

**Proposed Modifications – Post Examination in Public
February 2020**

By Policy Order

The following table sets out all proposed modifications to the Plan. It combines the set of Modifications submitted alongside the Plan in July 2019, the set proposed in response to the Inspector's MIQs, modifications agreed in the Statement of Common Ground with Historic England and modifications suggested by the Authority after the Examination in Public. Page/paragraph numbers refer to the Pre-Submission Draft version of the Plan.

Requested Modification number	Page No. (Pre-Submission Draft)	Policy / Paragraph (Pre-submission Draft)	Suggested Modification	Reason for Modification	Proposed When?
MM1	Various	Various	Add the word ' <u>and</u> ' at the end of the penultimate criterion at policies: Strategic Policy A, Strategic Policy C, Strategic Policy H, ENV2, ENV3, ENV5, ENV6, ENV7, ENV8, ENV13, Strategic Policy J, UE1, UE4, BL3, BL4, BL5, BL6, BL7, BL10, BL11, BL12, CO1, CO2, CO3, CO10, CO11, CO12, CO14, CO15, CO17, CO18, CO19, CO20.	At the Inspector's suggestion in MIQs.	Post Examination.
MM2	Various	Various	The word ' <u>only</u> ' is inserted after the word 'will' in the following policies: ENV8, ENV11, ENV13, ENV15, UE1, BL1, BL3, BL4, BL5, BL6, BL7, BL8, BL9, BL10, BL11, BL12, Strategic Policy L, CO3, CO6, CO7, CO8, CO9, CO12, CO17, CO18, CO19.	At the Inspector's suggestion in MIQs	Post Examination.
MM3	UE1 (Now UE2), BL9	Various	Changes from ' granted ' to ' <u>permitted</u> ' in policies UE1, BL9	For consistency.	Post Examination.
MM4	Various	Various	Changes from ' permitted ' to ' <u>supported</u> ' in policies SPC, SPG, SPJ, SPK.	For consistency.	Post Examination.

CHAPTER 3 - STRATEGIC APPROACH

MM5	27	SPA Achieving National Park Purposes and Sustainable Development	<p>Insert reference to scale at criterion a)</p> <p>a) Is of a high quality design and scale which respects and reinforces the character of the local landscape and the built and historic environment;</p>	<p>Part of a plan-wide set of modifications aimed at being clearer/more flexible on application of 'scale' in policy following suggestion by Inspector that it did not need to be repeated. It is added here to Strategic Policy A and removed elsewhere.</p>	<p>Post Examination.</p>
	28	Add to Paragraph 3.3	<p>3.3 It is standard practice for development plans to contain a policy which sets out a presumption in favour of sustainable development as set out in National Policy (NPPF, paragraph 11). In terms of plan-making this presumption does not apply where policies in the NPPF protect areas of particular importance such as National Parks where there are strong reasons for restricting the scale of development. <u>Scale is recognised at paragraph 172 of the NPPF which states that the scale and extent of development within designated areas should be limited. Therefore an important principle which runs through all the policies in this Plan is that development in the National Park should be small in scale in order to conserve and enhance the natural beauty and cultural heritage of the North York Moors. Further guidance on what is meant by 'small in scale' is explained in the supporting text to the relevant policies.</u></p>	<p>To explain reference to scale now inserted into policy Strategic Policy A.</p>	<p>Post Examination.</p>

MM6	29	SPB Spatial Strategy	<p>Development will be guided in accordance with the following settlement hierarchy:</p> <p><i>Local Service Centre – Helmsley</i></p> <p>Development should strengthen Helmsley’s role as the main service centre within the National Park by providing additional housing (including open market and affordable housing), employment and training premises, community and visitor facilities.</p> <p><i>Larger Villages listed in Table 1</i></p> <p>Development should support the service function of Larger Villages by providing additional housing (including principal residence and affordable housing), employment and training premises and new facilities and services for the immediate and wider locality.</p> <p><i>Smaller Villages listed in Table 1</i></p> <p>Development should maintain the rural character of Smaller Villages by providing small scale housing developments to meet local and affordable needs, small scale employment and training premises and new facilities and services for the immediate locality only.</p> <p><i>Botton Village</i></p> <p>Development which is necessary to meet the functional needs of the supported community.</p> <p><i>Open Countryside</i></p> <p>1. Where development reuses a building of architectural or historic importance interest in a way that supports an economic, education or community use or meets local</p>	<p>For clarity that only these tenures apply.</p> <p>For clarity that only these tenures apply.</p> <p>See MIQ 3.8.4, To align with Policy CO9</p> <p>See MIQ 3.7.1 – internal consistency In response to comments at Examination – other uses would</p>	<p>Post Examination.</p> <p>Post Examination.</p> <p>In response to the Inspector’s MIQs pre-examination.</p> <p>Post MIQs. Post examination.</p>
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			<p>housing needs, <u>in accordance with Policy CO12 (Conversion of Existing Buildings in the Open Countryside)</u> and which contributes positively to the character of the local landscape;</p> <p>2. Where there is an essential need for development to meet the needs of farming, forestry and other rural enterprise or land management activities;</p> <p>3. Where it is essential to meet social or community needs and it can be demonstrated that there are no other suitable and available locations within Helmsley and the Villages;</p> <p>4. <u>Where it meets the requirements set out at Policy UE2 (Camping, Glamping, Caravans and Cabins).</u></p> <p>5. Where development proposals are part of a Whole Estate Plan that has been <u>approved endorsed</u> by the National Park Authority.</p>	<p>qualify. For clarity of approach.</p> <p>To avoid repetition.</p>	<p>LPA amendment.</p>
31	<p>Paragraph 3.12, second sentence</p> <p>Paragraph 3.13, third sentence</p>	<p>3.12 The Local Plan allows for small scale development in or adjacent to these areas <u>in the main built up area of these villages</u> to meet housing, employment and community needs.</p> <p>3.13 The Local Plan allows for small scale development in or adjacent to these areas <u>in the main built up area of these villages</u> to meet housing, employment and community needs.</p>	<p>See MIQ 3.6.8 - internal consistency with UE1</p> <p>For consistency.</p> <p>For clarification that development will be in the main built up area of settlements. The existing wording was drafted to include reference to the possibility of development of Rural Exception Sites for affordable housing but this has caused confusion about the possible locations for other types of development.</p>	<p>In response to the Inspector's MIQs pre-examination.</p> <p>In response to comments made on pre-submission draft (Mulgrave Estate).</p> <p>Formerly MM1</p>	
32	New paragraphs after 3.16	<p>3.17 <u>The Authority recognises the value of Whole Estate Plans prepared by individual landowning organisations. These provide information about landholdings and buildings and set out future plans for the management of the Estate as a whole. Plans should cover environmental and social assets and issues as well as economic development projects.</u></p>	<p>To further explain Whole Estate Plans and indicate that production of an endorsed plan would allow for development proposals in general conformity with the Plan to come forward in response to the particular circumstances of an Estate.</p>	<p>Post examination.</p>	

			<p><u>recognising the potential of large estates to make a diverse and positive contribution to sustainable development in the National Park. The intention is that they provide clear baseline information which can be used to help identify mutually acceptable solutions and aid decision making for both the landowner and the National Park Authority.</u></p> <p>3.18 <u>Whole Estate Plans are a way of responding to specific circumstances that large landowners may face in managing assets over a wide area. Their provisions, however, must serve the wider purposes of the National Park and must not conflict with government policy on National Parks and must be in general conformity with the strategic objectives of this Plan. If approved by the Authority, a Whole Estate Plan would be a material consideration in the determination of relevant planning applications and carry appropriate weight in decision making.</u></p>		
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MM7	33	SPC Quality and Design of New Development	<p>To maintain and enhance the distinctive character of the National Park, development will be permitted <u>supported</u> where:</p> <ol style="list-style-type: none"> 1. The proposal is of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide; 2. The proposal incorporates good quality construction materials and design details that reflect and complement the architectural character <u>and form</u> of the original building and/or that of the local vernacular; 3. The siting, orientation, layout and density of the proposal complement existing buildings and the form of the settlement, preserving or enhancing views into and out of the site and creating spaces around and between buildings which contribute to the character and quality of the locality; 4. The scale, height, massing and form of the proposal are compatible with surrounding buildings and will not have an adverse impact upon the amenities of adjoining occupiers; 5. In the case of conversions, the design and detailing respects the architectural form and character of the existing building and surrounding area. 5. Sustainable design and construction techniques are incorporated in the proposal including measures to minimise waste and energy use and where appropriate use energy from renewable sources; 6. A good quality landscaping and planting scheme which reinforces local landscape character, increases habitat connectivity and makes use of appropriate native species forms an integral part of the 	<p>See MIQ 3.9.3, Criterion 2 & 5 amalgamated.</p> <p>See MIQ 3.9.4. Criterion 2 & 5 amalgamated.</p>	<p>In response to the Inspector's MIQs pre-examination.</p>
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			<p>proposal;</p> <p>7. Opportunities are taken to Proposals enhance local wildlife and biodiversity, for example through the inclusion of nesting boxes and bat roosts;</p> <p>8. Provision is made for adequate storage including storage for domestic items kept outdoors and waste management facilities;</p> <p>9. The proposal ensures the creation of an accessible, safe and secure environment for all potential users Where appropriate, cycling facilities and car parking are provided provision and without compromising local highway safety, traffic flow or Public Rights of Way, and</p> <p>10. The proposal ensures the creation of an accessible, safe and secure environment for all potential users, including the elderly, children and those with a health condition or impairment.</p> <p>(note: new paragraphs 3.23 & 3.24 for SPC inserted by MM26)</p>	<p>See MIQ 3.12.2. To strengthen policy</p> <p>See MIQ 3.13.1. To add flexibility.</p> <p>See MIQ 3.14.2. To add criteria on accessibility.</p>	
MM8	35	SPD - Major Development	<p>Proposals for major development shall should be refused except in exceptional circumstances and where it can be demonstrated that they are in the public interest. Demonstration of exceptional circumstances and public interest will require justification of:</p> <p>1. The need for the development which can include a national need and the contribution of the development to the national economy;</p> <p>2. The impact of permitting it, or refusing it, upon the local economy which includes that of the National Park;</p> <p>3. Whether, in terms of cost and scope the proposal can viably and technically be located elsewhere outside the National Park in a place that would avoid conflict with the</p>	<p>At suggestion of Inspector – ‘should’ is not effective as it reads as guidance not policy.</p> <p>To accord with amended wording of the draft Minerals and Waste Joint Plan (D04, b) which reflects that the wider local economy will be not be dismissed in the consideration of major development proposals and</p>	<p>Post Examination</p> <p>Formerly MM3</p>

			<p>National Park’s statutory purposes; or that the need for it can be met in some other way;</p> <p>4. The extent to which any detrimental effect on the environment, the landscape and recreational opportunities can be moderated.</p> <p>Where there are exceptional circumstances and the proposal is considered to be in the public interest, every effort to avoid adverse effects will be required. Particular consideration will be given to the extent to which the proposal may affect the qualities which contributed to the designation of the landscape. Where adverse impacts (including in combination with other developments) cannot be avoided harm should be minimised through appropriate mitigation measures. Appropriate and practicable compensation will be required for any unavoidable adverse effects which cannot be mitigated.</p> <p>When the activity for which the major development is required ceases the land will be required to be appropriately restored or enhanced <u>to a condition in line with National Park purposes.</u></p>	<p>in response to comments made on pre-submission draft (Sirius Minerals)</p> <p>.</p> <p>To clarify and strengthen the policy in line with National Park purposes, as discussed at Examination.</p>	<p>Post Examination.</p>
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CHAPTER 4 - THE ENVIRONMENT

<p>MM9</p>	<p>37</p>	<p>SPE The Natural Environment</p>	<p>Development which has an unacceptable potential adverse impact on the natural environment, the wildlife it supports and the environmental benefits it provides will not be permitted.</p> <p>All development should will be expected to:</p> <ol style="list-style-type: none"> 1. Ensure that natural capital is resources are used in efficient and sustainable ways; 2. Demonstrate, where appropriate, how they it makes a positive contribution to the natural capital environment and its ability to provide ecosystem services. 	<p>See MIQ 4.2.2 to recognise that all development could have an adverse effect.</p> <p>See MIQ 4.1.1. For clarity.</p> <p>See MIQ 4.3.5. For clarity/consistency</p>	<p>In response to the Inspector's MIQs pre-examination</p>
<p>MM10</p>	<p>38</p>	<p>SPF Climate Change and Mitigation</p>	<p>New development in the National Park will be expected to be resilient to and mitigate the effects of climate change. Where appropriate, this will be achieved by requiring development to supporting development which:</p> <ol style="list-style-type: none"> 1. Reduce the need for and makes efficient use of energy; 2. Use renewable energy; 3. Incorporate sustainable design and construction; 4. Facilitate carbon sequestration and storage in uplands and woodlands; 5. Facilitate appropriate coastal and flood protection works including natural flood management techniques to ensure resilient catchments and avoiding development in areas of flood risk; 6. Ensure and promote the long term connectivity of important sites for biodiversity, including through creation and maintenance of wildlife corridors to help species adapt to climate change; 	<p>To strengthen policy following MIQs and following discussion at examination.</p>	<p>In response to the Inspector's MIQs pre-examination/ Post Examination.</p>

			7. Is Be compatible with the appropriate Shoreline Management Plan.		
MM11	39	SPG Landscape	<p>Great weight will be given to landscape considerations in planning decisions and development will only be permitted supported where the location, scale and detailed design of the scheme respects and enhances the local landscape character type as defined in the North York Moors Landscape Assessment.</p> <p>All relevant proposals will be assessed in terms of their impact on landscape character and sensitivity as described in the North York Moors Landscape Assessment.</p> <p>Development that would have an unacceptable adverse impact on the natural beauty, character and special qualities of the areas of moorland, woodland, coast and foreshore as defined by the Section 3 Conservation Map or on the setting of the Howardian Hills AONB or local seascape will not be permitted.</p>	<p>For consistency.</p> <p>See MIQ 4.11.2. Considered unnecessary.</p> <p>See MIQ 4.10.4. For clarity/consistency.</p>	<p>In response to the Inspector's MIQs pre-examination.</p>
	40	Paragraph 4.10	<p>4.10 A Landscape Character Assessment was carried out in 2013 and is due to be updated in 2019 as the North York Moors Landscape Assessment.</p>	<p>To reflect fact that the LCA may not be produced in 2019, although the intention is that it will. Footnote deleted as title will be as described in the supporting text, hence not needed.</p>	<p>Update proposed through a main modification proposed after pre-submission draft. Formerly MM4</p>

MM12	42	<p>SPH Habitats, Wildlife, Biodiversity and Geodiversity Criterion 2</p> <p><i>National Sites and Protected Species</i></p> <p>Regional and Local Sites and other Valuable Sites and Species</p>	<p>All development and activities should <u>will be expected to</u>:</p> <p>Proposals that would adversely affect the notified special interest features of an existing or proposed Site of Special Scientific Interest or National Nature Reserve...</p> <p>Proposals that would adversely affect any existing or proposed locally designated site such as...</p>	<p>See MIQ 4.12.2. To make effective.</p> <p>See MIQ 4.15.3. Wording considered unnecessary.</p> <p>See MIQ 4.15.3. Wording considered unnecessary.</p>	<p>In response to the Inspector's MIQs pre-examination.</p> <p>Post Examination.</p>
	44	<p>Paragraph 4.26</p>	<p>4.26 All proposals will be expected to incorporate appropriate mitigation measures on site to minimise any unavoidable harm to wildlife and ecological or geological assets. <u>The scale of these measures will depend on the proposal, however the expectation is that any scheme likely to attract significant numbers of visitors (that is of sufficient volume to potentially cause harm to habitats) will need to provide evidence as to how management will avoid or mitigate this potential harm.</u> Agreed mitigation measures may include arrangements for the long-term management of biodiversity enhancements which would be secured through a planning condition.</p>	<p>Following request for additional explanation at Examination.</p>	

MM13	46	ENV2 Tranquillity	<p>Tranquillity in the National Park will be maintained and enhanced. Development proposals will only be permitted where they conserve and/or enhance tranquillity <u>there is no unacceptable impact on the tranquillity of the surrounding area.</u></p> <p>All proposals will be considered in relation to:</p> <ol style="list-style-type: none"> <u>1.</u> Visual intrusion; <u>2.</u> Noise; and <u>3.</u> <u>Activity</u> activity levels; and <u>4.</u> Traffic generation. <u>5.</u> Presence of natural and semi-natural habitats; <u>6.</u> Presence of heritage historic assets. 	<p>To address concern that policy wording could stifle development. 'Development proposals will only be permitted where they conserve and/or enhance tranquillity' is a very high bar and could preclude acceptable proposals particularly within settlements. See MIQ 4.18.1.</p>	<p>In response to comments made on pre-submission draft (Scarborough Borough Council).</p> <p>Formerly MM5 & MM6</p>
	47	Paragraph 4.38	<p>4.38 The policy sets out considerations that will be taken into account in assessing a development proposal's impact on the tranquillity of the surrounding area. The first three criteria relate to impacts generated by the development proposal itself. These include visual <u>Visual</u> intrusion i.e. refers to the size and bulk of new structures and whether the development will blend harmoniously into the surrounding area; noise Noise <u>and the type</u> and activity levels, including taking account of the frequency of activities associated with the proposed development <u>are also important</u> and <u>applicants may be asked to provide information about likely noise and activity levels and the traffic generation, including whether the</u> number and type of <u>extra</u> traffic movements associated with the proposal. <u>Information will be used to assess whether the development</u> will change the character of the surrounding area <u>in relation to tranquillity. If construction of the development is over a particularly prolonged period, the impacts.</u> The disturbance generated during construction of the development will also</p>	<p>To confine policy wording to potential 'negative' tranquillity factors to make policy more effective following Inspector's suggestion.</p> <p>To clarify/make more pragmatic how the policy will be implemented and to reflect changes suggested to the policy (see above).</p>	<p>Post Examination.</p> <p>Post Examination.</p>

			<p>be taken into consideration account <u>if it over a particularly prolonged period.</u> <u>In making the assessment, the Authority will consider</u> The fourth and fifth criteria in the policy relate to the nature of the surrounding area and how vulnerable it is to a loss of tranquillity as a result of the proposed development. The Authority will therefore <u>This will include</u> considering the impact of the development on natural habitats and environments and historic assets in the locality <u>in relation to how they contribute to tranquillity as well as the experience of users of any public rights of way or access land.</u></p>		
MM14	47	ENV3 A Strong Sense of Remoteness	<p>Amend the policy title and delete third criterion</p> <p>ENV3 - A Strong Sense of Remoteness <u>Areas</u></p> <p>Development will only be permitted in Remote Areas where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. It is essential for environmental conservation, agricultural or forestry management purposes; <u>and</u> 2. No alternative locations outside Remote Areas are suitable; 3. Appropriate mitigation measures have been taken to minimise any harmful impact on tranquillity. 	<p>For clarity – policy title now describes the areas and helps the reader understand that it is spatially applied through mapping.</p> <p>Duplicates Policy ENV2 and is also mentioned at 4.40.</p>	<p>Post Examination.</p> <p>Post Examination.</p>
MM15	48	ENV4 Dark Night Skies	<p>Delete criterion 4:</p> <p>4. Where proposals involve works to an existing building, applicants will be encouraged to bring all existing external lighting up to the standards set out in any lighting guidelines adopted by the Authority.</p> <p>Combine and include text concerning encouraging bringing existing lighting up to standards:</p>	<p>Not considered justified policy as it cannot be implemented through the development management process. Remove to supporting text.</p>	<p>Post Examination.</p>

	49	Paragraph 4.42 & new 4.43	<p>4.42 They Dark night skies are an intrinsic part of the quality of the National Park landscape and are important for wildlife including species such as bats, moths and nightjar and therefore contribute to biodiversity. Dark skies are also important for recreation – there is a growing interest in star gazing which in turn has benefits for the local tourism economy.</p> <p>4.43 <u>The policy sets out the principles that will be applied to external lighting proposals across the National Park. Where the development involve works to an existing building, applicants will be encouraged to bring all existing external lighting up to the standards set out in any lighting guidelines adopted by the Authority.</u></p>	Following deletion of criterion 4 in Policy ENV4.	<p>Post Examination.</p> <p>Post Examination.</p>
MM16	49	ENV5 Flood Risk	<p>Delete the final criterion: 3. A Sustainable Drainage System to manage surface water run-off is incorporated in new developments above a certain scale.</p>	Deleted as duplicates national legislation (discussed at Examination).	Post Examination.
MM17	50	ENV6 Land Instability Criterion 1	<p>1. There is a clear and demonstrable short term threat of coastal erosion leading to the loss of a permanent building or structure in permanent use;</p>	See MIQ 4.29.2. For clarity.	In response to the Inspector's MIQs pre-examination.
MM18	51	ENV7 Environmental Protection Criterion 4 Final paragraph	<p>4. It is not located on significant sizeable areas of the best and most versatile agricultural land (designated as Grades 1, 2 or 3a under the Agricultural Land Classification System);</p> <p>Where necessary, remediation work must should be undertaken to remove any contamination and pollutants to ensure safe development.</p>	<p>To make clear what was meant by 'significant' in draft.</p> <p>See MIQ 4.33. To strengthen.</p>	<p>Post Examination.</p> <p>In response to the Inspector's MIQs pre-examination.</p>

MM19	52	ENV8 Renewable Energy	<p>Where appropriate, d Development proposals for small-scale schemes for the generation of renewable energy will <u>only</u> be permitted where:</p> <ol style="list-style-type: none"> 1. It is of a scale and design appropriate to the ir locality and contributes to meeting energy needs within the National Park; 2. It respects and complements the existing landscape character type as defined in the North York Moors Landscape Assessment; 3. It does not result in an unacceptable adverse impact on the special qualities of the National Park, either on its own, or in combination with other schemes; 4. It provides environmental enhancement or community benefits wherever possible; <u>and</u> 5. It makes provision for the removal of the facilities and reinstatement of the site, should it cease to be operational. <p>In addition to meeting the criteria above development proposals for small-scale wind turbines will only be permitted where:</p> <ol style="list-style-type: none"> a) They are in a position identified as suitable for wind energy development in the North York Moors Renewable Energy Supplementary Planning Document; and b) Any planning impacts identified by the <u>an</u> affected local community have been addressed and it can be demonstrated that the proposal has their backing. 	<p>See MIQ 4.34.1. For clarity</p> <p>Following discussion at examination.</p> <p>Following discussion at examination.</p>	<p>In response to the Inspector's MIQs pre-examination</p> <p>Post Examination.</p> <p>Post Examination.</p> <p>Post Examination.</p>
	53	Paragraph 4.58 & first bullet	<p>Planning permission for renewable energy developments will only be granted where the objectives of National Park designation will not be compromised. For the purposes of this policy 'small <u>appropriate</u> scale' is defined as:</p> <ul style="list-style-type: none"> • Wind <u>turbine</u> developments <u>which are appropriate in scale to the</u> of one turbine and of 	<p>To state that small scale developments of more than one</p>	<p>Post Examination.</p>

			<p>a height which is visually related to landscape, landform, structures and buildings in the immediate vicinity.</p>	turbine could be acceptable.	
MM20	54	SPI - The Historic Environment	<p>All developments affecting the historic environment should make a positive contribution to the cultural heritage and the local distinctiveness of the National Park through the conservation and, <u>where appropriate,</u> enhancement of heritage assets the <u>historic environment</u>. New development must safeguard should conserve heritage assets and their setting and avoid cumulative erosion of the character of the area or the special interest of any heritage asset and/or its setting whether designated or non-designated, in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area, including:</p> <ol style="list-style-type: none"> 1. Features that contribute to the wider historic landscape character of the North York Moors National Park <u>such as the legacy of features associated with the areas industrial, farming, fishing and monastic past;</u> 2. Archaeological sites and monuments, comprising both upstanding and below-ground assets including Scheduled Monuments and regionally or locally important non-designated monuments <u>including the Neolithic barrows and Bronze Age cairns, tumuli and stone circles;</u> 3. The <u>vernacular building styles, materials and the form and layout of the</u> historic built environment including Conservation Areas, Listed Building and regionally or locally important non-designated structures and buildings. <p>Applicants will be required to provide a Heritage</p>	<p>To reflect the requirements and terminology of national policy guidance - not considered to represent a significant change in approach.</p> <p>To reflect the requirements and terminology of national policy guidance - not considered to represent a significant change in approach.</p> <p>Response from Historic England – see Statement of Common Ground.</p> <p>Response from Historic England – see Statement of Common Ground.</p> <p>Response from Historic England – see Statement of Common Ground.</p>	<p>In response to comments made on pre-submission draft (Historic England) and through the statement of Common Ground.</p> <p>Formerly MM7-11, HE1-3</p>

	55	Paragraph 4.71	<p>Statement of sufficient detail to allow an informed assessment of the impact of the proposed development on the significance of the heritage asset(s).</p> <p>Harm to an element which contributes to the significance of a designated heritage asset <u>(or to non-designated archaeology of national importance) will require clear and convincing justification and will only be permitted where this is outweighed by the public benefits of the proposal. Substantial harm will only be permitted where it can be demonstrated that the proposal would bring substantial public benefits that outweigh the harm or there are other exceptional circumstances.</u></p> <p>Where non-designated heritage assets are affected, a balanced judgement will be taken having regard to the scale of any harm or loss on <u>and</u> the significance of the asset and other material considerations.</p> <p>Add text to end of paragraph:</p> <p>4.71 <u>It should be noted that some non-designated archaeology remains could be of national importance. In such cases, proposals will be considered against the policies for designated heritage assets.</u></p>	<p>Response from Historic England to make reference to non-designated archaeology of national importance.</p> <p>To clarify the application of the policy. To reflect the advice in NPPF 195 that, in the case of substantial harm to a designated heritage asset, there may be other considerations as well as substantial public benefits which may justify a development proposal.</p> <p>To explain the approach to non-designated archaeological remains of national importance.</p>	<p>In response to comments made on pre-submission draft (Historic England).</p> <p>Formerly MM12</p>
MM21	56	After paragraph 4.77	<p>New paragraph</p> <p><u>Enabling Development</u></p> <p><u>4.80. Historic England has produced very thorough guidance on the sorts of situations in which it may, or may not be appropriate to approve 'enabling development'. The Policy outlined by Historic England in its publication "Enabling Development and the Conservation of</u></p>	<p>To set out the Authority's approach to the assessment of enabling development following deletion of Policy ENV12 and supporting text.</p>	<p>At submission.</p> <p>Formerly MM13</p>

			<p><u>Significant Places” should be used to assess whether enabling development is justified. Early engagement with the Authority is recommended to help develop proposals.</u></p>		
MM22	56	<p>ENV9 - Historic Landscape Assets</p> <p>Paragraph 1, first sentence</p> <p>Paragraph 1, bullet points</p>	<p>Development affecting historic landscape assets of the North York Moors will be required to conserve and, <u>where appropriate</u>, enhance its landscape quality...</p> <p>Insert additional numbered points:</p> <p>10. <u>The early enclosure landscapes of the 12th and late 16th Centuries and the Parliamentary enclosures of the late 18th and 19th Centuries;</u></p> <p>11. <u>The 18th Century water races of the southern Moors such as at the Duncombe Estate;</u></p> <p>12. <u>The network of extant trenches, bombing decoys, anti-tank defences and radar installations from the First and Second World Wars;</u></p> <p>13. <u>The remains of the structures associated with rabbit-farming along the southern edges of the North York Moors.</u></p> <p>Modification to last paragraph of ENV9 to align wording with that of ENV11:</p> <p><u>Where a development will impact on</u> When a proposal affecting features which contribute to the historic landscape <u>(and our understanding and appreciation of it)</u> is acceptable in principle, the Authority will seek to preserve <u>require preservation of</u> the <u>original</u> features in situ. When in situ preservation is not justified the</p>	<p>To reflect NPPF guidance that conservation of a heritage asset should, where appropriate enhances its significance.</p> <p>To strengthen the policy.</p> <p>Modification to align wording of policies. See MIQ 5.2.3 and response from Historic England to return to previous wording with a minor addition to remove reference to in-situ preservation (See SoCG).</p>	<p>In response to comments made on pre-submission draft (Historic England)</p> <p>Formerly MM14-16</p>

	57	Paragraph 4.79 (now 4.82)	<p>applicant will be required to <u>made adequate provision for recording and analysis</u> in advance of the development, secured through an <u>approved</u> Written Scheme of Investigation.</p> <p>4.82. All development proposals should consider the impact on the many features which contribute to the historic landscape of the National Park as an integrated whole, as well as upon individual assets to ensure historic features and assets are not compromised or lost. Proposals which would have a direct and indirect impact on any physical feature or their legibility within the wider landscape setting will <u>require clear and convincing justification.</u> <u>Retention of original features</u> In-situ preservation will <u>should always be the Authority's preferred approach to conserving assets of landscape value, but where it can be demonstrated that in-situ preservation retention is not justified; applicants should carry out appropriate recording in order to advance understanding of the significance of any heritage asset to be lost, in accordance with paragraph 199 of the NPPF. Further information on archaeological recording and WSI's can be found in the Glossary</u> not be permitted.</p>	To clarify the approach to in-situ preservation and recording in accordance with paragraph 199 of the NPPF. This was added to via the submitted proposed main modification and has subsequently been amended on 8/11/19 to accord with comments from Historic England which wished to replace in situ preservation with 'retention of original features' (see Statement of Common Ground).	FormerlyMM17/HE4
MM23	57	ENV10 Archaeological Heritage	<p>Development that would result in harm to the significance of a Scheduled Monument or other national important archaeological sites will not be permitted, <u>unless it can be demonstrated that there are substantial public benefits that outweigh the harm, or there are wholly exceptional circumstances.</u></p> <p>The preservation of other archaeological sites will be an important consideration having regard to their significance. When development affecting such sites is acceptable in principle,</p>	See MIQ 5.3.5 and to reflect the public benefits tests set out in the NPPF.	In response to comments made on pre-submission draft (Historic England) Formerly MM18 – MM19

			<p>the Authority will seek the preservation of remains in situ, as a preferred solution. When in situ preservation is not justified, the applicant will be required to make adequate provision for excavation and recording in advance of development, secured through an <u>approved</u> Written Scheme of Archaeological Investigation.</p> <p>The Authority will require applicants to provide sufficient information to allow an informed assessment of the significance of the archaeological heritage asset and its setting, and the impact of the proposed development on that significance.</p>	<p>To make clear that the WSI needs to be approved by the Authority.</p>	
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MM24	58	ENV11 – Historic Settlements and Built Heritage	<p>Development affecting the built heritage of the North York Moors should reinforce its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials and construction. High standards of design will be promoted to conserve and enhance the built heritage, settlement layouts and distinctive historic, cultural and architectural features. Development proposals will <u>only</u> be supported <u>permitted</u> where they:</p> <ol style="list-style-type: none"> 1. Conserve, enhance or better reveal elements which contribute to the significance of the heritage asset or its setting including key views, approaches and qualities of the immediate and wider environment that contribute to its value and significance; 2. Preserve <u>Conserve or</u> and enhance the special character and appearance of settlements including buildings, open spaces, trees and other important features that contribute to visual, historical or architectural character; 3. Reinforce the distinctive qualities of settlements through the consideration of scale, height, massing, alignment; design detailing, materials and finishes; 4. Respect the integrity of the form of historic settlements including boundary and street patterns and spaces between buildings; 5. In the case of new uses, ensure the new use represents the optimal <u>optimum</u> viable use of the asset which is compatible with its conservation; 6. In the case of adapting assets for climate change mitigation, the proposal is based on a proper understanding of the asset and its material properties and performance, and of the applicability and effectiveness of the 	<p>As suggested by Mulgrave Estate.</p> <p>To correct a typographical error.</p>	<p>In response to comments made on pre-submission draft (Mulgrave Estate) and update proposed through a main modification proposed after pre-submission draft.</p> <p>Formerly MM20</p> <p>Formerly MM21</p>
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			<p>proposal. Development should not harm the heritage value of any assets affected.</p> <p>When a proposal affecting a heritage asset is acceptable in principle, the Authority will seek the preservation of historic fabric in situ.</p> <p>When in situ preservation <u>retention of the feature</u> is not justified or the form and appreciation of a heritage asset is compromised through the proposal, the applicant will be required to undertake an appropriate programme of historic building recording (HBR) and analysis secured through an <u>approved</u> Written Scheme of Investigation (WSI).</p> <p>4.98. <u>Retention of original features should always be the preferred approach to conserving heritage assets. However where it can be demonstrated that retention is not justified.</u> Where there is acceptable harm to or loss of a heritage asset the Authority will seek <u>appropriate recording in order to advance understanding of the significance of any asset to be lost in accordance with paragraph 199 of the NPPF</u> to preserve the asset by record. When this is the case, the Authority will require applicants to undertake an appropriate programme of historic building recording (HBR). <u>Further information on recording and WSI's can be found in the Glossary.</u></p>	<p>To remove reference to in-situ preservation (SoCG) and to make clear that the WSI needs to be approved by the Authority.</p> <p>To clarify the approach to in-situ preservation and recording in accordance with paragraph 199 of the NPPF. This was added to via the submitted proposed main modification and has subsequently been amended on 8/11/19 to accord with comments from Historic England which wished to replace in situ preservation with 'retention of original features' (see Statement of Common Ground).</p>	
MM25	61	ENV12 Supporting the Conservation and Reuse of Designated Heritage Assets	<p>Main modification - Delete ENV12 in full.</p> <p>Policy ENV12 - Supporting the Conservation and Reuse of Designated Heritage Assets 'At Risk'</p> <p>Where development would secure the long-term future of a designated heritage asset on Historic England's or the Authority's 'At Risk' Register</p>	<p>Having revisited this policy and HE's comments that it does not add anything further to national guidance it is felt that the most appropriate action would be to delete this policy altogether. Instead, officers recognise that in these limited circumstances where this type of 'enabling' development</p>	<p>In response to comments made on pre-submission draft (Historic England)</p> <p>Formerly MM22</p>

		<p>and is otherwise in conflict with the Development Plan and meets the tests outlined in National Guidance (referred to as enabling development), the Authority will assess whether there are any public benefits of the proposal which would significantly outweigh the harm associated with departing from other policies within this Plan. Any proposal should represent the most optimal viable use of the asset.</p> <p>Proposals will be required to provide evidence that all other possibilities of funding to secure the conservation and reuse of the building have been exhausted.</p> <p>In exceptional cases, this policy could be applied to a non-designated heritage asset agreed to be particularly worthy of conservation and reuse and which has been proven to be seriously at risk of imminent collapse or further decay.</p> <p>Any approval will be subject to a legal agreement to secure the restoration of the asset prior to completion of the enabling development.</p> <p>Where there is evidence of deliberate neglect or damage to the heritage asset, the deteriorated state of the asset will not be taken into account in any decision.</p> <p>(Note: Text on enabling development added by MM21)</p>	<p>could be appropriate, applications should be considered on their merit and if needed, approved contrary to policy in order to pursue the NP's first purpose of conserving the built environment of the National Park. The instances where this may happen is likely to be very limited. Further text to the Explanation of SP I is however needed at 4.89 to set out the Authority's approach to the assessment of enabling development following deletion of Policy ENV12 and supporting text.</p> <p>To set out the Authority's approach to the assessment of enabling development following deletion of Policy ENV12 and supporting text.</p>	
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MM26	63 34	ENV14 Important Undeveloped Spaces New paragraphs after 3.20	<p>Main modification - Delete ENV14 (Important Undeveloped Spaces) in full.</p> <p>Delete supporting text (paragraphs 4.112-4.114). New text at Strategic Policy C</p> <p><u>3.23 The remote nature of the National Park and its dispersed pattern of small rural settlements is an important quality which requires early recognition when developing proposals, particularly those located within or on the edge of settlements. The geology and landform of the North York Moors is such that the wider landscape frequently makes a significant contribution to the rural character of its settlements where open and undeveloped spaces provide important views out towards the moorland, hills and dales. They can also provide an important setting for buildings, particularly where a building is set back or its gable fronts the highway and the open space provides an attractive view of the buildings principal elevation. Paddocks, orchards, common land, gardens, lanes and tracks are all examples of such spaces. It is therefore important to recognise the potential amenity value of certain open and undeveloped spaces and as a result, not all open and undeveloped spaces will be considered appropriate for development but it may be that proposals can be designed so as to minimise its impact.</u></p> <p><u>3.24 The Design Guide 'General Principles' provides applicants with information to help assess how open spaces can contribute to the character of a settlement particularly in relation to the settlement form, landscape setting, built form and other statutory considerations. Areas of undeveloped space</u></p>	<p>Following suggestion of the Inspector that criteria are covered elsewhere and that policy may be over restrictive.</p> <p>To add new text to draw together valuable aspects of open spaces in villages and how they will be considered, following deletion of Policy ENV14 (Important Undeveloped Spaces).</p>	Update proposed through a main modification proposed after pre-submission draft.
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			<u>which are considered to be of visual, historical, archaeological, and cultural or biodiversity value will be protected and development which would adversely affect the character or appearance or value of a particular site or that of the wider settlement will be discouraged.</u>		
MM27	64	Policy ENV15, first line (now ENV13)	In order to deliver significant environmental enhancement, proposals for the re-development of the following sites will <u>only</u> be permitted in accordance with a planning brief agreed <u>approved</u> by the Authority:	To make clear Authority will approve Planning Briefs.	Post Examination.
	64	Para 4.115 (now 4.111)	4.111. Careful re-development of these sites in accordance with a planning brief agreed between the Authority and the landowner will bring significant community benefits as well as <u>an</u> environmental enhancement and it is for these reasons that they are included in the Policy. <u>A planning brief will be prepared between the Landowner and the Authority, in consultation with the local Parish Council, to outline the general approach to re-development of the sites which will be used to inform and determine any future planning application.</u>	See MIQ 5.13.2. Additional explanation of process.	In response to the Inspector's MIQs pre-examination

CHAPTER 5 - UNDERSTANDING AND ENJOYMENT

MM28	67	SPJ - Sustainable Tourism and Recreational Development	<p>Amend title:</p> <p>Strategic Policy J – Tourism and Recreational Development</p> <p>The quality of t Tourism and recreational facilities in the National Park will be maintained and improved through adopting the principles of sustainable tourism development will be <u>supported permitted</u> where:</p> <ol style="list-style-type: none"> 1. It conserves and enhances the natural beauty, wildlife and cultural heritage of the North York Moors National Park; 2. <u>It is consistent with the principles of sustainable tourism set out in paragraph 5.4;</u> 3. It does not lead to unacceptable harm to <u>the local landscape character</u> or an ecological or archaeological asset; 4. It provides and protects opportunities for all people to increase their awareness, understanding and enjoyment of the special qualities of the National Park in a manner that will not undermine the enjoyment of those qualities by other visitors or the quality of life of residents; 5. It is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape; 6. Any accommodation is used only for short term holiday stays; 7. It does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way; <u>and</u> 8. It does not lead to unacceptable harm in terms of noise and activity on <u>to</u> the immediate neighbourhood.; 	<p>For consistency/simplicity</p> <p>To avoid duplication.</p> <p>See MIQ 6.1. To embed principles into policy.</p> <p>To reinforce importance of landscape.</p> <p>Improved wording.</p>	<p>In response to comments made on pre-submission draft & response to Inspector's MIQs</p> <p>Formerly MM23 & 24</p> <p>Post Examination.</p> <p>Post Examination.</p>
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		<p>Paragraph 5.6 & 5.14</p>	<p>Tourism and Recreational Accommodation and facilities development will be permitted where:</p> <p>a) It is located in Helmsley or within the main built up area of one of the villages listed in Strategic Policy B;</p> <p>b) Where development involves the reuse of a building It uses existing buildings in Open Countryside or involves the adaptation or small scale extension of an existing building or complies with Policy UE1. Proposals to convert buildings in Open Countryside will also need to comply with Policy CO12.</p> <p><u>5.6 When an application for accommodation is approved, the Authority may impose a condition requiring the unit to be used only for holiday letting purposes. For the purposes of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year unless there is compelling evidence as to why a longer period is necessary. A condition limiting occupation of any accommodation (and any subsequent replacement accommodation) to a holiday use for a maximum of 28 days stay in one calendar year will be imposed on any permission.</u> The site operator or owner must maintain an up to date register of the main addresses of the owners or occupants. This shall be made available to the Authority on request. Criterion (b) of Strategic Policy J requires that in Open Countryside the expectation is that proposals use existing buildings or form small extensions. In the case of camping or caravan sites, the expectation is that that amenity blocks should utilise existing buildings on the site. If there are no suitable buildings, new structures may be</p>	<p>Spatial element of Policy is moved into a new Policy UE1.</p> <p>To allow for a degree of flexibility on the use of restrictive conditions.</p> <p>Deleted sentences are now included in supporting text to (new) Policy UE2.</p> <p>Moved to new UE1 and amended.</p>	<p>Post Examination.</p> <p>In response to comments made on pre-submission draft.</p> <p>Formerly MM25</p>
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			<p>acceptable if it was to be of lightweight design and construction so that it can easily be removed from the site.</p>		
MM29	68	New Policy UE1	<p><u>Policy UE1 – Location of Tourism and Recreation Development</u></p> <p><u>Tourism and recreation development will only be permitted where:</u></p> <ol style="list-style-type: none"> 1. <u>It is located in Helmsley or within the main built up area of one of the villages listed in Strategic Policy B; or</u> 2. <u>In Open Countryside where it involves a small scale conversion and/or extension of an existing building of architectural or historic interest, or where it complies with UE2. In exceptional circumstances new build development may be permitted in the Open Countryside where:</u> <ol style="list-style-type: none"> a) <u>The proposal is for the expansion or diversification of an existing tourism or recreation business;</u> b) <u>The proposed development is functionally dependent and subservient in scale to the existing business; and</u> c) <u>It has been demonstrated that the proposed development cannot be accommodated in an existing building, or</u> 3. <u>Proposals are part of a Whole Estate Plan that has been approved by the National Park Authority.</u> <p><u>Proposals for new holiday accommodation within a residential curtilage will be considered under Policy UE4.</u></p> <p><u>5.7 Policy UE1 sets out the Plan’s approach to the</u></p>	<p>To respond to comments that the Plan was not clear on how it would assess new development in spatial terms, particularly in regard to new permanent buildings. Locational criteria have been taken from Strategic Policy J and added to.</p> <p>Amendments also pick up MIQ 6.15.5 and include a modification to address representations made by Edwardson Associate that the policy (was SPJ) as worded prevents development that doesn’t involve the reuse of a building.</p>	Post Examination.
		New supporting			

		text to new Policy UE1	<p><u>location of new tourism and recreation development within the National Park. It directs new tourism and recreation development to Helmsley and villages named in the settlement hierarchy. It then allows for the small scale conversion and expansion of buildings of architectural and historical interest in the Open Countryside. Proposals of this type will also need to comply with Policy CO12 (Conversions of Existing Buildings in Open Countryside).</u></p> <p>5.8 <u>The Authority also recognises that there may be existing tourism and recreation businesses in the Open Countryside that may wish to expand or diversify. In such cases the policy requires that existing buildings should be used in preference and that the proposed development is functionally dependent on the existing use, i.e. it supports rather than supplants the existing use. It also requires that new development is subservient in scale, i.e. subordinate to the size of the existing development.</u></p>	To explain how Policy UE1 operates.	Post Examination.
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MM30	68	<p>UE1 (now UE2) – Small Scale Tourism Accommodation</p>	<p>Change title and numbering of policy and amend as follows:</p> <p>Policy UE1 UE2 - Small Scale Tourism Accommodation <u>Camping, Glamping, Caravans and Cabins</u></p> <p>Permission will be granted for the development will only be permitted for of new, small scale tourism holiday accommodation development (such as tents, pods, yurts, teepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) where:</p> <ol style="list-style-type: none"> 1. It is within <u>Helmsley or the main built up area</u> of a settlement listed in the hierarchy outlined in Strategic Policy B and it is in close proximity to an existing residential unit which will be used to manage the accommodation, or; 2. It is in Open Countryside and is <u>not isolated from</u> physically and functionally linked to an existing permanent business or residential unit which can <u>will</u> be used to manage the accommodation. <p><u>In order to respect the sensitivity of the local landscape character type all</u> All sites must be screened by existing topography, buildings or adequate well established vegetation which is within the applicant's control and where arrangements for its long term maintenance can be demonstrated. in order to provide a setting for the proposed development whilst respecting the sensitivity of the local landscape character type.</p> <p>The following criteria <u>will be expected to</u> should also be met:</p> <p>a) A <u>The accommodation avoids extensive</u></p>	<p>To better describe the scope of the policy.</p> <p>For consistency.</p> <p>For consistency with new Policy UE1</p> <p>See MIQ 6.6. Amended following examination to respond to comments that the phrase 'physically and functionally linked' was not clear.</p> <p>See MIQ 6.7.2. To make clearer</p> <p>See MIQ 6.8.1. To strengthen.</p>	<p>Post Examination.</p> <p>Post Examination.</p> <p>Post Examination – authority amendment.</p> <p>In response to the Inspector's MIQs pre-examination & Post Examination.</p> <p>In response to the Inspector's MIQs pre-examination.</p> <p>In response to the Inspector's MIQs pre-examination</p>
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			<p><u>alteration to ground levels</u> and has a low environmental impact through limited <u>foundations to enable the accommodation to physical connection to the ground be removed without harm to the landscape and avoids extensive alteration to ground levels;</u></p> <p>b) It does not lead to unacceptable harm in terms of noise and activity on the immediate area;</p> <p>c) The proposal does not, in combination with existing development detract from the character, tranquillity or visual attractiveness of the area; <u>and</u></p> <p>d) The accommodation is of a high quality design which complements its surroundings.</p> <p>e) <u>It is not sited within a residential curtilage;</u></p> <p>f) <u>The accommodation can be removed without harm to the landscape and any woodland when no longer required;</u></p> <p>In additional to the above criteria:</p> <p>i. For camping and glamping proposals the net floor space of each unit is less than 25sq.m and the development is not connected to a foul drainage system. Accommodation which exceeds these requirements will be considered as a cabin and chalet proposal</p> <p>ii. For cabin and chalet proposals the development is in close proximity to and adequately accessible to the existing road network; and the site provides adequate levels of car parking that is sympathetically designed to complement the site and its surroundings.</p> <p>Proposals for new static caravans <u>sites</u> or the conversion of existing camping or caravanning sites to statics will not be permitted. Exceptions will be considered where the proposal will reduce the visual impact of the site in the wider</p>	<p>See MIQ 6.10.2. To clarify. Also amended following examination to respond to comments that the phrase 'limited physical connection' was not clear.</p> <p>See MIQ 6.11.3. To make consistent with UE4. See MIQ 6.10.2. To clarify.</p> <p>For clarity, previously proposed as a modification.</p>	<p>In response to the Inspector's MIQs pre-examination.</p> <p>In response to the Inspector's MIQs pre-examination In response to the Inspector's MIQs pre-examination.</p> <p>In response to the Inspector's MIQs pre-examination. Formerly</p>
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		<p>Paragraph 5.12</p> <p>Paragraph 5.13</p> <p>Paragraph 5.14</p>	<p>be expected and the Authority may make this a condition of permission.</p> <p>5.14 The policy does not allow for the provision of new static caravans, except where existing sites are being remodelled <u>in order to bring about an environmental improvement or extended</u>. The term 'static caravans' refers to any unit that falls within the legal definition of a caravan, and which is capable of being used for permanent human habitation and is a This includes traditional metal or plastic skinned box caravans or and 'park home' type development. s-but excludes the forms of development described in the supporting text to Policy UE1.</p> <p>5.15 The Authority wishes to control the number of new static caravans for a number of reasons. Firstly, this type of development <u>can cause visual harm and</u> is considered incongruous within a nationally protected landscape.</p> <p>5.16 Add text as penultimate sentence: <u>The expectation is that any amenity blocks should utilise existing buildings on the site. If there are no suitable buildings, new structures may be acceptable if they are of lightweight design and construction so that they can easily be removed from the site.</u></p> <p>Delete paragraph 5.15:</p> <p>Policy for new build holiday accommodation is set out at Policy UE2</p>	<p>For clarification. It is considered that an extension could be contrary to National Park purposes.</p> <p>To remove an erroneous statement (which was in the Preferred Options version of the plan but should have been removed following merging of policies).</p> <p>To set out additional reasoning in respect of policy.</p> <p>To clarify - deleted sentences from para 5.6.</p> <p>Policy UE2 proposed to be deleted and replaced by Policy UE1.</p>	<p>LPA amendment</p> <p>LPA amendment. Formerly MM27</p> <p>Formerly MM28</p> <p>Post Examination.</p> <p>In response to comments made on pre-submission draft. Formerly MM29</p>
MM31	70	<p>Paragraph 5.15</p> <p>UE2 –</p>	<p>Delete Policy UE2 (replaced by a new Policy UE1 and supporting text)</p> <p>Policy UE2 – Development of Existing Tourism</p>	<p>To respond to discussion at</p>	<p>Post</p>

	70	<p>Development of Existing Tourism and Recreational Business</p> <p>Paragraph 5.16</p>	<p>and Recreational Businesses</p> <p>Development of new Proposals to develop an existing permanent tourism and recreational business development will be permitted where it is they are small in scale and where it is subservient to the existing use taking place on the site. Proposals should form part of an existing tourism or recreation business. The following sequential approach will apply to new development:</p> <p>1. It uses an existing building, or; 2. The development forms an extension to an existing building;</p> <p>Exceptions may be considered for new build development where there is sufficient justification for this approach.</p> <p>Development should relate well to the form and layout of the site without harming the wider landscape and be of a high quality design which complements the architectural form and character of the existing buildings.</p> <p>Proposals for new holiday accommodation within a residential curtilage will be considered under Policy UE4.</p> <p>Explanation</p> <p>5.16 Applicants will be expected to make the best use of existing buildings on site to meet the needs of an expanding business. If there are no existing buildings which can be utilised to meet this need then consideration will be given to an extension of an existing building providing the form, layout and design of the proposal is sympathetic to the existing buildings and their layout. New build facilities</p>	<p>Examination that the Plan was not clear on the approach the location of tourism and recreation development, in particular new build development. Replaced by (new UE1)</p> <p>Policy UE2 proposed to be deleted and replaced by Policy UE1.</p>	Examination.
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			<p>will only be considered where there is sufficient justification to warrant a new structure, such as possible constraints with the existing building or site. New build facilities should relate well to the existing building on the site without harming the landscape character of the immediate area or the wider National Park.</p>		
MM32	70	<p>UE3 – Loss of Existing Tourism and Recreational Facilities</p> <p>1st paragraph</p>	<p>Development that would lead to the loss of an existing tourism or recreation facility will not be permitted unless it can be demonstrated that the business is no longer viable or that the new use would result in a significant improvement to the immediate environment <u>or highway safety would bring about improvements to the access and highway arrangements</u> which outweighs the loss of the tourism use.</p> <p>Proposals to change previously converted buildings of permanent construction from holiday accommodation to permanent occupation will only be permitted where the <u>new dwelling and its curtilage will provide a satisfactory level of amenity and where there is existing satisfactory highway access. In these circumstances the holiday letting condition will be replaced with a local connection condition an occupancy condition in accordance with the spatial strategy set out in SPB.</u></p>	<p>See MIQ 6.18.5. To make clearer.</p>	<p>In response to the Inspector's MIQs pre-examination.</p>
	70	<p>Paragraph 5.17</p>	<p>5.17. In cases where permission <u>is granted</u> to vary an occupancy condition from holiday occupation to a permanent <u>residential use residence a local connection an occupancy</u> restriction will be applied.</p>	<p>To make clear that occupancy restrictions on change of use will be applied in accordance to the settlement hierarchy.</p> <p>To reflect above change to the policy.</p>	<p>Post Examination.</p> <p>Post Examination.</p>
		<p>Paragraph 5.20</p>	<p>5.20. Where permission is granted for a variation of the holiday letting <u>use occupancy condition</u> to permanent <u>residential use occupancy for local needs occupation</u> the Authority will impose a</p>	<p>To reflect above change to the policy</p>	<p>Post Examination.</p>

			<p><u>condition removing the unit's</u> 'permitted development' rights for future alterations and extensions, domestic outbuildings, fences and walls and other ancillary residential development will be removed by condition in order to protect the character and appearance of the <u>building, the</u> group of buildings and the wider landscape.</p>	To make clear that this would apply to an individual building.	Post Examination.
MM33	71	<p>UE4 – New Holiday Accommodation Within Residential Curtilages</p>	<p>Development of new holiday accommodation within a residential curtilage will only be permitted where:</p> <ol style="list-style-type: none"> 1. It makes use of an existing building which is of architectural or historic <u>interest importance</u> and makes a positive contribution to the character of the surrounding area; 2. It would not detract from the character or appearance of the locality; 3. It is of an appropriate scale; <u>and</u> 4. There is no unacceptable harm in terms of noise and activity on the amenity of the neighbourhood. <p><u>Proposals for new camping and glamping units within a residential curtilage will only be permitted where the size and layout of the residential curtilage is such that a proposal can be accommodated in a way that does not detract from the character and appearance of the locality and does not cause harm to local amenity.</u></p> <p>Where granting permission under this policy, the Authority will remove permitted development rights which apply to the residential curtilage.</p> <p>5.21 Where permission is granted the Authority <u>may</u> will remove existing permitted development rights within the curtilage to prevent further proliferation of outbuildings <u>needed</u> to replace</p>	<p>For consistency. See MIQ 6.20.2</p> <p>To provide for some flexibility to allow occasional camping/glamping type developments in curtilages where no harm is caused. Criterion 1-4 refer to conversion of existing buildings only.</p> <p>To remove and place in supporting text on advice of the Inspector.</p> <p>For clarity.</p>	<p>In response to the Inspector's MIQs pre-examination.</p> <p>Post Examination.</p> <p>Post Examination.</p> <p>Post Examination.</p>

			the original building and the ownership of the holiday accommodation will be tied by planning condition to the host dwelling to prevent the new accommodation being sold off separately.		
MM34	71	New Paragraph 5.22	5.22 <u>Proposals for holiday accommodation within residential curtilages are unlikely to be acceptable due to the intensification of activity in residential areas. However, it is accepted that there may be occasions where holiday accommodation in residential curtilages can avoid harm, for example by being sited in a large and well-screened garden in a low density residential area.</u>	New paragraph to support change to Policy UE4.	Post Examination.

MM35	73	SPK – The Rural Economy	<p>Development that fosters the economic and social well-being of local communities within the National Park will be permitted supported where one or more of the following criteria are met:</p> <p>It promotes and protects existing businesses by providing flexibility for established rural businesses to diversify and expand;</p> <ol style="list-style-type: none"> 1. It helps maintain or increase job opportunities in the agricultural, forestry and tourism sectors which help maintain the land based economy and cultural heritage of the National Park or contribute to National Park purposes; 2. It provides for and supports small and micro business through the provision of small, flexible, start-up businesses-or incubator units; 3. It provides additional opportunities to diversify and better equip the National Park’s workforce, including through the development of new communications technologies (including superfast broadband) and home working; 4. It provides additional facilities, or better use of existing facilities for educational and training uses, including those which provide further opportunities to understand and enjoy the special qualities of the National Park. 	<p>To respond to an Inspector’s question and to reflect that this is a strategic policy.</p> <p>Removed as considered more aspiration than policy.</p> <p>For clarity.</p>	<p>Post Examination.</p> <p>Post Examination.</p> <p>Post Examination.</p>
MM36	74	BL1 - Employment and Training Development	<p>Development for of new or expansion of existing small-scale employment and or training facilities purposes will only be permitted:</p> <p>A. Within the main built up areas of Helmsley and the Larger Villages:</p> <ol style="list-style-type: none"> 1. Where it reuses existing permanent buildings, or; 2. Where it involves the expansion forms a small extension of an existing building, or; facility-or-business; 	<p>To make clear that the policy includes both existing and new development.</p> <p>See MIQ 7.4.2. To make clear which criteria apply. For clarity - to make sure that the policy criterion refers to buildings only (expansion could refer to a</p>	<p>In response to comments made on pre-submission draft/ Changes requested by LPA following pre-submission draft</p> <p>Formerly MM30 -33</p>

			<p>3. In the case of new buildings, where there is no other suitable accommodation available in the locality.</p> <p>B. Within the main built up area of Smaller Villages:</p> <ol style="list-style-type: none"> 1. Where a site in Helmsley or a Larger Village would not meet the requirements of the proposed enterprise and there is no existing suitable accommodation in the immediate area, <u>or;</u> 2. <u>Where it reuses existing permanent buildings, or;</u> 3. Where the proposal relates to the expansion <u>it forms a small extension</u> of an existing building facility or business. <p>C. Within Open Countryside and is physically and functionally linked to an existing business:</p> <ol style="list-style-type: none"> 1. Where it reuses existing permanent buildings in accordance with the requirements of Policy CO12, Conversion of Existing Buildings in Open Countryside; and is physically and functionally linked to an existing business, or 2. <u>Where it forms a small extension of an existing building.</u> <p>D. Where development proposals are part of a Whole Estate Plan that has been <u>approved</u> endorsed by the National Park Authority.</p> <p>All proposals for employment and training development will be expected to demonstrate that:</p> <ol style="list-style-type: none"> 1. The scale and location of the proposal would 	<p>business more generally or to a building).</p> <p>As above.</p> <p>LPA modification to remove physically and functionally linked to an existing business as it is felt to be too onerous.</p> <p>To allow for small scale extensions in the open countryside, in line with Policy UE2.</p> <p>For consistency with UE1</p>	<p>Post Examination.</p> <p>Post Examination.</p>
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	75	Paragraph 6.8	<p>not individually or cumulatively be detrimental to the character and appearance of the local and wider landscape;</p> <ol style="list-style-type: none"> 2. The site can be safely accessed by the existing road network; 3. There is sufficient land and storage space attached for the functional needs of the proposed use, including parking space and space for maneuvering vehicles and that; 4. There is no unacceptable harm in terms of noise, activity or traffic generation on the immediate neighbourhood, either individually or cumulatively with other development. <p>Development for new large warehousing or storage proposals or development where the open storage of materials or products will be the sole or principal use will not be permitted.</p> <p>6.8 Within Open Countryside the reuse of an existing building for employment and training provision will be supported provided it forms part of an existing business and where it meets the requirements of Policy CO12.</p> <p>6.9 The Authority will not permit the conversion of an educational or training facility to residential use unless it can be demonstrated that the current use is no longer economically viable, meaning that there is insufficient demand that would allow the facility to keep functioning. In this event the Authority will require that the viability and marketing tests set out in Appendix 2 are met. References to training facilities within this Plan include outdoor pursuit centres.</p>	<p>See MIQ 7.5.2. To move into policy. Note – mods suggested prior to examination placed paragraphs 6.9 and 6.33 (Pre-submission draft) at the end of BL1. Paragraph 6.9 is now located as policy in BL2 and 6.33 in Policy BL8.</p> <p>LPA modification to align with changes made to Policy BL1.</p> <p>Now included in Policy BL2. (also see response to MIQ 7.6).</p>	
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MM37	75	New paragraph 6.11 (now 6.10) after 6.10	6.11 <u>Proposals for development at Whitby Business Park will be assessed against policy in the Whitby Business Park Area Action Plan. Proposals for new surface development and infrastructure associated with the existing potash and salt mine sites in the National Park will be assessed against policy in any relevant separate Minerals and Waste Joint Development Plan.</u>	To make clear that there may be circumstances and policy justification for larger developments at Whitby Business Park or through minerals development which has to be worked at that location, hence the spatial strategy set out in this policy may not apply to some forms of development.	Changes requested by LPA following submission Formerly MM34
MM38	76	BL2 Reuse of Existing Employment and Training Facilities	<p>Proposals that would lead to the loss of existing employment and training sites or premises will only be permitted where the site or premises are incapable of beneficial reuse for economic purposes or where the new use would result in a significant improvement to the environment, <u>or highway safety</u> or to access and highway arrangements, which outweighs the loss of employment and training facility land.</p> <p>Move Paragraph 6.9 to the end of Policy BL2, new paragraph:</p> <p><u>The Authority will not permit the conversion of an employment or training facility to residential use unless it can be demonstrated that the current use is no longer economically viable, meaning that there is insufficient demand that would allow the facility to keep functioning. In this event the Authority will require that the viability and marketing tests set out in Appendix 2 are met.</u></p>	<p>See MIQ 7.8.4. For clarity.</p> <p>See MIQ 7.6.2. To move into policy.</p>	<p>In response to the Inspector's MIQs pre-examination.</p> <p>Post Examination.</p>

MM39	76	BL3 – Rural Diversification	<p>Development for the diversification of existing agricultural, and forestry <u>and land-based businesses</u> will <u>only</u> be permitted where:</p> <ol style="list-style-type: none"> 1. The scheme is well designed and will make use of an existing building and complies with Policy CO12. New buildings will only be permitted if the diversified use cannot be suitably accommodated through the conversion or alteration of an existing building <u>and where the site is not isolated from existing buildings associated with the business;</u> 2. The proposed use is compatible with and ancillary to the existing farming or forestry activity in terms of physical scale, activity and function; 3. The proposal is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape; 4. Existing access arrangements are appropriate for the proposed use and the site can be safely accessed by the existing road network; <u>and</u> 5. There are satisfactory arrangements for storage, parking and the manoeuvring of vehicles. 	Following a suggestion at the examination to make clear policy covers all land based businesses, however where proposals for new buildings would be expected to be closely associated with an existing business.	Post Examination.
MM40	78	BL5 – Agricultural Development Delete from criterion 3:	It can be demonstrated that there are no suitable existing buildings available to support the existing business and no disposal of suitable buildings has taken place in the recent years;	See MIQ 7.11.2. To add flexibility.	In response to the Inspector's MIQs pre-examination

MM41	79	<p>BL6 – Tracks Paragraph 1, point 4</p> <p>Final paragraph</p>	<p>It can be demonstrated that there will not be an unacceptable adverse impact on any known historic or archaeological features;</p> <p>Remove from policy and place in supporting text (after 6.27)</p> <p>The Authority will impose a condition on appropriate planning permissions requiring the removal of the track and reinstatement of the land to its former state if it is no longer needed for its originally intended purpose.</p> <p>6.28 <u>The Authority will impose a condition on appropriate planning permissions requiring the removal of the track and reinstatement of the land to its former state if no longer needed for its originally intended purpose.</u></p>	<p>To align the approach with NPPF guidance and accept that some degree of adverse impact may be acceptable if justified.</p> <p>Explanation of how policy would be applied hence should be in supporting text. Moved to the end of supporting text to this policy.</p>	<p>In response to comments made on pre-submission draft.</p> <p>Formerly MM35</p>
MM42	80	<p>BL7 – Relocation of Agricultural Businesses</p>	<p>The relocation of agricultural enterprises from within villages will <u>only</u> be permitted only in certain circumstances. These circumstances are where:</p> <ol style="list-style-type: none"> 1. It is not possible to financially <u>financially</u> viably to <u>continue to</u> operate the same form of agricultural activity in the current location, and continuing the same activity in the current location would cause severe economic disadvantage 2. Relocation would not detract from the special qualities of the National Park, in particular the quality of the landscape, variety of wildlife and habitats and the character, tradition and cultural identity of its villages. 	<p>Following discussion at examination – to make clear that the test is one of financial viability.</p>	<p>Post Examination.</p>

MM43	81	<p>BL8 – Shops, Offices and Food and Drink Services</p> <p>Points 1 and 4.</p>	<p>New retail development, professional and financial and food and drink services will only be permitted:</p> <ol style="list-style-type: none"> 1. Where the proposal is in accordance with policies in the Helmsley Local Plan; Within the defined commercial area of Helmsley unless the proposal is primarily for and of benefit to the local community 2. Within the main built up area of Larger Villages; 3. Within the main built up area of Smaller Villages where they are compatible with the character of the area and are of a scale that is appropriate to the community in which they are located, or; 4. In Open Countryside where Where new proposals are ancillary to an existing enterprise <p><u>Proposals resulting in the loss of retail development will only be permitted if it can be demonstrated robustly that the facility is no longer suitable for retail use, in accordance with the viability and marketing tests set out at Appendix 2.</u></p>	<p>See MIQ 7.18.3. For consistency.</p> <p>See MIQ 7.18.4 and LPA modification to clarify that point 4 relates to Open Countryside.</p> <p>Moved from paragraph 6.33 as more suitable as policy.</p>	<p>In response to the Inspector's MIQs pre-examination.</p> <p>Post Examination.</p> <p>Post Examination.</p>
MM44	82	BL9 – Advertising and Signposting	<p>First sentence:</p> <p><u>Proposals</u> Permission will only be granted permitted for the display of advertisements where:</p>	For consistency.	Post Examination.
MM45	83	BL10 – Communications Infrastructure	<p>The provision of infrastructure for radio, broadband and other telecommunications and information technology will only be supported permitted where it is of a scale and design appropriate to the National Park and helps meet the needs of local communities. Development will be permitted where:</p>	For consistency.	Post Examination.

CHAPTER 7 - COMMUNITIES

MM46	87	SPL Community Facilities 1 st paragraph	Development that would result in the loss of or unacceptable adverse impact on a community facility <u>or would compromise its use</u> will not be permitted, unless it can be demonstrated that the facility is no longer suitable or viable in that location or that it is no longer needed; <u>through application of the viability and marketing tests set out at Appendix 2.</u>	See MIQ 8.1.1. For consistency. To make clearer the test that would be applied if new development had an impact on an existing community use. To place viability and marketing tests from 7.5 into policy, as the Inspector suggested at policies BL2 and BL8.	In response to the Inspector's MIQs pre-examination. Post Examination. Post Examination.
MM47	88 89	CO1 Supporting New Development 2 nd paragraph Paragraph 7.8	<u>Developer Contributions and Infrastructure Supporting New Development</u> Developer contributions will be required where they are considered reasonable, necessary and appropriate , to: Contributions will be sought where they are necessary to make any development acceptable in planning terms and where they are <u>necessary and directly</u> , fairly and reasonably related in scale and kind to the development.	To make clearer following discussions at Examination. See MIQ 8.2.1. For consistency. To set out tests that will apply – taken from the policy.	Post Examination. In response to the Inspector's MIQs pre-examination. Post Examination.
MM48	91 92	CO5 – Community Spaces Paragraph 7.21	New paragraph to Policy CO5 (taken from para 7.21) <u>Permission resulting in the loss of Community Spaces will only be granted if it can be demonstrated robustly that the space is no longer suitable or viable for its community use, in accordance with the viability and marketing tests set out at Appendix 2.</u> Where a Community Space is no longer needed for its intended purpose often the space could be re-used for some other community function. This is particularly the case for churches or chapels as	See MIQ 8.9.2. Supporting text added to policy. See MIQ 8.9.3 and 8.9.5 – to improve wording and relocate final sentence into policy.	In response to the Inspector's MIQs pre-examination. In response to the Inspector's MIQs pre-examination.

			<p>they could still serve the local community as a village or parish hall for example, especially in villages where there <u>may be no existing provision</u>. maybe isn't this provision already. Permission resulting in the of loss of Community Spaces will only be granted if it can be demonstrated robustly that the space is no longer suitable or viable for a community use, in accordance with the viability and marketing tests set out at Appendix 2.</p>		
MM49	92	SPM Housing	<p>Strategic Policy M - Housing</p> <p>To help meet the needs of local communities a minimum of 551 new homes (29 per year) will be completed over the period of this Plan.</p> <p>These homes will be delivered through the development of sites allocated in the Helmsley Local Plan and in Policy ENV135, Environmental Enhancement Sites; through windfall development, including custom and self-build housing, on suitable small sites in listed settlements; through affordable housing schemes on rural exception sites and through proposals put forward in accordance with a Whole Estate Plan <u>approved endorsed</u> by the National Park Authority.</p> <p>All new homes should contribute to the provision of a range <u>The Authority will support proposals for a variety of tenures, types and sizes of dwellings within the National Park, including accommodation for older people and those needing special facilities, care or support at home. Applications should include information on how the proposal meets the needs identified in the North York Moors Strategic Housing Market Assessment and other local surveys. Schemes will be expected to meet the need for smaller dwellings.</u></p>	<p>For consistency with UE1.</p> <p>To respond to the Inspector's concern that it is not possible for all schemes to contain of variety of tenures, types and sizes of dwellings.</p>	<p>Post Examination.</p>

			All proposals should be of a high quality design and construction to ensure that the character and distinctiveness of the built environment and local landscape are maintained.		
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MM50	93	Paragraph 7.24	<p>Amend criteria b) and c) after removal of sizes of site requirements in Policies CO7 and CO8</p> <p>b) To allow for a more limited amount of housing including principal residence and affordable housing on suitable small sites capable of accommodating up to 5 dwellings in Larger Villages. The aim is to have a flexible approach to new housing that will help stem population decline and support the vitality of the local economy and services in these communities whilst respecting the character and form of the built environment. This will be achieved through Policies CO7 and CO11.</p> <p>c) To permit small schemes of local needs housing on suitable small sites of up to 2 dwellings in Smaller Villages to meet the needs of local people in a way that will maintain the tranquil rural character of these settlements. This will be achieved through Policies CO8, CO11 and CO13.</p> <p>g) To achieve a more balanced population demographic by encouraging smaller, more affordable homes to provide more choice in the housing stock and help retain a younger population demographic. This will be achieved through Strategic Policy M and Policies CO6, CO7 and CO8.</p>	<p>For consistency with changes to Policies and 7 and CO8.</p>	<p>Post Examination</p>
	94	Diagram	<p>7.25 The following diagrams guide helps to explain this strategy:</p> <p>Local Plan – Housing Policies Diagram Guide.</p> <p>Helmsley (New Build) Where 6+ units or 0.2 ha+,</p>	<p>Amended for accuracy.</p> <p>See MIQ 2.6.1. To make clear the diagram is not policy.</p> <p>See MIQ 2.6.3. To match policy.</p> <p>See MIQ 2.6.4. To match policy.</p>	<p>In response to the Inspector’s MIQs pre-examination.</p> <p>Post Examination.</p>

		<p>and 3rd sentence</p>	<p>satisfactory access to the existing public highway. They must be <u>of a scale that is appropriate to the size and function of the settlement. As a guide, this is likely to be sites</u> capable of accommodating no more than five dwellings in Helmsley and the Larger Villages and no more than two dwellings in Smaller Villages.</p>		
		<p>Paragraph 7.42</p>	<p>7.42 There is a predominance of larger homes within the existing housing stock in the National Park. In 2011 44.2% of homes were detached houses, compared to 22.6% for England and Wales, and there were 3.1 bedrooms on average per house compared to 2.7 nationally. <u>At the same time there is a trend towards smaller households and</u> there is also evidence that affordability is a problem, particularly for younger people needing to set up home for the first time.</p>	<p>To reflect changes to Strategic Policy M and set out the need to plan for smaller dwellings.</p>	<p>Post Examination.</p>
		<p>Paragraph 7.43</p>	<p>7.43 <u>In order to achieve a better balance within the housing stock, all new build housing developments</u> within Larger and Smaller Villages together with new build 'windfall' developments in Helmsley should <u>meet the need for smaller dwellings. The exact size of units in individual proposals will need to take account of the character of any surrounding development and the particular circumstances of the site but as a general principle the Authority is looking for housing development that will meet the growing need for dwellings for smaller households.</u> have an internal floor area of no more than 93 square metres. This figure is taken from the Government's national space standards and is the minimum gross internal floor area for a three bedroom, five person dwelling. It is large enough to cover two bedroom dwellings of varying styles and designs (allowing for sufficient internal storage</p>	<p>Following discussions at examination on rigidity of the 93 s.q m. size limit for new dwellings.</p> <p>To respond to discussions at examination – dwelling size threshold removed.</p>	<p>Post Examination.</p> <p>Post Examination.</p>

		Paragraph 7.44	<p>space) as well as some smaller three bedroom dwellings. This will provide flexibility and allow for a good standard of smaller sized new housing in the National Park. Permitted development rights in respect of extensions, loft conversions and works to garages will be removed to enable the Authority to consider the appropriateness of any future development proposals.</p> <p>An exception may be made to the size limit where a development is for affordable housing and a specific requirement for a larger family unit has been identified in a local housing needs survey or where a particular dwelling is intended for wheelchair use.</p>	Following removal of size limit.	Post Examination.
MM51	98	CO6 Housing in Helmsley	<p>In order to deliver the objectives of the Helmsley Local Plan, open market and affordable housing will only be permitted:</p> <ol style="list-style-type: none"> 1. On sites allocated under Policy H1 of the Helmsley Local Plan, New Residential Development, 2. On suitable small sites capable of accommodating no more than five dwellings brought forward under Policy H2 of the Helmsley Local Plan as Windfall Development. <u>Proposals will be expected to meet the need for smaller dwellings;</u> Individual dwellings should have an internal floor area of no more than 93 square metres unless, in the case of an affordable dwelling, a specific need for a larger unit has been identified. 3. As a conversion of an existing building which lies within the main built up area <u>defined Development Limit</u> and makes a positive contribution to the character of the settlement. 	<p>To reflect changes following removal of 93 sq. m. Size limit for new housing.</p> <p>See MIQ 2.9.3. For consistency with the Helmsley Local Plan.</p>	<p>Post Examination.</p> <p>In response to the Inspector's MIQs pre-examination.</p>

	99	Paragraph 7.45 final sentence	For the avoidance of doubt, the definition of guidance regarding suitable small sites at paragraph 7.31 & 7.33 will apply in consideration of applications for windfall developments in Helmsley.	To reflect changes to text on suitable sites at paragraph 7.31 To reflect changes to 7.31/7.33.	Post Examination. Post Examination.
MM52	99	CO7 Housing in Larger Villages	<p>In order to support the wider service function of Larger Villages, principal residence and affordable housing will <u>only</u> be permitted:</p> <ol style="list-style-type: none"> 1) On suitable small sites capable of accommodating no more than five dwellings within the main built up area of the village. <u>Proposals will be expected to meet the need for smaller dwellings;</u> Individual dwellings should have an internal floor area of no more than 93 square metres unless, in the case of an affordable dwelling, a specific need for a larger unit has been identified. 2) As <u>a</u> conversion of an existing building which lies within the main built up area and makes a positive contribution to the character of the settlement. Where a conversion will create six or more <u>new dwellings</u> an appropriate proportion should be affordable, in line with national policy and subject to viability. 	To respond to discussion at examination over justification for precise site/dwelling size limits. See MIQ 2.13.1. To align with wording of Policy CO8 and clarify that where the conversion is of a residential building, the 6 dwelling threshold relates to the number of new (or additional) dwellings created.	Post Examination. In response to the Inspector's MIQs pre-examination.
	99	Paragraph 7.47, final sentence	7.46 Policy CO7 aims to support services and maintain the economic vitality of Larger Villages within the National Park by permitting the development of principal residence or affordable housing on suitable sites capable of accommodating no more than five dwellings or by conversions of existing buildings. <u>Proposals must respect the form and character of the village and the guidance at paragraph 7.31-7.33 will apply</u>	To reflect changes to policy on size of site. Last sentence regarding affordable housing contributions removed as it duplicates paragraph 7.49.	Formerly MM39 Post Examination.

			<p><u>in determining whether a site is suitable for development. As a guide sites of more than five dwellings are unlikely to be considered suitable in Larger Villages. Any large sites which do not meet the guidance Sites which can accommodate more than five units within these villages</u> would only be considered for housing development as an exception to policy and proposals would be assessed under Policy CO11. <u>Where conversion of an existing building would create six or more new dwellings, an appropriate affordable housing contribution will be negotiated on a case by case basis required and applicants should submit an independent financial viability assessment as part of their application.</u></p>		
MM53	99	CO8 Housing in Smaller Villages	<p>In order to maintain the tranquil rural character of Smaller Villages whilst also meeting the needs of the local community, local needs and affordable housing will <u>only</u> be permitted:</p> <ol style="list-style-type: none"> 1. On suitable small sites <u>capable of accommodating no more than two dwellings</u> within the main built up area of the village <u>where additional development will respect the form and character of the settlement. Proposals will be expected to:</u> <u>Individual dwellings should have an internal floor area of no more than 93 square metres unless, in the case of an affordable dwelling, a specific need for a larger unit has been identified;</u> <u>meet the need for smaller dwellings;</u> 2. As <u>a</u> conversion of an existing building which lies within the main built up area and makes a positive contribution to the character of the settlement. Where a conversion will create six or more new 	To reflect discussion at examination on the appropriateness of including a specific size of site/dwelling in policy.	Post Examination.

		<p>Paragraph 7.48</p>	<p> dwellings, an appropriate proportion should be affordable, in line with national policy and subject to viability.</p> <p>7.47 Policy CO8 applies to new housing in Smaller Villages in the National Park. These villages have a quieter rural character which could be harmed by larger scale housing developments. However, there may be a need for a small number of additional homes for local people in these villages and this policy enables the delivery of affordable or local needs housing schemes on suitable small sites capable of accommodating no more than two dwellings and by conversions of existing buildings. <u>Again, the guidance at paragraphs 7.31-7.33 will apply to individual proposals but the general expectation is that a smaller scale of development will be appropriate in Smaller Villages. As a guide sites of more than two dwellings are unlikely to be considered suitable in Smaller Villages.</u> Policy CO13 sets out the criteria that will be applied to local needs housing schemes. <u>Applications to vary a local connection condition will be assessed under Policy CO13.</u></p>	<p>To reflect changes to policy on size of site.</p> <p>See MIQ 2.18.3. To guide the user.</p>	<p>Post Examination.</p> <p>In response to the Inspector's MIQs pre-examination.</p>
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MM54	100	Paragraph 7.49	<p>7.48 All proposals for conversions should meet criteria set out in Strategic Policy C. Where conversion of an existing building would create six or more new dwellings, an appropriate affordable housing contribution will be required <u>negotiated on a case by case basis</u> and applicants should submit an independent financial viability assessment as part of their application. Where existing dwellings are subdivided <u>an occupancy condition in accordance with the spatial strategy set out in Strategic Policy B</u> local connection restriction will be placed on any net new dwellings. For clarity, where a replacement dwelling is permitted within a settlement identified in <u>Strategic Policy B any occupancy restrictions will remain unchanged.</u></p>	<p>For clarity and to recognise the need for some flexibility.</p> <p>To update according to changes elsewhere.</p>	<p>Post Examination.</p> <p>Post Examination.</p>
MM55	100	CO9 - Botton Point 7	<p>7. All development should respect the existing character of the neighbourhood and its landscape setting as set out in any future <u>adopted</u> Botton Village character appraisal.</p>	<p>See MIQ 2.19.1. For clarity.</p>	<p>In response to the Inspector's MIQs pre-examination.</p>
MM56	101	CO10 Housing in Open Countryside	<p>Delete 'as appropriate' before (2)</p> <p>Occupancy will be restricted to agricultural, forestry or other essential land management workers as appropriate.</p>	<p>To clarify – condition normally covers all of the types of occupant mentioned in this sentence of the policy rather than one particular category.</p>	<p>Post Examination.</p>

MM57	102	CO11 Affordable Housing on Rural Exception Sites	<p>Changes to the first three criteria:</p> <p>In order to meet specifically identified local affordable housing needs, the development of 100% affordable dwellings will be permitted as an exception to policy on appropriate sites:</p> <ol style="list-style-type: none"> 1. Adjacent to the main built up area of Helmsley or a Larger Village; 2. Within or adjacent to the main built up area of a Larger Village, where the site <u>would not meet the requirements of Policy CO7</u>; where the site is capable of accommodating more than five dwellings 3. Within or adjacent to the main built up area of a Smaller Village, <u>where the site would not meet the requirements of Policy CO8</u>, provided a Sustainability Appraisal demonstrates that the homes will contribute to the environmental, social and economic sustainability of the settlement. 	<p>Changes suggested after MIQs (See MIQ 2.22.2) then further amended after examination following removal of site size thresholds in Policies CO7 & CO8 and to simplify the policy.</p>	<p>In response to the Inspector's MIQs pre-examination</p>
MM58	104	CO12 Conversion of Existing Buildings in the Open Countryside	<p>Conversion of existing buildings in Open Countryside will <u>only</u> be permitted where:</p> <ol style="list-style-type: none"> 1. The building is of architectural or historic <u>interest importance</u> and makes a positive contribution to the landscape and special qualities of the National Park; 6. The proposed use does not lead to changes, <u>for example</u>, in the building's curtilage or <u>in relation to the creation of</u> any new vehicular access or parking area, that would adversely affect the character and appearance of the building or the surrounding landscape; 7. The building is located within an existing group of buildings that have a close physical and visual relationship to each other; <u>and...</u> 	<p>For consistency. See MIQ 2.25.1.</p> <p>See MIQ 2.28.1. To improve wording.</p>	<p>In response to the Inspector's MIQs pre-examination.</p>

	106	Para 7.72	<p>New uses for rural buildings that may be permitted under this policy are:</p> <ul style="list-style-type: none"> a) Employment, education or training; <u>or</u> b) Holiday accommodation or permanent residential use, where there is an existing residential unit within the group of buildings. In the case of permanent residential accommodation a local connection condition will be applied; <u>or</u> c) Tourism facilities; <u>or</u> d) <u>Community facilities, in exceptional circumstances and where the proposal meets the requirements of Strategic Policy L; or</u> e) Purposes incidental to the residential use of the dwelling, including residential annexes, where the building is located within the immediate curtilage of an existing dwelling. The requirements of Policy CO18 (Residential Annexes) should also be met. <p>Add to the end of para 7.72:</p> <p>7.71. <u>In the case of holiday accommodation the Authority will impose a condition or secure a legal agreement to control the occupancy of the unit and also ensure that it is not sold off separately from the existing residential unit.</u></p>	<p>See MIQ 2.27.2. To make consistent with SPL.</p> <p>LPA modification for clarification</p>	<p>Changes requested by LPA after submission.</p> <p>Post Examination.</p>
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MM59	106	Policy CO13 Local Connection Criteria for Local Needs Housing	<p><u>The occupancy of local needs dwellings will be restricted to those:</u> All permissions for local needs housing will be subject to a planning condition which requires occupants to meet at least one of the following local connection criteria:</p> <ol style="list-style-type: none"> 1. Currently resident in the National Park, having been resident in the Park for at least the previous 3 years; <u>or</u> 2. Currently in employment in the National Park; <u>or</u> 3. Having an essential need to live close to relative(s) who are currently living in the National Park, have resided in the National Park for at least the previous 3 years and require substantial support; <u>or</u> 4. Having an essential requirement for substantial support from relatives who are currently living in the National Park and have resided in the National Park for at least the previous 3 years; <u>or;</u> 5. Former residents whose case for needing to return to the National Park is accepted by the Authority. <p><u>Applications to remove a local connection condition will only be permitted if it is clearly demonstrated that the property has been adequately marketed at a suitable price and for an appropriate period of 12-18 months. In such circumstances the Authority will apply a principal residence condition.</u></p>	<p>LPA modification to simplify text.</p> <p>See MIQ 2.32.6. For explanation.</p> <p>Placed in policy on advice of Inspector</p>	<p>Changes requested by LPA after submission.</p> <p>In response to the Inspector's MIQs pre-examination.</p> <p>Post Examination.</p>
			<p>Note – Plan as submitted resets paragraph numbers after 7.76 to 7.73. Renumber. Following paragraph references refer to the Plan as submitted.</p>		

MM60	107	CO14 - Replacement Dwellings	<p>Policy CO14 - Replacement Dwellings <u>in Open Countryside</u></p> <p>The replacement of an existing dwelling outside the main built up area of Helmsley or any of the Larger or Smaller Villages settlements listed in the settlement hierarchy will only be permitted where:</p> <ol style="list-style-type: none"> 1. Residential use has not been abandoned; 2. The dwelling is in an unsatisfactory state of repair or lacks basic amenities and is not of architectural or historic <u>interest importance</u>; 	<p>To clarify the location to which the policy applies.</p> <p>For consistency.</p> <p>See MIQ 2.34.1. For consistency.</p>	<p>Changes requested by LPA at submission.</p> <p>Formerly MM42</p>
MM61	108	CO15 Gypsy, Roma and Traveller Accommodation Criterion 4	<ol style="list-style-type: none"> 4. The proposed site is for no more than two units <u>pitches</u> and is in close proximity to the highway network in a position that is appropriate to the locality with existing screening. 	<p>See MIQ 2.36.1. For clarity.</p>	<p>In response to the Inspector's MIQs pre-examination.</p>
MM62	112	CO18 – Residential Annexes	<p>Residential annexes will <u>only</u> be supported <u>permitted</u> where:</p>	<p>For consistency.</p>	<p>Post Examination amendment</p>

CHAPTER 8 – MONITORING AND IMPLEMENTATION

MM65	115	CH 7: Monitoring and Implementation	Delete monitoring framework and replace with new framework set out at Appendix 1. Framework has been simplified and some triggers for action put in – including a commitment to review the Plan if housing completions are projected to be 80% or less than anticipated rate at any point over the lifetime of the Plan	Following discussions at Examination that monitoring framework needed to be revisited and reviewed and include trigger points for action.	Post Examination amendment.
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APPENDICES/GLOSSARY

MM66		New Appendix 5	Insert housing trajectory diagram	In response to agreement to include at Examination.	Post Examination.
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Appendix 1 – Revised Monitoring Framework (MM123)

Local Plan Policies	Monitoring Indicator	Trigger / Target
<p><u>Strategic Approach</u> SPA SPB SPC SPD</p>	<p>a. No. of applications permitted / refused on design grounds b. Avoid major development except in exceptional circumstances</p>	<p>a. Monitor usage of policy in Appeals process and if there is a trend of appeals being allowed, consider review of policy b. Monitor major development decisions</p>
<p><u>The Environment</u> SPE SPF SPG SPH ENV1 - ENV8 SPI ENV9 - ENV13</p>	<p>a. Percentage of SSSI's in favourable or recovering condition b. Number of missing key ecological connections that have been made c. Population of wading birds breeding on moorland d. Number of applications which cite ENV2, ENV3 and ENV4 e. Number of qualifying developments include 10% biodiversity net gain f. No of planning permissions granted contrary to advice of EA on either flood defence or water quality grounds g. To reduce the number of days of exceedance of ozone pollution levels at High Muffles h. % of water bodies identified as 'good' under the WFD. i. Number of applications which trigger the requirement under ENV8 to displace at least 10% of predicted CO2 emissions through on site renewables. j. Reduction in CO2 Emissions k. Amount of traffic by no. of vehicles passing Saltersgate traffic counter l. Number of Scheduled Monuments on the Historic England 'At Risk' register m. Number of Listed Buildings on the Authority's 'At Risk' register (Grade II Listed Buildings only) n. Number of buildings Listed Buildings, Conservation Areas and Registered Parks and Gardens on the Historic England's 'Heritage At Risk' register (Grade I & II* Listed Buildings) o. Number of Conservation Area Appraisals and Management Plans</p>	<p>a. No specific target b. No specific target. Target will be development in connection with any future work on Nature Recovery Networks. c. Increase d. Monitor usage of policies in Appeals process and if there is a trend of appeals being allowed, consider review of policy e. On adoption of requirement, 100% f. Maintain at zero g. Reduce number of days h. 100% i. 100% j. In line with any future target adopted by the Authority in move to net zero target k. To reduce l. Remove 20 monuments m. Remove 20 buildings n. Monitor condition o. Complete 8 Appraisals</p>
<p><u>Understanding and Enjoyment</u> SPJ</p>	<p>a. Number of visitor days b. Number of new developments permitted under UE1</p>	<p>a. Increase</p>

UE1 - UE4	<ul style="list-style-type: none"> c. Number of new developments permitted under UE2 d. Number of tourism and recreation development lost 	<ul style="list-style-type: none"> b. No specific target c. No specific target d. No specific target
<u>Business and Land Management</u> SPK BL1-BL12	<ul style="list-style-type: none"> a. Amount of net floorspace developed by type (B1, B2 and B8 use classes) b. Amount of net floorspace developed by type (A1-A5 use classes) c. No. and % of applications for telecommunications equipment approved d. No of new farming/diversification related permissions 	<ul style="list-style-type: none"> a. Increase floorspace b. Increase floorspace c. 100% d. Monitor approvals
<u>Communities</u> SPL CO1 – CO5 SPM CO6 – CO20	<ul style="list-style-type: none"> a. Percentage of settlements with key facilities b. Development of land designated as a Community Space (sq.m.) c. No. of net housing completions / permissions d. Breakdown of housing completions / permissions by Settlement Hierarchy e. Breakdown of housing completions / permissions by type f. Breakdown of housing completions / permissions by occupancy g. No. of affordable housing completions / permissions h. No. of replacement dwelling completions / permissions by SH i. No. of additional Gypsy and Traveller pitches granted permission j. No and % of extensions built within the 30% limit 	<ul style="list-style-type: none"> a. No decrease b. No loss c. Average of 29 per year. Throughout the lifetime of the Plan from that point forward if annual monitoring reveals that the rate of completions is 20% less than anticipated through the housing trajectory housing policies within the Plan will be reviewed. d. No specific target e. No specific target f. No specific target g. Maintain supply of RES sites h. No specific target i. No specific target j. Monitor approvals to see if policy is effective