmsley as the Local Service Centre. The overarching strategy of the plan is to improve the sustainability of local communities by supporting, improving and consolidating existing services and facilities. As the Local Service Centre the following development will be supported in Helmsley;

- Housing including open market and affordable housing
- Employment development to support existing or provide new employment opportunities in the town and support and diversify the rural economy
• Improve existing facilities and provide new facilities to serve local residents, strengthen its role as a Local Service Centre and support its role as a visitor destination.

2.14 The North York Moors National Park Authority’s Core Strategy and Development Policies Document requires that all new housing is to meet local needs only and therefore has no target figure. Although a figure of 26 units is anticipated each year this is through windfalls rather than a programmed supply and will be in addition to the levels allocated through this plan. In order to plan properly for Helmsley both Local Planning Authorities are committed to selecting the most appropriate sites for new development for the town in its entirety at a level which is appropriate to the location of the town partly within the National Park.

National Park Management Plan

2.15 The National Park Management Plan sets out the vision, strategic policies and outcomes for the National Park over the long term. It is a Plan for the National Park, its communities, businesses, visitors and organisations and will require all who have an interest in the National Park to work together to achieve its aspirations. It will ensure that National Park purposes are being delivered whilst contributing to the aims and objectives of other strategies for the area. Aims include providing more affordable homes to meet local needs and providing a range of business and employment opportunities which benefit local people.

A Policy Statement for Helmsley

2.16 In May 2010 Helmsley Town Council published a policy statement for the town called ‘The Future of Helmsley’. The document brought together the conclusions of the Helmsley Design Statement Working Group and the views of the Town Council on how the town should be developed in the future. Many of the guidelines set out in the policy statement have been used as the basis for the development of the policies contained in this document.

Helmsley Conservation Area Appraisal

2.17 The Helmsley Conservation Area Appraisal was adopted by both Ryedale District Council and the North York Moors National Park Authority in 2005. The aim of the appraisal is to help inform decisions made by the Local Planning Authorities, the Highways Authorities, the Town Council and local residents. The Appraisal includes a detailed assessment of the architectural and historic character of the Town and makes reference to important characteristics and areas of open space that should be retained, which have been considered during the assessment of the sites.

2.18 As part of the Helmsley Plan process anomalies with the existing Conservation Area boundary were considered and a further appraisal carried out. As a result the area of Elmslac Road and the area adjacent to the Feversham Arms hotel have been added to the Conservation Area.
The Relationship between Plans

2.19 The Helmsley Plan will comprise part of the statutory planning decision framework of both Ryedale District Council and the North York Moors National Park Authority. It will provide the spatial context of the Ryedale Local Plan Strategy and the North York Moors National Park Authority Core Strategy and Development Policies Document. As part of the development plan it will be used as the basis for decisions on planning matters which take place in Helmsley. The allocation of sites for new housing and employment land in the rest of Ryedale will be established through a separate site allocations document produced by Ryedale District Council. The delivery of housing and employment land as set in this Plan will meet the requirements of the Ryedale Plan: Local Plan Strategy.

2.20 The policies contained in the Helmsley Plan apply to the area identified on the Policies Map.

VISION FOR HELMSLEY AND OBJECTIVES

3.1 The Helmsley Plan aims to maintain the town’s role as a thriving market town which continues to provide a range of facilities and housing provision for local residents and continues to meet the expectations of visitors.

3.2 The main objectives of the plan are:

- To provide sufficient land to provide a mix of housing which meets the existing and future needs of the existing population, providing opportunities for managed growth of the town over the plan period, whilst safeguarding and enhancing the landscape of the National Park.
• To support the existing economy by ensuring there is further land available for the expansion of local businesses and to provide a range of employment opportunities for local people.

• To conserve and enhance the special qualities of the town so that it remains a popular destination for visitors and maintains the role of Helmsley as a market town serving a wide hinterland of rural communities including those within the National Park.

• Retain the historic character of the town including the setting of the Duncombe Park Estate, Helmsley Castle and the North York Moors National Park.

A Vision for Helmsley

In 2027 Helmsley will continue to provide essential services and facilities for its local community which will be successfully balanced with its role as a regionally important visitor destination. The distinctive historic character of the town and its landscape setting within the National Park will have been safeguarded and enhanced. Its role and reputation as a niche location for high quality shopping, hospitality and food based activity will be firmly established.

3.3 The Helmsley Plan will set the spatial approach for development in and around the town up to 2027 to meet this vision.

3.4 The policies set out in this document will apply to proposals for new development in and around the town.
POLICIES

4. Presumption in Favour of Sustainable Development

Policy SD1 Presumption in Favour of Sustainable Development

When considering development proposals the Local Planning Authorities will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in the Helmsley Plan will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application in either the Helmsley Plan or Local Plans of the North York Moors National Park or Ryedale District Council, or relevant policies are out of date at the time of making the decision then the Local Planning Authorities will grant permission unless material considerations indicate otherwise – taking into account whether:

a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

b) Specific policies in that Framework indicate that development should be restricted such as where they are located in a National Park.

4.1 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. This policy sets out how the presumption in favour of sustainable development will be applied in relation to Helmsley.

4.2 The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.
5. **Housing Provision**

5.1 The National Planning Policy Framework requires that Local Planning Authorities use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing in their area. Local Planning Authorities are also required to identify broad locations to meet housing needs in 6-10 years from the start of the planning period and also where possible for years 11-15. In other words Local Plans need to identify sites where new housing can come forward over the plan period to meet future housing requirements.

**Policy H1 – New Residential Development**

The delivery of at least 150 new new homes will be managed over the period 2014 to 2027. This will be achieved as follows:

<table>
<thead>
<tr>
<th>Site Reference</th>
<th>Location</th>
<th>Number of Units</th>
<th>Timescale</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current commitments</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land to the Rear of Black Swan</td>
<td>14 units residential units</td>
<td>2014 to 2022</td>
<td></td>
</tr>
<tr>
<td>Land to the South of Swanland Road</td>
<td>20 residential units</td>
<td>2014 to 2017</td>
<td></td>
</tr>
<tr>
<td><strong>Proposed Allocations</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site NYMH1</td>
<td>Land to the North of Swanland Road and East of Carlton Road</td>
<td>60</td>
<td>2014 to 2022</td>
</tr>
<tr>
<td>Site NYMH3</td>
<td>Land to the North of Elmslac Road</td>
<td>35 residential units 60 unit extra care facility</td>
<td>2014 to 2022</td>
</tr>
<tr>
<td>Site 183</td>
<td>Land to the East of Riccal Drive</td>
<td>50 residential units</td>
<td>2014 to 2027</td>
</tr>
<tr>
<td>Site 174</td>
<td>Land to the South of Riccal Drive</td>
<td>45 residential units</td>
<td>2014 to 2027</td>
</tr>
</tbody>
</table>

The timescales for development are provided for indicative purposes only.

Extra care accommodation provided specifically to address the requirements of North Yorkshire County Council will not be deducted from the overall provision figure.

5.2 The housing requirement for the Helmsley Plan is derived from the Ryedale Plan: Local Plan Strategy which was adopted in September 2013. This sets a District wide housing target of a minimum 200 net additional dwellings per annum to meet the objectively assessed housing requirements across the District. This level also includes meeting some of the needs of the National Park within Ryedale District. This level of provision figure is based on a range of statistical evidence including population projections, economic forecasts and historical completion levels but also took into consideration environmental factors, accessibility and the rural character of the area.

5.3 The majority of the new housing development will be located in the Principal Towns of Malton and Norton, and below that the local service centres of Pickering, Kirkbymoorside and Helmsley. For Helmsley there is a requirement to plan for the
development of approximately 150 dwellings over the plan period in, or approximately 5% of the District wide requirement. This is a figure, which the Inspector has found sound and which both the Local Planning Authorities feel is appropriate in order to balance the need to deliver new homes to meet changes in the population while retaining the character of the town and the fact that half of the town is in the National Park. The provision figure also takes into account any outstanding housing commitments in Helmsley. The proposed allocations will provide sufficient land to accommodate a minimum of 150 new dwellings whilst ensuring the efficient use of land and making best use of the opportunities available.

5.4 The English National Parks and the Broads Circular\(^2\) states that the Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. The circular goes on to say that new housing will be focussed on meeting affordable housing requirements, supporting local employment opportunities and key services. Paragraph 115 of the National Planning Policy Framework sets out the approach to affording “great weight” to conserving and protecting key elements of National Parks and Paragraph 14 (including footnote 9) makes clear that the status of a National Park is an important consideration in any plan-making relating to it. Against this background, the National Park Authority and Ryedale District Council are working together to implement the development requirements set out in the Ryedale Local Plan Strategy to ensure the coordinated planning of Helmsley.

**Delivery of Sites**

5.5 Whilst none of the sites face major constraints in terms of delivery, the Authorities are aware that a number of the sites may require a greater lead in time to achieve development than others. The allocations are not phased as all sites are capable of coming forward from 2014 onwards. The delivery of sites in Helmsley also assists in ensuring allocated land supply is available for development as part of the Ryedale Local Plan Strategy.

5.6 The delivery of housing will be monitored through the Monitoring Reports of each Authority and Ryedale District Council’s annual Strategic Housing Availability Assessment (Part 1 Annual Update). The delivery of Housing through the Helmsley Plan will also be monitored in a Ryedale District context to ensure that the District Housing target in the Ryedale Plan is met.

**Housing Density, size and type**

5.7 The provision of an appropriate mix of housing is key to achieving balanced and sustainable communities. New housing will need to address the changes in the demographic structure of Helmsley and reflect the needs of increased numbers of smaller households and older people. Dwellings should be designed so that they are flexible and can be adapted to meet changes in lifestyle for example coping with illness.

5.8 The Strategic Housing Land Availability Assessment suggested that 30 dwellings per hectare is an appropriate housing density for the settlement of Helmsley. However the housing density required for each site will be dependent on the site assessment.

5.9 Further details on the requirements and guidance for each allocation are contained in the development briefs attached to Appendix 1.

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\(^2\) English National Parks and the Broads UK Government Vision and Circular 2010
Extra Care Provision

5.10 Extra Care provision is the development of self-contained homes with design features and support services to enable self-care and independent living for people aged 55 and over. As a result of predicted changes to the population by 2020 over 50% of the population of North Yorkshire will be over 65 years of age. In order to cater for these demographic changes North Yorkshire County Council has identified a need for a further 30 schemes across the market towns in the County, with a need for at least 4 facilities within Ryedale District. The evidence collected by North Yorkshire County Council demonstrates that there is a requirement for a facility of 60 units in Helmsley (this is the minimum number currently required to ensure the viability of the scheme). North Yorkshire County Council have identified a site to provide a facility in Helmsley and this has been identified in the Helmsley Plan. The provision of an extra care facility proposed by North Yorkshire County Council to meet locally identified needs is not included in the overall requirement for 150 new homes, which is in line with the approach taken in the Ryedale Plan: Local Plan Strategy, which was found sound by the Inspector.

Windfall Development

Policy H2 – Windfall Development

Proposals for new residential development on sites located within the defined Development Limit will be supported where the site comprises a small infill gap and/or fulfils the relevant policy requirements set out in the Ryedale Local Plan Strategy or North York Moors Core Strategy and Development Policies Document. Particular regard will be had to the following features in the consideration of windfall residential schemes in Helmsley:

- Ensuring that proposals conserve those elements which contribute to the historic character of Helmsley, especially the burgage plots and other important open spaces within the town;
- the setting of the town’s built heritage including Duncombe Park and Helmsley Castle; and
- Important open views to the countryside.

Residential development outside the defined Development Limit for Helmsley will be restricted to those of an essential or exceptional nature as set out in the relevant policies contained in the Ryedale Plan: Local Plan Strategy or North York Moors Core Strategy and Development Policies Document.

5.11 Sites considered for allocation through the Helmsley Plan are those greater than 0.3ha in size. Any windfall sites of any size which come forward within the development limits will be considered against Policy H2 of this plan and also against the strategic policies of the relevant Local Planning Authority. Given the need to ensure the deliverability of this plan, enough allocations have been made to ensure the housing requirement is met and no windfall allowance has been made in terms of allocated supply and therefore windfalls do not count towards the 150 housing provision figure. However they are expected to only provide a limited contribution to housing supply and will be reflected in the monitoring of housing provision as set out in paragraph 17.1.

5.12 Development Limits are the boundary defined around a settlement within which appropriate development will normally be permitted. Different land use policies apply
inside and outside these Development Limits. Although Ryedale District Council has set Development Limits the National Park Authority did not take this approach in the Core Strategy and Development Plan Policies Document. However in order to take a consistent approach in the Helmsley Plan a Development Limit has been established for the whole of the town not just the area which falls within Ryedale District Council and this is shown on the Policies Map.

5.13 The Development Limit for Helmsley has been established using the criteria set out below:

   a) The boundary should wherever possible relate to defined physical features such as field boundaries, roads or watercourses.
   b) The boundary is drawn tightly around the built form of the settlement including any land allocated for development or land with a current planning permission.
   c) The settlement boundary will include the following land uses; residential, community facilities (including schools, shops and health services), employment uses, permanent hard surfaced car parks and identified recreation or community open space such as allotments but excludes churches, cemeteries and sports facilities/fields.
   d) The settlement boundary will include the following land uses; residential, community facilities (including schools, shops and health services), employment uses, permanent hard surfaced car parks and identified recreation or community open space such as allotments but excludes churches, cemeteries and sports facilities/fields.
   e) One of the features of Helmsley is the retention of numerous historic burgage plots, which contribute greatly to the character of the Conservation Area, in particular the open views across to Helmsley Castle. Infilling of these plots would harm these distinct features and therefore the development boundary will be drawn tightly along the rear walls of the buildings that form the road.
   f) Buildings which are clearly separated from the main built up part of the town have been excluded.
   g) Important open areas on the edge of the town have been excluded from the Development Limits where development of these spaces would adversely affect the landscape setting or character of the settlement. These include the Grade I Historic Park and Garden at Duncombe Park, Howardian Hills AONB, the Area of High Landscape Value and the Visually Important Undeveloped Area (the last two being set out in the Ryedale Local Plan Strategy).

5.14 Any proposals for new housing and employment development on sites which have not been allocated in the Helmsley Plan will be considered as windfalls and will need to be located within the town's development limits as identified on the Policies Map. The development limit boundary includes those sites allocated in this Plan.

5.15 Any proposals for new housing outside of the development limit identified on the Policies Map will need to meet the requirements for new housing development in the open countryside as set out in either the NYMNPA Core Strategy or the Ryedale Local Plan Strategy. Definitions of essential needs are set out in point 3 of Core Policy J and Policy SP2 of the Ryedale Local Plan Strategy.

**Affordable Housing provision**

5.16 A key message from local people in response to both the consultation on this Helmsley Plan and the consultations undertaken on behalf of the Town Council is that there is a need to provide affordable housing to local people in order to ensure that the town remains a balanced and mixed community. Helmsley is a highly desirable place to live which is reflected in the high house prices. In 2011 even the
lower quartile house prices cost an average £185,000. This means that families would require a household income of over £66,000 in order to access a mortgage if they were able to put down a 10% deposit. According to the North Yorkshire Strategic Housing Market Assessment 2011 the median annual gross household income in Helmsley Ward is £19,500. As house prices in the town are vastly disproportionate to local wages buying a house is out of the reach of many local people. As house prices continue to rise as predicted more people will be seeking private rented properties which will inflate the rental market and will result in more people living with parents for longer or moving outside of the area to access cheaper accommodation.

5.17 The 2011 Sub Regional Housing Market Assessment identifies an annual need for 256 affordable housing units across Ryedale District of which a gross annual figure of 20 affordable units per year are needed in Helmsley. The North Yorkshire Strategic Housing Market Assessment identifies a gross annual housing need for 20 affordable units per year. The greatest level of need is for 1 bedroom apartments with a small requirement for 2 and 3 bedroom units. In the light of changes resulting from the Welfare Reform Act it is likely that there will need to be a focus on the need to provide larger 1 bedroom units, which have the capacity to be converted to 2 bedroom to accommodate changes in personal circumstances

Policy H3 – Affordable Housing Provision

On sites allocated for housing development and any other sites coming forward for 6 or more units or 0.2ha or more, an affordable housing target of 40% of all new housing will be sought where viable to meet the needs of local people. Where this target cannot be met, the applicant will need to submit an independent viability assessment justifying any lower provision of affordable housing. Where the number of affordable units to achieve 40% does not equal a whole unit, a pro-rated financial contribution will be sought for that part where viable.

Where this contribution cannot be met, an independent viability assessment justifying any lower target will be required. The type of affordable housing must reflect the housing need set out in the latest Housing Market Assessment.

5.18 Affordable housing in Helmsley will need to be funded primarily through developer contributions and therefore it will be necessary to support open market housing as well as affordable housing to meet the needs of local people. A target of on-site provision of 40% affordable housing will be sought on the sites allocated in Policy H1 and any sites which meet the threshold where viable. Where the provision of on-site housing does not equal a whole number, the resulting ‘part’ of the affordable unit will be sought as a pro-rated financial contribution where viable. For sites under this threshold a target of 9% of the scheme’s sales value will be sought where viable. This figure is supported by Financial Viability Assessments carried out by both Ryedale District Council (J R Stroughair 2011) and the North York Moors National Park Authority (DVS 2011). Where developers argue that the target of 40% affordable housing is not viable on a particular scheme an assessment will be carried out by Ryedale District Council’s in house valuer where the site is located in Ryedale and by an independent valuer for sites located in the National Park.
5.19 The starting point for discussions on the tenure mix of affordable housing is that it should be provided on the basis of 90% social and affordable rent tenures and 10% intermediate. The precise tenure mix will be negotiated to ensure that the provision of affordable housing on a scheme reflects the needs of the town at the time an application is made as the split may change in light of updated evidence on housing need.

5.20 All the affordable housing provision will be subject to a legal agreement restricting the occupancy of the unit to people from the local area (Helmsley Parish and then cascaded to adjacent Parishes). In most cases the developer will sell the affordable homes to a Registered Provider at Ryedale District Council’s agreed transfer price. Allocations for the properties will be made via North Yorkshire Homechoice Choice Based Lettings scheme (or its successor).

Traveller Provision

5.21 The National Planning Policy Framework says that Local Planning Authorities should set pitch targets for gypsies and travellers and plot targets for travelling showpeople which addresses the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities. Whilst the Gypsy and Traveller accommodation survey carried out across North Yorkshire in 2008 identified a shortfall of 9 traveller pitches and 2 show people pitches across Ryedale District, additional Gypsy and Traveller accommodation has been provided elsewhere in Ryedale through the extension of the Tara Park in Malton. Therefore no gypsy or traveller accommodation needs to be identified in this plan.

6. Employment Provision

6.1 Helmsley has a range of economic activities, the town is a traditional market town, which offers a range of local services as well as high end retail offer and is also a significant tourist destination. According to the 2011 Census 1.6% of the population of the Helmsley Parish were classified as unemployed, which is well below national levels. The largest employment sectors in the Parish were wholesale and retail trade; motor vehicles and motor cycles (16.2% of the working population) closely followed by accommodation and food service activities (13.9% of working population). The Helmsley Plan aims to expand the existing employment opportunities for local residents through the allocation of additional land for employment. The main focus for employment in Helmsley is the Sawmill Lane Industrial Estate, where 6.05 hectares is protected by policy for employment use. There are also a cluster of businesses located around the market square, however other than a few offices above retail units there is no significant office market in the town.

6.2 In 2010 Ryedale District Council published the Employment Land Review Update carried out by Entec UK Limited. The review recommended that between 37 and 45 hectares of employment land should be allocated across Ryedale District to ensure a continuous rolling supply of land to support economic activity. From this evidence it is proposed that up to 2 hectares of employment land is allocated in the market towns of Helmsley and Kirkbymoorside, to ensure that there is sufficient available and deliverable land to meet the continued economic expansion of the towns. From the sites available for employment purposes EMP1 and EMP2 allocates 1.9ha of land in Helmsley for employment purposes in the B1, B2 and B8 use classes, subject to amenity considerations set out in the development briefs in Appendix 1. Infrastructure will be a key element to ensuring that new businesses are attracted to Helmsley, which will generate further employment opportunities for local people. The provision
of a range of employment opportunities will also help to lift local wage levels, which may assist local people in accessing the housing market. The Authorities consider it is important to ensure that the Helmsley Plan supports a wide range of employment opportunities including modern working practices including live-work units where appropriate.

**Policy H4 – Employment Land**

Proposals for new employment facilities will be supported on the sites below which are identified for this use on the Helmsley Plan Proposals Map.

Site EMP1, Land to the West of Riccal Drive – Up to 1.3ha

Site EMP2, Land to the South of Riccal Drive – Up to 0.6ha

Detailed planning permission will be granted where the proposal accords with the principles set out in the development briefs attached as Appendix 1 to this plan.

Employment opportunities on non-allocated sites; the expansion of existing employers; the conversion of existing buildings for employment uses; and the provision of live-work units will be supported in line with Policy SP6 of the Local Plan Strategy and Policy DP10 of the North York Moors Core Strategy and Development Policies Document.

Sites EMP1 and EMP2 and existing employment land and premises at Sawmill Lane will be protected as employment use and their change of use to non-employment uses resisted. The change of use of other land and building in current employment uses will also be resisted where they contribute to the sustainability of the local economy of Helmsley unless it can be satisfactorily demonstrated that those sites are no longer economically viable.

6.3 Existing employment provision in Helmsley contributes significantly to the local economy as employees typically live within a close range of Helmsley. A significant employer in the town is Thomas the Bakers who have their headquarters at Sawmill Lane employing around 100 people. The Helmsley Plan seeks to support these existing operations, including their expansion and reconfiguration where needed. It is also important that the local employment opportunities, including the proposed employment allocations are retained for employment purposes where viable, to ensure the sustainable growth of Helmsley.

6.4 This policy supports the priorities of the York, North Yorkshire and East Riding Local Enterprise Partnerships Draft Strategic Economic Plan, particularly in relation to becoming a leader in food manufacturing and profitable and ambitious small businesses.

7. **Retail and Commercial Development**

7.1 Helmsley Town Centre and its marketplace are an essential part of the town’s economy and community. The town provides a range of retail uses and holds a popular weekly market, which draws in residents from the wider local area. The commercial centre of the town provides a range of shops and other facilities which are vital to its continued sustainability. It is important to ensure that new proposals for shops and other non retail uses such as financial and professional services are
encouraged to locate within the town centre in order to contribute to the continued vitality of the centre. Where proposals are put forward for retail uses out of the main commercial centre of the town applicants will need to meet the sequential tests set out in national policy.

Commercial Area of Helmsley

7.2 The Ryedale Plan: Local Plan Strategy in Policy SP7 sets out that there is a requirement particularly for additional non-food or 'comparison' shopping in Helmsley. However this is not to be achieved through the Authorities identifying specific retail allocations. Instead this will be achieved through appropriate development proposals coming forward for either intensified retail uses or the redevelopment of land or buildings within or on the edge of Helmsley town centre. Any proposal for main town centre use will need to satisfy Policy H5 of this Plan.

<table>
<thead>
<tr>
<th>Policy H5 New Main Town Centre Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail and other town centre development will be focussed in Helmsley Town Centre (as defined by the commercial limits on the Policies Map) which will be the focus for a mixture of appropriate town centre uses. The Authorities will support development proposals which enhance the viability and vitality of Helmsley Town Centre.</td>
</tr>
<tr>
<td>Developments involving main town centre uses (which include retail, leisure, commercial, office, cultural and community development) which are located outside of the commercial limits will only be permitted where they satisfy the retail sequential test as set out in national policy.</td>
</tr>
<tr>
<td>Proposals which involve the intensification of existing town centre uses or are ancillary to an existing use will be supported where they are judged to enhance the viability and vitality of Helmsley town centre.</td>
</tr>
<tr>
<td>A local floorspace impact threshold will be applied for the assessment of proposals not in accordance with either this or the respective Authorities' development plans and outside of the defined commercial town centre limits. This will apply where a scheme involves:</td>
</tr>
<tr>
<td>500 sq m (gross) for comparison only schemes or</td>
</tr>
<tr>
<td>750 sq m (gross) for convenience only schemes or;</td>
</tr>
<tr>
<td>Where a proposal involves a combination of convenience and comparison retail floorspace, a threshold of 1000 sq m (gross) of the total retail floorspace</td>
</tr>
</tbody>
</table>
7.3 It is essential that Helmsley town centre remains a vibrant town centre and adapts to changing circumstances when they arise. Where proposals are put forward for retail uses outside of the commercial limits of the town, applicants will need to meet the sequential test as set out in national policy which seeks to promote proposals in the town centre first.

7.4 It is also important that any proposals of a certain scale do not have a significant adverse impact on Helmsley town centre or any other local centres. A local floorspace threshold for the assessment of impacts for any scheme outside of the town centre and not in accordance with this plan has been set at a scale appropriate for Helmsley, to ensure that the impacts of any schemes are taken into account and comply with those set out in the Ryedale Plan: Local Plan Strategy.

7.5 Provision should be made for small scale recycling facilities alongside new retail uses where suitable to the use and where space allows.

**Policy H6 – Protection of Retail Uses**

Proposals which will result in the loss of retail floorspace on Primary Retail Frontages along Bridge Street, Borogate, Church Street and Market Place will only be permitted where it can be demonstrated that it is no longer suitable or viable for retail use.

7.6 To support Helmsley’s role as a key Local Service Centre and tourist gateway, it is important that its vitality as an attractive and vibrant town centre is maintained. The loss of retail units in the town centre can have a detrimental effect, particularly on the Primary Retail frontages. The Authorities will carefully consider any proposal which – individually or cumulatively - will result in non retail or commercial use of premises in these locations.

**Policy H7 – Loss of Community Facilities**

Proposals which will result in the loss of community, cultural, leisure and recreational facilities (including Helmsley Town Hall, Helmsley Arts Centre and Recreational Facilities at Baxtons Lane) will only be permitted where:

i) it is no longer suitable or viable for the current use; or
ii) suitable alternative replacement facilities are provided.

All new proposals will need to be considered alongside other policies set out in the Ryedale Plan: Local Plan Strategy or the North York Moors National Park Authority’s Core Strategy and Development Policies Document. 3

7.7 Both the National Park Authority and Ryedale District Council recognise the important role that local retail, employment, community, leisure and recreation facilities play in the continued vitality of Helmsley and its role as a Market Town. For this reason where planning permission is required the Helmsley Plan will seek to

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3 Reference to community facilities does not include NHS healthcare facilities, which are subject to specific processes in relation to disposal.
8. **Design**

8.1 The town today retains much of its character from the 18th and 19th centuries with traditional features including wide streets interspersed with pedestrian or single track alleys. The majority of buildings in the centre of the town are small in scale and constructed of local stone. The dominant character is pavement edge development, while Borough Beck which flows through the town also defines its traditional appearance. More modern development to the east of the town feature very different characteristics to the historic core with cul-de-sacs and front gardens.

8.2 In May 2010 Helmsley Town Council published a policy statement for the town called ‘The Future of Helmsley’. The policy statement set out a number of guidelines which should be borne in mind when considering future development in the town. The Conservation Area Appraisal published jointly by Ryedale District Council and the National Park Authority also contains guidelines for design of future development. Reference should also be made to the National Park Authority’s Design Guide (Parts 1 to 5). The policies set out below have taken into account some of the main guidelines from these documents which will apply to all new development. Specific guidance on design for each development site has been set out in the individual site development briefs.

**Policy H8 - Important Open Views and Spaces**

New development should respect the views, vistas and skylines that are influenced by the town’s key historic buildings including All Saints Church, the Feversham Arms Memorial, the Town Hall, Duncombe Park and its Parkland, the remaining burgage plots to the west of Church Street/ Castlegate and the long distance views of the town which play an important role in the character of the town and the setting of the North York Moors National Park.

8.3 The fact that Helmsley is nestled within a hollow means that the roofscape is an important part of its character, particularly when viewed on the approach roads from Thirsk and Stokesley and attention should be paid to vary the ridge lines of new developments on the edge of the town. The taller historic buildings of All Saints Church, Helmsley Castle and the Town Hall have a significant impact on the...
character of the Conservation Area and the setting of these buildings and the views towards them should be retained.

Long distance views of the town from Thirsk and Stokesley approaches

8.4 There are a number of important open spaces which contribute to the setting of these historic buildings including the burgage plots to the rear of Church Street and Castlegate which are considered worthy of protection. Often the burgage plots have been constructed lengthways along the boundaries of the burgage plots and these low level buildings allow views through the area, in particular towards All Saints Church.

Remaining examples of Burgage Plots

**Policy H9 - Design**

All new development should respect the existing settlement character, patterns and layouts and the principles of building design to ensure that the historic character and local distinctiveness of the built environment is maintained and the landscape of the National Park is conserved and enhanced. Opportunities within the Conservation Area which enhances its significance will be supported.

8.5 The design of any new development should reflect the immediate environs in terms of massing, fenestration detailing and scale. The traditional detailing and local features should be reflected or complemented in the design of new buildings. Due to the high environmental quality and intact historic street frontages, it is envisaged that most new development will take place on back land areas. Where development takes place on back land areas it should respect the scale, massing, materials and character of the surrounding buildings. Where historic land divisions survive these should be maintained. Development proposals within the Conservation Area should preserve or enhance those elements identified in the Conservation Area Appraisal as making an important contribution to its character.
8.6 The marketplace forms the historic, social and commercial nucleus of the town. Careful attention should be made to the design of shop frontages and commercial information signs in order to limit the visual clutter of this area.

Important open spaces in the town

8.7 When designing new proposals applicants should consider the implications for crime and for adequate provision of refuse and recycling receptacles.

9. **Renewable Energy and Sustainable Building**

9.1 A priority for both Planning Authorities is to mitigate the effects of climate change through the reduction of Carbon Dioxide emissions. As buildings can have a significant impact on carbon dioxide emissions it is important that they are constructed in a manner where they have as low an impact as possible. New buildings should incorporate enhanced insulation, renewable energy technologies and should be positioned to take advantage of passive heating and cooling. Officers will work closely with developers to ensure that new buildings are designed to maximise energy efficiency.

**Policy H10 – Renewable Energy and Sustainable Building**

Proposals for new residential development should demonstrate that they have been designed to reduce the need for energy consumption and that the buildings utilise energy more efficiently. Proposals that generate renewable energy and/or low carbon sources of energy will be supported where they do not harm the character of Helmsley.

All proposals for non-residential development above 1000sq metres must demonstrate that it meets the highest BREEAM standard (or its successor that is feasible and viable on site).

9.2 Buildings have a long lifespan and contribute towards carbon dioxide emissions so it is important that new homes and buildings have as low an impact as possible. The current recognised standards aimed at reducing energy emissions are the Code for Sustainable Homes (withdrawn 25 March 2015) and the Building Research
Establishment Environmental Method (BREEAM). At present building regulations require that all new development must meet at least level 3 of the Code for Sustainable Homes. However the Government has announced its intention to introduce new standards for energy performance and allowable solutions through Building Regulations in 2016. Whilst it is not a policy requirement both Authorities will actively support developments which seek to exceed these minimum requirements.

9.3 The Local Planning Authorities will take into account the feasibility and viability issues associated with the delivery of decentralised renewable and low carbon energy, including the use of Allowable Solutions, excluding residential sites of 10 units or fewer where it is not required.

9.4 Applicants will need to consider the range of technologies available, their feasibility and the impact on the location in question. Careful attention must be made to the siting, colour and materials of the technology in order to ensure it does not harm the character of Helmsley. In the National Park area of the town reference should be made to the North York Moors National Park’s Supplementary Planning Document on Renewable Energy. Applications in the Ryedale area of the town will be considered against the Energy Hierarchy set out in SP18 of the Ryedale Local Plan Strategy.

10. Green Infrastructure

10.1 Green spaces including woodland, grassland, rivers, streams, hedges and verges are collectively known as green infrastructure. Networks of green infrastructure together are integral to the character and appearance of the landscape, encourages tourism and helps to support communities in living healthy lifestyles. Green infrastructure can be a multi-functional resource such as providing recreational benefit, enhancing and protecting biodiversity, and where possible creating new habitats using indigenous planting. The Yorkshire and Humber Green Infrastructure Mapping Project set out a range of district, sub-regional and regional Green Corridors. Helmsley has a rich variety of contiguous and overlapping green infrastructure areas including:

- the River Rye (Sub-Regional Corridor)
- North York Moors Green Infrastructure Area
- Howardian Hills Green Infrastructure Area
- The District Corridor of the Cleveland way (Cleveland and Hambleton Hills).

There are many specific features that contribute to these networks in Helmsley. These include:

- The corridors of Borough and Spital Becks
- The former railway line,
- The playing fields
- Duncombe Park National Nature Reserve
- Helmsley Castle and the adjoining Walled Gardens

10.2 It is important that new development opportunities seek to improve, integrate and enhance the existing features that contribute to these Green Infrastructure Networks to build in biodiversity resilience. This can include considering the effects of garden space, open space, landscape buffers with these various networks.
Policy H11 – Green Infrastructure

All development proposals within the Plan area should require a net gain in biodiversity and for green infrastructure networks to be enhanced where possible. This will provide opportunities for activity and relaxation and should include the expansion and enhancement of green infrastructure assets. Where there is existing green infrastructure this should be protected.

The development briefs in Appendix 1 set out the opportunities of the allocated sites in linking with these green infrastructure networks. Development proposals on non-allocated 'windfall' sites should address opportunities to link with and enhance green infrastructure networks where possible and in proportion to the scheme. 'Windfall' development proposals will not be expected to provide Green Infrastructure where a meaningful contribution cannot be made due to the absence of available greenspace.

10.3 There are opportunities through the Helmsley Plan to improve green infrastructure provision in the town, particularly through improving links with the Cleveland Way and increasing the use of the disused railway line. Provision for green infrastructure should be incorporated into the detailed design of each scheme and consideration should be made on the implications for crime.

11. Parking Provision

11.1 All development proposals in Helmsley will be expected to comply with the parking standards established by North Yorkshire County Council in the ‘Transport Issues and Development – A Guide’ 2003 document. The Current standards are repeated at appendix 2.

12. Infrastructure Requirements

12.1 The current necessary improvements to utilities infrastructure required to facilitate the levels of development set out in the plan are set out in Table 1 below.

<table>
<thead>
<tr>
<th>Planned/Required</th>
<th>Risk and Contingency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gas – potential requirement for reinforcement of supply depending on location of new sites</td>
<td>Low – none necessary</td>
</tr>
<tr>
<td>Electricity – no capacity issue/constraint currently identified but reinforcement of the distribution network may be required on a site by site basis</td>
<td>Low – none necessary</td>
</tr>
<tr>
<td>Water supply – no capacity issue/constraint currently identified</td>
<td>Low – none necessary</td>
</tr>
<tr>
<td>Sewerage Capacity – no constraints</td>
<td>Low – none necessary</td>
</tr>
<tr>
<td>Surface Water Drainage – as above for sewerage capacity</td>
<td>Low – none necessary</td>
</tr>
</tbody>
</table>
12.2 Reinforcement works to utility infrastructure required for the accommodation of development will normally be undertaken by the utility providers direct as part of their investment planning cycle process. Where a developer wishes to proceed with development in advance of this, discussion would need to take place with the utility providers.

12.3 A number of deficiencies in transport, open space, recreational space, health and education facilities have been identified, which will need to be addressed through the site allocation process. These issues have been carried through to the development briefs for each site.

Table 2: Necessary Improvements to Community Facilities and Physical/Environmental Infrastructure

<table>
<thead>
<tr>
<th>Facility</th>
<th>Planned/Required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transport</strong></td>
<td>Improvements to internal highway junctions including Carlton Lane / A170 junction. Improved cycle and pedestrian facilities</td>
</tr>
<tr>
<td><strong>Environmental</strong></td>
<td>Quantitative deficiencies in market town amenity space, central sites for children’s play, young people’s provision in south east Helmsley, outdoor sports including enhancements to the existing sports facilities at Baxton’s Lane and allotments</td>
</tr>
<tr>
<td></td>
<td>Qualitative deficiencies provision for children and young peoples provision and outdoor sports</td>
</tr>
<tr>
<td></td>
<td>Environmental improvements including, maximising/ enhancing green corridor networks</td>
</tr>
<tr>
<td></td>
<td>Public realm improvements including Helmsley Market Place.</td>
</tr>
<tr>
<td></td>
<td>Additional waste lorry and waste receptacles.</td>
</tr>
<tr>
<td><strong>Health and Education</strong></td>
<td>Primary Health Care. No capacity issue/constraint currently identified</td>
</tr>
<tr>
<td></td>
<td>Requirement for 60 unit NYCC Extra Care facility</td>
</tr>
<tr>
<td></td>
<td>Primary Education – additional capacity required to be met through the provision of additional classroom at Helmsley Community Primary School</td>
</tr>
</tbody>
</table>

13. Developer contributions

13.1 Contributions from developers are an important way of providing necessary infrastructure improvements which are required as a result of new development such as any highways improvements or new classrooms. This will help integrate new development into Helmsley in a sustainable way. Contributions can be used in various ways but the main factors are to mitigate the impact of new development, or to compensate for the loss or damage to specific features or to deliver specific forms of development – in particular affordable housing.
13.2 Currently contributions are negotiated with developers and are secured as planning obligations through Section 106 Agreements. In the future, there are two ways of collecting contributions from developers. Section 106 agreements will be used to fund infrastructure improvements directly related to the development of the site e.g. highway improvements. Secondly through the Community Infrastructure Levy (CIL) whereby a charge is collected on all new development to pay for improvements across the charging authorities area which are set out in an infrastructure list.

13.3 The National Park Authority and Ryedale District Council are working jointly to establish a potential CIL charge for new development, which will help to provide the new infrastructure required to support new development in the District. Ryedale has already undertaken consultation on a Preliminary Draft Charging Schedule and the National Park are investigating the viability of introducing a CIL charge. Any CIL Charging Schedule will be subject to a separate Examination. If a Charging Schedule is adopted by the Authorities, the scope of S106 agreements will be limited to site specific (“on-site”) provision including affordable housing, highways and open space.

**Policy H12 – Developer Contributions**

In order to address the necessary improvements to social, physical or utility infrastructure which are required as a result of new development contributions will be sought through either a S106 agreement or through a Community Infrastructure Levy Charging Schedule (CIL) if adopted by Ryedale District Council and the National Park Authority.

Planning Obligations will be sought to regulate development, to address onsite mitigation measures to address its impact or to compensate for the loss of damage of a facility, feature or resource of acknowledged importance.

Developer contributions and CIL funds will be used to address a range of requirements. This includes those set out in Table 2 (Improvements to Community Facilities and Physical/ Environmental Infrastructure) and will be set out in the Regulation 123 Infrastructure Lists of each authority’s CIL Charging Schedule when adopted.

Once the Authorities have adopted a Community Infrastructure Levy (CIL) Charging Schedule and Infrastructure List, developer contributions through S106 Agreements will be limited to site/development specific contributions (including highway works; affordable housing; open space and other contributions) which are necessary as a result of the scheme and which are essential to allow the granting of planning permission.

14. **Open Space Provision**

14.1 The Ryedale Local Plan Strategy seeks contributions for all new residential development for the provision of open space under Policy SP11 based upon the standards set out in the Council’s Open Space Study. As set out in Table 2 quantitative deficiencies have been identified in the informal market town amenity space, the central pay area, young people’s provision in the south east of the Town and in allotment provision.

14.2 Residential schemes up to 14 dwellings will need to provide an off-site contribution for open space in line with Table 3 above and Residential schemes of 15 dwellings or
more will be required to include on-site provision of informal amenity space (e.g. Local Area for Play), unless considered impractical or unfeasible and an off-site contribution is more appropriate. Residential schemes of 50 dwellings or more will be required to provide on-site formal children’s playspace (Local Equipped Area for Play or Neighbourhood Equipped Area for Play as appropriate). Requirements for open space are likely to be included within the 123 Infrastructure list for all the Authority’s CIL schedules. If CIL is adopted contributions for off-site open space will be collected through this mechanism unless on-site provision is required. Where contributions are sought through S106 agreements they will be subject to the scheme’s viability. Where on site provision is not feasible, contributions will be sought for improvements to the existing recreation facilities at Baxtons Lane.

### Policy H13 – Open Space Requirements

The provision of open space will be sought from all new residential development for open space provision on the basis set out below.

<table>
<thead>
<tr>
<th>Table 3 Open Space Contributions</th>
<th>Quantity Standard</th>
<th>Indicative Developer Contribution/ Provision based on</th>
<th>Current multiplier per metre for off-site provision *</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provision for Children and Young People</td>
<td>0.85 facilities per 1000 population</td>
<td>25m² – 30m² per person.</td>
<td>£36.80</td>
</tr>
<tr>
<td>Outdoor Sports Facilities</td>
<td>2.05 ha per 1000 population</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indoor Sports Facilities</td>
<td>Sports Halls: 0.27 courts per 1000 population</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Swimming pools: 11.33m² per 1000 population</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Village Halls: 1 hall per 535 people</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* the financial multiplier will be set out in an annually updated Guidance Note published on Ryedale’s website.

14.3 All proposals for new open space provision will need to be considered against other policies in both this plan and the North York Moors National Park’s Core Strategy and Development Policies Document and the Ryedale Local Plan Strategy.

15. **Telecommunications and IT Installations**

15.1 The development of high speed broadband technology and other communications networks play a vital role in enhancing the provision of local services and is essential for sustainable economic growth, however careful consideration is required on the design and siting of new apparatus as installations can cause visual harm to the landscape and built environment and have a direct physical impact upon heritage assets.
Policy H14 Telecommunications Installations

Proposals for IT and telecommunications infrastructure will be permitted where:

- There are no satisfactory alternatives following an assessment of erecting apparatus on existing buildings where appropriate, masts or other structures; and
- The siting and appearance of the proposed apparatus and associated structures will have no unacceptable adverse impact on the Conservation Area, the historic environment or the wider landscape particularly the National Park; and
- Provision is made for the removal of the equipment when it is redundant.

16. Proposed Allocations

16.1 The proposed allocations are identified on the Helmsley Plan Policies Map. Design Briefs and more detailed maps of each site are set out in the Development Brief section of the Plan. These have been chosen following the application of the Site Section Methodology – the process and outcome of this is set out in Appendix 2.
MONITORING

17.1 The sites allocated in the Helmsley Plan will be set out in a housing trajectory which will be updated and reported on annually as part of each Authorities Annual Monitoring Report or successor. Where the annual assessment of housing land supply identifies an issue of under supply both Authorities will take action to identify any barriers through discussions with landowners and developers.

<table>
<thead>
<tr>
<th>Site Reference</th>
<th>Indicator</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>NYMH1, NYMH3, NYMH8, 183 and 174</td>
<td>Number of residential units completed</td>
<td>150 units completed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>a) By 2022 – at least 100 completed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>b) By 2027 – at least 150 completed</td>
</tr>
<tr>
<td>NYMH1, NYMH3, NYMH8, 183 and 174</td>
<td>Percentage of total units completed which are affordable as defined in NPPF</td>
<td>40% of all completions are affordable</td>
</tr>
<tr>
<td>EMP1 and EMP2</td>
<td>Area of employment land completed</td>
<td>Up to 1.9 ha of land has been allocated for employment use in the town</td>
</tr>
<tr>
<td>All sites</td>
<td>Number of new developments undertaken in line with the requirements of the Development Briefs</td>
<td>100%</td>
</tr>
<tr>
<td>All sites</td>
<td>Number of new development incorporating Sustainable Drainage Systems</td>
<td>100%</td>
</tr>
</tbody>
</table>

18. Sustainability Appraisal And Habitats Regulation Assessment

18.1 Sustainability Appraisal (incorporating the requirements for Strategic Environmental Assessment) has been undertaken as part of the production of the Helmsley Plan. Sustainability Appraisal enables the implications of the Plan on the environment, the community and the economy to be assessed throughout its production and for these implications to be taken into account as an integral part of the development of the Plan.

18.2 An assessment is also required under the Habitats Directive which seeks to ensure that the Plan does not harm the integrity of any internationally protected nature conservation sites (specifically Special Areas of Conservation, Special Protection Areas and Ramsar sites).
18.3 Reports relating to both of these processes are available to accompany the Publication version of the Helmsley Plan. These can be viewed on the Authorities' websites or by contacting the Authorities.
It should be noted that the National Park and AONB have the highest status of protection in relation to landscape and scenic beauty. Outside national landscape designations Ryedale District Council will carefully consider the impact of proposals in areas of locally valued landscape, including areas of High Landscape Value the policy framework for this is set out in Policy SP13 of the Ryedale Local Plan Strategy.
Development Brief for Site NYMH1 Land North of Swanland Road and East of Carlton Road (to be read alongside Helmsley Plan Policies)

Proposed Site Area

2.3ha in total

Owner/Agent

Wharfedale Homes

Potential Residential Yield

60 units

Current Use

Grazing land.

Site Description

The site is located to the north of Swanland Road, where access has been created into the site by the original development. The land falls gently from north east to south west. The development site is broadly level.

The site comprises semi-improved and improved grassland used for sheep grazing. The site is enclosed along the western and northern edges by post and wire fencing.
**Constraints**

There are some mature trees on the north east corner of the site mainly oak with some sycamore. In addition there is a relic traditional apple orchard to the south east corner of the site between Swanland Road and Carlton Road. Historic mapping suggests that this is over 100 years old and part of a larger orchard that originally reached west to Carlton Road. These types of orchards are rare nationally. The design of the scheme should take into consideration these trees and should be planned in order that they can be retained.

**Landscape Assessment**

The site is directly overlooked at close range from the existing housing on Carlton Road, Swanland Road and Ryedale Close and its location generally conforms with the existing development pattern in the town. Long distance views from the north are largely contained by landform. Development on this site is considered acceptable in landscape terms subject to careful retention of the existing mature trees and restoration of the orchard area.

**Accessibility**

The site has good overall accessibility being within close proximity to a bus stop, primary school and doctors surgery.

**Flood Risk**

All of the site is located within Flood Zone 1. Any development greater than 1 hectare in size will require a Flood Risk Assessment at full planning application stage which should pay particular attention to drainage. Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.

**Highway Assessment**

The Highways Authority have confirmed that access from the site is acceptable, however the impact on the existing highway network will need to be determined by a traffic assessment at full planning application stage.

**Site Allocation**

Up to 60 residential dwellings of a mix of different sizes.

**Justification**

The site is well located within 5 minutes walking time of the primary school and doctors surgery and less than 10 minutes walk from the commercial area. There are existing residential properties along the west and southern boundaries of the site and it is considered that the proposed allocation area can accommodate new residential development without causing harm to the character and setting of the town.
Key Principles for Development

Housing Types and Affordable Housing Provision

Development should comprise a small number of larger 4 and 5 bedroom properties with the majority being a mix of two and three bedrooms. A small number of single bedroom apartments should also be accommodated.

As set out in Policy H3 up to 40% of all units should be affordable. The starting point for discussions on the tenure of affordable housing is that it should be provided on the basis of 90% social and affordable rent tenures and 10% intermediate.

Design Principles and Infrastructure Requirements

The site is prominent and the design will need to be of very high quality. The predominant building materials will be natural stone and pantile. The density and character of the development should replicate and reinforce the existing street patterns being no greater than 2 storeys in height, although a mix in ridge heights will be required. The layout of the scheme should be in keeping with the scale and massing of the buildings in the immediate area.

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan.


The eastern boundary of the allocated area provides an opportunity for soft landscaping or open space, which will merge the built development with the open countryside beyond this identified on the Policies Map as an area of open space.

The site should be bounded with hawthorne hedges to replicate the existing boundary appearance of fields in this area. The layout and landscaping of the site should be carefully considered.

There are the remnants of an ancient orchard on the site, which could be retained and reinforced with new planting as part of a new development scheme, which could provide a community resource.

The design should encourage people to walk or cycle.

The implications for crime should be considered.

Street lighting should be kept to the minimum required.

All electricity and telephone connections should be placed underground within the site.

There is scope for a range of renewable energy solutions on the site and the developers are encouraged to integrate these technologies into the site.

Measures to address Sustainable Building and Waste Reduction should be encouraged in the final design. Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people,
property and species in the River Derwent catchment. Where the use of Sustainable Drainage Systems is not possible an assessment under the Habitat Regulations will be required of any alternative drainage scheme.

A children’s play area will be required on-site where more than 50 units are proposed.

Broadband provision should be incorporated into the scheme design where possible.

Contributions will be sought for improvements to the junction between Carlton Road and the A170.

**Timescale of Development**

2014 to 2022
Development Brief for Site NYMH3 – Land North of Elmslac Road (to be read alongside Helmsley Plan Policies)

Site Area
2.1ha

Potential Residential Yield
35 plus 60 unit extra care facility

Owner/Agent
Keepmoat

Current Use
Half of the site is currently used as an overflow sports field the remaining is in grazing use.

Site Description
The site is located to the north of the Elmslac Estate in the north of the town and half is currently used as an overflow sports pitch. The site is adjoined by the existing housing along Elmslac Road, Feversham Road and Ashwood Close. The site is bounded by garden hedges and fences on the south, by a hawthorn hedge to the east, by close boarded fencing and a line of semi mature ornamental trees to the west and by post and wire fencing with some remnant hedgerow shrubs on the north.

The western part of the site is bounded to the west and north by a public footpath that is part of the Tabular Hills Walk, a long distance walking route that connects southwards to the Cleveland Way National Trail.

Constraints
Part of the site is currently utilised as an overflow sports field, an appropriate replacement for this provision will need to be secured prior to any planning permission being granted. Any proposal which results in the loss of a playing field will need to be referred to Sport England for their consideration.
Landscape Assessment

The site is contained to the south and east by the existing housing and to the west it is partly screened by trees. To the north it is largely open to view at close range although longer views in from the north are contained by the woodland and rising ground. There are almost no views of this site from any of the main approaches to Helmsley as it is largely hidden behind the built up area. There are views from the public road which runs to Carlton. Although the site fits in reasonably well with the existing built form, the fit is noticeably better in the east where the site tucks in behind Ashwood Close than in the west where the ground rises and the site projects further into open countryside. Development on the site is considered to have modest direct impacts on landscape fabric as the land has few landscape features of note.

Accessibility

The site has good overall accessibility being within close proximity to the primary school, the doctors surgery and the retail areas of the town.

Flood Risk

The site lies within Flood Zone 1. For any development site that is more than 1 hectare in size a site specific flood risk assessment will be required and should pay particular attention to drainage. Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.

Highway Assessment

Highways have confirmed that the access from the existing highway is acceptable onto the road between Ashwood Close, however a traffic assessment will be required at full planning application stage.

Site Allocation

Up to 35 dwellings with a mix of sizes and a 60 unit extra care facility.

Justification

The site is considered suitable for residential development as it is well screened from wider views and not considered to have an adverse impact on the special qualities of the National Park. Full planning permission for the site will be subject to a legal agreement which will identify and provide for a replacement overflow sports field.

The remainder of the site is considered to be the most suitable site in Helmsley, as it relates well to the existing built form of this part of the town.

Key Principles for Development

Housing Types and Affordable Housing Provision

A mix of housing types will be required including a large proportion of 2 bedroom properties to meet the shortfall identified in the housing needs surveys.
The open market housing provision will be used to cross subsidise the extra care facility, however this itself will have an element of open market provision in order to provide a range of choice.

**Design Principles and Infrastructure Requirements**

An alternative site adjacent to the existing sports facilities must be secured to replace the existing sports field.

The predominant building materials for the new housing will be natural stone and pantile. The density and character of the development should replicate and reinforce the local development patterns. New dwellings should be no greater than two storeys in height.

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan.

The effect of the existing vista view into the open countryside along Elmslac Road should be retained through the design of the development, as this is an important feature of the Conservation Area.

The extra care facility should not be greater than 2.5 storeys in height (i.e. floorspace to be accommodated through the use of dorma windows).


Public access should be made available to allow people to walk to the sports facilities and playground on Baxtons Road and to link with the wider public footpath network.

The implications for crime should be considered.

Trees and hedgerows around the boundary of the site should be maintained where possible. A strong new hedgerow with hedgerow trees should be created along the northern edge of the site to soften the built edge in views from the north.

There is scope for a range of renewable energy solutions on the site and the developers are encouraged to integrate these technologies into the site.

Measures to address Sustainable Building and Waste Reduction should be encouraged in the final design.

Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment. Where the use of Sustainable Drainage Systems is not possible an assessment under the Habitat Regulations will be required of any alternative drainage scheme.

Broadband provision should be incorporated into the scheme design where possible.

A traffic assessment and Travel Plan will be required with any detailed planning application.

**Timescale** 2014 to 2022
Development Brief for Site 174 Land South of Riccal Drive (to be read alongside Helmsley Plan Policies)

Site Area

1.9ha

Potential Residential Yield

50 Residential Units

Owner/Agent

Northminster Properties

Current Use

Agricultural

Site Description

The site lies to the south of the A170 and is accessed via Riccal Drive. The site is located north of the River Rye. The site is relatively flat, currently in agricultural use and is drained by Spittle Beck, which bounds the site to the east. To the west of the site lies a range of commercial and industrial uses located along Sawmill Lane and Station Road. The site is bounded by dense hedgerows on the south west and by post and wire fencing on the north. There is a public right of way which follows the east bank for Spittle Beck and the former railway line.

Constraints

The site lies south west of three round barrows which are designated as Scheduled Monuments. The NPPF says that harm or loss of designated heritage assets of the highest significance, notably scheduled monuments should be wholly exceptional. Proposals will need to demonstrate that the development of this site would not harm any elements which contribute towards the significance of these assets including their setting.

The site is located adjacent to mixed agricultural land in a varied landscape of large trees, hedgerows, grassland and woodland. Spittle Beck is locally a very valuable feature for wildlife and is likely to be used a green linkage for many species including
bats, badgers and as a potential habitat perhaps for Otter or White Clawed Cray
Fish.

**Landscape Assessment**

Spittle Beck which runs in a deeply incised channel in a north south direction forms
the eastern boundary of the site. The beck has heavy scrub and self-sown native
trees along the eastern bank of the site, which provides visual containment, while to
the south it is enclosed by double hedgerows. To the west views to the site are
contained by the commercial and industrial development and by existing housing.

**Accessibility**

The site is within close proximity of the employment opportunities on Sawmill Lane
but is the site furthest away from the school and doctors surgery.

**Flood Risk**

The area immediately adjacent to Spittle Beck is identified as Flood Zone 3 and this
area should be avoided. It would be useful to design a buffer zone into the proposal
to mitigate against flood risk. As the site is larger than 1 hectare, a Flood Risk
Assessment will be required. Where feasible developers should consider the use of
Sustainable Drainage Systems in order to mitigate against the threat to species in the
River Derwent as a result of increased water run-off.

**Highway Assessment**

Highways have confirmed that access from the existing highway onto Riccal Drive is
acceptable, however impact will need to be determined by a traffic assessment at full
planning application stage.

**Site Allocation**

Allocation of up to 50 residential units.

**Justification**

Development of the site will have limited impact on the surrounding area as the site is
well contained by existing screening. Some residential development on the eastern
side is considered appropriate to meet Helmsley’s identified housing needs.

**Key Principles for Development**

**Housing Types and Affordable Housing Provision**

The site is considered suitable for provision of flat development to provide a mix of 1
and 2 bedroom units for both open market and affordable provision. The site provides
a good opportunity to provide a small number of live/work units which can provide an
interim zone between the employment and residential uses.

As set out in Policy H3 up to 40% of all units should be affordable. Affordable
housing should be provided on the basis of 90% social and affordable rent tenures
and 10% intermediate.
Design Principles and Infrastructure Requirements

Development should be co-ordinated with adjacent Sites 183, EMP1 and EMP2 to ensure an integrated form of development is achieved, including vehicular and pedestrian accesses. Density and layout of development should take its cue from nearby properties such as Station Road. Previous work undertaken for the Helmsley Town Team by Bauman Lyons Architects, provides useful analysis and consideration of design principles in developing this site.

Detailed masterplanning/design should consider future road links to Sawmill Lane industrial estate.

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan.

The site is located close the tumuli which are Scheduled Monuments and therefore consideration should given to the height of properties to ensure new buildings do not detract from the setting of this important historic asset.

A footpath currently runs along the full length of the Spittle Beck along its eastern side, which connects to a number of other rights of way along the Rye Valley. There are opportunities to improve the green infrastructure provision and connections with this footpath network.

The implications for crime should be considered.

All existing boundary trees and hedging should be retained.

Ecological assessments will be required and mitigation measures adopted where required.

Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment. Where the use of Sustainable Drainage Systems is not possible an assessment under the Habitat Regulations will be required of any alternative drainage scheme.

Broadband provision should be incorporated into the scheme design where possible.

A traffic assessment and Travel Plan will be required with any detailed planning application.

Timescale

2014 to 2027
Development Brief for Site 183 Land East of Riccal Drive (to be read alongside Helmsley Plan Policies)

Site Area
1.6ha

Potential Housing Capacity
45 units

Owner/Agent
Mr Pat Sweeney

Site Description
The site is located to the east of Riccal Drive. The land falls gradually in a southerly direction. The site is currently waste ground with ash and sycamore regeneration and tall grass as well as one or two larger ash trees. There is dense tree cover along the line of Spittle Beck. The site is well contained with limited wider views.

Constraints
The site lies 130 metres to the west of three round barrows which are designated as Scheduled Monuments. The NPPF says that harm or loss of designated heritage assets of the highest significance, notably scheduled monuments should be wholly exceptional. Proposals will need to demonstrate that the development of this site would not harm any elements which contribute towards the significance of these assets including their setting.

The development of the site is currently subject to a restrictive covenant which prevents the development of the site for residential use, however Ryedale District Council are in the process of compulsorily purchasing this site in order to facilitate development of the site. The development of this site alongside site 174 is considered to provide the opportunity for a coordinated approach which will provide the best future in terms of planning for the town. Officers will continue to work with interested parties regarding the possible options for this site. However it is important to recognise that if this site does not come forward it will not undermine the aims of the Helmsley Plan and it will still be possible to achieve the housing provision targets.
for the town through the development of the other allocation sites although there will be less flexibility.

**Landscape Assessment**

Spittle Beck which runs in a deeply incised channel in a north-south direction forms the eastern boundary of the site. The beck has a heavy scrub and self-sown native trees along the eastern bank of the site. Development of the site would have limited direct impact on the landscape as there are very few features of note. The site is relatively well contained visually with some substantial trees and hedges.

The site is located adjacent to mixed agricultural land in a varied landscape of large trees, hedgerows, grassland and woodland. Spittle Beck is locally a very valuable feature for wildlife and is likely to be used a green linkage for many species including bats, badgers and as a potential habitat perhaps for Otter or White Clawed Cray Fish.

**Accessibility**

The site has good overall accessibility being close to the shops, a bus stop, primary school and doctors surgery.

**Flood Risk**

The majority of the site is located within Flood Zone 1 with small areas within flood zone 2 along the roadways and flood zone 3 along Spittle Beck. As the site is larger than 1 hectare, a Flood Risk Assessment will be required. It would be appropriate to include some green infrastructure provision along the line of the Beck to provide a buffer zone so that if the Beck Floods there will be some land for it to flow onto rather than flooding properties. Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.

**Highway Assessment**

Highways have confirmed that the access is acceptable onto Riccal Drive, however a traffic assessment will need to be carried out.

**Site Allocation**

Allocation of up to 45 residential dwellings.

**Justification**

Development of the site will have limited impact on the surrounding area as the site is well contained by existing screening. The site is located within walking distance of the main employment and commercial areas of the town. The site should be used for housing development.

**Key Principles for Development**

**Housing Types and Affordable Housing Provision**

The site is considered suitable for provision of flat development to provide a mix of 1 and 2 bedroom units for both open market and affordable provision.
As set out in Policy H3 up to 40% of all units should be affordable. Affordable housing should be provided on the basis of 90% social and affordable rent tenures and 10% intermediate.

**Design Principles and Infrastructure Requirements**

Detailed masterplanning/design should consider future road links to Sawmill Lane industrial estate.

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan.

Any scheme should knit the site into the fabric of Helmsley, including the adjacent Storey Close development.

Development should be coordinated with adjacent Sites 183, EMP1 and EMP2 to ensure an integrated form of development is achieved, including vehicular and pedestrian accesses. Density and layout of development should take its cue from nearby properties such as Station Road. Previous work undertaken for the Helmsley Town Team by Bauman Lyons Architects, provides useful analysis and consideration of design principles in developing this site.

The site is located close on the other side of the railway embankment from the tumuli which are Scheduled Monuments and therefore consideration should given to the height of properties to ensure new buildings do not detract from the setting of this important historic asset.

There are opportunities to improve the existing green infrastructure around the site, particularly next to Spittle Beck.

The implications for crime should be considered.

Ecological assessments will be required and mitigation measures adopted where required.

Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment. Where the use of Sustainable Drainage Systems is not possible an assessment under the Habitat Regulations will be required of any alternative drainage scheme.

A flood risk assessment is required.

Broadband provisions should be included in the development.

**Timescale of Development**

20214 to 2027
Development Brief for Site EMP1 Land South of Storey Close (to be read alongside Helmsley Plan Policies)

Site Area

0.6ha

Potential Employment Land Capacity

0.6 ha

Owner/Agent

Mr Pat Sweeney

Site Description

The site is located south of the modern housing estate of Storey Close. The land falls gradually in a southerly direction. To the east of the site there are a range of commercial and industrial uses, which are located along Sawmill Lane and Station Road. The site is well contained with limited wider views.

Landscape Assessment

Development of the site would have limited direct impact on the landscape as there are very few features of note. The site is relatively well contained visually with some substantial trees and hedges.

Accessibility

The site has good overall accessibility being close to the shops, a bus stop, primary school and doctors surgery.

Flood Risk

The majority of the site is located within Flood Zone 1 with small areas within flood zone 2 along the roadways. Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.
Highway Assessment

Highways have confirmed that the access is acceptable onto Riccal Drive, however a traffic assessment will need to be carried out.

Site Allocation

Allocation of up to 0.6 hectares of employment land.

Justification

Development of the site will have limited impact on the surrounding area as the site is well contained by existing screening. The site is located within walking distance of the main employment and commercial areas of the town. The site is currently allocated for employment land in the Ryedale Local Plan.

Key Principles for Development

Design Principles and Infrastructure Requirements

Development should be coordinated with adjacent Sites 183, 174 and EMP2 to ensure an integrated form of development is achieved, including vehicular and pedestrian accesses. Density and layout of development should take its cue from nearby properties such as Station Road. Previous work undertaken for the Helmsley Town Team by Bauman Lyons Architects, provides useful analysis and consideration of design principles in developing this site.

Detailed masterplanning/design should consider future road links to Sawmill Lane Industrial Estate.

In order to reduce the impact on residential properties a buffer zone should be created between this site EMP1 and 183, which is allocated for residential use. A buffer zone is also required between the employment land and the existing residential properties at Storey Close. This could take the form of live work units, office use, natural bunding or landscaping and should be agreed by Ryedale District Council’s Environmental Health department.

All proposals for the site will need to meet Environment Agency standards in relation to air quality.

There are opportunities to improve the existing green infrastructure around the site. The implications for crime should be considered with the design of green infrastructure provision.

Ecological assessments will be required and mitigation measures adopted where required.

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan.

Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment. Where the use of Sustainable Drainage Systems is not possible an assessment under the Habitat Regulations will be required of any alternative drainage scheme.
A traffic assessment and Travel Plan will be required with any detailed planning application.

Broadband provisions should be included in the development.

Timescale of Development

2014 to 2027
Development Brief for Site EMP2 Land South of Riccal Drive (to be read alongside Helmsley Plan Policies)

Site Area

1.3ha

Potential Employment Land Capacity

Up to 1.3ha of employment land.

Owner/Agent

Northminster Properties

Current Use

Agricultural

Site Description

The site lies to the south of the A170 and is accessed via Riccal Drive. The site is located north of the River Rye. The site is relatively flat and is currently in agricultural. To the west of the site lies a range of commercial and industrial uses located along Sawmill Lane and Station Road. The site is bounded by dense hedgerows on the south and west and by post and wire fencing on the north.

Constraints

The site lies adjacent to existing residential properties and new proposals should consider the views of RDC’s Environmental Health Officer in relation to noise, smells and other amenity issues.
Landscape Assessment

To the west views to the site are contained by the commercial and industrial development and by existing housing.

Accessibility

The site is within close proximity of the employment opportunities on Sawmill Lane but is the site furthest away from the school and doctors surgery.

Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.

Highway Assessment

Highways have confirmed that access from the existing highway onto Riccal Drive is acceptable, however impact will need to be determined by a traffic assessment at full planning application stage.

Site Allocation

Allocation of up to 1.3ha of employment land.

Justification

Development of the site will have limited impact on the surrounding area as the site is well contained by existing screening.

Key Principles for Development

Design Principles and Infrastructure Requirements

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan. Development should be coordinated with adjacent Sites 174, 183 and EMP1 to ensure an integrated form of development is achieved, including vehicular and pedestrian accesses. Density and layout of development should take its cue from nearby properties such as Station Road. Previous work undertaken for the Helmsley Town Team by Bauman Lyons Architects, provides useful analysis and consideration of design principles in developing this site.

Detailed masterplanning/design should consider future road links to Sawmill Lane Industrial Estate.

In order to reduce the impact on residential properties a buffer zone should be created between this site EMP2 and 174, which is allocated for residential use. This could take the form of live work units, office use or landscaping and should be agreed by Ryedale District Council's Environmental Health department.

All proposals for the site will need to meet Environment Agency standards in relation to air quality.

The implications for crime should be considered with the design of green infrastructure provision.
All existing boundary trees and hedging should be retained.

Ecological assessments will be required and mitigation measures adopted where required.

Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment. Where the use of Sustainable Drainage Systems is not possible an assessment under the Habitat Regulations will be required of any alternative drainage scheme.

A traffic assessment and Travel Plan will be required with any detailed planning application.

Broadband provisions should be included in the development.

**Timescale**

2014 to 2027
APPENDIX 2

The following table shows relevant standards for employment and residential uses. It should be noted that over the lifespan of the Helmsley Plan these standards may be reassessed by North Yorkshire County Council (taken from NYCC Transport Issues and Development – A Guide 2003). Please note following the publication of the NPPF these are now minimum requirements.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Use Class</th>
<th>Vehicular Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>B1/A2</td>
<td>1 space/40m2 GFA</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>B2 to B7</td>
<td>1 space/75m2 GFA</td>
</tr>
<tr>
<td>Warehousing</td>
<td>B8</td>
<td>Staff/visitors – 1 space/300m2 GFA Plus for office areas – 1 space/40m2 GFA</td>
</tr>
<tr>
<td>Garages/Car Repair Workshops</td>
<td>None</td>
<td>Staff – 1 space/. Staff Car repairing /servicing – 4 spaces/repair bay</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sales – 1 space/4 cars dispayed Parts – 1 space/25m2 GFA Paint/Body Shop – 1 space/20m2 GFA</td>
</tr>
<tr>
<td>Motorist centres (tyre/exhaust fitting etc)</td>
<td>None</td>
<td>Staff – 1 space/4 staff Users – 2 spaces/repair bay</td>
</tr>
<tr>
<td>Residential dwelling 4 or more bedrooms</td>
<td>C3</td>
<td>2 spaces</td>
</tr>
<tr>
<td>Residential dwelling 3 bedrooms</td>
<td>C3</td>
<td>2 spaces</td>
</tr>
<tr>
<td>Residential dwelling 2 bedrooms</td>
<td>C3</td>
<td>1 space</td>
</tr>
<tr>
<td>Residential dwelling 1 bedroom</td>
<td>C3</td>
<td>1 space (for estates with more than 50 dwellings an average 1.5 spaces per dwelling should be provided)</td>
</tr>
</tbody>
</table>
APPENDIX 3

Identification and Assessment of Proposed Development Sites

The town has limited development opportunities lying partly within the National Park and is further constrained by the Duncombe Park Estate, (a National Nature Reserve and Historic Park and Garden, the castle (a Scheduled Ancient Monument) and the flood plain of the River Rye. However a total of 11 sites were submitted to Ryedale District Council as part of their call for development sites in 2009.

In Autumn 2011 Ryedale District Council consulted widely on a draft Site Selection Methodology. The final version of the methodology has been used to assess the sites which have been submitted by developers in order to select the most appropriate locations for further development in the Town. A separate document called ‘Site Assessment Methodology Assessment’ has been produced which sets out how all sites have been appraised. The process for site selection involved an initial sift of the proposal sites against the questions set out below;

- Is the site above 0.3 ha?
- Conformity with Core Strategies
- Does the site cause harm to national/international nature conservation sites?
- Is the site within Flood Zones 3b

Sites which failed to meet these criteria were not progressed any further. The second stage of site selection methodology assesses sites under a number of criteria which fall under the headings:-

- Accessibility
- Retail
- Flood Risk
- Highway Assessment
- Biodiversity and Geodiversity
- Special Qualities, Landscape (including statutory designation) and Setting
- Culture and Heritage
- Low Carbon Development and Renewable Energy
- Sustainable Building and Waste Reduction
- Efficient Use of Land
- Natural Resources
- Amenity
- Flood Risk
- People
- Meeting Needs
- Community Facilities, Utilities and Infrastructure
- Strong Economy
- Deliverability/Developability

All of the sites submitted to the Local Planning Authorities have been assessed through the site selection process and this has informed the outcome of the allocations set out in this document. A critical element of the selection of sites for allocation is having the confidence that it will be delivered. There is no logic to allocating a site if the landowner has no intention of making the site available or there are physical or environmental constraints which prevent the site from being successfully developed. Although there were a total of 11 sites submitted by
developers the Helmsley Plan selection process has resulted in the proposed allocation of a total of 7 sites which are considered both suitable for development, deliverable and with the capacity to meet the assessed housing and employment requirements for the town. Some of the sites were dismissed as they were smaller than 0.3ha in size, once site has subsequently been built on and one site was considered to cause harm to the setting of or the National Park itself and Conservation Area and is considered as an important open view. On large site originally put forward by developers has subsequently been reduced and subdivided following negotiations with Officers.

Submitted sites not put forward for Allocation

Larger area of Site NYMH1

Owner/Agent

Wharfedale Homes

Current Use

Grazing Land

Reasons for not allocating the site

This site is located directly to the north of an area of site NYMH1 which is being put forward as an allocation for residential development.

Ordnance Survey maps and aerial photographs suggest that the site comprises former medieval strip patterns. These are the relics of the 'open field system' under which each manor or village had four very large fields farmed by individual families. This appears to be the only surviving area of medieval strip fields around Helmsley. The remaining medieval field patterns should be retained as they form in an important feature of the existing landscape character and have considerable historic interest.

The allocation of the area to the south of this site will have less impact on long distance views of the town as it will be contained within the existing pattern of development.

Site NYMH2 – Land North of Beckdale Road

Owner/Agent

Wharfedale Homes

Current Use

Agricultural

Reasons for not allocating the site

The site lies to the North West of Helmsley and is triangular in shape. The site is bounded by Beckdale Road and Baxton’s Sprunt and falls gently from north-west to south-east. To the north of the site lies playing fields and to the east the cemetery and the area as a whole provides an area which connects Helmsley to the open
countryside to the north. There are no pronounced landforms, trees or landscape features within the site itself.

There are clear views from the site from the National Park to towards the Helmsley Conservation Area. Development of this site would significantly affect the visual settings of All Saints Church and Helmsley Castle as new development would occupy the foreground of views and interrupt the wooded character of the settlement edge. Development of the site would completely change the existing open landscape character of this part of the town and would interrupt views to the prominent ridge above the site, impacting the setting of the National Park.

Any development of this site would also be visible from the Ionic Temple at Duncombe Park, which has been identified as an important view in the Conservation Area appraisal.

Due to the negative impact development of the site would have on the setting of the National Park, the Conservation Area and important historic assets including All Saints Church and Helmsley Castle this site is not considered suitable for allocation.

**Remaining Sites**

All the sites listed below have been dismissed as they fall below the threshold of 0.3 ha and therefore did not get through the first sift of the Site Selection Methodology. Proposals for the development of these sites will be considered under the windfall policy.

Site NYM4 – Land West of 4 Buckingham Square

Site NYM5 – Land West of Castle Court

Site NYM6 – Land North of the Cemetary

Site NYM7 – Land North of Linkfoot Lane and East of Carlton Road

Site 458 – Land South of 9 – 10 Ryegate

Site 459 – Land South of 12 – 22 Ryegate
Sites not put forward for Allocation
APPENDIX 4 - Glossary

Affordable Housing

Affordable housing is defined in the NPPF as social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households.

Choice Based Lettings

This is the new way of looking for council and Registered Provider homes and other types of housing. Instead of Local Authorities and Registered Providers deciding which housing to offer, tenants choose which properties interest them. In North Yorkshire the scheme is called North Yorkshire Home Choice.

Community Infrastructure Levy

A levy which allows local authorities to raise funds from owners or developers of land undertaking new building projects in their area to provide new infrastructure required as a result of these developments.

Deliverable sites

To be considered deliverable sites should be available now, offer a suitable location for development now and be achievable with realistic prospect that housing will be delivered on the site within five years and in particular that development of the sites is viable.

Developable sites

To be considered developable sites should be in a suitable location for housing development and there should be a reasonable prospect that the sites is available and could be viably developed at the point envisaged.

Green Infrastructure

A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Previously Developed Land

Land which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.
**Registered Provider**

Registered Providers in England are independent societies, bodies of trustees or companies established for the purpose of providing low-cost social housing for people in housing need on a non-profit-making basis and are often referred to as Housing Associations. Registered Providers are regulated by the Homes and Communities Agency.

**Renewable and low carbon energy**

Includes energy for heating, cooling and generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

**Transfer/Acquisition Price**

Maximum price that will be paid by a Registered Provider to a developer for various standard house types.

**Windfall sites**

Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously developed sites that have unexpectedly become available.
APPENDIX 5

List of Superseded Policies as a Result of the Adoption of the Helmsley Plan