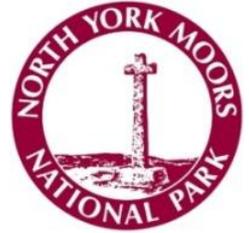


**RYEDALE  
DISTRICT  
COUNCIL**



**North York Moors National Park Authority  
Ryedale District Council**

**Publication Version of the Helmsley Plan**

**Statement of Consultation**

**Prepared under Section 22(c) of the Town and  
Country Planning (Local Planning) (England)  
Regulations 2012**

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## **1. Introduction**

1.1 Both Local Planning Authorities recognise the importance of engaging with the community from the outset of the Helmsley Plan process. This document sets out how the North York Moors National Park Authority and Ryedale District Council have undertaken consultation in preparing the Publication version of the Helmsley Plan. It provides an overview of the following;

- Who was invited to make representations
- How they were invited to do so
- A summary of the main issues raised by the representations, and
- How these issues have been addressed in the Publication version of the Local Plan

1.2 This consultation statement complies with the Town and Country Planning (Local Planning) (England) Regulations 2012, and the Statements of Community Involvement of both Ryedale District Council and the North York Moors National Park Authority. Regulation 22(c) of the 2012 Regulations require a statement to be produced which sets out:

‘(i) which bodies and persons the local planning authority invited to make representations under regulation 18,  
(ii) how those bodies and persons were invited to make representations under regulation 18,  
(iii) a summary of the main issues raised by the representations made pursuant to regulation 18,  
(iv) how any representations made pursuant to regulation 18 have been taken into account;  
(v) if representations were made pursuant to regulation 20, the number of representations made and a summary of the main issues raised in those representations; and  
(vi) if no representations were made in regulation 20, that no such representations were made’.

1.3 This statement must be submitted to the Secretary of State alongside the Plan (and other documentation) for Examination

## **2. Consultation Stages**

2.1 The Helmsley Plan will include planning policies and land allocations that guide the development and use of land in Helmsley and will cover the period to 2027. The Plan will sit alongside the following documents:

- The North York Moors National Park Authority Core Strategy and Development Policies Document (2008)
- The Ryedale Local Plan Strategy (2013)
- Ryedale Sites Allocation Document (emerging)

2.2 Whilst the 2012 Regulations require formal stages of consultation at Regulation 18 (Preparation of a Local Plan) and Regulation 19 (Publication of a Local Plan) consultation on the key stages of preparation on the Helmsley Plan undertaken by the Local Planning Authorities are set out below.

1. Discussion Paper – 16<sup>th</sup> January to 2<sup>nd</sup> March 2012
2. Draft Plan – 21<sup>st</sup> June to 2<sup>nd</sup> August 2013
3. Publication version of the Helmsley Plan – 24<sup>th</sup> January to 7<sup>th</sup> March 2013

2.3 The Planning and Compulsory Purchase Act 2004 requires planning authorities to produce a Statement of Community Involvement which sets out how they will consult as part of the

production of plans and in considering planning applications. The SCIs seek to use a wide range of consultation methods appropriate to the content and scale of the document under preparation. The status of each of the Statements of Community Involvement is set out below:

- North York Moors National Park Authority – adopted 2006 (addendums added 2012 and 2013)  
[www.northyorkmoors.org.uk/data/assets/pdf\\_file/0019/320338/Final-SCI-with-addendum-March-2013.pdf](http://www.northyorkmoors.org.uk/data/assets/pdf_file/0019/320338/Final-SCI-with-addendum-March-2013.pdf).
- Ryedale District Council [http://extranet.ryedale.gov.uk/PDF/SCI\\_FINAL.pdf](http://extranet.ryedale.gov.uk/PDF/SCI_FINAL.pdf) (addendum added December 2008)  
<http://extranet.ryedale.gov.uk/PDF/Addendum.pdf>

### **3. Preparation of Evidence Base**

- 3.1 The English National Parks and the Broads UK Government Vision and Circular 2010 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 NPPF says that Local Plans should meet objectively assessed needs unless specific policies in the Framework indicate development should be restricted for example those policies relating to sites within a National Park. Helmsley is the only designated Local Service Centre identified in the National Park Authority's Core Strategy and Development Policies Document and is the focus for new housing and employment growth in the National Park. As the boundary of the National Park runs through the centre of the town both Authorities agreed to identify sites for growth on a joint basis in the Helmsley Plan. For this reason Helmsley as a whole has been considered in the evidence which has been gathered by Ryedale District Council in support of the Local Plan Strategy.
- 3.2 The basis for the housing and employment provision figures contained in the Ryedale Local Plan Strategy have considered provision for the whole of the town, which will be delivered through the Helmsley Plan allocation process. Ryedale District Council is currently in the process of drafting a Site Allocation Document for the whole of the District. Allocations for Helmsley will be excluded from this document as this will be done through the Helmsley Plan.
- 3.3 Ryedale District Council has undertaken a significant amount of work in compiling evidence which will support the Helmsley Plan and these can be accessed through Evidence Base Library for the Helmsley Plan on the National Park Authority's website.

### **4. Helmsley Joint Member Working Group**

- 4.1 A Joint Member Working Group was established to take forward the Helmsley Plan in July 2011. The Joint Member Working Group comprises 3 Members from the National Park Authority and 3 Members from Ryedale District Council. At the initial meeting of the Member Working Group, Members also agreed to invite two representatives from Helmsley Town Council to the working Group. In October 2013 a decision was made to invite the North Yorkshire County Council Member for Helmsley to take part on the working group who having lost her Ryedale District Council seat was no longer a formal member of the working group.
- 4.2 The terms of reference of the Working Group are:
1. To provide a forum at which officers and Members from the National Park Authority, Ryedale District Council and Helmsley Town Council together can jointly discuss

matters relating to Helmsley and how these will be addressed through the Development Plan Document.

2. To provide a forum for discussion prior to formal consideration of matters relating to the Helmsley Plan including draft documents, arrangements for consultation and consideration of comments received during consultation.
  3. Other organisations will be invited to attend the meetings where they have a specific area of interest or expertise relating to issues that need to be addressed eg Highway Authority, Environment Agency.
  4. Notes of the joint meetings and matters for decision will be presented to the relevant Committees of the respective authorities.
- 4.3 Papers on all stages of the preparation of the Helmsley Plan have been presented to the Joint Member working group and their views taken on board before being presented to the relevant planning committees.

## **5. Duty to Co-operate**

- 5.1 Planning issues are not constrained to local planning authority boundaries. The National Planning Policy Framework states that public bodies have a duty to co-operate on planning issues that cross administrative boundaries, particularly those that relate to strategic priorities. Local Planning Authorities are required to work collaboratively to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual local plans.
- 5.2 Clearly the Helmsley Plan itself is a product of co-operation between the two Local Planning Authorities working across administrative boundaries for the coordinated development of Helmsley. Both Local Planning Authorities also have a good record of working closely with neighbouring local planning authorities through arrangements set up through the Regional Spatial Strategy, which continue to take place at a sub regional level. It should also be noted that the housing and employment provision figures have come from the Ryedale Local Plan Strategy which the Inspector concluded had met the requirements of the Duty to Co-operate.
- 5.3 Local Government North Yorkshire and York is a Local Authority Leader body which promotes the interests of local government in North Yorkshire and was established in 2010 for the sub-region to mirror the regional arrangements of Boards. The Board oversees the North Yorkshire and York Spatial Planning and Transport Board, which determines the format of future spatial planning arrangements for the sub-region. The Technical Officers Group supports the activities of the Spatial Planning and Transport Board. The North Yorkshire Planning Officers Group (NYPOG) comprises Heads of Planning and oversees two officer groups: the North Yorkshire Development Plans Forum (NYDPF) and the development Management Forum. All these groups are regularly attended by officers from both the National Park Authority and Ryedale District Council.
- 5.4 A paper on the Helmsley Plan was presented to NYPOG in December 2013 in order to provide an opportunity for neighbouring Local Planning Authorities to raise any concerns about any possible cross boundary issues arising from the Helmsley Plan.
- 5.5 More detail on the Duty to Co-operate is included in a separate Statement of Co-operation.

## **6. Strategic Environmental Assessment and Habitats Regulations Assessment**

- 6.1 Strategic Environmental Assessment is required under the Strategic Environmental Assessment Directive<sup>1</sup> and Sustainability Appraisal (which incorporates the requirements for

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<sup>1</sup> 2001/42/EC

SEA) is required under the Planning and Compulsory Purchase Act 2004. There are specific consultation requirements relating to SEA and SA and these are detailed within the relevant sections below. Habitats Regulations Assessment is required under the Habitats Directive<sup>2</sup> and although there are less specific requirements for consultation the relevant reports have been published as part of consultations throughout the production of the Helmsley Plan.

## **7. Seeking Initial Views on the Preparation of the Helmsley Plan Regulation 25 – Discussion Paper (now Regulation 18).**

7.1 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. A number of Statutory Consultees and organisations were also asked for their views. A full list of those consulted is attached at Appendix 1

7.2 The first stage of consultation was done under Regulation 25 of the Town and Country Planning (Local Development) (England) (Amendments) Regulations 2008. This pre dated the current Town and Country Planning (Local Planning) (England) Regulations 2012 under which the first stage of consultation in the preparation of a Local Plan is now Regulation 18. However, the requirements of the previous regulations were the same as the current ones – to invite comments on the subject matter of the Plan.

7.3 Regulation 25 set out the following requirements:

**25.—**(1) A local planning authority must—

(a) notify each of the bodies specified in paragraph (2) of the subject of a DPD which they propose to prepare; and

(b) invite each of those bodies to make representations to them about what a DPD with that subject ought to contain.

(2) The bodies referred to in paragraph (1) are—

(a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed DPD; and

(b) such of the general consultation bodies as the local planning authority consider appropriate.

(3) If a local planning authority proposes to prepare a DPD, they must also consider whether it is appropriate to invite representations from persons who are resident or carrying on business in their area.

(4) If a local planning authority decides that it is appropriate to invite representations under paragraph (3) they must make arrangements for the purposes of inviting representation from such persons of the descriptions in paragraph (3) as they think appropriate.

(5) In preparing the DPD, the local planning authority must take into account any representations made to them in response to invitations under paragraph (1) or (4).

## **8. Key Issues arising from the Discussion Paper Consultation (Regulation 25)**

8.1 A total of 72 responses were received in response to this first consultation.

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<sup>2</sup> 92/43/EEC

8.2 A map identifying all of the sites put forward for development was included in the document as a record of previous consultation only. The proposals shown on the map could have accommodated 4 times the number of units which the plan proposed to allocate and this raised concern in relation to the levels of future development. The other main points highlighted in the responses were

- The impact on the landscape of site NYMH1 and the loss of a sports field in relation to site NYMH3
- The need to provide both affordable housing and housing for the elderly
- The need to retain the existing character of the town
- Concerns about flood risk
- Impact on services such as the local school
- The requirement for a new access road to any new employment land

## 9. How the issues were addressed

9.1 The main issue of concern highlighted through the consultation was the scale of the sites put forward by developers in particular with site NYMH1. Following extensive discussions with developers the scale of the site put forward for allocation was significantly reduced. Further discussions also took place with service providers in terms of what level of improvements would be required to accommodate the proposed levels of growth. A thorough assessment of the sites put forward for allocation was then carried out and this has formed the basis of the Draft Plan preferred allocations.

<b>Key Comments</b>	<b>How they have been addressed in the Draft Plan</b>
Need to address issue of increasing age of Helmsley's population	The Authorities have worked closely with NYCC adult care services to facilitate the development of an extra care facility on site NYMH3, which will address the care needs of the local population.  Design Briefs seek all development to meet the standards of Lifetime Homes or its successor to ensure that housing can be adapted to meet a range of needs.
The Plan should address need for local housing rather than meeting external migration requirements.	Policy H3 seeks 40% affordable housing on all of the sites allocated in the Plan. The affordable housing will be restricted to local people through the use of a S106 legal agreement.
The plan should include provision for new retail development.	Policy H5 sets out the policy approach for new town centre uses.
Increase in housing will have impact on existing facilities	Discussions have taken place with the infrastructure providers to assess what improvements are required to facilitate the levels of development set out in the plan and this is set out in the Infrastructure Requirements section.
A range of smaller sites is more suitable than one large development	Following the site selection methodology a range of smaller sites have been taken forward as preferred sites for allocation.
Concerns about Helmsley increasingly becoming a commuter town.	There are a number of existing employment opportunities in the town and the plan

<b>Key Comments</b>	<b>How they have been addressed in the Draft Plan</b>
	proposes to allocate further land for employment use to provide opportunities in the town for local people.
Clarification on what the plan is and how it relates to Ryedale Local Plan Strategy and NYM Core Strategy and Development Policies Document	The plan clearly sets out the relationship between plans.
The Key information section on Helmsley should contain specific reference to environmental assets in the area.	The introduction includes reference to the key environmental assets in and around Helmsley
The unique characteristics of the town should be reflected in the policies with regards to landscape character, market town character, community and transport.	Information on the existing characteristics of the town is included in the introduction and in further detail in the section on design in the Draft Plan. The development briefs contain specific guidance for each site which seeks to protect the character of the town.
The scale of development is not needed	Details on the evidence which supports the provision figures has been explained in the plan.
The National Park should not be built on.	Development is needed in Hemlsey to support the growth of the existing population. The National Park sites have been thoroughly assessed in order to ensure that the special qualities are not harmed.
Careful consideration needs to be taken in relation to the risk of flooding	This is one of the issues assessed through the site selection methodology assessment as a result no sites have been put forward for allocation which are located in Flood Zones 3.
The site design briefs should ensure the provision of green infrastructure	Provision of green infrastructure is sought through the development briefs for each site.
No Greenfield sites should be considered before all brownfield sites have been utilised.	There are insufficient brownfield sites to support the housing requirements.
New sports facilities will be required to meet the needs of the increased population	The infrastructure requirements section in the Draft Plan sets out the approach to seeking either S106 contributions or CIL payments for improving existing facilities.

#### Site Specific Comments

<b>Key Comments</b>	<b>How they have been addressed in the Draft Plan</b>
NYMH1	
Much of the site comprises medieval field patterns which are of significant importance to the historic character of the town.	The area with the most distinctive strip patterns has not been put forward as a preferred site following the site selection methodology assessment.
The development of this large site will have a significant impact on the landscape of the National Park and the setting of the town as you approach from the east.	Following negotiations with the developers and the outcome of the site selection methodology the site put forward for allocation has been substantially reduced and is no longer considered harmful to the special qualities of the National Park.
Concern about the scale of this site and the impact it will have in terms of increased	

<b>Key Comments</b>	<b>How they have been addressed in the Draft Plan</b>
population	
There are the remnants of an ancient orchard which should be preserved.	The development brief seeks the retention of this ancient orchard.
As this site is in the National Park build costs will be higher which means that the costs of the housing will be more expensive and therefore less suitable for local families.	Policy H3 seeks a target of 40% affordable housing for all sites allocated in the Helmsley Plan.
Concerns about increased traffic and safety implications.	The Highways Authority have not raised any concerns about the proposed allocations but further information will be required from developers at detailed application stage.
The site is good agricultural land which should be permanently preserved.	The site is classified as type 3, which is not the highest grade of agricultural land.
<b>NYMH2</b>	
Access to the site is not considered suitable.	Following assessment of the site using the site selection methodology it is not being taken forward as a preferred site, primarily due to the impact of the development on the landscape character of the National Park and the impact on existing historic assets.
Concerns that development of this site would exacerbate the existing problem of surface water run-off.	
The site is considered to be an important open space between the town and the wider open countryside.	
The development of the site would not be in keeping with the character of Helmsley	
The site has less landscape value than site NYMH1 and is considered suitable for development.	
This site would be suitable as a new sports and recreation area.	
<b>NYMH3</b>	
Concern that current proposal is a retirement village and that this is not residential use and will push up the value	Since the site was originally submitted the landowners have begun working with Keepmoat and their proposal is the basis of the proposed allocation in the Draft Plan.
Access via Ashwood Close is inappropriate.	The developers have consulted with the Highways Authority on the proposal and they have not raised concerns about this access.
Creation of a new access would adversely impact the views to the open countryside.	It is considered that the vista could be retained if a new access is created.
The site is too far away from the town centre so not practical for the elderly.	There are no sites closer to the town, however it is considered appropriate as it is very close to the existing sports facilities.
An appropriate site for housing particularly affordable	The site selection methodology assessment has demonstrated that the site is suitable for development.
Half of the site is not suitable for development as it is an existing sports field and an important community asset.	The development brief requires that an alternative and appropriate site is proposed to replace the existing field.
Site is unsuitable as it is overlooked by private houses and the views of this vista would be spoilt.	The site selection methodology assessment has demonstrated that the site is suitable for development.

<b>Key Comments</b>	<b>How they have been addressed in the Draft Plan</b>
The provision of a care home will increase traffic enormously.	The developers have consulted with the Highways Authority on the proposal and they have not raised concerns.
Considerations need to be made regarding how people will access the site and the sports facilities	The development brief requires pedestrian access through the site to the existing sports facilities.
NYMH4	
Development of the site supported	Following the initial sift against the site selection methodology the site has not been taken forward as it is under 0.3ha in size.
NYMH5	
The existing use is appropriate and construction would cause problems for the car park	Following the initial sift against the site selection methodology the site has not been taken forward as it is under 0.3ha in size.
The site is a haven for wildlife	
NYMH6	
Site already developed	Permission has subsequently been granted and completion of the Vicarage has taken place on this site.
NYMH7	
A small amount of development on this site is suitable.	Following the initial sift against the site selection methodology the site has not been taken forward as it is under 0.3ha in size.
174	
A new service road will be required as Riccal Drive should not be used.	There is no alternative to the use of Riccal Drive as Sawmill Lane cannot be brought up to adoptable standards. The issues of access have been discussed at length with the Highways Authority and they have not raised objections to the use of Riccal Drive as the access.
The site is a sensible extension to the existing employment uses.	Following the site selection methodology assessment this site is being taken forward as a preferred allocation for half residential and half employment use.
The site is acceptable and development will be unobtrusive	
Site is located 160 metres to the west of three round barrows which are designated as a Scheduled Monument. Proposals for this site would need to demonstrate that the development would not harm any elements which contribute towards the significance of these assets including their setting.	Reference to preventing any harm to the round barrows has been included within the development briefs.
183	
The site is subject to a restrictive covenant which prevents residential development.	The Draft Plan acknowledges the difficulties with delivering the site and officers will continue to work with all parties to try and take forward the site.
The site is acceptable and development will be unobtrusive	Following the site selection methodology assessment this site is being taken forward as a preferred allocation for half residential and half employment use.
The site presents a good opportunity to develop more affordable housing for local people.	

<b>Key Comments</b>	<b>How they have been addressed in the Draft Plan</b>
Site is located 130 metres to the west of three round barrows which are designated as a Scheduled Monument. Proposals for this site would need to demonstrate that the development would not harm any elements which contribute towards the significance of these assets including their setting.	Reference to preventing any harm to the round barrows has been included within the development brief.
458	
Site has flooded recently and is not considered suitable for residential development	Following the initial sift against the site selection methodology the site has not been taken forward as it is under 0.3ha in size.
459	
Site has flooded recently and is not considered suitable for residential development	Following the initial sift against the site selection methodology the site has not been taken forward as it is under 0.3ha in size.

## 10. Assessment of potential sites

- 10.1 In 2009 Ryedale District Council asked developers to submit sites for development for new housing and employment as part of the Ryedale Local Plan Strategy. The call for sites led to 12 sites being submitted which were located in Helmsley. The Discussion Paper provided a further opportunity for landowners to submit further sites for consideration.
- 10.2 Following the first stage of consultation detailed assessments have been carried out by Officers on all of the suggestions put forward by developers. These assessments have been informed by discussions with a range of stakeholders including the Highways Authority and Environment Agency in order to establish a robust list of developable and deliverable sites. The assessment process involved the use of Ryedale District Councils Draft Site Selection Methodology. The Site Selection Methodology relates to the Sustainability Objectives. It covers some areas which extend beyond the scope of the Sustainability Appraisal, such as the delivery of sites.
- 10.3 The Site Selection Methodology comprises a series of questions under different themes against which each site can be assessed in terms of suitability. The Site Selection Methodology has been used to compare each site against each other and to draw conclusions on which sites are more favourable. The assessment involved 3 separate stages of consideration:-
- Stage 1 – an initial sift of sites which includes criteria in terms of size and significant constraints
  - Stage 2 – this involves three levels of assessment, considering factors such as accessibility, social, economic and environmental considerations as well as the deliverability of the scheme.
  - Stage 3 – represents the outcome of stages 1 and 2 to enable choices to be made on the results of the detailed assessment.
- 10.4 From the submitted sites, five fell below 0.3 ha in size, which meant that they did not progress further than the initial sift of the Site Selection Methodology. Following lengthy discussions with the developers, site NYMH1 has been significantly reduced, the area to the south of Ryedale Close has been identified by a new reference of NYMH8.

- 10.5 Two of the submitted sites were subsequently divided to provide a split between residential and employment provision and were assessed through the Site Methodology on this basis. A further site has now been built on since the original call for sites.
- 10.6 A total of 9 sites have been assessed using the detailed criteria established in the Site Selection Methodology. Site NYMH1 has been split into two sites as there is clear evidence of medieval strip patterns to the north of the site and as the landscape is different separate assessments were considered necessary.
- 10.7 The assessment of sites was undertaken on a qualitative basis, and was undertaken by officers from both Ryedale District Council and the North York Moors National Park Authority. The full assessment has been published as a separate supporting document and is available in the Evidence Library. A summary of the assessment is contained in Appendix 3 of the Sustainability Appraisal Report and details of the assessment can be found in Annex 1 of the Sustainability Appraisal Report.
- 10.8 The assessment concluded that, with appropriate mitigation measures, seven of the sites were considered appropriate in principle for development. The assessment concluded that site NYMH2 would have an adverse impact on the Conservation Area, in particular the longer distance views of Helmsley Castle and All Saints Church from the north of the town. Development of this site would also harm the landscape setting of the North York Moors National Park. While the wider area of Site NYMH1 would result in the loss of the last remaining strip patterns around Helmsley and will have a harmful impact on the landscape of the National Park and therefore is not considered suitable for development.
- 10.9 Following the conclusions of the site assessment, and based upon the need for 150 houses in Helmsley and Approx 1.85-2.25ha of employment land in Helmsley and Kirkbymoorside, the Draft Helmsley Plan identified the preferred sites for development shown in the Policies Map.

## **11. Consultation on Sustainability Appraisal Scoping Report**

- 11.1 The Scoping Report for the Sustainability Appraisal identified the sustainability issues for the Helmsley Plan, sustainability objectives and a methodology for assessing the sustainability impacts of the Helmsley Plan. Consultation with the 'consultation bodies' is required on the Scoping Report for the Sustainability Appraisal under the Strategic Environmental Assessment Directive. The consultation bodies for the purpose of Strategic Environmental Assessment are English Heritage, the Environment Agency and Natural England. Each consultee identified in Appendix 1 was also made aware of the consultation on the Scoping Report.
- 11.2 Through an analysis of data and trends (the baseline) and the objectives of other relevant plans and programmes, the following sustainability issues were identified:
- Ensuring that the natural environment and landscape is conserved and enhanced;
  - Ensuring that the built and historic environment is conserved and enhanced;
  - There is a need to reduce the causes of climate change and to ensure measures are in place to adapt to its effects;
  - The use of resources (particularly non-renewable resources) should be minimised;
  - The production of waste should be minimised, and waste should be re-used or recycled;
  - Opportunities for reducing use of the private car should be taken;
  - Housing which is affordable and to meet local needs should be provided;

- People should be able to access services and facilities, including health, education and recreation facilities;
- Measures should be in place to support the growth of the local economy;
- Employment opportunities should match local needs for employment.

The documents produced as part of the consultation on the Scoping Report were:

- Scoping Report

These were made available on the web sites of Ryedale District Council and the North York Moors National Park Authority between 16 January and 2<sup>nd</sup> March 2012 alongside the Discussion Paper consultation documents from.

Comments Raised	How they have been addressed
Pleased that reference has been made to the Water Framework Directive. New development may bring further pressure on the water environment and threaten the achievement of these objectives.	
New development generally increases water run-off which can create problems such as increased flood risk. The use of SUDS to manage surface water and reduce the risk of flooding should be applied to new development	Reference to the requirement for SUDS has been incorporated into the development brief for each site.

## 12. Regulation 18 – Draft Helmsley Plan

- 12.1 Consultation took place on a Draft version of the Helmsley Plan between 21<sup>st</sup> June and 2<sup>nd</sup> August 2013. This stage of consultation represented an additional stage of consultation and constituted part of the preparation of the Plan under Regulation 18.
- 12.2 A press release was issued by the National Park Authority and as a result articles were published in the Yorkshire Post, Malton Gazette and Herald and the Malton Mercury. All those who responded to the Discussion Paper were notified directly of the consultation on the Draft Plan by either letter or email. A range of other interested parties and statutory consultees were also notified directly of the consultation as set out in Appendix 1.
- 12.3 At the request of Helmsley Town Council a National Park Authority Officer attended a meeting of the town council to discuss and answer any questions from Members on the Draft Helmsley Plan.
- 12.4 In addition two consultation events were held at the National Park Authority Offices on 4<sup>th</sup> and 19<sup>th</sup> July to provide opportunities for local people to discuss the proposals. Flyers were put up around the town advertising these events. Both events were well attended, with more people attending the first event. A total of 22 people signed the attendance sheet for 4<sup>th</sup> July and 10 people signed the list on the 19<sup>th</sup>, however some people did not sign the attendance list. The issues discussed during these events is summarised below:
- The open days followed a presentation given by Wharfedale Homes at a meeting of Helmsley Town Council and therefore lots of people attended to find out more information about the proposals for a convenience store on site NYMH8. The majority of people attending the event raised concerns about this proposal and the negative impact it would have on the town. Several

immediate neighbours to the site also raised concerns about the impact of noise and the increased use of the PROW by people walking to the shop. Officers spent a lot of time highlighting that the purpose of the plan was to allocate sites for housing and employment land and any application for a retail unit would need to be assessed against the NPPF sequential test. When asked about the principle of housing development on the site most were supportive of this.

- Many people raised concerns about the number of houses being proposed and questioned where the need came from. Many people said that owners were unable to sell existing properties.
- The largest number of concerns raised were in relation to the proposal for the Extra Care facility on site NYMH3. The developers were at the open day events and showed a possible sketch for the site and this raised concerns as a result of the height and scale of the proposal. Many residents abutting the site on Elmslac Road raised concerns about access to their properties, which is currently through the field. Residents from the properties on Ashwood Close were particularly concerned with the impact on their residential amenity resulting from the use of this as the access point and queried how this could be supported by the Highways Authority. Other issues related to the loss in value of their properties and that they would be seeking compensation.
- Several concerns were raised about the loss of the playing field but people could generally see that there could be a benefit in terms of improved facilities, but wanted commitment for this from the developer.
- Issues were raised about the flood risk of the sites to the SE of the town, with residents saying they cannot get insurance and querying the validity of the Flood Risk Maps.

### **13. Key Issues arising from the Draft Plan Consultation**

- 13.1 Prior to the consultation on the Draft Helmsley Plan the developers of site NYMH8 were approached by a national retailer and subsequently drafted plans for the site, which included a convenience store. A presentation on this proposal was made to the Town Council at the same meeting where discussion on the Helmsley Plan took place. As a result many of the responses received on the Draft Helmsley Plan related to concerns about a new shop outside of the town centre. An application has subsequently been received by the National Park Authority for 20 residential units in line with the proposed allocation in the Helmsley Plan and without the convenience store element. For this reason many of the comments relating to site NYMH8 are no longer relevant.
- 13.2 A significant number of responses received were in relation to the proposed development of site NYMH3. These generally comprised 3 main concerns – the loss of the sports field, the poor access via Ashwood Close and the scale of the proposed Extra Care Facility. Following the consultation period Officers have met with Officers from the Highways Authority who although would prefer two routes of access onto the site would not formally object to the use of Ashwood Close as the sole access to the site. Discussions are ongoing with the developers of site NYMH3 on access through Ashwood Close. The exact location of the replacement sports field has now been identified on the Policies Map.
- 13.3 The developers of sites NYMH1 and NYMH8 have raised concerns that the sites allocated to the South East of the town cannot be delivered as there are restrictive covenants in place.

Officers are currently working closely with all parties involved in these sites to ensure that the sites are deliverable.

- 13.4 As a result of the consultation a total of 40 representations were received, raising 241 individual comments. A report setting out the comments received in full and Officer's responses are attached at Appendix 5. The key issues that received the most interest and comments are set out below.

**Key Comments made in relation to the Draft Helmsley Plan and how they were addressed in drafting the Publication version of the Plan.**

Part of the Plan	Key Comments	How they have been addressed
Phasing of Development	Concerns about all development coming forward at the same time and the impact on local services and that more affordable units will be developed towards the end of the plan period. The developers seek clarification as artificially stalling sites which are ready to begin development is contrary to the NPPF.	As none of the sites face major constraints in terms of delivery a flexible approach to phasing has been applied and rather than different start bandings have been given different end times.
Policy on the Presumption in Favour of Sustainable Development.		Policy on the Presumption in Favour of Sustainable Development has been added.
Housing Provision	The 150 housing provision figure has not been fully justified and relies on the Ryedale Local Plan Strategy.	Further supporting text has been added to clarify the approach to the housing provision figures.
Housing Provision	The provision of 60 units included in the Extra Care provision should be subtracted from the overall housing provision figure.	Further text added to Policy H1 to clarify the reasons for separating this provision from the general needs figure.
Windfall Development	Reference should also be made to the existing open spaces in the town which contribute to its historic character.	Reference to important open spaces within the town has been added to the wording of the policy.
Windfall Development	Within the development limits criteria reference should also be made to the landscape setting of the town.	This has been added to the criteria but does not alter the development boundary itself.
Windfall Development	It should be made clear that windfalls will not count towards the 150 provision figure.	This has been clarified in the supporting text of the policy.
Affordable Housing	The tenure requirements are	Reference to tenure split

Part of the Plan	Key Comments	How they have been addressed
	over prescriptive.	has been removed from the policy, however supporting text refers to 10% intermediate being the starting point for discussions.
Employment	Concerns about the residential amenity of dwellings next to employment use and there should be a buffer.	A buffer zone comprising live work units will be required as part of the development briefs for sites EMP1 and EMP2.
Town Centre Uses	There is no definition of town centre uses in the NPPF.	Town centre uses have been specified in the policy.
Town Centre Uses	Policy requirement relating to benefits to the local community is not compliant with the NPPF.	This has been removed from the policy.
Town Centre Uses	Floorspace limits lack any policy justification.	Reference to the basis for local thresholds has been added.
Important Open Views	The Conservation Area Appraisal identified not simply important views but many other aspects which contribute to the distinct character of the town, which should be conserved.	The policy has been amended to address important open spaces within the town as well as important views.
Design	Design should consider National Park status.	A policy on design has been added to the plan.
Design	Policy required which considers how developments should respond positively to surroundings in terms of massing, fenestrations, detailing and scale.	A policy on design has been added to the plan.
Renewable Energy	Renewable energy technologies should be in context with the character of the area.	Reference to impact on character has been added to the policy.
Renewable Energy	Consideration should be made of the viability of renewable energy technologies and possible use of allowable solutions.	Reference to allowable solutions has been included in the Plan.
Green Infrastructure	The policy provides little direction as to the requirements for developers.	The text has been amended in accordance with that suggested by the Environment Agency.
Developer Contributions	Concerns that the contributions sought will mean that development is	Details have been added to the Plan on what contributions will be sought

Part of the Plan	Key Comments	How they have been addressed
	unviable. Details should be provided upfront on what contributions will be sought for.	for.
IT and telecommunications infrastructure	Request to insert a relevant policy on IT and telecommunications infrastructure in order to comply with provisions of the NPPF.	A policy on IT and telecommunications infrastructure has been added to the Plan.
Development Briefs	Contains some over prescriptive requirements which are contrary to the NPPF.	The text has been amended to guide development rather than specify particular requirements.
Development Briefs	There should be clear policy provision for the enhancement of open spaces and pathways.	This has been added to the Development Brief for each site.
Development Briefs	The flood benefits of Sustainable Drainage Systems are not clearly highlighted in the development briefs.	Specific reference to consideration of the use of Sustainable Drainage Systems has been added to the Development Brief for each site.

#### 14. Consultation on Draft Helmsley Plan Sustainability Appraisal Report

14.1 The key significant effects of the draft Plan were assessed as being:

- Positive effects on sustainability objectives which aim to support the economy;
- Positive effects on sustainability objectives which aim to meet housing needs;
- Possible negative visual effects on the built environment and landscape from policies which promote renewable energy;
- Positive effects on the community through the protection of community and retail uses; and
- Uncertain effects from new development on the design of the built environment.

14.2 The following mitigation measures were recommended as a means of addressing the significant effects as well as addressing some more minor effects that were revealed through the assessment:

- The Development Briefs for each site set out design principles specific to each site. In conjunction with this, it should be made clear in the Plan that relevant policies of the North York Moors Core Strategy and the Ryedale Local Plan Strategy will also be considered in relation to planning applications. This will include policies relating to design of new development.
- Add to Policy H9 that in meeting BREEAM and Code for Sustainable Homes requirements consideration should be given to impact upon landscape and townscape.

- Include an explanation in the Plan that relevant policies of the North York Moors Core Strategy and Development Policies and Ryedale Local Plan Strategy will still form part of the Development Plan and be relevant when determining applications for development in Helmsley.
- It is recommended that an addition is made to the supporting text to Policy H6 which requires the provision of small scale recycling facilities alongside new retail uses where suitable to the use and where space allows.
- It was identified that, whilst the delivery of Green Infrastructure will have a range of positive effects, this will need to be carefully designed to ensure it does not result in crime-related problems. It is recommended that an addition is made to the supporting text of Policy H10 which requires Secured by Design principles to be followed in designing Green Infrastructure.
- It was identified that effect on air quality may arise from the development of employment uses. The Development Briefs could usefully include reference to the need for employment proposals to consider impacts on air quality and amenity of surrounding uses. The relevant policies of the Ryedale Local Plan Strategy will still form part of the Development Plan and be relevant when determining applications for development in Helmsley, including policies on effects on air quality. This should be explained in the Plan.

14.3 The mitigation measures identified have all been incorporated in producing the Publication version of the Plan.

## **15. Regulation 19 – Publication Version Making comments on the Publication version of the Helmsley Plan**

15.1 Consultation on the Publication Version of the Helmsley Plan will take place between 24<sup>th</sup> January and 7<sup>th</sup> March 2014. The consultation will provide an opportunity for local residents and other stakeholders to make representations on the final version of the Helmsley Plan which the Local Planning Authorities intend to submit to the Secretary of State in March.

15.2 Consultation arrangements will include:

- Emails or letters informing all those listed on the Helmsley Plan database on the consultation dates and how to view and respond to the consultation material, (see Appendix 1 for list of consultees);
- A press release will be issued to the local press, providing details of the consultation including where consultation documents could be viewed;
- Details of the consultation will be published on Facebook and Twitter;
- All documents will be made available to view on the North York Moors National Park Authority's website, with links to the relevant place from Ryedale District Council's website;
- Notices will be pinned up on the Town Council notice-board in the Market Square.

16.3 The deadline for comments is 4.30pm on Friday 7<sup>th</sup> March 2014.

## **16. What happens next?**

17.1 Following consultation on the Publication version of the Helmsley Plan the Local Planning Authorities will consider the representations received, consider the need for any changes to the Plan and subject to no sufficient issues being identified will prepare the Plan for

Submission to the Secretary of State for examination later in the year. The Inspector will consider whether the Helmsley Plan has been positively prepared and that its policies are justified, effective and in general conformity with the National Planning Policy Framework. Following this the Inspector will produce a report of his/her findings and then the Authorities will look to formally adopt the Helmsley Plan towards the end of 2014.

## **Appendix 1**

### List of Consultees

Below is a list of organisations that will be directly informed of the consultations on the Local Plan via email or by letter (individuals are not listed)

#### **Specific consultation bodies**

English Heritage  
Highways Agency  
Environment Agency  
Natural England  
Network Rail  
The Coal Authority  
Marine Management Organisation  
Northern Power Grid  
Mobile Operators Association  
Cable and Wireless  
Northern Gas Networks  
Yorkshire Water Services Ltd  
Northumbrian Water  
Castle Transmission Int Ltd  
Arqiva  
Homes and Communities Agency

#### **Adjoining Local Authorities**

Scarborough Borough Council  
Hambleton District Council  
Redcar & Cleveland Borough Council

#### **Duty to Co-operate bodies**

North Yorkshire County Council  
York, North Yorkshire and East Riding Local Enterprise Partnership  
Tees Valley Unlimited

#### **Registered Providers**

Broadacres  
Home Housing Association  
North Star  
Sanctuary Housing Association

#### **General Consultation Bodies**

AtoM Design and Building Services  
Barratt Homes Ltd (York Division)  
George F White  
Alan Campbell Chartered Architects  
Carter Jonas  
Brian Rigby Building Services  
Cleveland Industrial Archaeology Society  
Colliers International  
North Yorkshire Coast Community Partnership  
Hambleton Strategic Partnership  
Concept Town Planning Ltd

Country Land & Business Association  
Dawnay Estates  
Defence Estates  
Forest Enterprise  
DPP LLP  
Duncombe Park Estate Office  
Egton Estate  
Entec UK Ltd (for National Grid)  
Waste Management  
Esk Energy  
Esk Valley Railway Development Company  
Whitby Seafoods  
Fairhaven Cottage  
Forestry Commission  
Robin Hood's Bay and Fylingdales Village Trust  
Halcrow Group Ltd  
Hares of Snape  
Hawnby Estate Office  
HLL Humberts Leisure  
Home Builders Federation Ltd  
John Paul House Design  
Kingthorpe House  
Lambert Smith Hampton  
Lister Hague  
Local Access Forum  
Ryedale Strategic Partnership  
Moorland Association  
Mulgrave Estate  
National Farmers Union  
Northern Trust  
O'Neill Associates  
P&HS Architects  
Edwardson Associates  
Peter Greenwood & Co  
Peter Rayment Design  
Minerals Products Association  
Ramblers Association  
NPower Renewables  
Skelton and Gilling Estates  
Smiths Gore  
Sport England  
Council for British Archaeology  
Stewart Ross Associates  
Peacock and Smith  
Tees Valley Rural Community Council