

# North York Moors National Park Authority

27 July 2020

## Adoption of the Local Plan

### 1. Purpose of the Report

- 1.1 To ask that Members formally adopt the new Local Plan (2016-2035) and accompanying Policies Map; and that the Authority makes the necessary procedural arrangements to complete the adoption process.
- 1.2 To ask Members to withdraw the adopted Housing Supplementary Planning Document (2010).

### 2. Background

- 2.1 Members will be aware that the Authority's draft Local Plan was submitted to the Secretary of State on the 2 July 2019 for independent examination. The Examination in Public was then held over two days in November last year. The appointed Planning Inspector, Richard Schofield examined the submitted document in relation to the tests of 'soundness' set out in the National Planning Policy Framework. The Authority received the Inspector's Report on 15 May 2020 stating that the Local Plan is 'sound', subject to the modifications recommended by him as a result of the discussions at the Examination.
- 2.2 On adoption The Local Plan will replace the 2008 Core Strategy and Development Policies Document.
- 2.3 This report is accompanied by:
- North York Moors Local Plan 2016-35, as proposed to be adopted (**Appendix 1**);
  - The Inspector's Final Report (**Appendix 2**);
  - The list of Modifications required by the Inspector to make the Plan 'sound' (**Appendix 3**);
  - The Local Plan Adoption Statement (**Appendix 4**)
- 2.4 Copies of these documents are also available on the Local Plan section of the Authority's website" <https://www.northyorkmoors.org.uk/planning/framework>.

### 3. Inspector's Report

- 3.1 Almost all of the Inspector's recommended modifications were approved by Development Plan Working Group prior to submitting them to the Inspector; however a further four minor tweaks to wording in supporting text have been made by the Inspector in finalising his Report. These additional changes are however considered to be minor. They are:
- MM26. Minor changes to suggested supporting text to Strategic Policy C (Quality and Design of Development), covering undeveloped spaces;
  - MM35. Reinstatement of the Authority's original criterion 1 to Strategic Policy K (Rural Economy);

- MM50 & MM52 – minor changes to supporting text to Policies CO7 and CO8 (Housing in Larger and Smaller Villages) so that there is a ‘general’ expectation that sites will accommodate no more than five or two dwellings.

3.2 All other changes were suggested by the Authority. The main areas of modification compared to the original submitted Plan are:

1. Some degree of flexibility about the number of dwellings to be permitted on a ‘suitable site’ (Policies CO7 & CO8). This has resulted in the 2 and 5 unit thresholds to be taken out of policy and moved into supporting text (paragraphs 7.46 & 7.47 of the Plan);
2. The removal of the requirement for new dwellings to be a maximum of 93sq.m has also been removed from Policies CO7 & CO8, instead policies expects that dwellings will be smaller in size without giving a defined upper limit;
3. Amendments to Policy ENV2 (Tranquillity) to make it clearer (page 61);
4. Removal of the Important Undeveloped Spaces (previously ENV14) with text on open spaces added to Strategic Policy C supporting text (paragraph 3.23);
5. A substantial re-writing of the tourism policies to provide a clearer approach to development (pages 88-90);
6. Additional explanation of the role of Whole Estate Plans (paragraph 3.18).

#### 4. **Changes to Current Policies**

4.1 The policies within the Local Plan will fully replace the policies contained in the Core Strategy and Development Policies Document. Policies in Whitby Business Park Area Action Plan (2014) and Helmsley Local Plan (2015) remain in force. While the approach to development is not considered to be drastically different to the approach taken to date in the Core Strategy and Development Plan document, the Local Plan does introduce some changes for planning in the National Park. In summary the key changes are:

- A revised, and simplified, settlement hierarchy which is based on the service function and role of the villages to one-another. This has resulted in four tiers which are: Helmsley, Larger Villages, Smaller Villages and the Open Countryside;
- The provision of ‘Principal Residence’ housing in Larger Villages. Smaller Villages will remain as places for local needs housing with open market dwellings limited to Helmsley only;
- A move away from the current infill approach to housing development of a single dwelling in a continuous frontage. The new Plan instead defines what would be a ‘suitable site’ for new housing. This change was made to address the limited availability of suitable infill sites for development and to ensure the Authority continues its delivery of appropriate housing development (29 homes per year);
- Conversion of traditional buildings in open countryside for permanent local needs housing, not just local needs letting or holiday cottages;
- Introduction of three ‘special qualities’ policies, focussing on Tranquillity, Remote Areas and Dark Night Skies.

#### 5. **Changes to Existing Supplementary Planning Documents**

5.1 Some areas of policy in the current Core Strategy and Development Plans Document are further elaborated through guidance in three adopted ‘Supplementary Planning Documents’ (SPDs). SPDs do not contain policy, rather they explain in more detail how policy in development plans will be implemented. Members are asked to formally withdraw the ‘Housing’ SPD. All of its contents are included or superseded by the Local Plan.

5.2 Officers will consider whether any changes or updates need to be made to the two other adopted SPDs in the coming months – the Renewable Energy SPD (2010) and the Design Guide SPD (Parts 1 – 5, 2008).

## 6. **Adoption**

6.1 The Regulations prescribe an ‘adoption statement’ is published (**Appendix 4**) This explains that there is a 6-week period for a High Court challenge to the Local Plan following adoption, on the grounds that the document is not within the appropriate power of the local planning authority and/or a procedural requirement has not been complied with. The process includes press notices and placing the documents for inspection at the same places as the draft documents were made available. Arrangements for this are in hand and the 6-week period will end on 8 September 2020.

6.2 The Local Plan Policies Map is also recommended for adoption. In legal terms this is a separate document to the Local Plan and the Authority is required to keep it up to date according to changes in the Local Plan. It was not subject to independent Examination but was subject to consultation<sup>1</sup>. Both the Local Plan and Policies Map will be treated as part of the Development Plan for the purposes of decisions on planning applications from the date of this meeting onwards.

6.3 A final published version of the Local Plan document is being produced (a draft is attached) and it is suggested that authority is given to officers to carry out any further minor amendments or updating as the final version is produced. Hard copies of the document will be made available for members and staff; however it is planned that an electronic version only will be made available for planning agents and members of the public via a USB stick or downloadable from the website.

## 7. **Sustainability Appraisal/Habitats Regulation Assessment**

7.1 The draft Local Plan has been subject to Sustainability Appraisal and to Habitats Regulations Assessment under the Strategic Environmental Assessment and Habitats Directives throughout its preparation. The Authority is required to publish a ‘Sustainability Appraisal Report’ as soon as possible detailing how the Plan has been prepared in accordance with regulations. This will be published alongside the adopted document. A copy is available in request.

## 8. **Financial and Staffing Implications**

8.1 An invoice from the Planning Inspectorate for most of the cost of the Examination has been received and paid. The remaining amount is unknown but this cost, along with the cost of printing copies for staff and Members can be paid from existing allocated budgets.

## 9. **Contribution to National Park Management Plan**

9.1 An up to date Local Plan supports a number of the priorities set out in the Management Plan and sets a framework for ensuring that the objectives can be delivered.

## 10. **Legal Implications**

10.1 None - the Plan will be adopted in accordance with current Local Plan Regulations.

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<sup>1</sup> <https://www.northyorkmoors.org.uk/planning/framework/draft-local-plan-preferred-options2/pre-submission-draft-maps>

**11. Recommendation**

**11.1 That Members:**

1. Note the Inspector's Report and recommended changes;
2. Adopt the revised Local Plan (incorporating the Inspector's Modifications) circulated with this agenda. In doing so, this will replace the current Core Strategy and Development Policies Document (2010);
3. Adopt the accompanying Policies Map;
4. Authorise officers to make any further minor amendments or updating in producing the final version of the document;
5. Proceed with the arrangements to complete the adoption process in accordance with Regulations 26 and 35;
6. Withdraw the 'Housing' Supplementary Planning Document.

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**Background papers to this Report**

**File ref**

- Appendix 1** - North York Moors Local Plan 2016-35, as proposed to be adopted  
**Appendix 2** -The Inspector's Report on the North York Moors Local Plan 2016-35.  
**Appendix 3** -Appendix to the Inspector's Report showing Main Modifications required.  
**Appendix 4** -The Local Plan Adoption Statement.

# **NORTH YORK MOORS DRAFT LOCAL PLAN**

**Post Examination (Adoption) Version Including  
Modifications Recommended by the Inspector**

## Invigorate your senses in the North York Moors National Park

To find out more about senses through the year, go to [www.northyorkmoors.org.uk/senses](http://www.northyorkmoors.org.uk/senses)

### See:

The late summer swathes of purple heather moorland  
The verdant green grass in the farmed dales  
Pinpoints of starlight against the blackness of the night sky  
Ancient stone crosses standing isolated on the moors  
The carpets of bluebells through Riccal Dale in May  
The ruins of the iron ore kilns at Rosedale, relics of a past industrial age  
Farndale daffodils bobbing their heads in bright spring sunshine  
Clusters of buildings clinging to coastal hillsides, jostling for space  
Seals, basking in the summer sunshine on seaside beaches

### Hear:

The cluck of the grouse and skylark song in the summer  
The burble of a beck and splashes from paddling in the streams  
The lonely calling of curlews and lapwings, returning to the moors to mate and nest  
The clink of glasses from a couple of well-earned beers  
The busy bustle of market day in Helmsley  
Seagulls' cries as they wheel over coastal villages  
The click of a bicycle freewheel on a quick woodland dash  
Boat stays clinking against masts at Scaling Dam

### Touch:

The rough texture of sandstone outcrops along moorland slopes  
Patterns in intricate fossils found on the Jurassic Coast  
The warmth emanating from a stone building  
The soft bobbles of heather flowers contrasted with the scratchy old heather wood  
The cool, refreshing feel of paddling in a shaded stream in August  
Sand and slippery seaweed between your toes at the beach  
The flowers of cotton grass flowering in swathes on boggy areas of moorland

### Smell:

Smoky steam from the locomotives travelling through the Esk Valley  
The smell of snapdragons and wild garlic  
The earthy smell of warm peat on the moorland on hot summer days  
The fresh smell of pine in the woods along the edge of Rievaulx Moor  
The salty tang of the sea air along cliff tops and at coastal villages  
The woody aroma of rose hip flesh in October  
The welcoming smell of freshly ground coffee in a cosy coffee shop

### Taste:

The tang of vinegar on fish and chips  
The aromatic flavour of local heather honey  
Wild garlic pesto made with foraged leaves and flowers  
Horseradish on a roast beef Sunday lunch at a favourite village pub  
Refreshing tea from a flask whilst hiking on Levisham Moor  
The smooth hoppy taste of a locally brewed beer  
The taste of bilberries growing along moorland edges  
The sweetness of an ice cream at Boggle Hole

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# Foreword

*“The sea breeze and heather; the curlew’s rallying call above yellow daffodils; the smell of damp leaves underfoot upon the earth in autumn. A place where, after 60 years as a National Park, the ethos of harvesting the wonders, enjoying the productivity, and planning for the needs of future generations whilst still respecting the limits and rhythm of nature, has become a culture and a special quality in itself.*

*A careful way of working”.*

(From the foreword to the North York Moors Management Plan)

The North York Moors is a protected landscape with special qualities that define its unique sense of place. Its wide variety of exceptional scenery and outstanding buildings and monuments provide something for everyone to discover and enjoy. It could be the pleasure of exploring the picturesque villages set in wonderful countryside and surrounded by heather moorland, visiting its abbeys, churches and ancient stone crosses, experiencing the peace and quiet within its remote moorland or gazing up in wonder at the dark night skies with their multitude of stars.

But the National Park is not a museum. Its landscape has evolved over millennia and has been influenced by more than 10,000 years of human habitation. Many generations have lived and worked here and feel a close connection to the area. Future generations will continue to add to this legacy and form distinctive communities that need homes, businesses and services to thrive.

This Local Plan is concerned with the next fifteen years. It seeks to balance the overriding need to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park, with the need for new homes, jobs and services. It is the role of this Plan to manage these often competing aims by putting in place a set of policies to guide careful decision making on where new development will be located and how it will look and function.

Our goal is to leave to future generations a National Park that is even more beautiful, healthy and culturally rich than the one we inherited. We can’t do this alone and need your help. Residents, visitors, land managers, service providers, government and others will all have a role to play, so it is important that we agree, as far as possible, what we are seeking to achieve through this Plan.

This Plan is the product of extensive research, consultation, discussion and testing over several years. We would like to thank everyone who has been involved.

It is, we hope, a careful way of planning.



Malcolm Bowes

Deputy Chair of the North York Moors National Park Authority and Chair of the Development Plan Working Group





Photo: Mike Kipling

# 1. About This Plan

## Why have we produced this Plan?

1.1 The North York Moors National Park Authority Local Plan sets out planning policies for the North York Moors National Park that will be used to help decide planning applications in the future. The Plan:

- conserves and enhances the National Park's natural beauty, wildlife and cultural heritage, and protects special areas and features within it from harmful development;
- protects and encourages the understanding and enjoyment of the National Park's 'Special Qualities';
- identifies where development can and cannot take place;
- encourages redevelopment of vacant buildings or land; and
- helps reduce the National Park's contribution to climate change.

1.2 The Local Plan cannot:

- force development to go ahead, this is decided by land owners and developers, and is influenced by economic conditions;
- decide which type of businesses undertake development or occupy premises; or prevent businesses, schools, hospitals or other services from closing;
- control things which are not 'development', such as grazing, vegetation cover or land management;
- decide the availability, quality or frequency of public transport or other public services;
- please everyone, all of the time. The Local Plan must strike a balance in the best interests of the National Park as a whole. With a range of views of how this is achieved it is the purpose of the planning system to make a judgement, which some may agree with and some may not.

## How is the Plan structured?

- **Part 1** - 'About This Plan' explains the background to the Plan, how long it runs for, the area it covers and how it relates to other areas;
- **Part 2** - 'Portrait, Vision and Objectives' sets out the context for the Plan. It looks at what makes the North York Moors National Park so special and what needs protecting, and includes information on challenges facing the North York Moors which need to be addressed. It then sets out a vision for how we wish to see the National Park evolve before setting out the objectives this Plan aims to deliver;
- **Part 3** - 'Strategic Approach' is the 'spatial' section of the Plan. This section includes some of the strategic policies we will use to direct and manage development across the National Park in the coming years. It includes the spatial strategy and settlement hierarchy, policies on the scale and distribution of new development, a policy on major development and policies to protect and enhance the environment and character of the National Park;
- **Parts 4 to 7** set out policies to manage particular types of development, and cover the same four main themes in the National Park Authority's Management Plan. These are *Environment, Understanding and Enjoyment, Business and Land Management and Communities*.

## What are the main points?

- The Plan is written to help deliver the **statutory purposes** of National Park designation. These are *'to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park'* and *'to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public'*. In addition, there is a statutory duty on the National Park Authority *'to foster the economic and social well-being of local communities'* whilst pursuing the statutory purposes. Strategic Policy A articulates this approach the most, however all policies have been written to ensure adherence to the statutory purposes and duty;
- The Plan gives great weight in decision making to the **importance of landscape**;
- The Plan divides the National Park's settlements into a '**settlement hierarchy**' (Strategic Policy B), which dictates the approach to new development within different areas. The tiers set out in the hierarchy are the Local Service Centre of Helmsley (which has its own Local Plan, adopted in 2015), Larger Villages, Smaller Villages and then Open Countryside. A separate policy covers the community of Botton;
- The **Environment Chapter** contains policies aimed at protecting many of the National Park's special qualities. As well as a policy protecting the landscape there are specific policies on three of these special qualities – tranquillity, a strong feeling of remoteness and dark night skies. A suite of policies then covers the historic environment;
- The **Understanding and Enjoyment Chapter** contains a set of policies aimed at promoting sustainable tourism and recreation development within the National Park which are closely aligned with the second National Park purpose. It includes policies covering a range of different types of tourism development;
- The **Business and Land Management Chapter** includes policies to encourage new commercial activity and help prevent the loss of employment and retail premises. This part of the Plan also includes policies relating to agricultural development, tracks, advertising signs and communications infrastructure;



- The **Communities Chapter** includes policies on protecting community spaces, on transport, parking and Public Rights of Way. This section also includes policies on housing and householder development. This Plan does not identify sites for development other than on ‘environmental enhancement sites’ where the aim is to allow for some development where it would result in the improvement of an unsightly site. Housing development is already allocated on sites at Helmsley within the adopted Helmsley Local Plan (2015). The housing strategy within this Plan allows for limited amounts of new homes on suitable sites in Larger Villages where they are restricted to make sure that they are used as a permanent residence (known as ‘principal residence housing’), or on suitable small sites in Smaller Villages for ‘local needs housing’ which can only be occupied by someone with a strong local connection to the area or those coming into the area for employment purposes. Affordable housing is then encouraged on ‘rural exceptions sites’ in or adjacent to settlements, aimed at providing 100% affordable housing for those in housing need, unless in Larger Villages it can be demonstrated that some principal residence housing is required to ensure delivery of a significant amount of affordable housing on the site.

## What area does this Plan cover and for how long?

- 1.3 The green area of the map below shows the extent of the area covered by the North York Moors National Park.

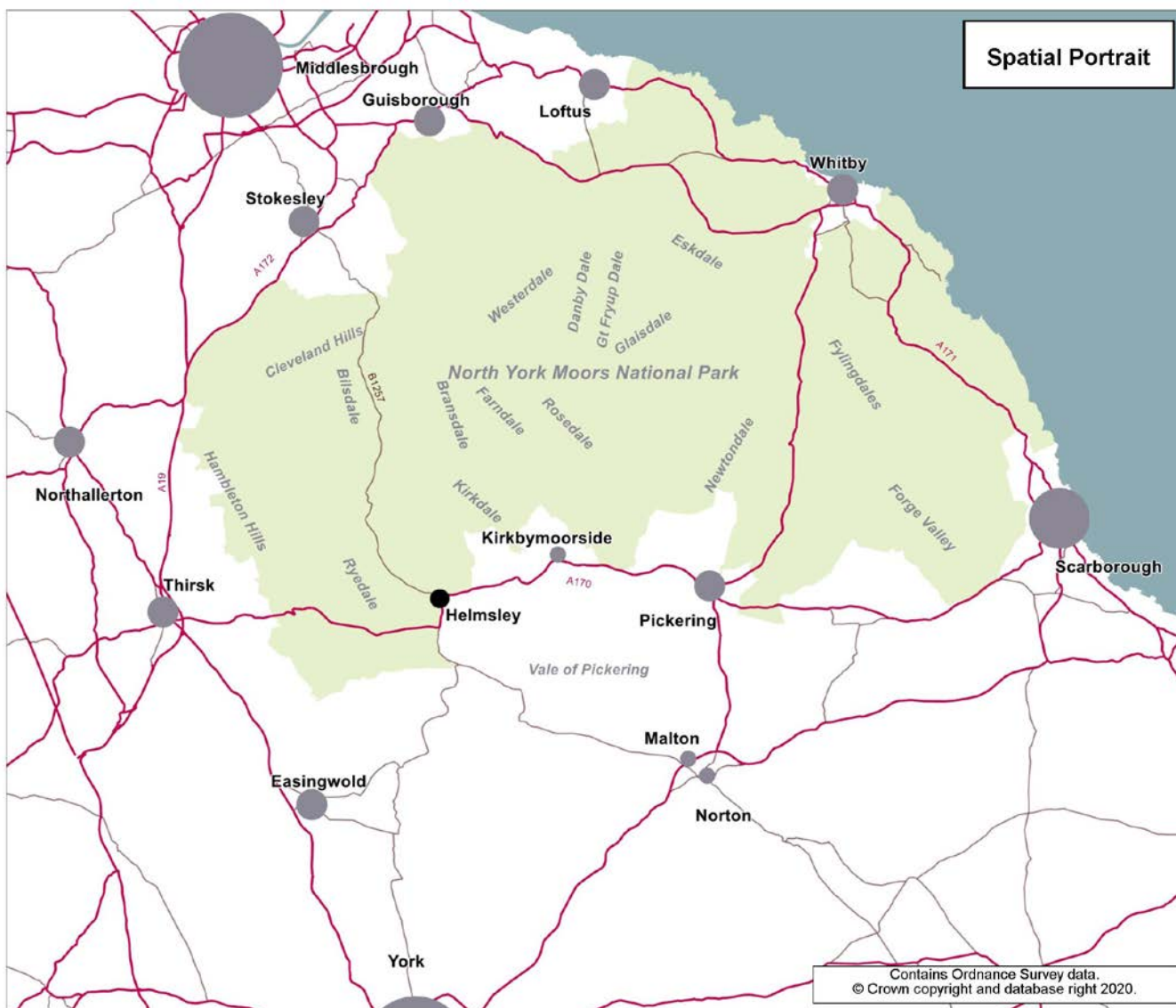


Figure 1 – The North York Moors National Park

- 1.4 The Local Plan covers the area within the boundary of the National Park. The National Park overlies parts of four districts or borough council areas – Hambleton, Ryedale, Redcar & Cleveland and Scarborough – that carry out other services within the National Park such as waste collection and environmental health and housing functions. Responsibility for planning however rests with the National Park Authority. North Yorkshire County Council and Redcar & Cleveland Borough Council also undertake other functions such as transport and education.
- 1.5 Several towns and villages straddle the boundary – for example Helmsley and Thornton le Dale are both partly within the Ryedale planning authority area. A separate Local Plan for Helmsley was produced jointly with Ryedale District Council in 2015 and remains in force. Preparation of the Plan began in 2016 and Local Plans are required to run for at least fifteen years from adoption. The Plan covers the nineteen year period 2016-2035.

## How does this Plan fit in with other plans and strategies?

### The North York Moors National Park Development Plan

- 1.6 This document is a full Local Plan, meaning that it covers the whole of the North York Moors National Park, and all areas of planning (including environment, housing, employment etc.), apart from specific policies for minerals and waste. Work began on this Local Plan in 2016 and the Plan has been written to cover a long term period up to 2035, although it will be reviewed every five years to see if it needs updating.
- 1.7 It will be part of what is known as '*the development plan*' for the National Park. Decisions on planning applications will be made in accordance with this development plan unless other 'material considerations' indicate otherwise. An explanation of 'material considerations' is contained in the glossary at Appendix 4.
- 1.8 If you are submitting a planning application there are other documents that are part of the Authority's 'development plan' and may be relevant. Two are specific to certain areas within the National Park:
  1. The Helmsley Local Plan (July 2015)
  2. The Whitby Business Park Area Action Plan (November 2014)
- 1.9 All relevant policies in these plans will be taken into account when deciding planning applications – for example applications for development within the part of Helmsley within the National Park will be assessed against the Local Plan and the Helmsley Local Plan. Neither the Helmsley Local Plan nor the Whitby Business Park Plan were reviewed as part of the Local Plan preparation process as they were considered both up to date and compatible with proposals set out in this Local Plan, which has been written to be consistent with them. In the event of any policy conflict, however, the most recently adopted plan would take precedence.
- 1.10 One further document is included as part of the Authority's development plan – the Minerals and Waste Joint Plan, which covers the specific issues of minerals and waste development. This Plan is being jointly prepared by the National Park Authority, North Yorkshire County Council and the City of York Council and is expected to be adopted in 2020.
- 1.11 When adopted this Local Plan and other elements of the development plan will replace all policies in the 2008 Core Strategy and Development Management Policies document. There are no extant 'saved' policies from previous plans.

### Other relevant National Park Authority documents

- 1.12 The Authority has produced a number of documents which can influence how decisions on planning applications could be made. These documents are potential 'material considerations' within the decision making process. The first is the Authority's Management Plan (last updated and published in 2017) which sets out a series of policies that include some development matters



as well as policies relating to wider land and National Park management issues. Five further 'Supplementary Planning Documents' (SPDs) offer advice on some areas or locations:

1. The Renewable Energy Supplementary Planning Document (April 2010, updated 2019)
2. The Design Guide Supplementary Planning Document Parts 1 – 5 (June 2008 to February 2013 and updated 2019)
3. The Ampleforth and Oswaldkirk Conservation Area Appraisals and Management Plans (April 2010 and September 2011)
4. The Hutton Buscel (June 2010) and the Osmotherley & Thimbleby Village Design Statements (February 2011)

There are several Conservation Area Appraisal and Management Plans which, although are not adopted SPDs, are a material consideration in planning decisions.

## **Enforcement**

- 1.13 Enforcing planning control is vital to safeguarding the quality of the landscape and buildings in the National Park and the Authority will actively investigate and if necessary pursue any breaches of planning control. It is important to note that the power to take formal enforcement action is discretionary and is to be used by the Authority only when it is 'expedient' to do so in the public interest. This means that the Authority must make a judgement in each case as to whether the unauthorised development harms the amenities of nearby residents and/or the special qualities of the landscape and buildings in the National Park to the extent that formal action should be taken. More information on the Authority's approach to enforcement is set out in its Enforcement Charter<sup>1</sup>.

## **Neighbouring plans**

- 1.14 The National Park Authority area overlies four boroughs or districts which produce their own local plans for their areas outside the National Park boundary. Helmsley and many of our villages (for example Thornton le Dale, Sleights, Ampleforth and West and East Ayton) are split between two planning authority areas. The National Park Authority, as the planning authority, has a 'duty to co-operate' with neighbouring planning authority areas to make sure plans are aligned. Some settlements are partly within the National Park ('split settlements' are indicated in Table 1 on page 30). For the areas which fall outside the National Park the following plans are relevant:
1. The Hambleton Core Strategy (2007), Allocations DPD (2008) and Development Policies DPD (2010). These are currently being reviewed. A draft pre-submission Local Plan document is expected to be issued in the beginning of 2020.
  2. The Scarborough Borough Local Plan (2017).
  3. The Ryedale Local Plan Strategy (2013) and Local Plan 'Sites' document (2019)
  4. The Redcar & Cleveland Local Plan (2018).

## **What are the main influences on the Plan?**

- 1.15 This Plan is not written in isolation. In addition to technical work carried out to inform its contents it is expected to help deliver or work alongside the aims and objectives of other plans, policies and statutory responsibilities. In particular:

<sup>1</sup> [http://www.northyorkmoors.org.uk/planning/enforcement/Enforcement\\_Charter-Amended-Final-Rev-250912.pdf](http://www.northyorkmoors.org.uk/planning/enforcement/Enforcement_Charter-Amended-Final-Rev-250912.pdf)

1. **The Statutory Purposes and Duty** – The two statutory purposes<sup>2</sup> of National Parks are: ‘to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park’ and ‘to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public’. In addition, there is a statutory duty on the National Park Authority, in pursuing these purposes ‘to seek to foster the economic and social well-being of local communities’ and shall for that purpose co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of the National Park. Legislation requires that these public bodies and local authorities must also take account of the statutory National Park purposes - ‘In exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority shall have regard to [National Park] purposes’. In practice this means that this Local Plan must assume a policy of restraint and protection, based upon the need to fulfil the first purpose, and it must also make sure that the Park can be enjoyed and appreciated for its special qualities. In the event of any potential conflict between the two statutory purposes the first takes precedence (known as the Sandford principle).
2. **The North York Moors Management Plan** – This is the overarching plan for the North York Moors National Park Authority and its partners with an interest and role in the future of the National Park. It sets out policies for the management of the National Park and defines the ‘special qualities’ that are referred to in the second National Park purpose. It was last updated in 2017 and is due for review every five years.
3. **The National Planning Policy Framework and Guidance (NPPF & PPG)** – The NPPF, produced by the Ministry of Housing, Communities and Local Government is the main statement of Government planning policy and, together with its accompanying online practice guidance sets out the expectations of central government as to what a local plan should aim to deliver. The NPPF sets out a ‘presumption in favour of sustainable development’ at paragraph 11, unless policies in the framework indicate that development should be restricted – for example because land is designated as a National Park. Originally published in March 2012, new drafts of the NPPF were published in July 2018 and February 2019.
4. **The English National Parks and Broads Circular 2010** – This circular was produced by the Department for the Environment, Food and Rural Affairs (DEFRA) and sets out the government’s vision for National Parks. The most relevant section is Section 4 covering National Park statutory purposes, climate change, securing a diverse and healthy natural environment and maintaining vibrant, healthy and productive living and working communities.
5. **An Eight Point Plan for England’s National Parks 2016** – This sets out the Government’s intention to protect, promote and enhance National Parks over a four year period (2016-2020) and is part of its wider ambition to improve the environment as set out in the 25 year plan published in 2018. Although the Plan does not specifically mention the statutory planning function of National Park Authorities, several of its points are partially fulfilled through successful implementation of planning policy.
6. **The 25 Year Environment Plan, 2018** – “A Green Future” sets out future government action on improving the natural environment, including cleaner air and water, protecting threatened species and an environmentally led approach to agriculture, forestry, land use and fishing. It also includes actions on waste and soil degradation, climate change and opening up the mental and physical health benefits of the natural world to people from the widest possible range of ages and backgrounds.

## Research and evidence

- 1.16 A series of technical reports (collectively known as the evidence base) that underpin this Local Plan are available, including:

<sup>2</sup> Section 5 of the National Parks and Access to the Countryside Act 1949, as amended by Section 61 of the Environment Act 1995

1. **The Sustainability Appraisal (2019)**, which has assessed all policies in this Plan to see if they are the best means of delivering development which strikes the right balance between environmental, economic and social objectives;
2. **The Landscape Assessment (2003, revision forthcoming)**, which categorises landscapes into particular types, describes their features, overall character and sets out how sensitive they may be to new development;
3. **A Habitats Regulation Assessment or HRA, (March 2019)**, which is undertaken to make sure the Authority's policies do not have any harmful impacts on key protected wildlife habitats;
4. **The Strategic Flood Risk Assessment (November 2017)**, which looked at whether any particular areas of the National Park are susceptible to flooding;
5. **The Strategic Housing Market Assessment or SHMA (May 2016)**, which looked at housing need and demand;
6. **The Strategic Land Availability Assessment or SHLAA (March 2019)**, which looked at available land for housing, and the likelihood of it coming forward for development;
7. **The Local Plan Viability Appraisal (December 2018)**, which looked at whether policies are setting any requirements that would prevent new development from being delivered;
8. **An Open Space Assessment (July 2018)**, which looked at the quantity and quality of sports and recreational open space within settlements in the National Park and assessed whether any new spaces are needed;
9. **The Infrastructure Assessment (February 2019)**, which reviews the capacity of existing infrastructure covering the National Park.

## Using this Plan

- 1.17 It is important that the Plan is read as a whole. Several policies may apply to one proposal but to help keep the document concise, cross referencing of policies is only used where another policy is directly relevant. All policies, including those in the Helmsley Local Plan, Whitby Business Park Area Action Plan and any neighbourhood plans should be considered where they are relevant to a particular development proposal.
- 1.18 Throughout this Plan, unless stated otherwise, where policies contain separate criteria all criteria are intended to apply.
- 1.19 The Local Plan includes 'Strategic' Policies throughout the Plan. Strategic Policies are intended as 'scene setting' policies and indicate the guiding principles that will be at the forefront of decision makers' minds when it comes to assessing the appropriateness of new development at the planning application stage. Other policies then provide more detailed 'development management' policy on how planning applications will be assessed. Strategic policies are also separated out as they are the ones that any future neighbourhood plan would need to be in 'general conformity' with. This does not mean they carry greater status and all policies in this Plan carry equal weight within the plan-led system.
- 1.20 The Plan is supported by a detailed Policies Map which shows areas across the National Park which are covered by any particular constraints and/or designations. Some policies in this Plan relate to particular areas within the National Park, the Policies map also shows where these policies will apply. A Local Plan Interactive Policies Map is available on the Authority's website.





Photo: Mike Kipling

## 2. Portrait, Vision and Objectives

### Introduction

- 2.1 This section of the Plan sets out a portrait of the North York Moors National Park, a vision for the National Park in the future (where do we want to be?) and then a series of objectives we will pursue (how will we get there?). These objectives are the foundations on which the policies in this Local Plan are based.

### Portrait of the North York Moors National Park

- 2.2 The North York Moors National Park lies mostly within the County of North Yorkshire with a small northern part of its area (around 14%) lying within the Unitary Authority of Redcar & Cleveland. The rest of the National Park overlies parts of Scarborough Borough and Ryedale and Hambleton District Council areas. Its total area is 1,436 sq. km, (143,608 hectares), which is 17% of the land area of North Yorkshire. The National Park is home to 22,997 residents<sup>3</sup> who continue to contribute to the culture, communities, economy and upkeep of the National Park. Another protected landscape (the 204 sq. km. Howardian Hills Area of Outstanding Natural Beauty) is joined to the National Park along the southern edge of the boundary, from Coxwold to Helmsley.
- 2.3 The distinctive landscapes of the North York Moors result from a complex geological past and the shaping of landforms by ice and water. The upland moor plateau is divided by deep narrow dales. To the north, the edge of the Cleveland Hills drops down to the Tees lowlands. To the east, dramatic coastal scenery including tall cliffs dominates, with tight-knit historic fishing villages nestling into the coastline. To the south the Tabular Hills punctuate the landscape and offer views over the Vale of Pickering. To the west, steep scarp slopes some 300 metres high afford a vantage point to enjoy expansive views over the Hambleton Hills and Vale of Mowbray, including a view from Sutton Bank described by author and local vet James Herriot (the pen name of Alf Wight) as “the finest view in England”.
- 2.4 The main characteristic of the National Park is its deeply rural nature and absence of development. At just 0.16 residents per hectare, the North York Moors is the fifth least densely populated local planning authority area in England and Wales, after four other National Parks – Northumberland, Exmoor, the Yorkshire Dales and Snowdonia. Most of its settlements lie on its edges, and the more central areas are often very remote. The North York Moors has only one small town – Helmsley, which lies at the south western edge and is home to around 1,540

<sup>3</sup> 2017 mid-year population estimates, Office for National Statistics



people.<sup>4</sup> Around half of the town lies outside the National Park boundary in the Ryedale local planning authority area.

- 2.5 This relative paucity of development is reflected in transport links. There are no major trunk roads in the National Park. Two 'A' roads run along the eastern and southern edges - the A171 coastal route runs down the eastern edge of the National Park, linking Scarborough, Whitby and Guisborough and the A170 runs along the southern boundary from Thirsk to Scarborough, linking Helmsley and the villages at the foot of the Tabular Hills. The A174 then links Staithes and Whitby along the coast. Two roads then cross the National Park – the A169 which links Whitby and Pickering and the B1257 which links Helmsley and Stokesley, running through Bilsdale and Chop Gate. A Middlesbrough – Whitby train line also links villages through the Esk Valley including Castleton, Grosmont and Sleights and connects with the North Yorkshire Moors Railway which runs steam trains from Pickering to Whitby.

### The Special Qualities

- 2.6 The National Park is defined by its 'special qualities' which describe what makes the North York Moors so distinct and valued by the nation. One of the main functions of this Local Plan is to protect and enhance these qualities, which are defined in the Authority's Management Plan as:
- *Great diversity of landscape*
  - *Sudden dramatic contrasts associated with this*
- 2.7 The defining characteristic of the North York Moors is one of the key reasons why it was awarded the status of a National Park in 1952. The 1947 Report of the National Parks Committee, chaired by Sir Arthur Hobhouse recommended its designation and said of the North York Moors, "*it contains, within a relatively small compass, an amazing wealth and variety of beauty. Indeed there are few places elsewhere in Britain which can offer such extensive and remote tracts of wild and unspoilt scenery within such easy reach of populated areas.*"
- 2.8 The landscapes of the North York Moors offer dramatic contrasts yet mesh together to give a particular sense of place. This sense is accentuated by the main access points to the National Park (including Birk Brow, Sutton Bank, Blue Bank and Clay Bank) which require a climb onto a higher plateau, providing a distinct sense of arrival and change. Large tracts of unbroken heather moorland then give way to historic villages lying at the foot of valleys, with spectacular coastline scenery to the east and large expanses of woodland to the south adding to the variety.
- *Wide sweeps of open heather moorland*
  - *Distinctive dales, valley and inland headlands*
- 2.9 The North York Moors are perhaps best known for its iconic heather moorland. Around 70 percent of the world's heather moorland is in the UK and the largest continuous expanse of moorland in England and Wales is within the National Park. This moorland is protected under international legislation for its importance to a variety of key habitats and species. In late summer the flowering heather turns the moors into a purple carpet that covers almost a third of the National Park. Deep dales also cleave into the central part of the National Park, forming distinct green valleys into which farms and villages have settled over the years.
- *An abundance of forest and woodland*
  - *Ancient trees and woodland rich in wildlife*
- 2.10 The North York Moors may be best known for its moorland, yet it is one of the most wooded of England's National Parks. Woodland covers 22% of the National Park, including areas of

<sup>4</sup> North Yorkshire County Council 2016 Mid-Year Estimate

commercial conifer woodland. Oak, ash, birch and rowan thrive and around 20% of this woodland is classed as 'ancient' woodlands, meaning an area that has been wooded continuously since at least 1600 AD. The North York Moors woodland is of enormous value – not only does it form part of the landscape, it acts as a carbon store, timber provider, wildlife haven and recreational resource.

- *Special landforms from the Ice Age*
- *Exceptional coastal geology*

2.11 The North York Moors' unique landforms are a product of millions of years of geological change. The oldest rocks within the National Park date back to the Lower Jurassic period, 200 million years ago. These are the dark coloured shales and limestones that can be seen along the coast in places such as Robin Hood's Bay. The area is famous for its fossil remains and dinosaur footprints. During the last Ice Age, (around 20,000 years ago), the area was bordered by ice sheets, often hundreds of metres thick. Glacial lakes and meltwater broke through low points in the landscape, carving deep, steep-sided valleys such as Newtondale and Forge Valley.

- *Majestic coastal cliffs and sheltered harbours*
- *Distinctive coastal headlands*

2.12 The coastline features rocky shores, sandy beaches and historic harbours. It is a coastline of dramatic views, with the highest point on the east coast of England found at Boulby, near Staithes, where the cliffs are around 200 metres high. The coastline has been defined as Heritage Coast and is 36 miles long, stretching from Saltburn just north of the National Park, down to Scalby Mills north of Scarborough.

- *A special mix of upland, lowland and coastal habitats*
- *A wide variety of wildlife dependent on these*

2.13 Statistics compiled by National Parks England<sup>5</sup> show that while the National Parks cover around 10% of England's area, they contain much higher proportions of the most wildlife-rich habitats such as heaths, fens and ancient woodlands. Up to 80% of some habitats that have been identified as national priorities for conservation are found within the National Parks. This abundance of natural diversity is home to some very rare flora and fauna, including curlew and golden plover, birds which range across the Moors, to the last few hundred freshwater pearl mussels in Yorkshire in the River Esk. Many species of bird nest, breed and feed on the moors, from red grouse and short-eared owl to skylark, nightjar and snipe.

- *Settlements which reflect their agricultural, fishing or mining past*
- *Locally distinctive buildings and building materials*

2.14 Settlements in the National Park have a charm and character that reflects the craft of those who built them. From the fishing villages of Staithes, Robin Hoods Bay and Runswick Bay to the former mining villages at Rosedale East and Kildale the pattern and layout of the National Park's town and villages reflect the social and economic history of the area. Coastal villages are tightly packed in narrow valleys leading down to bays, with houses almost on top of each other and connected by small lanes and passageways leading to a sense of enclosure and intimacy. Small, dense villages built from local sandstone or limestone arose in the valleys where there was sufficient cultivatable land to operate field systems, while livestock was grazed on higher land.

<sup>5</sup> National Parks England, National Parks, England's Wildlife Wonders, July 2015

- *Long imprint of human activity*
  - *A wealth of archaeology from prehistory to the 20<sup>th</sup> Century*
- 2.15 The character of the North York Moors is shaped by the successive generations of herdsmen, farmers, monks and miners who have all left a treasure trove of ancient structures, buildings and monuments. This includes the flint tools and camps of the first hunters at the end of the last Ice Age, to the Iron Age hill forts at Boltby Scar and Roulston Scar, the Roman camps at Cawthorn and Lease Rigg, and onto the medieval castles and abbeys, the industrial landscapes of the 19<sup>th</sup> and 20<sup>th</sup> century and the concrete bunkers of the Second World and Cold War periods.
- 2.16 The North York Moors also played a role in kick starting the industrial revolution. The discovery of ironstone led to the beginnings of the ironstone mining industry at Grosmont and Rosedale, including the development of one of the world's very earliest railways. These exports stimulated the growing iron and steel industry of north east England and wider development of Teesside as a world centre for shipbuilding, heavy engineering and bridge building.
- *A rich and diverse countryside for recreation*
  - *An extensive network of public paths and tracks*
- 2.17 There are 1,481km of public footpaths, 827km of public bridleways and 16km of byways open to all traffic in the National Park, including the 109 mile long Cleveland Way National Trail, the Lyke Wake Walk and part of the Coast to Coast path. Areas owned by the Forestry Commission, National Trust and National Park Authority have permitted access and are an important recreational resource. A wide variety of activities are offered at the two National Park visitors centres at Danby and Sutton Bank, the latter of which (along with Dalby Forest) offers a network of national standard Mountain Bike trails.
- *Strong religious past and present*
  - *Ruined abbeys and ancient churches*
- 2.18 The North York Moors are home to a large concentration of ancient monuments, including Ralph's Cross on Blakey Ridge (as seen in the National Park Authority logo) and what is thought to be one the oldest religious relics in England, Lilla Cross. The area contains fine examples of ancient abbeys including Rievaulx Abbey (the first Cistercian abbey to be established in the north of England) and Byland Abbey. This religious tradition continues and endures to this day, from the monks of The Community of Benedictine Monks at Ampleforth to the Stanbrook Community of Benedictine nuns worshipping at the modern 21st Century Stanbrook Abbey near Wass, which won a national Royal Institute of British Architects award in 2016.
- *Strong feeling of remoteness*
  - *A place for spiritual refreshment*
- 2.19 A strong feeling of remoteness is an important special quality of the North York Moors, and was recognised in the Hobhouse Report which recommended the establishment of the National Park and said, *"Indeed there are few places elsewhere in Britain which can offer such extensive and remote tracts of wild and unspoilt scenery within such easy reach of populated areas."*
- 2.20 The National Park benefits from large expanses of open moorland and woodland and the relative lack of roads and settlements within its boundaries mean that it is one of the best places to come and relax and enjoy the rhythms of nature away from the hustle and bustle of modern life.
- *Tranquillity*
  - *Dark skies at night and clear unpolluted air*



- 2.21 A sense of tranquillity is an increasingly precious resource. Tranquillity is about a feeling of peace and remoteness from man-made features and can be found in abundance in the National Park. The sense of tranquillity that a National Park has to offer can help benefit the physical and mental health of those who visit, so they can spend time away from the noise and crowds in urban areas. Almost 90% of the National Park can be classed as relatively tranquil to a greater or lesser degree<sup>6</sup>.
- 2.22 Very low levels of light pollution are vital to those who wish to enjoy dark skies at night and the feeling of remoteness they engender. Dark and starry skies are a treasure of national significance. In 2015 work by the Campaign to Protect Rural England<sup>7</sup> showed that 92% of the skies above the North York Moors are in the two darkest categories, with 71% being of the very darkest skies possible having no severe light pollution.
- *Distinctive skills, dialects, songs and customs*
  - *Strong sense of community and friendly people*
- 2.23 People contribute to a sense of place as much as the land around them. A sense of community has developed over many years in the small villages and hamlets that are scattered across the North York Moors. People's connection to the landscape is strong, which can be demonstrated from the many local artists who take inspiration from the moors, through to the hundreds of volunteers who help look after the National Park. Skills and traditions flow from the working of the land over the years and are still evident in food and forestry businesses in the area today.
- *A place of artistic, scientific and literary inspiration*
  - *A heritage of authors, artists, scientists and explorers*
- 2.24 There is a strong artistic tradition in the North York Moors. There are numerous galleries and studios in the National Park, showcases for art inspired by the landscape, life and colour of the North York Moors. The moors continue to inspire modern art in the landscape.
- 2.25 The North York Moors have also inspired a long list of explorers, scientists, artists and authors. Staithes, as well as being home to the Staithes Art School is famous as the place where explorer James Cook first learned his sea faring skills. William Smith, the father of English geology who developed the methods for classifying and mapping rocks that form the basis of the discipline today, worked on the Hackness Estate from 1828 to 1834.

## Challenges

- 2.26 Many of the policies in this Plan have been drafted with a view to protecting and enhancing the special qualities of the National Park, as outlined above. We must also however recognise that the North York Moors is a living, working and recreational landscape. In 2017 the North York Moors contained 22,997 residents<sup>8</sup>, 7,959 jobs,<sup>9</sup> 1,673 farm holdings<sup>10</sup>, and attracted 7.91 million visitors in 2017.<sup>11</sup> Policies in this Plan therefore need to be rooted in an understanding that people, jobs and income are also vital to the future of the National Park.
- 2.27 The quality of life for residents in the National Park is generally very good with low unemployment, low crime, clean air and excellent access to some of the most highly valued countryside in the nation. There are however some significant challenges facing the North York Moors in terms of the long term sustainability of its communities and the preservation of the

<sup>6</sup> Northumbria University for the Campaign to Protect Rural England and Natural England, National Tranquillity Mapping Data (2007).

<sup>7</sup> Campaign to Protect Rural England Night Blight: Mapping England's Light Pollution and Dark Skies, 2016.

<sup>8</sup> Office for National Statistics Mid-Year Population Estimates.

<sup>9</sup> Office for National Statistics, Inter Departmental Business Register, taken on 11 March 2016, Employment by local unit size

<sup>10</sup> Defra, June Survey of Agriculture & Horticulture, 2016.

<sup>11</sup> STEAM visitor statistics for the National Park and its wider influence area, 2016.

special qualities that make it worthy of its status as a National Park. Some of the key issues are as follows:

## Population

- 2.28 There has been a 4.2% fall in population between 2001 and 2017 – a reduction of 997 people<sup>12</sup> - a trend that is driven by increasingly small household sizes as the population ages. Had the size of the average household at the time of the 2001 census been the same at the time of the 2011 census the National Park's population would have increased over that period. The population in the National Park is older than in most other areas – 25% of the population is under 30 years old compared with 31% in North Yorkshire and 37% nationally, whereas 39% of the population is 60 or older compared with 31% within North Yorkshire and 24% across England and Wales. Between the 2001 and 2011 censuses the largest proportional population gains were from people aged 60 and over; conversely population groups aged under 45 showed a marked decline. There has been a substantial decline in some age groups – the numbers of people aged 15 and under and those aged 30-44 have declined by 23% and 31% respectively, whilst the population aged 60 and over has increased by 30% since 2001. An aging population will require also additional care over time, and some may struggle to access services as they age.

*Challenge:* There is a need to seek to stabilise population levels and encourage younger people to stay in or move to the area.

## Housing

- 2.29 A high quality environment means that the existing housing stock is very attractive to those wanting to live in the National Park. There is also a strong demand for second homes. 17.3% of the National Park's housing stock was recorded at the last census as households with no usual residents. This demand means that house prices remain high. In August 2017 the average house price in the Park was slightly above the national average at £255,342<sup>13</sup>, compared to £242,536 in England as whole. However, wages are low due to a concentration of employment in the agricultural and tourism sectors. In 2014 around a third (32%) of all households had incomes of £20,000 or less, with a further third earning £20-40,000 per year<sup>14</sup>. National Park status, together with the rural character of the North York Moors also means that there are few opportunities for new housebuilding. This means suitable and affordable housing stock is scarce for those on the lower rungs of the housing ladder.

*Challenge:* There is a need to provide some new housing to widen choice for local communities, and that housing needs to be as affordable as possible. Where new housing is built every effort needs to be made to make sure it is of a type, size, tenure and price that supports the long term sustainability of local communities.

## Employment and Economy

- 2.30 Job seeker allowance claimant counts rates in the National Park (excluding the part of the National Park in Redcar & Cleveland) were very low at just 0.3% or 66 people at November 2017. This compares to 1.7% in September 2009<sup>15</sup>. This is around a third of the national average of 1%. Such a low rate (combined with a high proportion of retirees) means that there is virtually no 'labour cushion' or an available labour force to fill new jobs – people must be brought in. Seasonal tourism also means that employment levels in the area in January are just 54% of levels in August.<sup>16</sup> As noted in the section on housing, wages are low and employment is focused in low pay sectors such as agriculture and tourism. A lack of larger settlements mean that there are very limited opportunities for new employment premises, particularly modern business

<sup>12</sup> Office for National Statistics Mid-Year Population Estimates.

<sup>13</sup> Land Registry Price Paid Database.

<sup>14</sup> Various, taken from GL Hearn's Strategic Housing Market Assessment for the North Yorkshire Moors National Park, 2016, paragraph 6.26

<sup>15</sup> North Yorkshire County Council Unemployment Figures based on job seeker allowance claimants. Excludes the small part of the National Park in Redcar & Cleveland.

<sup>16</sup> STEAM employment statistics for the National Park and its wider influence area, 2016.

premises. Farming, which is crucial to many of the special qualities of the National Park, continues to face long term pressures and uncertainty over the implications of BREXIT.

*Challenge:* Businesses operating in the National Park may face recruitment difficulties. There is a need to encourage better paid jobs in a more diverse range of sectors, and to flatten the trend of seasonal employment so job opportunities exist throughout the year.

### **Local Services**

- 2.31 There has been a decline in local services in many villages in recent times. There are many reasons – market forces, the centralisation of services, a declining resident population and new communication technologies all play a part. The village facilities survey in 2015 showed that Mickleby and Sawdon lost their Post Office (the latter losing the Post Office in Brompton). Danby and Swainby have also lost their general store, and primary schools have recently closed at Swainby and Ingleby Arncliffe.

*Challenge:* Services remain important in villages in such a remote rural setting and polices need to seek to prevent their loss as far as possible.

### **Tourism and Recreation**

- 2.32 The North York Moors is a very popular destination for visitors and tourists. Tourism and recreation plays a very important role in the economy of the National Park and its hinterland, supporting 10,923 jobs and creating £647 million a year in income<sup>17</sup>. With increased tourism however comes pressure on services and the demand for new facilities such as car parking. One of the key issues for the Local Plan will be how it strikes the right balance between encouraging tourism without impacting adversely on local communities and maintaining the special qualities of the National Park that draw people to it.

*Challenge:* Tourism and recreation is the largest component of employment and income within the National Park and will remain key to future prosperity. Policies need to respond to an evolving and expanding tourism market whilst conserving and enhancing the very assets that lead to its popularity as a place to visit.

### **Communications**

- 2.33 Reliance on communications technologies becomes even greater when other services are declining. High speed broadband and mobile coverage is patchy in some areas, the result of a low population density making the area less attractive for commercial investment in modern communication technologies in the area. This situation is being gradually improved through Government support to roll out to more remote areas; however it may be some years before coverage is improved for some.

*Challenge:* Transport and connectivity are a key issue for the National Park – there remains a need to make sure services remain accessible to all and that modern communications are provided to allow residents to access services and businesses to thrive.

### **Transport**

- 2.34 Lack of local services combined with a sparse settlement pattern means that there is a high reliance on the private car; similarly, there is much reduced accessibility into the North York Moors without a car. Other than the Esk Valley line running through the National Park there is no rail network and bus services have declined. A strong visitor economy also means there are parking issues in some villages, particularly in the summer months.

*Challenge:* Reliance on private car use will remain, however additional opportunities to increase access to and within the National Park through other modes of transport need to be encouraged,

<sup>17</sup> STEAM income statistics for the National Park and its wider influence area, 2016.

as should any opportunities to roll out electric charging infrastructure and increase safe, well designed car parking in villages.

### **The Natural, Built and Historic Environment**

- 2.35 The North York Moors is home to some of the finest landscapes and many important rare plant and animal species. The long term challenge of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park will continue. Some species are in decline, and there remains a risk that pests and disease can lead to damage and loss of trees. Water management and soil loss remain an issue. There is a risk of a gradual erosion of tranquillity and the quality of dark night skies and a need to make sure that new development conserves the character of its settlements and reinforces the distinct identity of the local area.

*Challenge:* There are opportunities for new development to support and enhance biodiversity at all scales, and a need to make sure new development respects the existing built environment and is an asset to the National Park. New development must also be undertaken in a way that protects and enhances special qualities such as tranquillity and dark night skies, and in a way that prevents the loss of soil and integrates suitable water management techniques.

### **Climate Change**

- 2.36 Climate projections show that the most significant change the nation is likely to see is in the distribution of precipitation, with a likely move towards much wetter winters and drier summers. Climate change brings with it more extreme weather events and a risk of flooding, with many villages located in valley floors. It could also lead to possible water shortage, high temperatures and disease and pest migration, as well as exacerbating the erosion of the coastline.

*Challenge:* New development will need to be resilient to changes in weather and opportunities need to be taken to minimise climate altering emissions in new development and deploy more renewable forms of energy.

## **The North York Moors in 2035 - A Vision**

- 2.37 Local plans typically include a vision for how the area will look and function at the end of the plan's life. The Authority has an existing Vision set out in its Management Plan, as follows:

### **Where do we want to be? A Vision for the North York Moors in 2035:**

*A place managed with care and concern for future generations*

*A place where the diversity and distinctiveness of the landscape, villages and buildings is cherished*

*A place where biological and cultural diversity, and other special qualities are conserved and enhanced*

*A place where the environment and way of life is respected and understood*

*A place where communities are more self-sustaining and economic activity engenders environmental and recreational benefits*

*A place that is special to people and that provides pleasure, inspiration and spiritual well-being; where calm and quality of life are celebrated*

*A place where visitors are welcome and cultural and recreational opportunities and experiences are accessible*

*A place that continues to adapt to change whilst National Park purposes continue to be furthered and pursued*

2.38 This Vision is equally applicable to the Local Plan and is included here for consistency, as the achievement of this Vision can be helped by the planning decisions the Authority makes. The following paragraphs further articulate how this vision will be delivered through policies in this Local Plan.

### **What the Authority's Vision means for planning in the National Park**

1. All new development will be carefully managed to ensure that the distinctive character of settlements and landscapes is maintained and that special qualities are conserved and enhanced for the future. This will mean a high standard of design and materials that respect though not necessarily replicate the local vernacular together with good quality landscaping and planting schemes. The long term future of the North York Moors as a national asset for future generations will be at the heart of decision making.
2. The distinctive North York Moors landscape will be conserved and enhanced. Recognition of the scenic value of the National Park's wide expanses of open moorland, steep wooded incised valleys and dramatic coastline will be increased. Awareness of the value of the historic environment and its contribution to the character of the North York Moors will be maintained and increased. There will be a greater number of Scheduled Ancient Monuments and Listed Buildings in good condition together with continuing enhancement of Conservation Areas and increased appreciation of the value of important open spaces within settlements.
3. There will be increased areas of native woodland, restored ancient woodland and more species-rich grassland providing better conditions for wildlife to thrive. Existing high quality habitats will be protected and extended and new developments will include planting schemes which are appropriate for the locality and contribute to biodiversity.
4. There will be an understanding that new development should be of an appropriate scale and type for the National Park. This will include recognition that a National Park is an inappropriate location for intrusive structures associated with major development. The role of green infrastructure within the National Park will be better recognised and valued.
5. A sense of local community and belonging will be maintained and reinforced, with decisions made at a community level as far as possible. There will be a strong and varied local economy based on farming, forestry, land management, tourism and other rural enterprises. Population levels will be stable and there will be a greater proportion of young and working age people in the National Park. Local businesses will be of a scale and nature that contribute to the character of the National Park and benefit from the ongoing care of its environment. Access to high speed broadband and good mobile phone signal will be more widely available to support a healthy local economy. A variety of types and sizes of housing will be available to meet the needs of different sectors of the population. Affordable housing will be available so that young and working age people are able to stay within local communities and there will be access to essential local services wherever possible.
6. The National Park will continue to be a place which provides a very high quality environment for its residents and attracts visitors seeking peace, inspiration and spiritual well-being. There will be more areas where tranquillity and dark night skies can be experienced and appreciated. Wherever possible villages will keep facilities such as pubs, shops and halls in which people can interact and where activities which foster a sense of community can take place.
7. The quality of recreational experience for residents and visitors will be maintained, enhanced and made available to a wider range of people. The focus will generally be on small scale recreational and cultural opportunities and different types of accommodation for visitors.

Recreation and tourism development will strengthen the special qualities of the National Park and the recreational/tourism experiences associated with them.

8. Future developments will address the changing socio-economic needs of local communities and help support the vitality of settlements, with local people playing a strong role in shaping those developments. National Park purposes will continue to be the guiding principle in decisions about future development.
9. There will be a greater understanding of the health and well-being benefits afforded by the natural environment of the National Park. The importance of the National Park as a place which offers recreational opportunities, high quality food, clean water, carbon storage and land which can slow the flow of storm-water will be better recognised. There will be continuing progress in introducing measures which help to adapt to and mitigate climate change.

## Objectives for the North York Moors National Park Local Plan

- 2.39 This Vision is now translated into a series of objectives which have been produced to help the development of policies.

### **National Park Statutory Purposes and Duty**

1. Conserve and enhance the natural beauty, wildlife and cultural heritage of the North York Moors National Park.
2. Promote opportunities for the understanding and enjoyment of the special qualities of the National Park.
3. Whilst achieving the above, seek to foster the economic and social well-being of local communities.

### **The Environment**

4. Secure high quality new development that is well designed, reinforces local distinctiveness and enhances the unique landscape character, settlement pattern and architecture of the National Park, including through protection of important views.
5. Safeguard and improve the sense of tranquillity and remoteness in the National Park.
6. Maintain and improve the darkness of night skies seen in the National Park.
7. Conserve and, where appropriate enhance historic assets and protect valued open spaces within villages.
8. Conserve and enhance the biodiversity and geodiversity of the National Park and improve habitat connectivity.
9. Conserve and enhance soil, air and water quality.
10. Reduce the causes of climate change and assist in the adaption to and mitigation of its effects including through promotion of sustainable design and efficient energy use in new buildings.

### **Understanding and Enjoyment**

11. Support tourism and recreation enterprises which do not detract from the National Park's special qualities and which contribute to the local economy.
12. Maintain and improve the network of paths and bridleways for the enjoyment of residents and visitors.

13. Manage recreational pressures to avoid harm to the National Park's special qualities.

#### **Business and Land Management**

14. Protect existing employment opportunities and support new enterprises which are in appropriate locations and do not detract from National Park purposes.
15. Support existing farm enterprises and ensure that land management activities contribute to the National Park's natural beauty and biodiversity.
16. Encourage a sustainable and prosperous rural economy with businesses that are appropriate to and benefit from National Park purposes.
17. Improve telecommunications and connectivity where compatible with National Park purposes.

#### **Communities**

18. Foster vibrant local communities, where young people have an opportunity to live and work, and where new development is supported by appropriate infrastructure including sustainable transport.
19. Support the provision and retention of key community facilities and services.
20. Ensure that a range of types and sizes of housing, including affordable housing, is available to meet local needs, help stabilise population levels across the National Park and limit the number of second homes.







Photo: Mike Kipling

## 3. Strategic Approach

### Objectives - National Park Statutory Purposes and Duty:

1. Conserve and enhance the natural beauty, wildlife and cultural heritage of the North York Moors National Park.
2. Promote opportunities for the understanding and enjoyment of the special qualities of the National Park.
3. Whilst achieving the above seek to foster the economic and social well-being of local communities.

### Introduction

- 3.1 This part of the Plan sets out our spatial strategy and some of the key 'strategic' policies the Authority will use to help direct and influence new development in the future. The term 'strategic' means that they are policies held to be particularly important in achieving the Authority's long term objectives.

### Strategic Policy A - Achieving National Park Purposes and Sustainable Development

Within the North York Moors National Park a positive approach to new development will be taken, in line with the presumption in favour of sustainable development set out in the National Planning Policy Framework and where decisions are consistent with National Park statutory purposes:

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

Where there is an irreconcilable conflict between the statutory purposes the Sandford Principle will be applied and greater weight will be attached to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.

Sustainable development means development which:

- 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;**
- b) Supports the function and vitality of communities by providing appropriate and accessible development to help meet local need for housing or services, facilities, energy or employment opportunities;**
- c) Protects or enhances natural capital and the ecosystem services they provide;**
- d) Maintains and enhances geodiversity and biodiversity through the conservation and enhancement of habitats and species;**
- e) Builds resilience to climate change through adaptation to and mitigation of its effects;**
- f) Makes sustainable use of resources, including using previously developed land wherever possible; and**
- g) Does not reduce the quality of soil, air and water in and around the National Park.**

### **Explanation**

- 3.2 The North York Moors is a nationally significant, special place and part of the cultural and natural heritage of the nation. As such, proposals for new development will need to be carefully located and designed so that they respect the ‘statutory purposes’ which underpin its status as a National Park. The Authority will continue to recognise that the evolution of the National Park needs to be sensitively managed, through a philosophy of ‘careful planning’.
- 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. 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.
- 3.4 Strategic Policy A is intended to set out what the National Park Authority considers to be sustainable development in the National Park context and links a positive approach to new development with a need to ensure compatibility with National Park purposes. A positive approach to appropriate new development will therefore be taken and the Authority will always work with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the National Park.
- 3.5 As a general development principle, development in the National Park should avoid conflict with the two national park statutory purposes. In the event that a proposal for development would create a conflict between the two purposes the decision maker will adhere to the ‘Sandford Principle’ which requires that greater weight is attached to the conservation and enhancement of the National Park.<sup>18</sup>

<sup>18</sup> The National Parks and Access to the Countryside Act, 1949, Section 11A(2), as inserted by Section 62 of the 1995 Environment Act.

## Strategic Policy B - The Spatial Strategy

Development will be guided in accordance with the following settlement hierarchy:

### *Local Service Centre – Helmsley*

Development should strengthen Helmsley's role as the main service centre within the National Park by providing additional housing (open market and affordable housing), employment and training premises, community and visitor facilities.

### *Larger Villages listed in Table 1*

Development should support the service function of Larger Villages by providing additional housing (principal residence and affordable housing), employment and training premises and new facilities and services for the immediate and wider locality.

### *Smaller Villages listed in Table 1*

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.

### *Botton Village*

Development which is necessary to meet the functional needs of the supported community.

### *Open Countryside*

Development will only be permitted in Open Countryside in the following cases:

1. Where development reuses a building of architectural or historic interest in a way that supports an economic, education or community use or meets local housing needs, in accordance with Policy CO12 (Conversion of Existing Buildings in Open Countryside);
2. Where there is an essential need for development to meet the needs of farming, forestry and other rural enterprise or land management activities;
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;
4. Where it meets the requirements set out at Policy UE2 (Camping, Glamping, Caravans and Cabins);
5. Where development proposals are part of a Whole Estate Plan that has been approved by the National Park Authority.

The Settlement Hierarchy			
Local Service Centre	Larger Villages	Smaller Villages	Open Countryside
Helmsley*	Ampleforth* Castleton Danby Easington Egton Fylingthorpe Glaisdale Hinderwell Lythe Osmotherley Robin Hoods Bay (inc. Bank Top) Sleights* Staithes (inc. Bank Top) Swainby Thornton le Dale* West and East Ayton*	Ainthorpe Aislaby Appleton le Moors Battersby Junction Boltby Carlton in Cleveland Charltons* Chop Gate Cold Kirby Commondale Coxwold Egton Bridge Faceby Fadmoor* Gillamoore* Goathland Grosmont Hackness Hawaby Hawsker (High and Low) Hutton Buscel Hutton le Hole Hutton Village Ingleby Greenhow Kilburn* Lastingham Lealholm Levisham Lockton Mickleby Newholm Newton on Rawcliffe* Oswaldkirk* Pockley* Port Mulgrave Ravenscar Rosedale Abbey Runswick Bay Sawdon* Sinnington* Sneaton Stainsacre Staintondale Ugthorpe Wass	
	Botton Village (comprising the neighbourhoods of: Village Centre, Botton Farm, Falcon, High Farm, Stormy Hall, Lodge, Nook, Honey Bee Nest)		

\*Settlements split by the National Park boundary

**Table 1 – The Settlement Hierarchy**

### Explanation

3.6 Any Local Plan needs to find a way of indicating the best locations for future development and it typically does this through its 'spatial strategy.' This sets out how different policies apply in different places. A spatial strategy is typically expressed through a 'settlement hierarchy'. The

hierarchy shows what types and levels of development are appropriate for places in each 'tier' of the hierarchy. Strategic Policy B sets out how the limited opportunities for new development in the National Park will be distributed.

- 3.7 The hierarchy is split into four parts, with a separate approach applying to the village of Botton. Outside Helmsley, settlements are classed as either Larger or Smaller Villages based on a range of considerations, primarily settlement size and form and the range of facilities available. In this Local Plan the term 'listed settlements' means Helmsley, all Larger Villages and all Smaller Villages.

### **Local Service Centre – Helmsley**

- 3.8 Helmsley has been identified as a 'Local Service Centre' as it provides a level of services and facilities that serves the needs of, and is accessible to people living in the surrounding rural areas.
- 3.9 It is the only market town within the National Park and is a popular tourist destination. It has a total population of 1,540<sup>19</sup> and a good range of employment opportunities and local services. It is split by the National Park boundary and Ryedale District Council is the local responsible planning authority function for the areas to the south of the A170 and east of Bridge Street.
- 3.10 Helmsley is also identified in Ryedale's Core Strategy as a Local Service Centre. A joint local plan (Helmsley Local Plan, 2015), was prepared with Ryedale District Council and runs to the year 2027. It contains land allocations for new housing and employment development. Policies in this plan should be read alongside that in the Helmsley Local Plan.
- 3.11 Helmsley is the only location in the Authority's development plan where land is allocated for housing, a development boundary is defined and new unrestricted open market housing is to be made available. It is anticipated that just over a third of the anticipated level of new housing identified in this plan will be built at Helmsley (see Strategic Policy M).

### **Larger Villages**

- 3.12 These settlements have a more 'self-contained' character, and a range of facilities serving the wider community. The Local Plan allows for small scale development in the main built up area of these villages to meet housing, employment and community needs, including 'principal residence' housing on suitable sites (Policy CO7). No development boundaries or limits are defined and the suitability of a site for development will be defined on a case by case basis.

### **Smaller Villages**

- 3.13 The settlements included within this definition have more limited or no facilities at all, with any that are available often being 'shared' amongst groups of settlements. They have been selected on the basis that they contain 35 or more residential address points and therefore a very limited amount of new development may be forthcoming. The Local Plan allows for small scale development in the main built up area of these villages to meet local housing needs including for new affordable housing (Policy CO8). No development boundaries or limits are defined and the suitability of a site for development will be considered on a case by case basis.

### **Open Countryside (including smallest villages and hamlets)**

- 3.14 The rest of the National Park is classed as 'Open Countryside' where development will not be allowed, save in a very few circumstances (for example as set out in Policies UE1, UE2, BL1, BL3 and CO10). Open Countryside is defined as areas with no development, sporadic development and isolated buildings. Some smaller villages and hamlets are also included within the Open Countryside designation.

<sup>19</sup> 2016 mid-year estimate, North Yorkshire County Council.



## Botton Village

- 3.15 The village of Botton is treated separately within the settlement hierarchy due to its particular geography and function – it is a coherent yet dispersed settlement comprising a number of neighbourhoods. A specific policy relating to development at Botton Village is included at Policy CO9.
- 3.16 The following Key Diagram shows the Local Service Centre of Helmsley, and the Larger and Smaller Villages together with linkages to main settlements outside the National Park boundary. A larger version can be found at the end of this document.

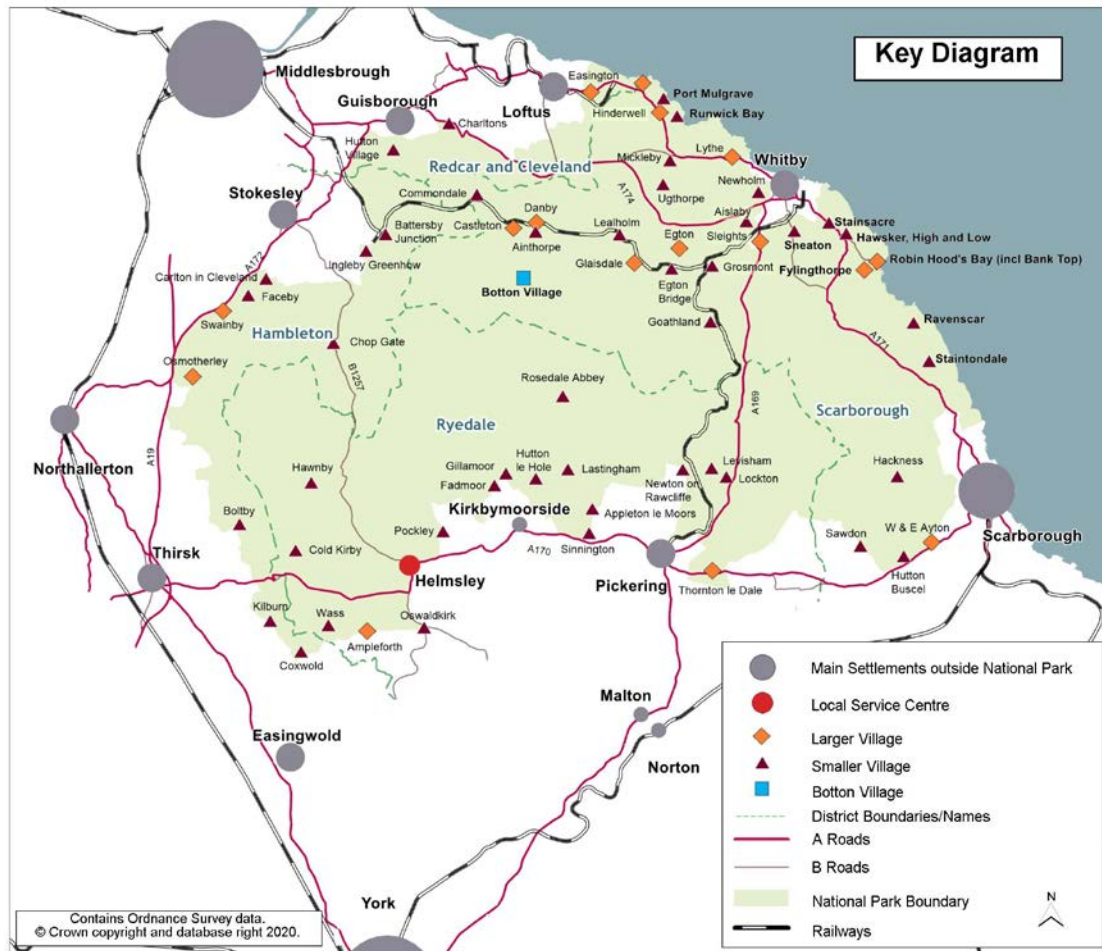


Figure 2 – The Spatial Strategy

- 3.17 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, 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.
- 3.18 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.

## Strategic Policy C - Quality and Design of Development

To maintain and enhance the distinctive character of the National Park, development will be supported where:

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 and form 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. 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 proposal;
7. Proposals enhance local wildlife and biodiversity, for example through the inclusion of nesting boxes and bat roosts;
8. Provision is made for adequate storage including storage for domestic items kept outdoors and waste management facilities;
9. Where appropriate, cycling facilities and car parking are provided provision and without compromising local highway safety, traffic flow or Public Rights of Way; and
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.

### Explanation

- 3.19 New development today represents the cultural heritage of future generations and the design of new development should aim to contribute to this ongoing legacy. Not only does a high standard of design make a positive contribution to the locality it helps maintain traditional local building skills and practices. All proposals should use good quality construction materials.
- 3.20 The Authority does not however wish to replicate the past or stifle innovation or originality. More contemporary, modern designs will be supported where they are sympathetic to their surroundings, reinforce local distinctiveness and add variety to the National Park's built heritage. All designs, whether traditional or modern, should have visual interest and applications should demonstrate how the proposal has been informed by the Authority's Design Guide (Parts 1 to 5).

Window treatments in particular make a significant difference to the overall appearance and character of a building and should be selected with care.

- 3.21 New buildings should be long-lasting and adaptable, and be able to take account of people's changing needs over time. They should be designed to give good accessibility for all potential users including the elderly, wheelchair users and those with children and they should not be vulnerable to crime. Principles of sustainable design should be incorporated including measures to reduce energy use and manage and recycle waste. Development should also facilitate the efficient use of natural resources in construction and use recycled materials wherever possible.
- 3.22 Opportunities to provide green infrastructure should be taken and a landscaping and/or planting scheme should be provided with most applications. The aim should be to link the proposed new development with its surroundings, enhance biodiversity and create high quality private and public space. Good design should avoid the need for screening planting.
- 3.23 Some areas of undeveloped space are of visual, historical, archaeological, cultural or biodiversity value. Their loss could adversely affect the character and/or appearance of settlements and the qualities of the National Park. 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.
- 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 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.
- 3.25 Proposals within villages should reflect traditional plot sizes, boundary lines and green spaces including verges which give many villages within the National Park an open form. Schemes should be designed around existing features that add to the character of the area, for example, trees, traditional boundary features or historic outbuildings so that they can be retained rather than demolished. Local natural stone is the most commonly used traditional construction material and will often be appropriate for new developments. It is important that the stone is of the same geological type as that which is prevalent in the locality and is coursed and jointed in a traditional manner with suitable mortar joints and mix.
- 3.26 Excessive or inappropriate use of kerbing, road marking, fencing, lighting and signage can introduce a suburban appearance which detracts from the rural character of the National Park. Care should also be taken with the detailing of new accesses and highway infrastructure to avoid introducing suburban features into traditional village street scenes. Traditional features including hedges, fences and stone walls should be kept where possible. The style of any new fencing should be chosen with care; especially in locations at the edge of villages which feature in views into the settlement - two metre close boarded fencing will look out of place in many National Park locations.
- 3.27 All new development should include adequate storage for domestic items kept outdoors and facilities to manage waste efficiently in a way that does not detract from the external appearance of the building and the streetscene.



- 3.28 In the case of conversions, the proposal should be of a high quality design and construction, reflecting the character of the original building and the surrounding area. Applicants should have regard to the Authority's Design Guide. The Authority will not support proposals that would lead to the loss or erosion of the distinctive character of a building of historic or architectural interest nor those where changes in the building's curtilage or the creation of new accesses or parking areas would adversely affect the character and appearance of the building or its surroundings. Conversion proposals in Open Countryside will only be permitted where they also meet the requirements of Policy CO12, Conversion of Existing Buildings in Open Countryside.
- 3.29 Supporting information accompanying planning applications should be proportionate to the location and what is being proposed. However, even for small scale developments, the Authority expects a high standard of drawing and all applicants are encouraged to employ consultants with design expertise when formulating proposals. Applications for larger developments, proposals within Conservation Areas and those which require listed building consent will need to be accompanied by a Design and Access Statement. This should demonstrate how the principles of good design, including those set out in this policy, have been incorporated and how the development will be accessed by all users. In some instances a design review process may be appropriate for larger schemes or for those in particularly sensitive locations and may be required by the Authority, in which case the applicant would be expected to cover the costs of the review. In such cases applicants are also encouraged to seek the views of the local community.
- 3.30 A number of settlements in the National Park are covered by Conservation Area Appraisals and Management Plans and Village Design Statements some of which have been adopted by the Authority as Supplementary Planning Documents. The guidance in these documents will be taken into account when considering planning applications in these settlements and the Authority will work with other communities that may wish to develop a Village Design Statement.

## **Strategic Policy D - Major Development**

**Proposals for major development shall 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:**

- 1. The need for the development which can include a national need and the contribution of the development to the national economy;**
- 2. The impact of permitting it, or refusing it, upon the local economy which includes that of the National Park;**
- 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 National Park's statutory purposes; or that the need for it can be met in some other way;**
- 4. The extent to which any detrimental effect on the environment, the landscape and recreational opportunities can be moderated.**

**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.**

**When the activity for which the major development is required ceases the land will be required to be restored to a condition in line with National Park purposes.**

## Explanation

- 3.31 The National Planning Policy Framework states that ‘major development’ should be refused in National Parks except in exceptional circumstances and where it is in the public interest. National Parks are a national asset and as a protected area it is unlikely that major development will be compatible with National Park purposes.
- 3.32 However, there could conceivably be circumstances where the public interest in some form of major development that can only be accommodated within the National Park boundary outweighs its status as a National Park. Such circumstances would be very rare, and indeed exceptional. Whether a proposal is assessed as major development is decided on a case by case basis by the decision maker (usually the North York Moors National Park Authority). There is no set or national definition. For the purposes of Strategic Policy D, a proposal is likely to be considered to be major development if it has national rather than local significance and impact, meaning that it will have a benefit which extends far beyond the boundaries of the National Park and which exceeds the level of local scale development needed to meet the social and economic needs of local communities. Any proposal which has the potential to have long-term, adverse and cumulative impacts on the special (and specific) qualities of the National Park is also likely to be considered to be major development.
- 3.33 ‘Development’ is defined as in national statute and can include the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.
- 3.34 Examples of development that might be classed as major development include mineral extraction (other than small scale local building stone quarries), large scale waste disposal facilities, large scale energy generating schemes, water storage reservoirs, major pipelines or tunnels, high voltage electricity transmission schemes, large scale military development and large scale residential, recreational or commercial development or road schemes.
- 3.35 If a potential development falls within the definition of major development applicants will be expected to provide detailed information and evidence as to why it is in the public interest for it to proceed, and that exceptional circumstances can be demonstrated to justify that development. Strategic Policy D sets out a series of criteria which should be included in an assessment of whether the proposal represents exceptional circumstances and whether it is in the public interest to proceed. In the case of demonstrating ‘national need’ this may be the need for the product of the development, for example, the mineral in the case of a mining proposal which cannot be met elsewhere, the need for the wider national economic benefits that would flow from the development, or the need for a nationally significant piece of infrastructure or facility that cannot be accommodated elsewhere and which provides a long-term benefit to the nation. Need generally will be considered by the Authority in assessing proposals but greater weight will be given to a national need for a particular product or function that requires a location within the National Park as the need cannot be met elsewhere. Full details should be provided to explain why it is not possible to use an alternative location elsewhere outside the National Park which would be technically possible and economically viable. If an alternative location is both technically and financially viable, applicants will be expected to pursue that option even if the location within the National Park is more financially advantageous for the developer.
- 3.36 The Authority will require evidence that the circumstances of the application are genuinely exceptional and will consider whether the proposal is in the public interest, i.e. whether the public benefits outweigh the nation’s long term interest in conserving and enhancing its National Parks. Applicants should look to demonstrate that their proposals share a commitment to helping pursue National Park statutory purposes over time.
- 3.37 Proposals should be designed to avoid adverse impacts (including cumulative impacts) on aspects of the National Park relating to its statutory purposes, its natural assets and on its local communities. In the event that this cannot be guaranteed on and off site mitigation measures will be put in place to ensure that the planning obligations from the development help to contribute to meeting wider National Park purposes.

- 3.38 Whether proposals considered to be major development require a full Environmental Impact Assessment (EIA) will be decided on a case by case basis. Potential applicants should however be aware that given the likely scale of development and the sensitivity of the National Park environment, proposals assessed as major development are highly likely to require an EIA to be submitted.
- 3.39 The Authority will expect that proactive and meaningful community engagement is undertaken prior to a planning application being made.
- 3.40 A policy setting out the approach to the assessment of major development proposals for minerals and waste development is also included in the Minerals and Waste Joint Plan.





## 4. The Environment

### Objectives - The Environment:

4. Secure high quality new development that is well designed, reinforces local distinctiveness and enhances the unique landscape character, settlement pattern and architecture of the National Park, including through protection of important views.
5. Safeguard and improve the sense of tranquillity and remoteness in the National Park.
6. Maintain and improve the darkness of night skies seen in the National Park.
7. Conserve and, where appropriate enhance historic assets and protect valued open spaces within villages.
8. Conserve and enhance the biodiversity and geodiversity of the National Park and improve habitat connectivity.
9. Conserve and enhance soil, air and water quality.
10. Reduce the causes of climate change and assist in the adaption to and mitigation of its effects including through promotion of sustainable design and efficient energy use in new buildings.

### Introduction

- 4.1 This chapter of the Plan sets out policies to help conserve and enhance the natural and built environment, to help meet the first purpose of National Park designation.

### Strategic Policy E - The Natural Environment

**The quality and diversity of the natural environment of the North York Moors National Park will be conserved and enhanced.**

**Development which has an unacceptable impact on the natural environment, the wildlife it supports and the environmental benefits it provides will not be permitted.**

**All development will be expected to:**

1. **Ensure that natural capital is used in efficient and sustainable ways;**

**2. Demonstrate, where appropriate, how it makes a positive contribution to natural capital and its ability to provide ecosystem services.**

**Explanation**

- 4.2 The intention of this policy (and the wider Plan) is to reinforce consideration of how new development can contribute to the first National Park statutory purpose – to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park. It requires that development proposals should show how their function and design can maintain or enhance the existing stock of environmental resources or ‘natural capital’ and the benefits that flow from them. These benefits are often termed ‘ecosystem services’ and are generally grouped as:
- Provisioning services – the capacity of the area to provide crops for food and energy, rear livestock, produce timber, offer opportunities for rural and coastal industries, tourism etc;
  - Regulating and maintaining services – the role the natural environment plays in issues such as climatic regulation, carbon storage, natural flood management, maintaining water quality, soil formation and composition and pollution;
  - Cultural services – the physical, intellectual, spiritual and symbolic interactions of humans with ecosystems, land and seascapes, for example the experiences offered including tranquillity, dark night skies, a sense of place and history, and opportunities for recreation.
- 4.3 The moorland, farmland, woodland and coastal environments of the National Park provide many different ecosystem services. The Authority’s Management Plan identifies the ecosystem services that the National Park provides. The intention is that all development should consider how it can contribute to increasing the benefits that flow from ecosystem services. Where appropriate the Authority will therefore seek to secure additional environmental benefits in connection with new development.

**Strategic Policy F - Climate Change Mitigation and Adaptation**

**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:**

- 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 promotes the long term connectivity of important sites for biodiversity, including through creation and maintenance of wildlife corridors to help species adapt to climate change;**
- 7. Be compatible with the appropriate Shoreline Management Plan.**

**Explanation**

- 4.4 The effects of climate change will be one of the most significant factors influencing the future of the National Park. The precise effects of climate change are uncertain. The UK Climate



Projections<sup>20</sup> for Yorkshire and Humber produced in 2009 suggested that hotter, drier summers, warmer wetter winters, more storms and sea level rise are likely, with mean summer temperatures possibly rising by 3.1 degrees centigrade by the 2050s. The Committee on Climate Change has identified six key areas of climate change risk<sup>21</sup> that need to be managed as a priority including flooding and coastal change, risks to natural capital, and water supply and impacts on the global food system.

- 4.5 The need to adapt and respond to the effects of climate change, such as increased drought and flood and fire risk and related effects upon biodiversity is also becoming increasingly important. The UK Climate Change Act 2008 and Amendment Order 2019 established a legally binding target for a 100% reduction in the UK's greenhouse gas emissions by 2050 and National Parks have an important role to play in meeting this challenge and responding to the effects of climate change.
- 4.6 The Authority has a long-standing policy of requiring new development above a certain scale to generate renewable energy on site to displace at least 10% of predicted CO<sub>2</sub> emissions and this policy is continued through Policy ENV8 of this Plan. This policy lists other ways in which new development proposals can address climate change adaptation and mitigation.
- 4.7 One of the impacts of climate change is the continuing erosion of the coastline of the National Park which is addressed via the Environment Agency's River Tyne to Flamborough Head Shoreline Management Plan. This is a non-statutory plan which provides a large-scale assessment of the risks associated with coastal processes and presents a policy framework to reduce these risks to people and the developed, historic and natural environment. The Shoreline Management Plan recognises that erosion will continue to take place along much of the coastline, and the underlying policy approach is to protect and maintain communities and to allow natural processes to occur in other locations. Coastal defences can have a significant impact upon visual amenity and nature conservation interests and these impacts will need to be carefully addressed in any proposal. This is especially important as the entire National Park coastline is also defined as Heritage Coast where natural assets and recreational opportunities should be protected.
- 4.8 Further guidance on what constitutes "sustainable design and construction" is explained in the Glossary.

## Strategic Policy G - Landscape

**The high quality, diverse and distinctive landscapes of the North York Moors will be conserved and enhanced.**

**Great weight will be given to landscape considerations in planning decisions and development will be 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.**

**Development which would have an unacceptable 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.**

### Explanation

- 4.9 National planning policy gives great weight to conserving landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty which have the highest status of protection in this regard. As well as being important for its own sake, the high quality landscape of the North York Moors and surrounding areas is an important draw for visitors and makes a

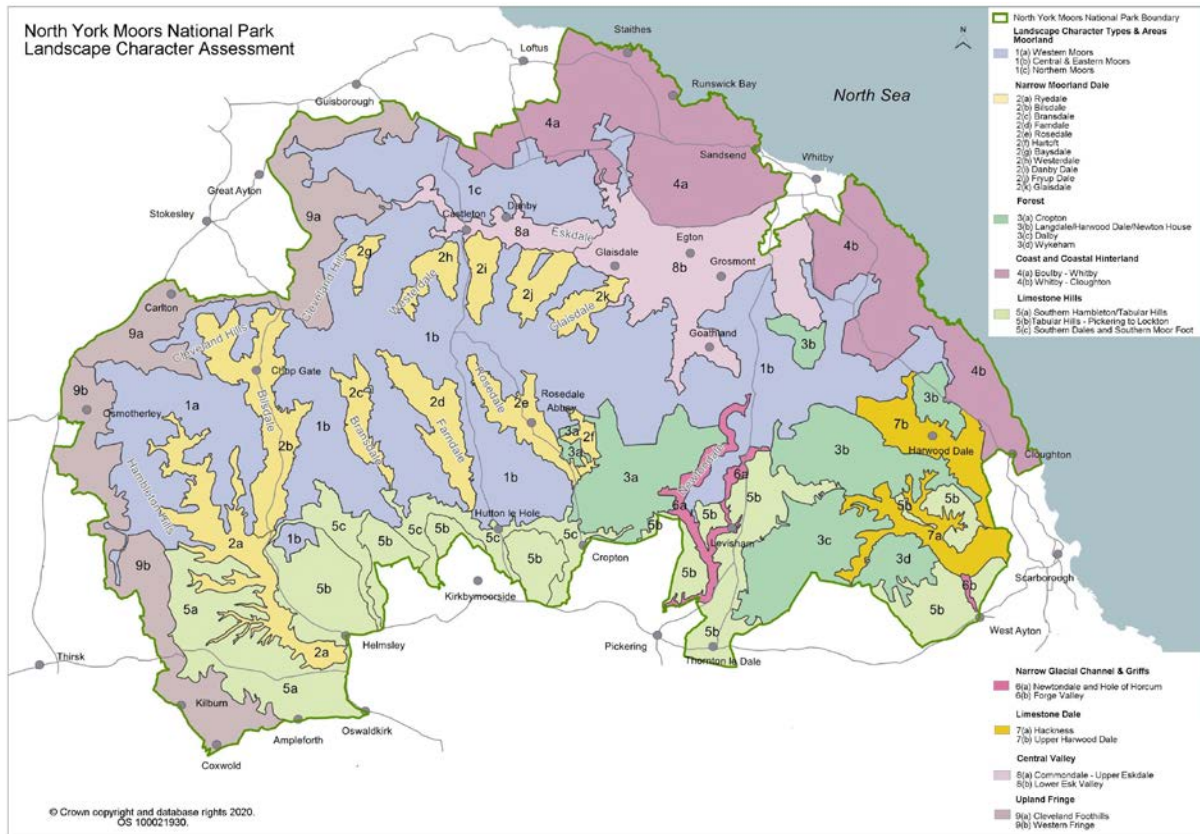
<sup>20</sup> UK Climate Change projections 2009, Table 4.4, central estimate

<sup>21</sup> UK Climate Change Risk Assessment 2017, Synthesis report



valuable contribution to the local economy; this is recognised both in this Plan and in the plans of neighbouring authorities.

- 4.10 The North York Moors has a particularly rich and diverse range of landscapes, offering a wealth of contrasts often within a relatively small area. Much of the National Park stands high above its surroundings and there are clear entry points or gateways, providing the visitor with a sense of 'entrance' into the North York Moors' landscapes. Seascapes as well as landscapes are important in the North York Moors with many panoramic views from within the National Park incorporating both.
- 4.11 A Landscape Character Assessment of the North York Moors was carried out in 2003 and is due to be updated. It identifies nine landscape character types which together make up the wider landscape of the National Park (Figure 3. A larger version is available at the end of the this Plan):
1. Moorland
  2. Narrow Moorland Dale
  3. Forest
  4. Coast and Coastal Hinterland
  5. Limestone Hills
  6. Narrow Glacial Channel and Griffs
  7. Limestone Dale
  8. Central Valley
  9. Upland Fringe
- 4.12 Each of the landscape character types is divided into areas, giving a total of 31 landscape character areas within the National Park. The Assessment includes a sensitivity analysis for each landscape character type which indicates how sensitive it is to change from development pressures and a series of landscape objectives for each landscape character type.



**Figure 3 – Landscape Character Areas**

- 4.13 The Authority will consider all relevant development proposals in relation to their impact on landscape character, taking into account the sensitivity of the location, its capacity to accommodate new development and the landscape objectives as set out in the Landscape Assessment. The proposed layout and design should be consistent with the local landscape character type and should enhance local distinctiveness in the choice of materials and detailing. Care should be taken not to erode local distinctiveness through the use of standard design features which can generate an urban impression, particularly at entrances and boundaries. Using native species found in the locality in new planting schemes will also help to reinforce local distinctiveness.
- 4.14 Keeping the historic form of a settlement is important to local landscape character and developments near the edges of settlements need to be treated with particular care. Information on typical settlement patterns within the National Park is available in the Authority's Design Guide Part 1. Individual trees, groups of trees, woodland, hedgerows and walls are also an important element of the quality of the National Park's environment. It is important, therefore, that where they are of landscape, amenity, nature conservation or historical value they are retained and where appropriate enhanced when proposals for development come forward.
- 4.15 Large scale developments including agricultural buildings and equestrian exercise arenas can have a marked effect on the character of the local landscape and care should be taken to ensure that they relate well to existing buildings and features. Vertical structures such as wind turbines and telecommunication masts can also be harmful, particularly where they break a strongly horizontal line in the local landscape. They are most likely to be successful where they are positioned so that they are seen alongside other vertical features e.g. trees and existing buildings. Careful choice of materials and colour can also help to reduce their impact and ensure that they do not break the skyline from sensitive viewpoints.
- 4.16 The National Park coastline is defined as Heritage Coast and proposals which affect the coastal area should have regard to Key Principle 1 of the North Yorkshire and Cleveland Heritage Coast Management Plan to conserve and enhance the coastal landscape, retaining its open character and extensive uninterrupted views. Similarly, proposals should avoid any unacceptable impacts

on the landscape setting of the neighbouring Howardian Hills Area of Outstanding Natural Beauty.

- 4.17 Applicants may be asked to submit a Landscape and Visual Impact Assessment for larger scale proposals or those where the local landscape character may be affected by cumulative or sequential impacts when considered alongside other developments.
- 4.18 Unenclosed moorland also forms an important characteristic of the North York Moors. New stock proof boundaries enclosing the moor often need careful consideration to avoid conflict with landscape and public access objectives, as well as agricultural uses. On Common Land, permission is required from the Secretary of State to erect new boundaries and the Authority's advice would in most circumstance be to resist such development.

## **Strategic Policy H - Habitats, Wildlife, Biodiversity and Geodiversity**

- 1. The conservation, restoration and enhancement of habitats, wildlife, biodiversity and geodiversity in the North York Moors National Park will be given great weight in decision making.**
- 2. All development and activities will be expected to:**
  - a) Maintain and where appropriate enhance features of ecological value and recognised geodiversity assets;**
  - b) Maximise opportunities to strengthen the integrity and resilience of habitats and species within the National Park and provide a net gain in biodiversity; including those species for which the National Park supports a significant proportion of the regional or national populations and those found at the edge of their range. Examples would include nightjar, honey buzzard, goshawk and turtle dove; and**
  - c) Maintain and where appropriate enhance existing wildlife connections and landscape features such as water courses, disused railway lines, hedgerows and tree lines for biodiversity as well as for other green infrastructure and recreational uses.**
- 3. Development proposals that are likely to have a harmful impact on protected or valuable sites or species will only be permitted where it can be demonstrated that:**
  - a) There are no alternative options that would avoid or reduce the harm to the protected or valuable interest;**
  - b) Suitable mitigation measures to avoid or reduce the harm have been incorporated into the proposals and will be maintained in order to retain their biodiversity or geodiversity benefits;**
  - c) Any residual harmful impacts have been offset through appropriate habitat enhancement, restoration or creation on site or elsewhere; and**
  - d) The wider sustainability benefits of the development outweigh the harm to the protected or valuable interest.**

**Proposals will be considered in accordance with the following hierarchy:**

### ***International Sites and Protected Species:***

**Proposals that have a likely significant effect on European sites (comprising Special Areas of Conservation, Special Protection Areas and Ramsar sites) will be subject to an Appropriate Assessment in accordance with the Habitats Regulations. Where the assessment indicates that it is not possible to ascertain that the proposal, either on its**

own or in combination with other plans or projects, would have no adverse effect on the integrity of the site, development will only be permitted in exceptional circumstances where there are no alternative solutions, there is an imperative over-riding public interest and compensation measures are secured. This protection will be extended to proposed or potential European sites and significant weight will be given to this policy in areas where the presence of internationally important features is recognised but no formal designation process has begun.

***National Sites and Protected Species:***

Proposals that would adversely affect the special interest features of a Site of Special Scientific Interest or National Nature Reserve or the nature conservation interest of a nationally protected species will only be permitted where the benefits of the development clearly outweigh the impact on the protected interest.

***Regional and Local Sites and other Valuable Habitats and Species:***

Proposals that would adversely affect any locally designated site such as a Local Nature Reserve, Local Wildlife Site, Regionally Important Geological or Geomorphological Site, Sensitive Marine Area, Marine Conservation Zone, or other valuable habitat or species (including Local or National Biodiversity Action Plan priority habitats or species) will only be permitted where the benefits of the development clearly outweigh the impact on the protected interest.

4. Where a proposed development would attract a significant number of additional visitors to an area or facility, it should be demonstrated how any potential impact upon the area or feature of biodiversity interest will be managed as part of the new development.

## **Explanation**

- 4.19 Maintaining and enhancing habitats, wildlife and geological assets is central to the National Park's first purpose. The North York Moors contain an extensive range of highly valuable natural features and habitats which the Authority will protect and improve, recognising the important role National Parks play in the Government's 25 Year Environment Plan and are playing in Biodiversity 2020, England's strategy for wildlife and ecosystems services. More locally, the Authority contributes to the Local Nature Partnership covering North Yorkshire and York and also the Tees Valley.
- 4.20 The whole of the National Park is important for wildlife, however a third of its area is made up of sites currently protected at international or national level, affirming the need for new development to respect and support many particularly rare habitats. There are 58 Sites of Special Scientific Interest (SSSI) of which five are also Special Areas of Conservation (the North York Moors SAC, Arnecliff and Park Hole Woods SAC, Beast Cliff – Whitby (Robin Hood's Bay) SAC, Fen Bog SAC and Eilers Wood and Sand Dale SAC). One is also a Special Protection Area (the North York Moors SPA, designated for its populations of golden plover and merlin). There are a number of Local Wildlife Sites in the north eastern part of the National Park, designated by Redcar & Cleveland Borough Council and several nature reserves are managed by Yorkshire Wildlife Trust. All these protected sites and locally designated areas are shown on the Policies Map.
- 4.21 There are several species protected by both national and international legislation present either within or outside the National Park which could be affected by new developments within its boundaries. Bats, great crested newts and otters are European protected species. National legislation affords varying levels of protection to other animals such as water voles, badgers, reptiles, freshwater pearl-mussel and most birds, with several receiving particularly strict protection.
- 4.22 The National Park is also home to many UK Priority and other valuable habitats including moorland and bogs and sphagnum pool, species-rich neutral grassland, acid and heath

grassland, ancient and veteran trees, rivers and coastal fringe habitats. UK priority species of particular note in the National Park include, but are not limited to: curlews, turtle doves, nightjar, uncommon butterflies and several locally scarce plants such as juniper. There is also a range of other protected species for which the National Park supports a significant proportion of the regional or national populations and those found at the edge of their range. The importance of connections between Priority and other valuable habitats is recognised in the Authority's Management Plan and it is a strategic priority for the Authority to establish and improve effective wildlife networks. Features of ecological value are found throughout the National Park – woods, trees, hedgerows, heathland, rivers, ponds, wetlands, wild flower grasslands and roadside verges can all support important wildlife populations. Opportunities will be sought to restore or re-create valuable features and habitats and enhance the linkages between them.

- 4.23 Rare habitats are not just found on land. The shoreline and waters around Runswick Bay were designated as a Marine Conservation Zone in January 2016<sup>22</sup>. This means that specific features within this area are protected and, where necessary, regulators including the Environment Agency and the Marine Management Organisation will manage marine activities.
- 4.24 In line with the Government's proposed approach to increasing biodiversity resources Strategic Policy H requires an element of 'net gain' in biodiversity to be delivered through new development. At the national level, evidence for biodiversity loss over the last 50 years is clear. The UK is among the most nature depleted countries in the world and the UK is not on course to meet the global agreements we have signed for improving our biodiversity<sup>23</sup>. Enhancing biodiversity is crucial to sustaining the essential and irreplaceable benefits it provides us with, such as pollination, soil health, nutrient cycling, resilience to and regulation of climate change, clean air and water and many more.
- 4.25 Geodiversity is the natural range of geological, geomorphological and soil features which make up the landscape. The National Park has a great diversity of geological assets, with long stretches of coastal cliff notified as geological Sites of Special Scientific Interest for the nationally important features they display. There are also important inland features including the cliffs at Sutton Bank, distinctive isolated hills such as Roseberry Topping and glacial outflow channels at Newton Dale and Forge Valley. 23 of the 58 Sites of Special Scientific Interest are designated for their geological value and the coast is internationally renowned for its fossil evidence. A number of locally important sites have also been identified for their educational, scientific, historic or landscape importance.
- 4.26 The Authority will therefore expect all development proposals to provide appropriate protection for the diverse ecological and geological assets in the National Park and, wherever possible, to incorporate features that will enhance biodiversity, for example, by planting with appropriate native species and providing nesting and roosting opportunities for birds and bats in suitable locations. Applicants should ensure that sufficient information is provided regarding any wildlife sites or species that may be affected by a proposal, seeking qualified advice as appropriate.
- 4.27 All proposals will be expected to incorporate appropriate mitigation measures on site to minimise any unavoidable harm to wildlife and ecological or geological assets. 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. Agreed mitigation measures may include arrangements for the long-term management of biodiversity enhancements which would be secured through a planning condition. In exceptional cases where it is not possible to incorporate mitigation measures on site, the Authority may consider compensatory measures in an alternative location, secured through a Section 106 legal agreement. Applicants should be aware that some features and habitats, for example veteran trees, ancient woodland and peatlands are by their nature irreplaceable and harm to these assets

<sup>22</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/492317/mcz-runswick-bay-factsheet.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/492317/mcz-runswick-bay-factsheet.pdf)

<sup>23</sup> State of Nature Report 2016: <https://www.rspb.org.uk/globalassets/downloads/documents/conservation-projects/state-of-nature/state-of-nature-uk-report-2016.pdf>



cannot be mitigated or compensated for and in such cases planning permission will not normally be granted.

- 4.28 The Authority will seek guidance from Natural England in relation to any development that could harm the notified special interest features of internationally or nationally protected sites within or outside the National Park. Applicants should be aware that SPA and SSSI birds are vulnerable to the loss of functionally-linked land outside of designated site boundaries and that SAC, SPA and SSSI habitats and species are vulnerable to recreational disturbance.
- 4.29 There is a hierarchy of protection within current legislation and any proposal where there is a likely significant effect on a site covered by a 'European' designation (Special Area of Conservation, Special Protection Area or Ramsar site within or outside the National Park) will require an Appropriate Assessment under the Habitat Regulations to determine whether or not it will have an adverse effect on the integrity of the site(s). For larger developments applicants will be required to provide a shadow Habitats Regulations Assessment for the Authority to consider. Planning permission will not normally be granted where there would be an adverse effect on the integrity of the site and only in exceptional circumstances where there is no alternative solution that avoids the harm to the integrity of the site and there are imperative reasons of overriding public interest in favour of the development will permission be granted. In these cases compensatory measures will be secured.
- 4.30 Where a proposal may affect a nationally designated Site of Special Scientific Interest or a regional or local site of particular value, a survey and impact assessment will be required. If the assessment concludes that, despite all suitable mitigation measures having been incorporated, the proposal would harm the protected interest, development will only be permitted if the wider sustainability benefits of the development clearly outweigh the harm to the protected interest.

## Policy ENV1 - Trees, Woodlands, Traditional Orchards and Hedgerows

**There will be a presumption in favour of the retention and enhancement of existing trees, woodland, traditional orchards and hedgerows of value on all developments.**

**Where a development would result in the unavoidable loss of an existing tree, orchard or hedgerow but the wider sustainability benefits of the development clearly outweigh the loss, proposals will be expected to minimise harm and provide a net biodiversity and amenity gain, with appropriate replacement of lost trees or hedgerows.**

**Development will not be permitted that would lead to loss of or damage to ancient woodland and aged or veteran trees found outside ancient woodland unless there are wholly exceptional reasons and the need for, and benefits of the development in that location clearly outweigh the loss.**

### Explanation

- 4.31 Trees, woodland and hedgerows are integral to the character of the National Park and form an important element of the landscape, providing valuable habitats for wildlife as well as delivering environmental benefits such as carbon storage, flood risk management and opportunities for recreation. There will be a presumption in favour of the retention of all trees and hedgerows of value and in considering development proposals the Authority will look at the ecological, visual, amenity and landscape value of existing trees and hedgerows on site.
- 4.32 In the majority of cases development will be able to be sited so as to retain trees, hedgerows or woodland which are of value within a scheme. In appropriate cases, applicants will be required to provide a detailed tree survey and arboricultural impact assessment to show the location, species, canopy size and root system spread of existing trees and the impact of the proposed work, including any work to underground services. In addition applicants may be required to provide a method statement, tree protection plan and management plan to ensure that trees are protected during construction works and managed appropriately thereafter. Where the loss of

particular features cannot be avoided and is justified by wider sustainability benefits, the Authority will require replacement planting on site, normally using native species, which provides a net biodiversity and amenity gain. Applicants should refer to British Standard recommendations when drawing up proposals for appropriate net gain.

- 4.33 Particular emphasis will be placed on the protection of areas of ancient woodland and ancient or veteran trees. Planning permission will be refused where development proposals will directly or indirectly result in loss or damage to such features, including damage to their setting in the landscape, unless the need for and benefits of development in that location clearly outweigh their loss.
- 4.34 Planning conditions or, where appropriate, Section 106 agreements and Tree Preservation Orders will be used to ensure that features are retained or, where removal of trees is proposed, to ensure replacement planting or other enhancement measures to compensate for any feature lost directly or indirectly as a result of the development. Applicants should refer to the Design Guide Supplementary Planning Document - Part 3 - Trees and Landscape. The Authority will also use Natural England guidance<sup>24</sup> when considering developments affecting ancient woodland, ancient trees and veteran trees.

## Policy ENV2 - Tranquillity

**Tranquillity in the National Park will be maintained and enhanced. Development proposals will only be permitted where there is no unacceptable impact on the tranquillity of the surrounding area.**

**All proposals will be considered in relation to:**

- 1. Visual intrusion;**
- 2. Noise;**
- 3. Activity levels; and**
- 4. Traffic generation.**

### Explanation

- 4.35 Tranquillity is a state of peace and calm which is influenced by what people see, hear and experience around them. Tranquil places may be remote areas where the natural environment is experienced without the intrusion of human structures or activity; however villages and groups of buildings can also be tranquil, especially where the built environment is pleasing and the pace of activity is calming. Tranquil places usually include natural elements such as trees, grass or water and they may also include historic assets. They are likely to be quiet places with little traffic and a sense of stillness. A sense of tranquillity can be experienced on remote open moorlands and dale heads, within forests and wooded valleys, on cliff tops with wide views along the coastline and within quiet bays and coves by the sea. It can also be found at historic sites chosen by religious communities and within the many villages and hamlets that are part of the fabric of the National Park. Such places foster a sense of 'belonging' and being connected to nature and history, and are increasingly recognised as being important to people's physical and mental health and well-being.
- 4.36 Tranquil places are increasingly rare in the modern world and as such are highly valued. The nature and geography of the North York Moors landscape means that tranquillity is a very strong special quality of the National Park - the North York Moors Visitor Survey 2016 showed that peace and tranquillity were very important to 72% of visitors to the National Park, only beautiful, unspoilt scenery was mentioned more often.

<sup>24</sup> <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>



- 4.37 It is also important to recognise that the whole of the National Park is tranquil in comparison with towns and cities outside the National Park and the Authority aims to conserve and enhance tranquillity throughout the whole of its area. Particular pressures which threaten tranquillity include demands for further minerals development and improved transport links across the National Park but small as well as large development proposals have the potential to affect tranquillity depending on the location.
- 4.38 Most development proposals will be expected to take tranquillity into account; in general this means a small scale of development that will not generate intensive activity or traffic levels, well integrated into the surrounding buildings and landscape, with a high quality of design which incorporates natural elements appropriate to the locality.
- 4.39 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. Visual intrusion refers to the size and bulk of new structures and whether the development will blend harmoniously into the surrounding area. Noise and the type and frequency of activities associated with the proposed development are also important and applicants may be asked to provide information about likely noise and activity levels and the number and type of extra traffic movements associated with the proposal. Information will be used to assess whether the development will change the character of the surrounding area in relation to tranquillity. If construction of the development is over a particularly prolonged period, the impacts generated during construction will also be taken into account. In making the assessment, the Authority will consider the nature of the surrounding area and how vulnerable it is to a loss of tranquillity as a result of the proposed development. This will include considering the impact of the development on natural habitats and historic assets in the locality in relation to how they contribute to tranquillity as well as the experience of users of any public rights of way or access land.

## Policy ENV3 - Remote Areas

**Development will only be permitted in Remote Areas where it can be demonstrated that:**

- 1. It is essential for environmental conservation, agricultural or forestry management purposes; and**
- 2. No alternative locations outside Remote Areas are suitable.**

### Explanation

- 4.40 A strong feeling of remoteness is also identified as one of the North York Moors special qualities. For the purposes of this policy, Remote Areas are defined as places at least a kilometre away from the nearest postal address point or main road. The map at Figure 4 shows Remote Areas across the National Park, and they are available for viewing through the online interactive Local Plan map. A larger version is available at the end of this document.
- 4.41 These undeveloped areas of mainly open moorland, woodland and remote dale head are a finite resource and are among the most tranquil places in the National Park. In order to protect their character and special qualities, development will not normally be permitted in Remote Areas. It is, however, recognised that the ongoing conservation of these semi-natural environments is dependent on the traditional environmental conservation, agricultural or forestry management practices which also make a valuable contribution to the economy of the National Park. Limited development may occasionally be necessary to enable these activities to continue and will be supported where it is *essential* for environmental conservation or effective land management. Applicants will be expected to demonstrate that the land could not continue to be effectively conserved or managed without the proposed development and that all appropriate mitigation measures have been incorporated to minimise any harmful impacts.

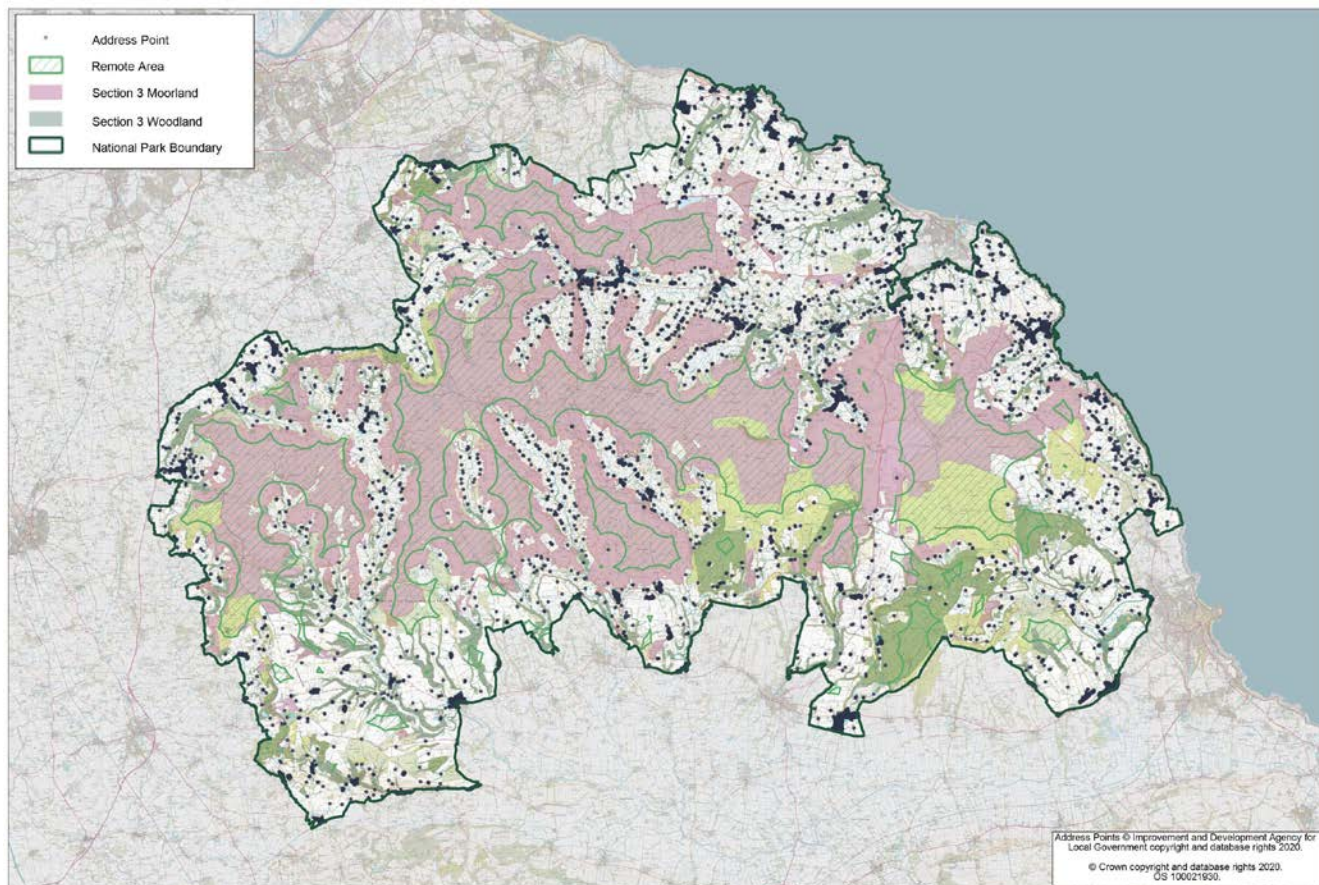


Figure 4 – Remote Areas

## Policy ENV4 - Dark Night Skies

The darkness of the night skies above the National Park will be maintained and where possible enhanced. All development will be expected to minimise light spillage through good design and lighting management and the following lighting principles will be applied:

1. No external lighting will be permitted in Remote Areas;
2. In Open Countryside proposals that involve external lighting will only be permitted where it can be demonstrated that the lighting is essential for safety or security reasons and the lighting details meet or exceed those set out in any lighting guidelines adopted by the Authority;
3. Within settlements listed in the Authority's settlement hierarchy, proposals that involve external lighting will be permitted where it can be demonstrated that the lighting is essential for safety, security or community reasons and the lighting details meet or exceed those set out in any lighting guidelines adopted by the Authority.

### Explanation

- 4.42 The ability to experience dark night skies is another of the National Park's special qualities. Dark night skies are the result of large areas of open countryside with few or very sparse settlements, low levels of pollution, the presence of several large forest plantations within the National Park and the expanse of the North Sea to the east of the moorland plateau. These natural characteristics combine so that it is possible to experience especially dark and starry skies from many locations within the National Park.
- 4.43 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.

- 4.44 The policy sets out the principles that will be applied to external lighting proposals across the National Park. Where the development involves 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.

## Policy ENV5 - Flood Risk

**New development will only be permitted where:**

- 1. It meets the sequential approach to development in areas of flood risk; and**
- 2. It does not increase the risk of flooding elsewhere.**

### Explanation

- 4.45 The Authority commissioned a Strategic Flood Risk Assessment (SFRA) from North Yorkshire County Council in 2017. This provides detailed information on the extent of flood risk across the National Park, as well as signposting means of reducing the risk of flooding through the planning process and wider land management initiatives. The SFRA maps show flood zones where there is a risk of flooding. Due to its upland nature most of the National Park is within Zone 1 (areas with a 0.1% risk of flooding every year), however along the river corridors and in coastal areas there are tracts of land which fall within Zones 2 and 3. In these zones the National Planning Policy Framework requires a sequential approach which seeks to direct development away from Zones 2 and 3 unless the development is minor, the use would be acceptable or there are exceptional circumstances which justify development. Appendix 1 sets out a table showing how the sequential approach should be applied based on advice set out in the SFRA. A site specific Flood Risk Assessment will be required alongside any application in flood Zones 2 or 3, or an application in Zone 1 where the site is larger than 1 hectare, where sites are located in surface water and ground water risk areas of moderate or above or where the proposed developments are in close proximity (i.e. 25 metres) to main rivers, water courses or mean high water springs. Guidance on how to use climate change allowances in flood risk assessments and strategic flood risk assessments is also available<sup>25</sup>.
- 4.46 New development of ten or more dwellings or equivalent non-residential or mixed development as defined in section 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015) are also required to incorporate Sustainable Drainage Systems (SuDS) into their design. SuDS mimic natural drainage patterns and help avoid flooding by reducing the quantity of surface run-off. They also help maintain water quality in local watercourses and can have biodiversity benefits, if design and planting helps support local wildlife, for example by incorporating native species. Measures can include:
- Source control and prevention techniques such as green roofs, rainwater harvesting, permeable pavements and infiltration trenches and basins
  - Conveyance measures such as swales and filter drains
  - Passive treatments such as ponds, filter strips, bio-retention areas and detention basins for temporary storage of water
- 4.47 SuDS schemes are required to be submitted to Sustainable Drainage Approval Boards (SABS). North Yorkshire County Council and Redcar & Cleveland Borough Council are the relevant SABS

<sup>25</sup> <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

for the National Park in their role as lead local flood authority. Design guidance on SuDS is available from North Yorkshire County Council<sup>26</sup> and the Tees Valley Authorities<sup>27</sup>.

- 4.48 It should be noted that in historic settlements such as those in the National Park, drainage systems are often inter-related, archaic and complex; gaps in villages may have been left undeveloped because this was a natural flow route for surface water or for the breach of watercourses in the right conditions or because the historic use for the land makes it difficult to drain. The issue of flood risk management may therefore not only apply to larger development schemes, and any issues should be identified and mitigated at the design stage.

## Policy ENV6 - Land Instability

**Development proposals in areas likely to be affected by land instability must be supported by an evaluation of the risks and must incorporate measures to address those risks.**

**Planning permission will be refused where the level of stability required for the development cannot be achieved or where measures to overcome land instability have unacceptable environmental or landscape impacts.**

**Development close to cliff edges which may be subject to instability and are not protected from erosion will only be permitted where it is compatible with the latest Shoreline Management Plan unless it is essential infrastructure or sea defences which clearly require such a location.**

**In coastal areas and as an exception to other policies in this plan, the relocation of an existing dwelling or community facility may be permitted where:**

- 1. There is a clear and demonstrable short term threat of coastal erosion leading to the loss of a permanent building or structure;**
- 2. The alternative location is in a suitable position within or at the edge of a nearby settlement and makes a positive contribution to the character and form of the settlement;**
- 3. The replacement development should be of a similar area, volume, scale and curtilage to the original structure; and**
- 4. The original building or structure is removed.**

### Explanation

- 4.49 The North York Moors has areas of steep slopes, particularly around its periphery, which may be affected by landslip, historical mine workings, coastal erosion or the presence of soft upland peat which may be subject to compression. Within the National Park Authority area there are approximately 2,040 recorded mine entries. The stability of the ground, so far as it affects land use, can be a material consideration in planning decisions. Detailed information is not available on where unstable land exists in the National Park but where there is reason to suspect that an area may be unstable, the Authority may require the applicant to demonstrate that the land is stable or that instability can be overcome. This may require the preparation of a stability report which should analyse the issues relevant to ground stability and indicate how any problems will be overcome. Piling is one of the methods to moderate or attenuate land instability but can also produce a risk to groundwater. A piling risk assessment may therefore also be required. Planning permission will be refused if problems of instability or potential instability cannot be overcome or if the measures needed would cause unacceptable environmental or landscape harm.

<sup>26</sup> [https://www.northyorks.gov.uk/sites/default/files/fileroot/Environment%20and%20waste/Flooding/SuDS\\_design\\_guidance.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Environment%20and%20waste/Flooding/SuDS_design_guidance.pdf)

<sup>27</sup> <https://teesvalleynaturepartnership.org.uk/wp-content/uploads/2016/07/Tees-Valley-Authorities-local-standards-for-suitable-drainage.pdf>



- 4.50 Where new development is proposed in the proximity of coastal cliffs, it is important to ensure that the land will not be eroded away within the anticipated life of the building. Applicants may be required to provide information about predicted rates of erosion in support of their proposal.
- 4.51 The Authority recognises that there may be rare occasions where the imminent threat of coastal erosion could lead to the loss of an existing dwelling or community facility and that relocation may be justifiable for sound social or community reasons. In such cases the policy sets out a series of tests which need to be met for relocation to be justified. Any new structure will be expected to show a close relationship with the form and character of the settlement where it is to be located and the design should comply with the criteria set out in Strategic Policy C – Quality and Design of New Development.
- 4.52 Reference to ‘short term’ in this policy means that there is a strong likelihood that a building or structure will be threatened by coastal erosion within the next five years. Any replacement dwelling permitted under these circumstances would be regarded as a new dwelling in the Open Countryside and as such a Principal Residence condition will be applied to prevent its occupation as a second home.

## Policy ENV7 - Environmental Protection

<p><b>In order to protect the natural environment, development will only be permitted where:</b></p> <ol style="list-style-type: none"> <li><b>1. It does not risk harm to water quality, including groundwater, rivers, streams and coastal and bathing waters;</b></li> <li><b>2. It does not compromise surface and groundwater and its abstraction. Development will not be permitted within Groundwater Source Protection Zones 1, 2 and 3 unless it can be demonstrated that adequate safeguards will be put in place to prevent contamination of the water supply;</b></li> <li><b>3. It does not have an unacceptable adverse impact on soil quality;</b></li> <li><b>4. It is not located on sizeable areas of the best and most versatile agricultural land (designated as Grades 1, 2 or 3a under the Agricultural Land Classification System);</b></li> <li><b>5. It does not have an unacceptable adverse impact on air quality;</b></li> <li><b>6. It does not generate unacceptable levels of noise, vibration or odour; and</b></li> <li><b>7. There will be no unacceptable adverse effects arising from sources of pollution which would impact on the health, safety and amenity of the public and users of the development.</b></li> </ol> <p><b>Where necessary, remediation work must be undertaken to remove any contamination and pollutants to ensure safe development.</b></p>
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### Explanation

- 4.53 Whilst the North York Moors is regarded as being generally unpolluted, the environment of the National Park is susceptible to damage by pollutants and its ecosystems are vulnerable to air and water pollution. The North York Moors SAC, SPA and SSSI are particularly sensitive to hydrological change, reductions in air quality and environmental pollution.
- 4.54 Applicants will be required to submit sufficient details of their proposals to ensure that impacts can be fully assessed. In appropriate cases, applicants will be required to submit an assessment of the impact of their proposals such as an Environmental Impact Assessment, to inform the decision-making process. In negotiating schemes applicants will be expected to retain existing natural features, marginal vegetation and natural ‘corridor’ links. In addition, and where

appropriate, the Authority will use conditions or seek Section 106 Agreements to reinstate features or implement other habitat creation/enhancement measures.

- 4.55 Groundwater is one of the National Park ecosystem services, providing drinking water to residents within and beyond the National Park boundary and maintaining the flow in many of our rivers. Development proposals will be expected to demonstrate that they do not compromise the quality of groundwater. The Environment Agency has defined Source Protection Zones (SPZs) for groundwater sources such as wells, boreholes and springs used for public drinking water supply. Source Protection Zones are split into Zone 1 (Inner Protection Zone), Zone 2 (Outer Protection Zone) and Zone 3 (Total Catchment) and provide a risk-based assessment of potential threats to water supply. These zones show the risk of contamination from any activities that might cause pollution in the area. The Environment Agency produces position statements to help inform applicants on the management of risk around Source Protection Zones. The Agency may object in principle to, or refuse to permit, some activities or developments if they have potential to adversely affect groundwater. Within the National Park zones are identified north of Pickering and within the southern part of Scarborough District. Maps are available on the Environment Agency website.
- 4.56 The best and most versatile agricultural land is defined as that of grades 1, 2 and 3a and whilst much of the land in the Park does not fall within these categories there are pockets around Whitby and the western and southern fringes which are of a high quality. Information on agricultural land quality can be accessed through the 'Magic' website<sup>28</sup>.
- 4.57 Where development requires remediation work to remove pollutants, contaminated land assessments should be prepared by a suitably qualified person and submitted with the planning application, and a preliminary risk assessment may be required.

## **Policy ENV8 - Renewable Energy**

**Development proposals for the generation of renewable energy will only be permitted where:**

- 1. It is of a scale and design appropriate to the 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; and**
- 5. It makes provision for the removal of the facilities and reinstatement of the site, should it cease to be operational.**

**In addition to meeting the criteria above development proposals for wind turbines will only be permitted where:**

- 6. They are in a position identified as suitable for wind energy development in the North York Moors Renewable Energy Supplementary Planning Document; and**
- 7. Any planning impacts identified by an affected local community have been addressed and it can be demonstrated that the proposal has their backing.**

<sup>28</sup> <http://www.magic.gov.uk>

**New development in the National Park will be required to address the causes of climate change by:**

- a) Generating energy from renewable sources where these are of a size, location and design appropriate to the locality and which contribute towards meeting domestic, community, or business energy needs within the National Park;**
- b) Requiring residential proposals of five units or more and other uses of 200 sq.m. or more to generate energy on-site from renewable sources to displace at least 10% of predicted CO<sub>2</sub> emissions.**

## **Explanation**

- 4.58 At a national scale, targets for reductions in carbon emissions of 80% by 2050 relative to 1990 levels have been embedded in law. Capacity studies<sup>29</sup> have also demonstrated that there is scope for a fivefold increase in renewable energy generation by 2025 compared with 2011 levels. However, they also acknowledge that “*Yorkshire and Humber contains some very important landscape and biodiversity assets that will need to be protected from potential impacts associated with renewable energy infrastructure.*” These result in assumptions that the National Park will only contribute very modestly to regional and sub-regional capacity through microgeneration technologies, chiefly hydro and biomass technologies.
- 4.59 The National Park Authority is supportive of small-scale renewable energy developments which contribute towards meeting domestic, community or business energy needs within the National Park, provided that there is no significant environmental harm to the area concerned or the National Park as a whole. However, the sensitivity of the North York Moors landscape means that large scale renewable energy developments are generally inappropriate.
- 4.60 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 appropriate scale is defined as:
- Wind turbine developments which are appropriate in scale to the landscape, landform, structures and buildings in the immediate vicinity.
  - Other renewable energy developments where these will not have an unacceptable impact upon the landscape of the National Park.
- 4.61 The suitability of wind turbine development in each of the National Park Landscape Character Areas is set out in the Renewable Energy Supplementary Planning Document (SPD) together with detailed siting guidance. National guidance also requires that any “*planning impacts identified by the affected local community should have been addressed and that the wind turbine proposal has their backing*”.
- 4.62 Applicants should also refer to the Renewable Energy Supplementary Planning Document for further guidance in relation to other renewable energy technologies, for example, solar panels, biomass installations and energy from waste installations. Where it is considered that a site of nature conservation value or protected species (such as bats and numerous species of bird) could be adversely affected by turbine development an ecological survey, carried out by a suitably qualified ecologist, will be required and permission will not be granted until it can be demonstrated that measures can be put in place to avoid, mitigate or compensate for any potential harm.
- 4.63 Since 2008 the Authority has required that renewable energy installed in some new development should displace 10% of predicted CO<sub>2</sub> emissions through on site renewable energy generation. The Authority will seek to ensure that proposals aimed at meeting this policy will not have an

<sup>29</sup> AECOM (2011) Low carbon and renewable energy capacity in Yorkshire & Humber; SQW Ltd & Land Use Consultants, page 84



unacceptable visual impact and the same considerations will be given as for any other renewable energy proposal. It is possible that there will be more than one way to meet the requirement for providing renewable energy and applicants should show how they have arrived at the submitted scheme, taking into account the visual impact of the installation. In some exceptional circumstances the Authority may consider that the requirement cannot be met without unacceptable visual or other impact and in such cases the requirement may be varied.

- 4.64 Applicants for renewable energy schemes should refer to the Renewable Energy Supplementary Planning Document, which includes guidance on how to calculate annual CO<sub>2</sub> emissions.

## **Strategic Policy I - The Historic Environment**

**All developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate, enhancement of the historic environment. Development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area, including:**

- 1. Features that contribute to the wider historic landscape character of the North York Moors National Park such as the legacy of features associated with the area's industrial, farming, fishing and monastic past;**
- 2. Archaeological sites and monuments, comprising both upstanding and below-ground assets, including Scheduled Monuments and regionally or locally important non-designated monuments such as the Neolithic barrows and Bronze Age cairns, tumuli and stone circles;**
- 3. The vernacular building styles, materials and the form and layout of the historic built environment including Conservation Areas, Listed Buildings and regionally or locally important non-designated structures and buildings.**

**Applicants will be required to provide a Heritage Statement of sufficient detail to allow an informed assessment of the impact of the proposed development on the significance of the heritage asset(s).**

**Harm to an element which contributes to the significance of a designated heritage asset (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.**

**Where non-designated heritage assets are affected, a balanced judgement will be taken having regard to the scale of any harm or loss and the significance of the asset and other material considerations.**

### **Explanation**

- 4.65 Local heritage contributes to the identity of the area and strengthens connections between people and places. In order to maintain and strengthen the Authority's commitment to protecting and making sustainable use of the historic environment great weight will be placed on the need to protect and enhance the historic environment of the National Park.
- 4.66 Strategic Policy SPI seeks to protect the Park's most important historical components and encourage development that is consistent with maintaining the overall historic character of the National Park. The Authority will expect development proposals, where relevant, to consider the impact of the proposal on the historic character of the area, rather than focussing solely upon individual assets, recognising that maintaining local distinctiveness is an important element in

managing the built environment. This policy also sets out the approach the Authority will take to both designated and non-designated heritage assets as individually and collectively heritage assets contribute to the cultural and historical character of the National Park.

#### *Designated Heritage Assets*

- 4.67 Heritage assets are sometimes recognised through formal designation such as Registered Historic Parks and Gardens, Scheduled Monuments, Listed Buildings or Conservation Areas. These designated heritage assets benefit from statutory protection. Their significance can be affected not only by development which has a direct effect upon it, such as physical changes to a Listed Building, but also by development which affects its setting.
- 4.68 Great weight will be given to the conservation of the asset. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm.
- 4.69 Proposals that would lead to substantial harm or total loss of significance of a designated heritage asset (or to an asset of equivalent significance) will be required to present clear and compelling justification for accepting any loss or harm, in line with the requirements of the National Planning Policy Framework as set out in Paragraph 195.
- 4.70 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use (as described below). If there are no public benefits which arise from the proposal to off-set the harm caused, the Authority will refuse consent.

#### *Non-designated Heritage Assets*

- 4.71 Designated heritage assets only make up a fraction of all heritage assets in the National Park. There are a large number of non-designated heritage assets of architectural, historic and archaeological significance that contribute to the special qualities of the National Park and these are particularly vulnerable to inappropriate change or loss due to their lack of specific protection.
- 4.72 It is likely that most non-designated heritage assets will be identified through the planning process or through pre-application enquiries and it is important for applications to consider the heritage value of the asset from the outset to help inform proposals.
- 4.73 This policy seeks to ensure that non-designated heritage assets (including designed landscapes) are not overlooked in planning decisions. In assessing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be made having regard to the scale of any harm or loss and the significance of the asset, although the expectation is still that development proposals will take opportunities to conserve these wherever possible. 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.

#### *Understanding Significance*

- 4.74 Significance is the value of a heritage asset to this and future generations because of its heritage interest (archaeological, architectural, artistic or historic). Significance can be affected not only by development which has a direct effect upon it, such as physical changes to a Listed Building, but also by development which affects its setting.
- 4.75 Understanding the significance of an asset is crucial in order to make informed decisions. All proposals affecting a heritage asset must be accompanied by a 'Heritage Statement' which identifies its significance. If there is insufficient information to enable the Authority to assess the impact of the proposal on the significance of the asset or insufficient justification to outweigh any harm to the asset the Authority will refuse consent.

- 4.76 Historic England provides useful advice and guidance on the assessment of significance and in particular “Conservation Principles, Policies and Guidance” (April 2008). Information on many heritage assets can also be found on the Authority’s Historic Environment Record.

*Optimum Viable Use*

- 4.77 Sustaining heritage assets in the long term often requires investment and putting heritage assets to a viable use is likely to enable the maintenance necessary for their long-term conservation. Certain heritage assets may have limited or no scope for new uses or may be so sensitive to change that alterations to accommodate a viable use would lead to an unacceptable level of harm and loss of significance.
- 4.78 It is important that any use is viable, not just for the owner, but also the future conservation of the asset. The optimum viable use may not necessarily be the most profitable one, but is instead the use which causes least harm to the significance of the heritage asset(s).

*The Historic Environment Record*

- 4.79 Information on identified heritage assets is available on the Authority’s Historic Environment Record (HER). However, this is not a definitive record of all heritage assets in the National Park. Many assets are yet to be identified or properly understood. Applicants should therefore ensure that they consider the heritage implications of all proposals regardless of whether a heritage asset has been previously identified, as new assets may be identified during the heritage assessment phase.

*Enabling Development*

- 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 Significant Places” should be used to assess whether enabling development is justified. Early engagement with the Authority is recommended to help develop proposals.

## **Policy ENV9 - Historic Landscape Assets**

**Development affecting historic landscape assets of the North York Moors will be required to conserve and, where appropriate, enhance its landscape quality and character by taking into consideration the elements which contribute to its significance and, where relevant, the public’s experience of it. Such assets can include, but are not limited to:**

- 1. Registered Historic Parks and Gardens of Arncliffe Hall – Grade II, Duncombe Park – Grade I, Mulgrave Castle – Grade II\* and Rievaulx Terrace and Temples – Grade I;**
- 2. Other designed landscapes of regional or local significance;**
- 3. Medieval street patterns and garths;**
- 4. The layout of traditional farmsteads and their relationship with the surrounding agricultural landscape;**
- 5. Ridge and furrow and other evidence of past field systems and farming practices (including isolated features such as sheepfolds and limekilns);**
- 6. Other landscape features such as mature or veteran trees, hedges and historic boundaries and enclosures, trods, historic pavements, milestones and boundary stones, fords and watercourses and other important historic elements;**
- 7. Monastic ruins and associated water management systems;**
- 8. The open, unenclosed character of Common Land;**

9. Evidence of historic mining, railways and other historic industries;
10. The early enclosure landscapes of the 12th and late 16th centuries and the Parliamentary enclosures of the late 18th and 19th centuries;
11. The 18th Century water races of the southern Moors such as at the Duncombe Estate;
12. The network of extant trenches, bombing decoys, anti-tank defences and radar installations from the First and Second World Wars;
13. The remains of the structures associated with rabbit-farming along the southern edges of the Moors;
14. Features of the Heritage Coast such as harbours, harbour walls, former lighthouses, and slipways.

Where a development will impact on features which contribute to the historic landscape (and our understanding and appreciation of it) the Authority will require preservation of the original features. When preservation is not justified the applicant will be required to make adequate provision for recording and analysis in advance of the development, secured through an approved Written Scheme of Investigation.

### Explanation

- 4.81 Historical and cultural influences have shaped the landscape of the North York Moors contributing to its rich and diverse landscape. Features which tell the story of past land management practices, as well as landscapes designed for ornamental and recreational reasons should be conserved.
- 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 require clear and convincing justification. Retention of original features should always be the preferred approach to conserving assets of landscape value, but where it can be demonstrated that 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.
- 4.83 Some designed landscapes such as historic parks and gardens are recognised by national designation, and are listed on the Register of Historic Parks and Gardens of Special Historic Interest in England by Historic England. Development which would cause substantial harm or loss of Grade II Registered Historic Parks or Gardens should be exceptional and for Grade I and II\* Registered Historic Parks and Garden should be wholly exceptional.
- 4.84 There are however many other historic parks and gardens within the National Park which are not formally designated but are of regional or local importance. These are also heritage assets and have a degree of significance meriting consideration in planning decisions because of their heritage interest. The Yorkshire Gardens Trust records all of Yorkshire's important historic designed landscapes and has identified the following sites within the National Park. As non-designated heritage assets, the effect of an application on the significance of the asset will be taken into account in determining the application and a balanced judgement will be made.

Arden Hall	Hackness Hall	Raithwaite Hall
Busby Hall	Hutton Hall	Raventhorpe Manor
Cowesby Hall	Ingleby Manor	Thimbleby Hall
Douthwaite Hall	Kepwick Hall	Thornton Hall

Elleron Lodge

Kingthorpe House

Woodlands, Aislaby

Faceby Lodge

Nawton Tower

Grinkle Park

Newton House, Sneaton

- 4.85 The Authority's Landscape Assessment is central to the wider appreciation and understanding of the North York Moors landscape. It provides an evaluation of the landscape character areas and the capacity of the landscape to accept change and should be used to help inform proposals with the aim of reinforcing local distinctiveness.

## Policy ENV10 - Archaeological Heritage

**Development that would result in harm to the significance of a Scheduled Monument or other nationally important archaeological site will not be permitted unless it can be demonstrated that there are wholly exceptional circumstances and that there are substantial public benefits that outweigh the harm.**

**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, 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 approved Written Scheme of Archaeological Investigation.**

**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.**

### Explanation

- 4.86 The National Park has over 800 Scheduled Monuments - more than any other local planning authority in Yorkshire and these elements, together with the considerable number of non-designated remains help to give the Park its distinct identity.
- 4.87 Policy ENV10 includes criteria for development proposals affecting heritage assets with archaeological interest. Archaeological sites are a finite and irreplaceable resource that helps us to understand our past. Archaeological heritage assets of regional and local significance may collectively constitute a nationally important cultural landscape. They can however easily be damaged or destroyed by development, and once lost cannot be replaced. The most significant known archaeological heritage assets are designated as Scheduled Monuments and are of national importance and have statutory protection. It is widely recognised that there are sites which have equal significance, but which are non-designated heritage assets. If the significance of such sites have been demonstrated they will be treated in the same way as Scheduled Monuments.
- 4.88 In addition, there are many other archaeological sites which do not have such a great significance but which form a valuable part of the National Park's heritage. There are over 20,000 known non-designated historical and archaeological sites and features recorded, many of which are yet to be fully understood. Information on known archaeological sites and monuments is available on the Authority's Historic Environment Record (HER). However, this is not a definitive record of all archaeological remains in the National Park. Many assets are yet to be identified or properly understood. Applicants should therefore ensure that they consider the heritage implications of their proposals regardless of whether archaeological remains have been previously identified, as new sites may be identified during the heritage assessment phase.
- 4.89 The significance of assets should be established through a desk-based assessment and where necessary field evaluation to identify necessary mitigation measures to be set out within a Written Scheme of Investigation in accordance with the professional standards of the Chartered Institute

for Archaeology (ClfA). Information from this investigation and recovered archaeological assets should be made available as appropriate, for public understanding and appreciation.

## Policy ENV11 – Historic Settlements and Built Heritage

**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 only be permitted where they:**

- 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. Conserve or 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 optimum 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 proposal. Development should not harm the heritage value of any assets affected.**

**When a proposal affecting a heritage asset is acceptable in principle, the Authority will seek the preservation of historic fabric in situ.**

**When retention of the feature 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 approved Written Scheme of Investigation (WSI).**

### Explanation

- 4.90 This policy seeks to resist development that results in loss of or harm to the significance of designated and other heritage assets of national importance. In order to accept any loss or harm proposals will be required to present clear and compelling justification for the development, including the public benefits which will arise from the proposal.
- 4.91 This includes assets which are recognised through formal designation such as Listed Buildings and Conservation Areas which benefit from statutory protection, but also non-designated assets of local or regional significance that contribute to the special qualities of the National Park. Non-designated heritage assets are particularly vulnerable to inappropriate change or loss due to their lack of specific protection and therefore this policy seeks to ensure that these assets are not overlooked in planning decisions.
- 4.92 Responses to climate change may require adaptations to historic buildings. Whilst these changes may help to ensure the continued preservation of the building, it is important to ensure that they are not ineffective, inappropriate or damaging. Measures to mitigate climate change, including the



application of renewable energy technologies to historic buildings or buildings within Conservation Areas should not harm the heritage values of the asset. Historic England publishes an extensive range of expert advice and guidance on how to improve the energy efficiency of heritage assets in ways which are sympathetic to its historic character.

- 4.93 A more flexible approach is adopted for non-designated assets, although the expectation is that development proposals will take opportunities to conserve and enhance significant features wherever possible.
- 4.94 Work carried out by statutory undertakers or by the public as 'permitted development' can erode historic features if not properly considered at the outset. All statutory undertakers should have regard to National Park purposes when exercising or performing any of its functions within a National Park<sup>30</sup>. Defra's guidance<sup>31</sup> outlines its expectations of relevant authorities and their ability to demonstrate that they have fulfilled their duties. Small scale alterations such as highway kerbing or replacement of traditional cobbled gulleys or historic trods with modern alternatives can have a harmful impact on the character of the historic environment.

#### *Conservation Areas*

- 4.95 Whilst it is the quality and interest of an area as a whole which is recognised through designation, it is often the cumulative impact of small changes over time which erode the special qualities and significance of a place. Most of the National Park's Conservation Areas are covered by Article 4 Directions to help control potentially damaging alterations by removing permitted development rights.
- 4.96 The character of a Conservation Area is not only formed by buildings and spaces, but also by the land uses. It is important that proposed changes of use identify opportunities for enhancement as well as ensuring the special qualities and significance of a place is not harmed.

#### *Listed Buildings*

- 4.97 Listed Buildings are irreplaceable heritage assets which are recognised as being of special architectural or historic interest in the national context. They are identified on the National Heritage List for England held currently by the Department for Culture, Media and Sport. Protection extends to the whole building, inside and outside, its curtilage and certain structures within its domain. The majority of works to Listed Buildings require listed building consent (in addition to any other consent required through planning legislation), including internal features and fittings, attachments and any decorative schemes of special significance.

#### *Historic Building Recording*

- 4.98 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, the Authority will seek appropriate recording in order to advance understanding of the significance of any asset to be lost, in accordance with paragraph 199 of the NPPF. When this is the case, the Authority will require applicants to undertake an appropriate programme of historic building recording (HBR). Further information in recording and WSI's can be found in the Glossary.
- 4.99 Often the requirement for such recording will form a condition attached to the decision notice but in some circumstances the Authority may require recording prior to determination. This will be limited to certain circumstances where a proposal may relate to a building which has a complex or unknown history. In these instances it can be difficult to fully understand the impact of a proposed development on the significance of the asset as its significance may be unknown or not fully understood. This will enable the Authority to secure a proper understanding of a building and

<sup>30</sup> Section 11A(2) of the National Parks and Access to the Countryside Act 1949 (National Parks) and Section 62 of the Environment Act 1995

<sup>31</sup> Duties on relevant authorities to have regard to the purposes of National Parks, Areas of Outstanding Natural Beauty (AONBs) and the Norfolk and Suffolk Broads, 2005



its significance so that an informed decision on the impact of the proposal on the significance of the asset can be made.

- 4.100 The required form and level of recording will be set out in a written scheme of investigation (WSI) prepared by or agreed by the Authority. The level of recording will be defined within the WSI and in line with Historic England guidance - "Understanding Historic Buildings: A Guide to Good Recording Practice", which sets out the process of investigating and recording historic buildings.
- 4.101 The scheme of HBR must provide for the deposition of the record created by any investigation or recording in a publicly accessible institution such as a Record Office or accredited museum. A copy of the report must also be provided to the HER and included in the creation of an OASIS record. It must also provide for the publication and dissemination of the information gathered through the Written Scheme of Investigation.
- 4.102 Further advice on this, including when recording may be required, can be provided through the Authority's pre-application service.

## Policy ENV12 - Shopfronts

**Proposals to alter or replace existing shopfronts, or create new shopfronts will only be permitted where they:**

- 1. Conserve and enhance the special qualities and significance of the building and area; and**
- 2. Relate well to their context in terms of design, scale, material and colour.**

**Proposals that remove, replace or substantially harm shop fronts of high quality design or of historic interest will not be supported.**

### Explanation

- 4.103 Well-designed shopfronts make an important contribution to the character of an area as well as to individual buildings. In some villages the survival of historic shopfronts is particularly high, contributing to the special architectural and historic interest of the local area.
- 4.104 An overall aim of the Authority is to promote and improve the vitality of the National Park's town and villages and their success depends, in part on improving the image and attractiveness of shops for both residents and visitors alike. Good quality design and the promotion of local distinctiveness play a large part in presenting the National Park's town and villages in their best light.
- 4.105 Great care should be taken to ensure the retention of traditional shopfronts. Where traditional shop fronts exist, a conservation-led approach should be adopted of repair rather than replacement, especially on Listed Buildings and in Conservation Areas. Where an existing shop front is to be refurbished, good quality traditional materials should be used and where relevant traditional elements should be restored if previously missing. In considering proposals affecting historic or good quality shopfronts, the Authority may require the removal of existing inappropriate features and the restoration/reintroduction of original features.
- 4.106 Where existing shopfronts are of indifferent or poor quality design, replacement with shopfronts of high quality design and materials which complement the design and proportions of the host building will be encouraged. New shopfronts should respect the period and style of the building in which it is to be fitted and be of a high standard of design giving due regard to the design, scale and materials of the building above. Dilapidated shopfronts should be repaired rather than replaced where they make an important contribution to the distinctiveness of the building or area.

- 4.107 Where there is a demonstrable need, well designed canopies will be considered where the shutter box is integrated with the shopfront and the design of the canopy relates well to the design of the building and street.
- 4.108 Applicants should also cross reference Policy BL9 (Advertising and Signposting).

## **Policy ENV13 - Environmental Enhancement Sites**

**In order to deliver significant environmental enhancement, proposals for the re-development of the following sites will only be permitted in accordance with a planning brief approved by the Authority:**

- 1. Former wood yard at Clack Lane, Osmotherley;**
- 2. Land at Low Farm, Sneaton.**

### **Explanation**

- 4.111 The two sites listed in this policy are ones where the former use ceased many years ago and buildings and other structures on site have become derelict. There have been long-standing issues which have prevented acceptable development proposals coming forward and the sites have been unsightly in the local area for many years. Careful re-development of these sites will bring significant community benefits as well as an environmental enhancement and it is for these reasons that they are included in the policy. 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.



Photo: Mike Kipling

## 5. Understanding and Enjoyment

### Objectives - Understanding and Enjoyment:

11. Support tourism and recreation enterprises which do not detract from the National Park's special qualities and which contribute to the local economy.
12. Maintain and improve the network of paths and bridleways for the enjoyment of residents and visitors.
13. Manage recreational pressures to avoid harm to the National Park's special qualities.

### Introduction

- 5.1 This chapter of the Plan sets out the policies which we will use to help promote the enjoyment and understanding of the special qualities of the National Park through the careful consideration of new proposals for tourism and recreation development. These policies are intended to help meet the second purpose of National Park designation and the duty to foster the economic well-being of local communities.
- 5.2 The North York Moors was designated as a National Park as it is a place of national significance to be enjoyed by everyone. Its many special qualities mean it is a magnet for visitors, attracted by its large tracts of unbroken heather moorland, spectacular coastline, historic villages and its large expanses of woodland. This means it is of immense value, not only for its natural beauty and wildlife and the enjoyment and health benefits visitors derive from it, but also in terms of its contribution to the livelihoods of the people who live and work within its boundaries.
- 5.3 Many existing tourism providers, farmers and estates will wish to diversify into new tourism and recreational markets and the National Park Authority will be supportive of proposals for new tourism and recreation development where they are compatible with the two statutory purposes of National Parks. The Authority's 2016 visitors survey revealed that 'beautiful unspoilt scenery and peace and tranquillity' were rated as the most important experiences for those coming to the North York Moors, with visitors citing 'protecting the National Park from inappropriate development' as the most important job for the National Park Authority. The Authority will therefore assess proposals for all new development, including tourism and recreational development with the utmost care to ensure that they represent sustainable development of a quality that respects and is sensitive to its National Park setting.
- 5.4 The Authority will expect proposals for new tourism and recreation facilities to represent sustainable tourism and, in making the assessment of whether a proposal is sustainable, the following guiding principles will be applied:

## First purpose principles

1. The overriding priority is to avoid damaging the very qualities that visitors and residents enjoy. When assessing planning applications for new development the question to be asked is 'does the proposal respect and show understanding of the National Park Authority's first purpose?' Of particular note is the high value visitors place on the North York Moors landscapes and peace and quiet. Proposals should be of a high standard of design and be appropriate in scale.
2. Proposals will conserve and enhance the natural beauty, wildlife and cultural heritage of the North York Moors National Park.
3. National Parks are not suitable locations for major development and the need to protect their special qualities means that small scale, well designed development which underpins enjoyment and which does not detrimentally impact on the landscapes, dark night skies and tranquillity are more likely to be acceptable.
4. Proposals should result in the better use of visitor facilities in locations with existing services.
5. Upgrading of existing facilities may include varying the tourism offer in terms of facilities and services and it will also be an opportunity to secure design and landscape improvements to existing buildings and associated transport infrastructure, car parks and facilities.

## Second purpose principles

6. Proposals which are based on the special qualities of the National Park and lead to a greater understanding of the North York Moors' evolution, natural processes, cultural heritage, and of how it functions today are more likely to be supported.
7. Proposals for new development should build on the character of the North York Moors National Park. People visit the North York Moors for 'the Moors experience' and come here to do many things – for example taking in the serenity and openness of its moorland, visiting its ancient abbeys and monuments, taking in the charm of its fishing villages or enjoying its local food and drink. Proposals that promote the use of the North York Moors' long distance walking and cycling routes are also encouraged.
8. New tourism and recreation facilities should improve the quality and variety of tourism facilities and should cater for the needs of as wide a range of people as possible, including younger people. Development that is available to all, and particularly those who find it difficult to visit the National Park, for example through disability, hardship or lack of transport will be supported in principle. Proposals which help to spread provision and activity across the North York Moors and in doing so reduce the negative impacts of high visitor pressure elsewhere will be supported where they do not undermine the National Park's special qualities.
9. Proposals which encourage the promotion of a healthier mind and body and promote a more active lifestyle or which deliver mental or physical health benefits are more likely to be supported.

## The Economic and Social Duty

10. Proposals should deliver economic benefits to the local communities that host them, in line with the duty to foster the economic and social well-being of local communities. New development should not detract from the amenities of the local communities through significant additional traffic and noise disturbance.

## Strategic Policy J - Tourism and Recreation

**Tourism and recreation development will be supported where:**

- 1. It is consistent with the principles of sustainable tourism set out in paragraph 5.4;**
- 2. It does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset;**
- 3. 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;**
- 4. It is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape;**
- 5. Any accommodation is used only for short term holiday stays;**
- 6. It does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way; and**
- 7. It does not lead to unacceptable harm in terms of noise and activity to the immediate neighbourhood.**

### Explanation

- 5.5 Strategic Policy J aims to encourage appropriate tourism and recreational development. Appropriate in this case means development that is sensitively located within a particular locality, does not generate detrimental levels of recreational activity or traffic and does not detract from the National Park's special qualities. This means that some forms of recreational or tourism use such as golf courses, airstrips or holiday villages are unlikely to be compatible with National Park purposes. Activities that generate significant noise or activity are unlikely to be permitted on the grounds that they lessen the tranquil qualities of the National Park. Proposals for larger developments of more than local significance may be subject to the major development test (Strategic Policy D). Applicants are also directed to Strategic Policy A (Achieving National Park Purposes and Sustainable Development) which may be used to assess proposals.
- 5.6 When an application for accommodation is approved, the Authority will normally 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. 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.

## Policy UE1 - Location of Tourism and Recreation Development

**Tourism and recreation development will only be permitted where:**

- 1. It is located in Helmsley or within the main built up area of one of the villages listed in Strategic Policy B; or**
- 2. 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 Policy UE2. In exceptional circumstances new build development may be permitted in the**



**Open Countryside where:**

- a) **The proposal is for the expansion or diversification of an existing tourism or recreation business;**
- b) **The proposed development is functionally dependent and subservient in scale to the existing business; and**
- c) **It has been demonstrated that the proposed development cannot be accommodated in an existing building, or**

**3. Proposals are part of a Whole Estate Plan that has been approved by the National Park Authority.**

**Proposals for new holiday accommodation within a residential curtilage will be considered under Policy UE4.**

5.7 Policy UE1 sets out the Plan's approach to the 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).

5.8 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.

## **Policy UE2 - Camping, Glamping, Caravans and Cabins**

**Development will only be permitted for small scale holiday accommodation (such as tents, pods, yurts, teepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) where:**

- 1. It is within Helmsley or the main built up area 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 not isolated from an existing business or residential unit which will be used to manage the accommodation.**

**In order to respect the sensitivity of the local landscape character type 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.**

**The following criteria will be expected to be met:**

- a) **The accommodation avoids extensive alteration to ground levels and has a low environmental impact through limited foundations to enable the accommodation to be removed without harm to the landscape;**
- b) **It does not lead to unacceptable harm in terms of noise and activity on the immediate area;**



- c) **The proposal does not, in combination with existing development detract from the character, tranquillity or visual attractiveness of the area; and**
- d) **The accommodation is of a high quality design which complements its surroundings.**

**In additional to the above criteria:**

- 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;**
- 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.**

**Proposals for new static caravans 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 landscape.**

**Applications will be expected to provide details outlining the proposed management arrangements for the accommodation.**

## **Explanation**

- 5.9 Policy UE2 is intended to cover applications for traditional camping and caravan accommodation as well as newer forms of non-permanent tourist accommodation. This includes accommodation fabricated off site and which can be easily removed without harm to the landscape, but which is likely to still form a long-lasting but reversible form of development. This policy also applies to new types of 'glamping' or alternative types of accommodation (pods, yurts, teepees, shepherd huts etc.) that have evolved in response to a quickly changing market, and which can support an existing rural business, farm or estate. It applies across the whole of the National Park, thereby allowing for low impact, non-permanent sustainable proposals to come forward across the National Park.
- 5.10 The intention of the policy is to allow for small scale and sensitively designed holiday accommodation to support local businesses and allow people to enjoy the special qualities of the National Park whilst avoiding sporadic development in unsuitable and unsustainable locations. The policy directs new holiday accommodation to the main built up area of listed settlements or areas where there is already an existing business or dwelling which can be used to manage the site. This could include on a farm or at a public house for example. This is to ensure there is adequate and active management of the site to prevent any local amenity issues such as noise or other disturbance from occurring. Applicants will be expected to provide details of proposed management arrangements. Parcels of land isolated from the managing unit are not considered to be suitable locations for development.
- 5.11 A distinction is made between typically smaller scale camping and glamping type accommodation and chalet, cabin and caravan sites where proximity to the road network and adequate car parking arrangements are also required. This is to allow for some forms of low impact camping and glamping type development to be located in areas which cannot be accessed by car, but can be accessed by foot or bicycle, for example near a Public Right of Way. The Authority recognises that the distinction between a 'glamping' and chalet or cabin type development may sometimes not be clear cut; hence the policy treats proposals above 25sq.m and/or those which are attached to the foul drainage system as cabin or chalet developments, and additional criteria apply.
- 5.12 The policy refers to 'small scale' developments. Scale may vary according to the type of accommodation and the sensitivity of its location. Small scale is intended to mean development (when considered cumulatively with any existing development) that conserves the natural beauty,

wildlife and cultural heritage of the National Park. As a guide, sites comprising no more than 12 units (including any existing units) are likely to be considered small in scale.

- 5.13 Where sites are screened by existing vegetation this should be in the ownership of the landowner and its management over the duration of the use will be expected and the Authority may make this a condition of permission. The Authority will also define the type of units as part of the planning permission to maintain future control over replacement units.
- 5.14 The policy does not allow for the provision of new static caravans, except where existing sites are being remodeled in order to bring about environmental improvement. The term 'static caravan' refers to any unit that falls within the legal definition of a caravan, which is capable of being used for permanent human habitation and is a traditional metal or plastic skinned box caravan or 'park home' type development.
- 5.15 The Authority wishes to control the number of new static caravans for a number of reasons. Firstly, this type of development can cause visual harm and is considered incongruous within a nationally protected landscape. Secondly data indicates that 72% of current caravans and chalets were not available for public hire<sup>32</sup> in 2017 and were being used as main homes, second or holiday homes or for prolonged periods of residence. Thirdly, there has also been a loss of touring caravan and camping accommodation over time as units have been replaced by static units. These types of accommodation are the only form of tourism accommodation that has seen a decline in numbers or sites in recent years. The Authority wishes to maintain a range of accommodation types, including for those who may be on a lower income or engaged in voluntary or educational activities.
- 5.16 In the case of cabin or chalet development units will be required to be of a high quality design, be of lightweight construction and should have adequate spacing between the units. There should be minimal hardstanding for car parking or service roads and external lighting will be expected to be kept a level where it is the least amount needed. 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. Applicants are referred to paragraph 5.6 which sets out the occupation limitations for tourism and recreation developments.

## Policy UE3 - Loss of Existing Tourism and Recreation Facilities

**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 or highway safety which outweighs the loss of the tourism use.**

**Proposals to change previously converted buildings of permanent construction from holiday accommodation to permanent occupation will only be permitted where the 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 an occupancy condition in accordance with the spatial strategy set out in Policy SPB.**

### Explanation

- 5.17 Given the importance of tourism and recreation to the economy the Authority will require a robust demonstration that facilities are no longer able to viably operate as a business, through the submission of viability and marketing evidence. More details are set out in Appendix 2. The

<sup>32</sup> STEAM Database 2017. 768 out of 1.066 caravans, cabins or chalets in the North York Moors are not available for hire. Data is for facilities within the National Park boundary.

requirement to demonstrate that a business is no longer viable to gain permission for change of use does not apply to holiday cottages. In cases where permission is granted to vary an occupancy condition from holiday occupation to a permanent residential use an occupancy restriction will be applied.

- 5.18 Not all existing holiday accommodation will be suitable for permanent occupation and the acceptability of a proposal will depend entirely on the existing layout and arrangements of the site and the relationship of buildings with one-another. Permanent occupation brings a considerable increased pressure for larger gardens, storage buildings, garages and subdivision of external spaces etc. which were not necessarily needed for buildings in holiday cottage use but if permitted can have a significant impact on the rural character of the landscape.
- 5.19 All applications seeking to vary an occupancy condition of a holiday cottage to a permanent dwelling will be required to provide details of how the site is to be subdivided so that the levels of amenity, storage requirements, parking areas and fencing can be assessed from the outset. It is expected that the needs of future occupants should be met through the existing buildings on the site as new buildings will be resisted. Proposals which would result in unsatisfactory levels of amenity by reason of close proximity or overlooking or where the existing highway access is inadequate and the level of upgrading would be harmful in the landscape will be refused.
- 5.20 Where permission is granted for a variation of the holiday letting use to permanent residential use the Authority will impose a condition removing the unit's 'permitted development' rights for future alterations and extensions, domestic outbuildings, fences and walls and other ancillary residential development in order to protect the character and appearance of the building, the group of buildings and the wider landscape.

## **Policy UE4 - New Holiday Accommodation Within Residential Curtilages**

**Development of new holiday accommodation within a residential curtilage will only be permitted where:**

- 1. It makes use of an existing building which is of architectural or historic interest 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; and**
- 4. There is no unacceptable harm in terms of noise and activity on the amenity of the neighbourhood.**

**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.**

### **Explanation**

- 5.21 This policy intends to protect residential amenity by controlling the change of use of existing outbuildings in residential curtilages to holiday accommodation to avoid potential disturbance to the neighbourhood through increased activity on site. Applicants should cross reference Strategic Policy C and Policy CO12 which provide more detailed requirements relating to the conversion of a building. Where permission is granted the Authority may remove existing permitted development rights within the curtilage to prevent further proliferation of outbuildings needed to replace 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.

5.22 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.



Photo: Chris J Parker

## 6. Business and Land Management

### Objectives - Business and Land Management

14. Protect existing employment opportunities and support new enterprises which are in appropriate locations and do not detract from National Park purposes.
15. Support existing farm enterprises and ensure that land management activities contribute to the National Park's natural beauty and biodiversity.
16. Encourage a sustainable and prosperous rural economy with businesses that are appropriate to and benefit from National Park purposes.
17. Improve telecommunications and connectivity where compatible with National Park purposes.

### Introduction

- 6.1 This chapter of the Plan sets out the policies which we will use to help promote economic well-being of the residents and employees within the National Park through the careful consideration of new proposals for employment, retail and agricultural development. These policies are intended to help meet the statutory duty on National Park Authorities to seek to foster the economic and social well-being of local communities, within its remit to pursue the National Park statutory purposes.

### Strategic Policy K - The Rural Economy

Development that fosters the economic and social well-being of local communities within the National Park will be supported where one or more of the following criteria are met:

1. It promotes and protects existing businesses by providing flexibility for established rural businesses to diversify and expand;
2. 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;
3. It provides for and supports small and micro business through the provision of flexible start-up businesses;



4. 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;
5. 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.

### Explanation

- 6.2 Strategic Policy K is intended to encourage the development of rural based businesses which can benefit from the environmental, economic and social resources offered by the National Park in a way that contributes to the economic and social well-being of communities whilst not depleting or compromising those resources.
- 6.3 Access to a range of high quality and long term employment opportunities is a key factor in encouraging young people to stay in the area and help maintain sustainable rural communities. In order to develop the relevant skills required for employment it is essential that local people have access to a range of training opportunities so that they can develop the relevant skills for employment. The Authority has a duty to foster the economic and social well-being of local communities whilst pursuing the National Park purposes and will encourage and promote opportunities for appropriate new employment, training and enterprise in the National Park as well as supporting the continued viability of the agriculture and tourism sectors.

## Policy BL1 - Employment and Training Development

**Development of new or expansion of existing employment or training facilities will only be permitted:**

**A Within the main built up areas of Helmsley and the Larger Villages:**

1. Where it reuses existing permanent buildings, or;
2. Where it forms a small extension of an existing building, or;
3. In the case of new buildings, where there is no other suitable accommodation available in the locality.

**B Within the main built up area of Smaller Villages:**

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, or;
2. Where it reuses existing permanent buildings, or;
3. Where it forms a small extension of an existing building.

**C Within Open Countryside:**

1. Where it reuses existing permanent buildings in accordance with the requirements of Policy CO12, Conversion of Existing Buildings in Open Countryside, or;
2. Where it forms a small extension of an existing building.

**D Where development proposals are part of a Whole Estate Plan that has been approved by the National Park Authority.**



**All proposals for employment and training development will be expected to demonstrate that:**

- 1. The scale and location of the proposal would not individually or cumulatively be detrimental to the character and appearance of the local and wider landscape;**
- 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 manoeuvring 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.**

**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.**

### **Explanation**

- 6.4 It is important that the planning policy framework for the National Park recognises the need to diversify and strengthen the local economy. The existing economy is mostly based around agriculture, forestry, tourism, recreation and mining and all these sectors evolve over time and create different needs for new development. Access to employment opportunities is also vital to maintaining prosperity and encouraging younger people to stay in the area.
- 6.5 The use of buildings for large warehousing or storage purposes will not be supported as this type of development does not generate employment opportunities proportionate to the floor space involved and generates additional traffic movements within the National Park. For this reason the use of new and existing buildings will be expected to be for those uses falling under classes B1 (Business) and B2 (General Industrial) unless the proposed B8 use (Storage and Distribution) is ancillary to the existing business. Permitted development rights may apply to buildings in agricultural use allowing a change of use to storage and distribution.
- 6.6 Employment land including land for storage and distribution (B8) uses is allocated within the National Park in the 2014 Whitby Business Park Area Action Plan and in the 2015 Helmsley Local Plan on land outside the National Park area.
- 6.7 Policy BL1 is also intended to recognise that there are some land uses within the National Park that provide an educational and training benefit which lie outside the settlement hierarchy, either because they reuse older buildings such as farm buildings or require easy access to the open countryside (or both).
- 6.8 Within Open Countryside the reuse of an existing building for employment and training provision will be supported where it meets the requirements of Policy CO12.
- 6.9 At RAF Fylingdales development to modernise and improve existing accommodation and facilities to support and service the existing use will be permitted where it complies with other relevant policies in this Plan, in recognition of its role as a military base and employment use. Within the lifetime of this Plan and where consistent with its current function, opportunities should be taken where possible to reduce the impact of existing lighting on the dark night skies of the National Park, and to reduce landscape impact through the removal and consolidation of any unused buildings and structures. This is in recognition of the significant visual and lighting impact that this establishment has in what is otherwise a wild and remote part of the National Park.
- 6.10 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.

## Policy BL2 - Reuse of Existing Employment and Training Facilities

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 or highway safety which outweighs the loss of employment and training facility land.

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.

### Explanation

- 6.11 Due to the nature of the National Park there are limited opportunities for economic growth and therefore there is a need to try and retain enterprises that offer employment opportunities for local people wherever possible. For this reason the Authority will not permit the conversion of economic or training uses to a residential use unless it can be demonstrated that the current use is no longer suitable or economically viable, meaning that there is insufficient demand that would allow the business 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.

## Policy BL3 - Rural Diversification

Development for the diversification of existing agricultural, forestry and land-based businesses will only be permitted where:

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 and where the site is not isolated from existing buildings associated with the business;
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; and
5. There are satisfactory arrangements for storage, parking and the manoeuvring of vehicles.

### Explanation

- 6.12 The Authority wishes to support farming and forestry businesses looking to diversify their activities to ensure the continued viability of their enterprises, as long as they do not generate an increased level of activity which could risk undermining National Park purposes. Such activities can provide new employment opportunities or provide further opportunities for people to enjoy the North York Moors' special qualities. However it is also important to bear in mind that development which detracts from the quality of the National Park's environment will reduce its attractiveness

and ultimately could have a negative impact on related economic activity. For this reason proposals will be expected to demonstrate that they are intended to supplement the core business and not supplant it, and that they can integrate into the local landscape in a way that does not result in any unacceptable adverse impact on its character and appearance.

6.13 Policy BL8 may also apply to proposals for farm shops.

## **Policy BL4 - Managers and Staff Accommodation**

**Development of staff accommodation to meet the needs of an existing hotel, public house, hostel or permanent tourist facility will only be permitted where:**

- 1. It can be demonstrated that it is essential to meet the needs of the existing business;**
- 2. Suitable accommodation is not available on site or in the locality, or potentially available through the conversion of buildings within the curtilage of the existing development; and**
- 3. There has been no recent loss of staff accommodation to other uses.**

**Where the above requirements are met, staff accommodation will only be permitted if the proposal is for:**

- a) A small scale extension to form a self-contained annexe, or**
- b) A non-permanent, small scale and unobtrusive lodge, chalet or log cabin within the curtilage of the existing business or facility.**

**The scale, height, form, position and design of the new development should not detract from the character and form of the original building or its setting in the landscape.**

**A condition will be placed on any permission to ensure that the accommodation cannot be sold off separately or occupied by persons not employed by the business.**

**For non-permanent accommodation there will also be a condition requiring its removal after use ceases. In the event that permanent accommodation is no longer required, a change of use to a local needs dwelling, holiday let or additional guest accommodation will be permitted.**

### **Explanation**

- 6.14 A lack of suitable accommodation can lead to problems for existing tourism, recreation and hospitality businesses in terms of staff recruitment and retention. This policy intends to allow for a limited amount of new accommodation to be provided in certain circumstances to support local businesses in a way that does not detract from the National Park's natural beauty and character.
- 6.15 Applicants must demonstrate that the accommodation is essential to the running of the business, that lack of accommodation is causing harm to that business (for example, through persistent difficulties in recruiting staff) and that there are no alternative options for meeting the need. If this is the case, the Authority will seek a form of development that minimises impact on the main building or buildings and on the surrounding area. For the avoidance of doubt, the placing of touring caravans or static caravans or prefabricated units of a poor design will not be acceptable.

## Policy BL5 - Agricultural Development

**Development of new agricultural buildings and structures or extensions to existing buildings will only be permitted where:**

- 1. The form, height and bulk of the development is appropriate to its setting and will not have an adverse impact on the landscape and special qualities of the National Park;**
- 2. There is a functional need for the development to sustain the existing primary agricultural or forestry activity and the scale of the development is commensurate with that need;**
- 3. It can be demonstrated that there are no suitable existing buildings available to support the existing business;**
- 4. The building is designed for the purposes of agriculture and uses appropriate materials with subdued colours and non-reflective surfaces;**
- 5. The site is related physically and functionally to existing buildings associated with the business unless there is an exceptional agricultural need for a more isolated location;**
- 6. The proposal will not significantly harm local amenity in terms of noise, odours or level of activity either individually or in combination with the existing agricultural activity; and**
- 7. In the absence of existing screening, a landscaping scheme is provided which is appropriate to the character of the locality and retains existing and/or introduces new planting to reduce the visual impact of the proposal on the wider landscape and encourages biodiversity.**

**The Authority will impose a condition on appropriate planning permissions requiring the removal of the building or structure if it is no longer required for agricultural purposes.**

### Explanation

- 6.16 The Authority will support development proposals that will enable farm businesses to become more competitive, comply with changing legislation and associated guidance, diversify into new agricultural opportunities and adapt to changing markets.
- 6.17 However, of all the activities in the North York Moors farming has one of the biggest influences on the way the National Park looks and functions. Not only is farming an economic use and provider of jobs and income in its own right, it also significantly influences the landscape of the National Park, potentially affecting the qualities upon which other economic activity (particularly tourism) is dependent. Policy protection is therefore needed to make sure that the natural beauty of the North York Moors landscape is conserved and enhanced.
- 6.18 Traditional farm buildings in the North York Moors are small in scale and built of stone with pantile roofing. Agriculture in the National Park is characterised by small agricultural farmsteads settled into the landscape and these buildings form part of the National Park's special qualities. They are usually clustered around farmhouses and courtyards, and often lend character to the local landscape. In contrast, modern farming can demand large agricultural buildings often featuring utilitarian design and prefabricated materials which are of a size and appearance more industrial than agricultural in nature. Some forms of large scale agricultural development are not appropriate in a National Park as insensitively located and designed buildings and structures can have a jarring or intrusive impact on the visual character and appearance of the landscape.
- 6.19 Proposals will therefore be expected to respect local landscape character and topography and avoid development in prominent locations such as the crests of hills. They should not use brightly coloured and reflective materials. A landscaping scheme will be required to accompany proposals

which should help 'knit' buildings or works into the surrounding landscape. Where new tree planting is required a mix of fast growing conifers and native species will be the preferred option. The policy aims to result in a standard of building design that shows an understanding and respect for the National Park and its landscapes. This means that the principle of screening that is poorly sited, designed or over-sized development will not be acceptable.

- 6.20 Applicants will be required to demonstrate a functional need for a proposed development. Where a building is of a substantial size, clarification will be sought over the intended use to ensure that the size and form is justified. Intensive units which are unrelated to an existing farm business will not be supported as enterprises involved solely in intensive livestock production can be 'foot loose' and do not require a location in a National Park.
- 6.21 Applicants will need to demonstrate that specific and justifiable circumstances exist for proposals for new buildings in isolated locations in the open countryside. These circumstances may arise from requirements to comply with changing legislation or for example the siting of slurry stores, which through planning regulations must be sited away from certain farm buildings. Where proposals are in more isolated locations a landscaping scheme, which reduces the impact of the proposal on the wider landscape will be required.
- 6.22 The National Park Authority has produced a Landscape Assessment as well as a Design Guide for new agricultural buildings. It will be expected that applicants will have had regard to these documents when submitting proposals. Any opportunities to support or enhance biodiversity on site would also be supported.

## Policy BL6 - Tracks

**Proposals to install, alter or extend tracks will only be permitted where:**

- 1. The scale and alignment of the track and the proposed materials will not have an adverse impact on the landscape and special qualities of the National Park;**
- 2. There is compelling evidence of a need for the track to directly support an established agricultural or forestry use and the scale and nature of the development is commensurate with that need;**
- 3. It can be demonstrated that no existing roads or tracks are suitable and that alternative arrangements cannot be made to meet the identified need for the track;**
- 4. It can be demonstrated that there will not be an unacceptable impact on any known historic or archaeological features;**
- 5. Works will not adversely affect ecological assets, including impacts arising from habitat loss, drainage or disturbance. Where appropriate. Environmental Impact Assessment and Habitats Regulation Assessment will be required; and**
- 6. Appropriate design, construction methods and materials are used to reduce the visual impact of the track on the wider landscape.**

### Explanation

- 6.23 Many areas of the National Park are characterised by an open landscape where the impact of new development can be seen over a wide area. New or altered tracks across this landscape can be readily visible from public vantage points and can appear as a scar on the landscape for many years. Nevertheless, there may be circumstances where a new track or the alteration, improvement or extension of an existing track would bring significant land management benefits. In such cases the Authority will support proposals which are sensitively designed and help to maintain the distinctive quality of the National Park's landscape, biodiversity and natural environment.



- 6.24 The creation of a new track or work to alter an existing track is classed as an engineering operation which constitutes development. Where a proposal is reasonably necessary for agricultural or forestry purposes it is covered by the Town and Country Planning (General Permitted Development) (England) Order 2015 (Schedule 2 Part 6 Agriculture and Forestry). In these cases the Authority must be notified of the proposal and may require details to be approved before works are carried out. Tracks which are not reasonably necessary for agricultural or forestry or which lie within 25 metres of a classified road require planning consent. This includes tracks to be used for business or recreation purposes, for example in connection with moorland shooting activities.
- 6.25 The Authority will expect applicants to have considered all possible alternative arrangements, including using or sharing other tracks and using smaller or more versatile vehicles which avoid the need for the works. In drawing up proposals, applicants should refer to the Authority's Planning Advice Note for Agricultural, Forestry and Recreational Tracks in the National Park.
- 6.26 The design of new or altered tracks is critical and new tracks should follow the routes of existing field boundary walls and hedges where possible to avoid cutting across open fields and landscapes. Areas of known archaeology should be avoided and tracks should ideally take the form of twin trods with grass or heather between the wheelings. Where it is not possible to follow existing field boundaries, walls or hedgerow planting may be required to help the track blend into the surrounding landscape.
- 6.27 Local material should be used for surfacing to ensure compatibility with the local landscape character and ecology. In the case of replacement tracks or repairs to existing tracks, like for like surfacing should be used to ensure that the new development is visually compatible with the existing track. Light coloured surfacing such as limestone or hard core should be avoided as it can increase the visual prominence of the track. Open ditches adjacent to new or altered tracks should be avoided as they are unsightly, increase the visual impact of the track in the landscape and are harmful to biodiversity.
- 6.28 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.

## Policy BL7 - Relocation of Agricultural Businesses

**The relocation of agricultural enterprises from within villages will only be permitted in certain circumstances. These circumstances are where:**

- 1. It is not financially viable to continue to operate the same form of agricultural activity in the current location, and**
- 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.**

### Explanation

- 6.29 As agricultural practices continue to change, cases can arise where agricultural businesses 'outgrow' their current location within or adjacent to a village and need additional or reconfigured space in which to operate. It can also be the case that there can be a degree of 'jostling for space' where villages contain farms and are also popular with tourists and those visiting for recreational purposes. In rare circumstances there may therefore be some demand for relocation of existing farm holdings. However, as farming often covers a wide area of land and can significantly impact on landscape character and biodiversity, such cases need very careful consideration in terms of pursuing the statutory purposes of National Park designation. Farms can strongly contribute to the character, cultural identity and traditions of villages and lend a sense of place, activity and history to a community.



- 6.30 Whilst the Authority wishes to support farming throughout the National Park the Authority is therefore of the view that the scale of change required would only be acceptable in very exceptional circumstances. In balancing the needs of a business against the wider needs of the National Park's residents and visitors those wider needs that would very likely take precedence, unless it can be demonstrated that the change is absolutely necessary for the continuation of a business or would result in significant amenity benefits to residents.
- 6.31 Applicants must demonstrate that proposals minimise environmental impact and incorporate measures to enhance biodiversity and combat climate change. An agricultural occupancy condition will be placed on any dwelling within the new farmstead.

## Policy BL8 - Shops, Offices and Food and Drink Services

**New retail development, professional and financial and food and drink services will only be permitted:**

1. Where the proposal is in accordance with the policies in the Helmsley Local Plan;
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 new proposals are ancillary to an existing enterprise provided that the proposal does not result in a cumulative increase in activity which would have an unacceptable impact on the character of the area, the amenity of local residents, or the wider vitality and viability of villages.

**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.**

### Explanation

- 6.32 In guiding new retail, professional, financial and food and drink development within settlements (use classes A1-A3) it is important to achieve a balance between provision for convenience services and retailing for tourism, predominantly aimed at visitors. Settlements within the National Park are very popular locations for visitors and can come under significant pressure to accommodate new retail developments to cater for the visitor market. The cumulative impact of new enterprises particularly those which are aimed primarily at the visitor market can be detrimental to the character of settlements within the National Park and can undermine their viability and vitality.
- 6.33 The policy allows for proposals which are ancillary to existing enterprises – for example, farm shops. This aims to ensure that commercial development is not introduced into quiet areas; therefore, preventing damage from increased activity levels on the character and appearance of the National Park.
- 6.34 It is essential that Helmsley town centre remains vibrant and adapts to changing circumstances when they arise, and that any proposals of a certain scale do not have a significant adverse impact on Helmsley town centre. Policy for town centre uses is set out in the 2015 Helmsley Local Plan.

## Policy BL9 - Advertising and Signposting

**Proposals will only be permitted for the display of advertisements where:**

- 1. The scale, design, material, finish, position, illumination and number will not, either on its own or in combination with existing advertisements, harm the character of the host building, street scene or wider landscape; and**
- 2. There will be no adverse effect on local amenity or public or highway safety.**

**In addition, within Conservation Areas and on buildings identified as heritage assets, illumination will only be supported where the fittings, wiring and level of illumination is designed to conserve or enhance the historic character and appearance of the building and the Area.**

**In the case of advance directional advertisements or signposts, it can be demonstrated that the sign is reasonably required to locate the related enterprise, the sign will not have an adverse impact on the character and appearance of the locality and will not, either individually or cumulatively, impact on highway safety and will be located outside of the limits of the highway. Advertisements will not be permitted for businesses eligible for 'white on brown' tourism signing.**

### Explanation

- 6.35 Advertisements, including private road signs and signposts can play an essential role in promoting business and tourism and where well designed can make a positive contribution to the streetscene and wider landscape. At the same time a proliferation of signs can be unsightly, distracting and damaging to the appearance of the building, streetscene or the wider rural character of the National Park. It is therefore essential that all proposals for advertisements are given careful consideration to ensure that they are sensitive to their surroundings.
- 6.36 The design of an advertisement together with its siting, position, colour and materials can determine how well it fits into the context provided by its surroundings. Large advertisements, particularly those for example which do not respect the proportions of any building to which they are attached can be unsightly and detract from the quality of an area, as can advertisements which are made of non-traditional shiny and reflective materials or which make use of particularly brash colours. Illuminated advertisements can be particularly visually intrusive and will be carefully controlled. A proliferation of signs attached to buildings or freestanding can also lead to unsightly clutter. Applicants should be aware that in order to conserve the character of the National Park, standard corporate or standard shop 'franchise' signs will not always be appropriate and that individual designs may be required in many cases.
- 6.37 Advertisements in an historic setting in particular should be well designed and located in order to avoid conflict with the historic character and appearance of heritage assets, including Conservation Areas, or damage to historic fabric. Internally lit illuminated box signs will in most scenarios not be supported on buildings identified as heritage assets or in Conservation Areas because of their adverse impact on character and significance. In some locations, advertisements that are sign-written directly onto the fascia or traditional timber hanging signs remain the prevailing form, adding to the historic character of the area. In these locations, other forms of fascia signage will not be supported unless appropriate to the character of the host building. Banners and high level signs will also not be supported. Hanging signs should generally be restricted to one on each street frontage.
- 6.38 A-boards are a well-used form of business advertising and the Authority recognises that they can contribute to business viability. However, although sensitive use of A-boards may not be harmful they can be a major hazard to pedestrians, especially people with visual impairments or physical disabilities and they obstruct the highway making it difficult for people, especially those in wheelchairs or with pushchairs, to use the space. They can also detract from the character and

appearance of buildings and the streetscene, particularly in Conservation Area locations. There are generally sufficient suitable alternatives to A-boards and therefore the siting of A-boards will be carefully controlled and alternatives will generally be encouraged. The Authority has powers to control their use and enforce their removal where they do not have consent. In areas with a high number of business uses, the Authority will support a collaborative approach to signage to reduce the use of A-boards.

- 6.39 Due to the rural character of the National Park's settlements, the presence of illuminated signage is generally limited. New signs incorporating illumination will generally be resisted, especially in areas where illumination is not a common feature or where it could harm local residential amenity. Exceptions may be made for businesses which support a settlement's evening economy and where the sign is of exceptional quality and would not harm the character or appearance of a building or the locality.
- 6.40 Legislation for the control of adverts comes from the Town and Country Planning (Control of Advertisements) (England) Regulations (2007), which includes a definition of what is meant by advertisements. The North York Moors National Park Authority has also been designated as an Area of Special Advertisement Control which means that there is a reduction in the scope and size of advertisements within the deemed consent provisions. Should consent be granted then this normally lasts for five years only, however this may be for a shorter or longer period depending upon the nature of the application.

## Policy BL10 - Communications Infrastructure

**The provision of infrastructure for radio, broadband and other telecommunications and information technology will only be permitted where it is of a scale and design appropriate to the National Park and helps meet the needs of local communities. Development will only be permitted where:**

- 1. There are no suitable alternative means of provision;**
- 2. There is no unacceptable adverse visual impact upon the character of the locality and the wider landscape;**
- 3. The siting of the installation makes use of the least environmentally intrusive option available, subject to technical issues;**
- 4. The proposal is part of a coordinated, long term strategy for the provision of telecommunications technology; and**
- 5. Provision is made for the removal of the equipment when it is redundant.**

**Where there would be unacceptable harmful impact which cannot be mitigated by alternative siting or design, permission will be refused.**

### Explanation

- 6.41 Modern communications are increasingly vital to those living in, working in or visiting the National Park. They provide online access for residents to services that otherwise can be physically located miles away, they are essential for businesses that are located or would wish to locate in the National Park – especially in the tourism sector. They can also help visitors in their understanding of and navigation around the North York Moors. However the remoteness and terrain of much of the National Park imposes limitations on services and deficiencies continue to exist.
- 6.42 This policy facilitates this expansion of broadband and mobile infrastructure for the benefit of all, whilst at the same time minimising any environmental and landscape impacts. A policy to support

the improving broadband and mobile telecommunications services is also included in the National Park Management Plan.

- 6.43 Operators will be expected to show what consideration has been given to reducing their impact through mechanisms as mast sharing, the erection of antennae on existing structures (including electricity pylons) and through the use of existing features to screen masts. The minimisation of any other impact on the environment, such as the effect of access roads, security fencing and power supply will also need to be considered.
- 6.44 A Joint Accord<sup>33</sup> was agreed in June 2018 between National Parks England and Mobile UK and was developed to complement the Code of Best Practice on Mobile Phone Network Development, recognising the special nature of the National Parks as sensitive environments that seek to support thriving communities.

## Policy BL11 - Commercial Horse Related Development

**Horse related development for commercial equestrian centres and liveryes will only be permitted where:**

- 1. There is an existing dwelling available from which the site can be managed;**
- 2. There is no unacceptable adverse visual impact upon the character of the locality and the wider landscape;**
- 3. The amenities enjoyed by neighbouring occupiers will not be harmed by reason of disturbance and/or smell nuisance;**
- 4. The proposed site is accessible by an adequate network of safe equestrian routes, which are capable of absorbing the additional usage;**
- 5. There is adequate provision for parking and/or other associated ancillary facilities; and**
- 6. The proposal is of an appropriate scale and well related to existing buildings.**

### Explanation

- 6.45 Equestrian activities can play a large part in the economy of rural areas and horse riding in the National Park is considered as an appropriate form of recreation. It will be supported by the Authority as long as it does not lead to conflicts with the landscape and natural beauty of the National Park or with residents and other National Park users. However, the increasing popularity of equestrian activities has resulted in increased pressure for development for new buildings and associated structures such as all-weather exercise and training arenas. The concentration of this type of activity may lead to the over saturation of bridle paths, which adversely impacts other users such as walkers who may find their enjoyment reduced or may have a detrimental impact on the natural environment and the appearance of the landscape. As such any proposals for commercial horse related development should be of appropriate scale and well related to existing buildings.

<sup>33</sup> Available at <http://www.nationalparksengland.org.uk/publications-and-documents/publications/>

## Policy BL12 - Temporary Rural Workers' Dwellings

**Temporary dwellings for rural workers engaged in farming, forestry or other essential land management activities will only be permitted where the accommodation is essential to support a new enterprise or activity, whether on a newly created or an established unit.**

**In all cases it should be demonstrated that:**

- 1. There is a clear functional need for the dwelling;**
- 2. The need cannot not be met by using another existing dwelling or property on the unit or any other existing accommodation in the area;**
- 3. There is clear evidence that the proposed enterprise has been planned on a sound financial basis;**
- 4. There is a firm intention and ability to develop the enterprise concerned;**
- 5. The proposed location is well related to existing buildings; and**
- 6. The proposed temporary dwelling can be easily dismantled and removed and the site restored to its existing condition.**

### Explanation

- 6.46 Occasionally there may be circumstances where a new rural business or activity is being set up and a dwelling is needed to support the new enterprise. Provided the new enterprise is a farming, forestry or other essential land management activity, the Authority will consider granting a three year permission for a temporary dwelling in an appropriate location to enable the longer term viability of the enterprise to be established.
- 6.47 Applicants must be able to provide clear evidence that the dwelling is essential for the running of the new enterprise and that the need for the accommodation cannot be met by using other dwellings either on the unit or nearby, or by converting an existing suitable building within the control of the applicant. Applicants will also need to show that no residential property that could have been used to meet the need has been disposed of in the preceding three years. Further details of the information required and the assessment of applications are at Appendix 3.
- 6.48 The proposed location of the temporary dwelling should be well related to existing buildings and minimise impact on the landscape. Suitable accommodation would be a residential caravan or chalet which should be of a size commensurate with the worker's need for accommodation. Permission will be given for three years and conditions will be applied restricting the occupancy to agricultural and forestry workers and setting out the date by which the temporary dwelling should be removed and the site restored to its former condition. Successive extensions to temporary permissions will not normally be granted unless there are specific planning reasons relating to an individual case.







Photo: Mike Kipling

## 7. Communities

### Objectives - Communities:

18. Foster vibrant local communities, where young people have an opportunity to live and work, and where new development is supported by appropriate infrastructure including sustainable transport.
19. Support the provision and retention of key community facilities and services.
20. Ensure that a range of types and sizes of housing is available, including affordable housing to meet local needs, help stabilise population levels across the National Park and limit the number of second homes.

### Introduction

- 7.1 This chapter of the Plan sets out the policies which the Authority will use to help promote the social well-being of residents within the National Park through the careful consideration of development proposals for new and existing homes and community facilities.

### Strategic Policy L - Community Facilities

**Development that would result in the loss of a community facility or would compromise its use 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 through application of the viability and marketing tests set out at Appendix 2.**

**The provision of new health, sport, education and other community facilities will only be permitted:**

- 1. Within the main built up area of Helmsley or one of the Larger Villages where the facility is intended to serve both the immediate and/or the wider locality;**
- 2. Within the main built up area of one of the Smaller Villages where the facility is intended to serve the immediate locality only;**
- 3. In other locations, as an exception to Strategic Policy B, where there are no suitable sites in Helmsley or a Larger or Smaller Village.**

## Explanation

- 7.2 Community facilities, including village halls, shops, schools, post offices, health and child care facilities, libraries, religious buildings and pubs are essential elements which help small communities to thrive. These facilities often serve networks of villages and are essential for people who may otherwise face long journeys to reach alternative facilities or may have difficulty accessing services, such as the elderly. They can also reinforce local identity and character and are often a focus for social interaction in rural areas.
- 7.3 Once lost, such facilities are seldom regained. The conversion of community facilities to non-community uses such as residential can reduce the social cohesion and economic vitality of local communities, as well as causing additional disruption and inconvenience in terms of access to services. The Authority will therefore carry out its statutory duty to foster the economic and social well-being of local communities by setting out a clear policy that the loss of community facilities through change to an alternative planning use will, as a matter of principle, be resisted.
- 7.4 New community facilities intended to serve both the immediate and a wider locality should be located in Helmsley or one of the Larger Villages in order to support their service function. Facilities intended to serve the immediate locality will be permitted in all settlements. Only in exceptional circumstances will new facilities be permitted in other locations.
- 7.5 The Authority does accept that there may be some cases where the loss of a community facility is justified because it is no longer suitable to meet a need or is no longer economically viable. In such cases an inflexible approach could risk economic hardship to the owner or tenant or result in empty buildings that could become neglected. Strategic Policy L aims to strike a balance between the retention of community facilities and the need to accept their loss if there are genuine and demonstrable reasons why the use cannot continue. Permission resulting in the loss of facilities will only be granted if it can be demonstrated robustly that the facility is no longer suitable or viable for its community use, in accordance with the viability and marketing tests set out at Appendix 2.
- 7.6 Shops, offices and food and drink establishments also have an important role in supporting sustainable communities and in helping the local economy. Proposals for such developments will be assessed under Policy BL8.

## Policy CO1 - Developer Contributions and Infrastructure

**Development will only be permitted where adequate infrastructure is in place or can be provided to support that development.**

**Developer contributions will be required where they are considered necessary to:**

- 1. Ensure the provision of any necessary improvements to physical and social infrastructure resulting from additional demand created by the proposal;**
- 2. Provide for affordable housing in line with the policy objectives of building housing to meet local needs;**
- 3. Ensure that development can be made acceptable in the context of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park and ensuring the continued understanding and enjoyment of its special qualities.**

**Proposals for new, improved or supporting infrastructure will be permitted where:**

- a) They represent the least harmful option reasonably available having regard to any operational requirements and technical limitations that are applicable;**
- b) The design minimises impact on visual amenity, including the character and appearance of the locality and the wider landscape; and**

**c) They will not result in unacceptable harmful impacts upon features of ecological, archaeological, architectural or historic value.**

### **Explanation**

- 7.7 This policy is intended to ensure that adequate infrastructure is or can be made available to support new development and that the development of any new infrastructure is sensitive to its location within a National Park. It also states that contributions from developers may be sought to eliminate or mitigate the impact of any new development. Examples could include highways improvements, the provision of affordable housing, community facilities, new areas of community space or new green infrastructure.
- 7.8 The Authority's approach to negotiating developer contributions will take into account the proposed development's impact on National Park special qualities. Contributions will be sought where they are necessary and directly, fairly and reasonably related in scale and kind to the development. Applicants are encouraged to contact the Authority at an early stage in such cases so that negotiations can take place in a timely manner. The Authority will consider financial viability provided the agreed contribution remains sufficient to make the development acceptable.

## **Policy CO2 - Highways**

**New development will only be permitted where:**

- 1. It is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety;**
- 2. The external design and layout and associated surfacing works take into account, as appropriate, the needs of all users including cyclists, walkers, horse riders and users of mobility aids; and**
- 3. Highway detailing, road improvements and street furniture are sensitive to the character, heritage, built form and materials of the area, the need to conserve and enhance biodiversity and are the minimum required to achieve safe access.**

**New roads and significant road widening schemes are not considered appropriate in the National Park and will not be permitted unless it can be robustly demonstrated that they will meet a compelling need which cannot be met in any other way and are acceptable in terms of landscape and other impacts.**

### **Explanation**

- 7.9 Many local residents within the National Park rely on their own vehicles. However, other residents are without access to a car, for all or part of the time. Alternative modes of transport, including bus services and the rail network will remain important to many.
- 7.10 As the National Park Authority is not the Highway Authority for its area it is not responsible for the day to day operation and maintenance of roads. There are two highway authorities who administer the National Park area, North Yorkshire County Council and Redcar & Cleveland Borough Council. The North Yorkshire County Council and Redcar & Cleveland Local Transport Plans set out the broader strategic approach to the issues of transport and accessibility within the National Park. Section 62 of the 1995 Environment Act places a duty on all relevant authorities to have regard to National Park purposes when operating within the boundaries of or affecting the National Park. This applies to transport providers and operators.
- 7.11 The National Park Authority consults the relevant highway authority on planning applications. In the case of a development which will generate a significant amount of movement a Travel Plan will need to be prepared.

- 7.12 New road schemes and upgrading can have a significant impact upon the landscape and the natural environment of the National Park. Government policy<sup>34</sup> states that there is a strong presumption against any significant road widening or the building of new roads through a National Park, save in exceptional circumstances, such as the demonstration of a compelling need that could not be met by any reasonable alternative. The Authority will therefore continue to resist major road proposals within its area. Local Transport Plans do not identify any major new road schemes in the National Park. A Strategic Transport Plan has been prepared by Transport for the North<sup>35</sup>.

## Policy CO3 - Car Parks

**New parking facilities will only be permitted where:**

- 1. It is the only way to solve existing identified parking problems;**
- 2. It will benefit the needs of both communities and visitors to the National Park;**
- 3. It uses an existing or previously developed site unless it can be demonstrated that no such suitable sites are available; and**
- 4. The scale, design, siting, layout, and surfacing do not have an unacceptable impact on the natural beauty, wildlife or cultural heritage of the National Park.**

### Explanation

- 7.13 New car parks will need to be very carefully designed, sited and landscaped. Large car parks can detract significantly from the character of their location and the surrounding landscape. However, small, isolated car parks often appear incongruous and can be difficult to manage and keep secure and safe.
- 7.14 Proposals should be designed carefully, taking full account of the needs of pedestrians, cyclists, horse riders and disabled people. The siting, layout and surfacing of new car parks should ensure that there is no adverse impact on the natural beauty, wildlife or cultural heritage of the Park, and that highway safety and residential amenity are not compromised.
- 7.15 In order to prevent intrusion from light pollution, external lighting will not normally be acceptable unless essential for safety reasons (see Policy ENV4). Large areas of new hard surface can have an adverse impact on existing drainage and create flood risk and therefore new proposals should seek to manage and minimise run off. Schemes of one hectare or more are classed as major development under the Town and Country Planning (Development Management Procedure) (England) Order 2015) and are required to incorporate Sustainable Drainage Systems (SuDS) into their design.

## Policy CO4 - Public Rights of Way and Linear Routes

**Development should protect and where appropriate enhance existing networks of Public Rights of Way, linear routes and other access routes used by pedestrians, cyclists and horse riders.**

**Development which would have an unacceptable harmful impact on a Public Right of Way or which would prejudice the future recreational use of linear routes such as disused railway lines indicated on the Policies Map will not be permitted.**

<sup>34</sup> English National Parks and the Broads UK Government Vision and Circular, March 2010, paragraph 85. National Policy Statement for National Networks, Dec 2014, para 5.152.

<sup>35</sup> Transport for the North is a public and private sector partnership working to develop and deliver strategic transport infrastructure across the North of England.



## Explanation

- 7.16 Responsibility for all Public Rights of Way (PROW) within the National Park has been delegated to the National Park Authority. The PROW network and other areas of public access in the National Park provide one of the most important recreational resources throughout the whole of the National Park area. They form a resource which offers considerable opportunities for visitors and residents to enjoy the countryside and the special qualities of the North York Moors, and which directly supports the National Park second purpose. Most of the Cleveland Way National Trail, regional routes and other long distance walks, all of which attract considerable numbers of visitors each year, pass through the National Park.
- 7.17 The protection of PROWs and linear routes, such as disused railway lines, provides opportunities to encourage walking, cycling and horse riding as safe and attractive alternative modes of transport within the National Park - whether for recreational or other purposes. By keeping routes whole and not allowing them to be severed by new development, their future use will not be prejudiced. Diversion or removal of a PROW is a complex and lengthy legal process<sup>36</sup>. A number of disused railway lines exist around the National Park, some dating from the area's industrial era. Such routes may present opportunities for appropriate reuse as recreational corridors, and it is particularly important that they remain intact and that their character is not harmed through works such as re-surfacing with inappropriate materials or widening.
- 7.18 The locations of protected linear routes are shown on the Policies Map. They are at the following locations: Kettlethorpe to Runswick, Guisborough old rail line (Aldenham Road to the Guisborough Forest Visitors Centre) Battersby Junction to Station House at Ingleby Greenhow, the former Rosedale Railway, the former rail line south of Coxwold, the former rail line south of Thornton le Dale, Slapewath, and from Whitby-Cloughton (the section of the Cinder Track inside the National Park).

## Policy CO5 - Community Spaces

**Development which would lead to the loss of, or significant harm to, the qualities or functions of an identified Community Space will not be permitted unless it can be demonstrated that the space is no longer needed or a suitably located replacement of at least equivalent standard is secured.**

**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 a community use, in accordance with the viability and marketing tests set out at Appendix 2.**

## Explanation

- 7.19 Community Spaces are spaces which provide a recreational and/or social benefit and are open to the public to use. The NPPF requires that Local Plans identify quantitative and qualitative deficits or surpluses of open space, sports and recreational facilities in the area and an Open Space Assessment has been prepared to meet this requirement. The Study will be used to inform where new provision may be required and to provide an evidence base to justify a request for new facilities from applicants as part of new developments.
- 7.20 The following types of spaces have been identified and are shown on the Policies Map:
1. Allotments
  2. Play areas
  3. Recreation fields

<sup>36</sup> For details, see: <https://www.northyorks.gov.uk/definitive-map-public-rights-way>

4. Sports facilities and playing fields (cricket, tennis, bowls, quoits etc.)
5. Religious grounds
6. Village Halls

7.21 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 they could still serve the local community as a village or parish hall for example, especially in villages where there may be no existing provision.

## Strategic Policy M - Housing

**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.**

**These homes will be delivered through the development of sites allocated in the Helmsley Local Plan and in Policy ENV13, 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 approved by the National Park Authority.**

**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. Schemes will be expected to meet the need for smaller dwellings.**

**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.**

### Explanation

7.22 The National Park lies within commuting distance of Teesside, York and Leeds and also attracts people who want to retire or buy holiday homes. Demand for housing is strong and house prices have been high in relation to the rest of the Yorkshire and Humber region for many years. Affordability remains a problem for many communities. Increasing levels of second home ownership can also reduce the vitality of villages particularly in villages close to the coast and in the most attractive moorland villages.

7.23 Opportunities for new housing development that supports National Park purposes are very limited and need to be considered carefully in terms of how they can best support local communities. As a protected landscape the conservation of open countryside and important undeveloped spaces within villages is a fundamental part of the first National Park purpose. The Government makes clear through the National Parks Circular that National Parks are not suitable locations for unrestricted housing, and that the focus should be on providing for local housing needs through the provision of affordable housing and housing to support local employment opportunities and key services. The NPPF also requires that great weight should be given to conserving landscape and scenic beauty in the National Parks and identifies them as areas where development should be restricted. This Plan therefore focusses on meeting local housing need rather than meeting the objectively assessed need for new homes in line with national policy.

7.24 The strategy for housing in this Local Plan is:

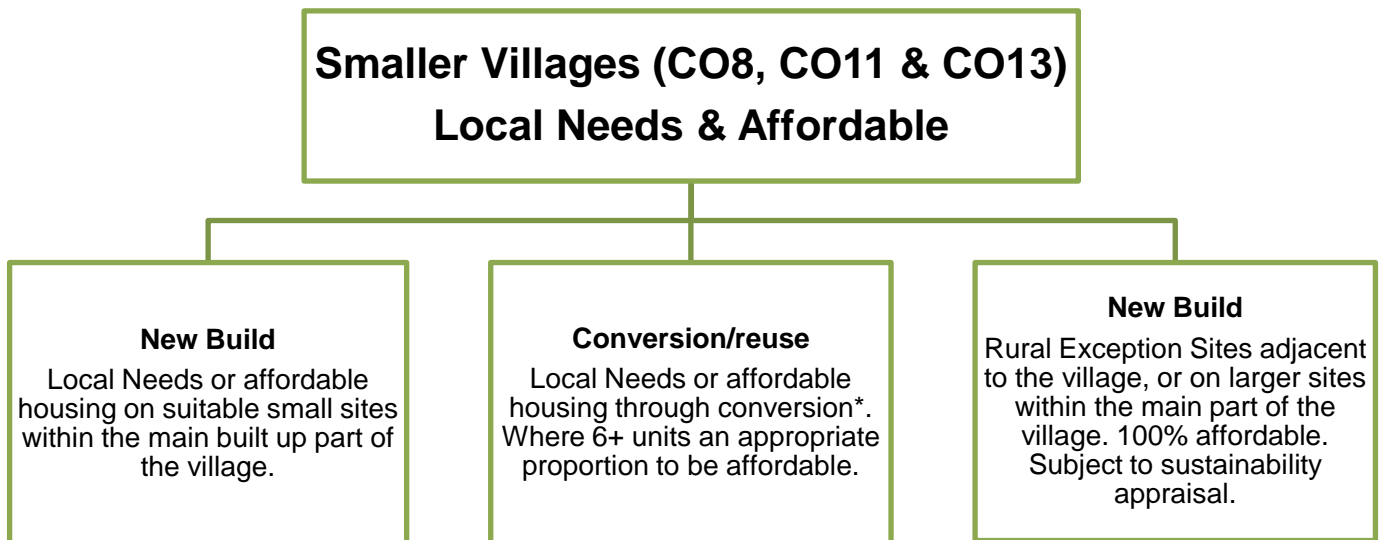
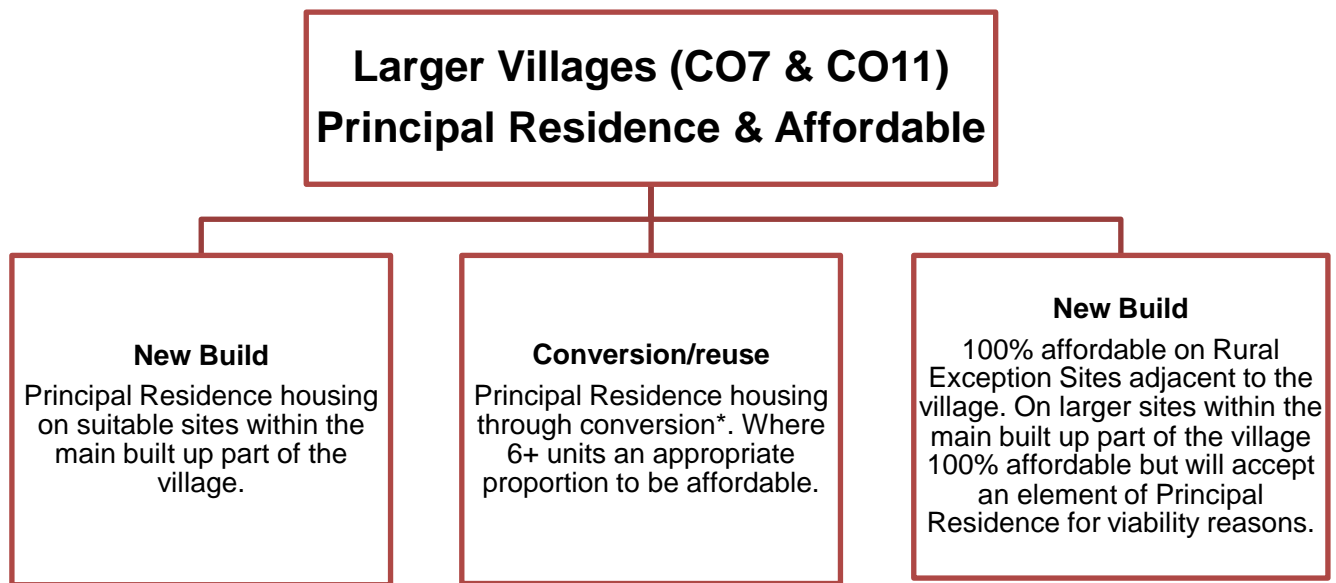
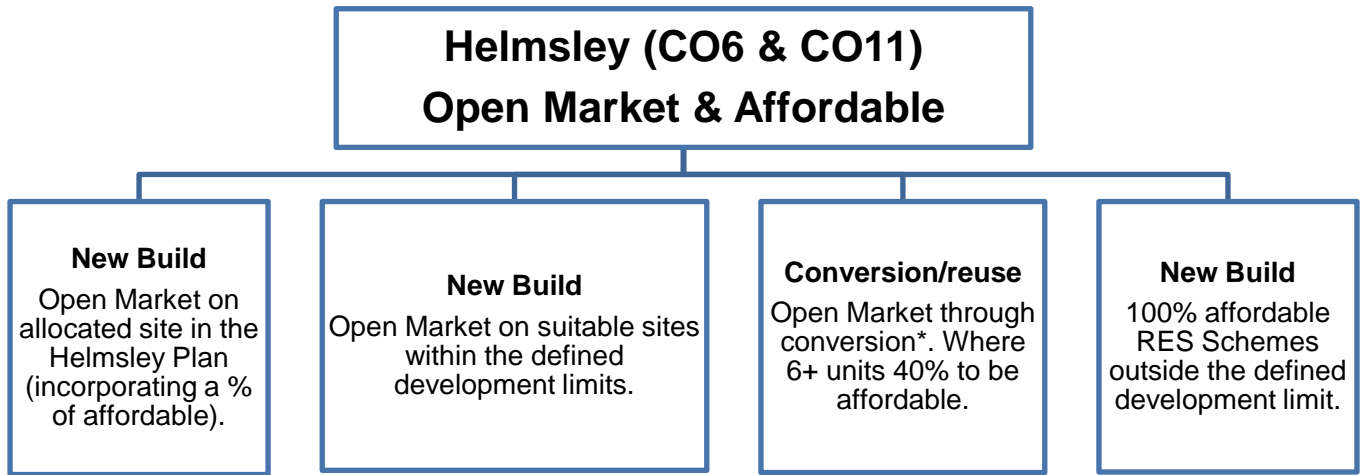
- a) To meet a significant element of housing demand and need in the Local Service Centre of **Helmsley**, in order to help widen local housing choice and support local services. This will be achieved through the development of land allocated for new open market and affordable housing in the adopted Helmsley Local Plan and through Policy CO6.

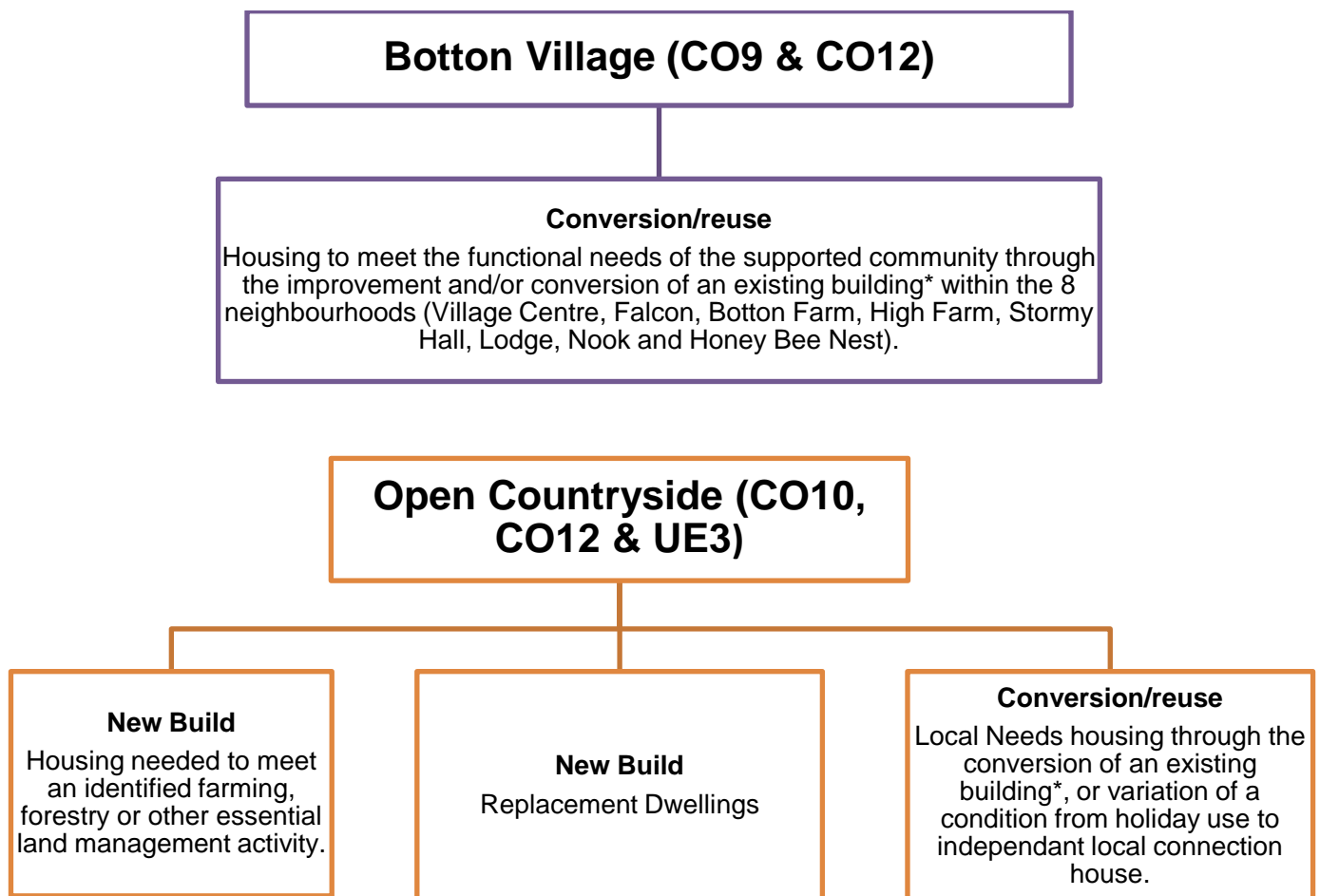


- b) To allow for a more limited amount of housing including principal residence and affordable housing on suitable small sites in **Larger Villages**. The aim is to have a flexible approach to new housing that will help stem population decline and support the vitality of the local economy and services in these communities whilst respecting the character and form of the built environment. This will be achieved through Policies CO7 and CO11.
- c) To permit small schemes of local needs housing on suitable small sites 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.
- d) To encourage the delivery of affordable housing to meet local needs and provide new housing opportunities for a younger population across all settlements. This will be achieved by encouraging affordable schemes in Larger and Smaller Villages through Policy CO11, **Rural Exception Sites**, which allows affordable dwellings that meet a specifically identified local needs on sites where housing development would not normally be permitted.
- e) To protect **Open Countryside** from inappropriate housing development, in line with established national policy whilst recognising that some new housing may be needed as an exception to help meet the needs of agricultural, forestry or other essential land management workers. This will be achieved through Policy CO10.
- f) To avoid new homes becoming **second or holiday homes**. This will be achieved by applying principal residence and/or local connection restrictions to all new housing other than in Helmsley. This will be achieved through Policies CO7, CO8 and CO13.
- 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.

7.25 The following guide helps to explain this strategy:

# Housing Policies Guide





\* A building which contributes to the character of the local built environment and reflects the vernacular architecture of the North York Moors; or is important in terms of its connection with local history or culture; or a building that is unique to the local area; or a building which represents a good surviving example of an historic architectural style; or a building of exceptionally high quality and design.

### Amount and location of new housing

- 7.26 No land is allocated for housing in this Local Plan apart from any housing elements of Environmental Enhancement Sites (Policy ENV13). Housing delivery will be through land allocated in the Helmsley Local Plan, development of suitable small sites in Smaller and Larger Villages (including custom and self-built housing), conversions and affordable housing 'exception' sites identified in conjunction with Rural Housing Enablers.
- 7.27 A Strategic Housing Market Assessment (SHMA) was carried out in 2016 which noted that the key requirement in the National Park is for affordable housing to meet local needs. The SHMA concluded that an annual figure of 29 dwellings, mainly 1 and 2 bedroom units for affordable housing and smaller 2 and 3 bedroom units for general housing needs, together with some specialist housing for the growing elderly population would meet local needs and have the potential to stabilise population levels. There is little need for larger properties. The nationally described method of calculating housing need and the 'Housing Delivery Test' does not apply in National Parks.
- 7.28 The Plan anticipates that a minimum of 551 new homes (29 per year) will be completed between 2016 and 2035. However, decisions regarding new house building will not be driven by the number of dwellings that are to be provided; instead they will be based on whether the proposal will help to meet community needs whilst being of a quality that respects National Park purposes. It is recognised that National Park communities face problems of housing affordability, declining

population and loss of services. Small scale, sensitively designed schemes which are assets to the community will therefore be supported regardless of past building rates. The rate of 29 new homes per year should be regarded as a minimum and will not be used to put a moratorium on new housing development once it is reached. A Housing Trajectory showing anticipated housing delivery over the lifetime of the Plan is at Appendix 5. Should monitoring of the trajectory reveal that the rate of 29 homes per year is not being reached over a sustained period, policies relating to housing supply in this Plan will be reviewed.

- 7.29 A supporting Land Availability Assessment (LAA) indicates which sites in the National Park may be suitable for development and which have permission for development. This will be updated annually.
- 7.30 Proposals for residential development in Helmsley will be determined in accordance with the policies in the Helmsley Local Plan. The Helmsley Local Plan was produced jointly by the National Park Authority and Ryedale District Council and adopted in July 2015. It sets out a vision for Helmsley and includes housing policies which cover residential development on allocated sites, windfall development and affordable housing provision. Proposals for residential development in Helmsley will be determined in accordance with these policies.
- 7.31 Policies CO6, CO7 and CO8 allow for housing development on suitable small sites in Helmsley and villages listed in the settlement hierarchy. These sites must be within the main built up area and have satisfactory access to the existing public highway. They must be of a scale that is appropriate to the size and function of the settlement. This will generally be sites capable of accommodating no more than five dwellings in Helmsley and the Larger Villages and no more than two dwellings in Smaller Villages. Development proposals must be well related to the form and grain of the existing surrounding residential development and should make efficient use of the available space. This means allowing scope for the full capacity of the site to be developed in future if the initial proposal is for just part of the site.
- 7.32 Suitable small sites may not always be a gap within a continuously built up frontage but they will always fit in with the existing pattern of the settlement. It is not intended to allow consolidation of sporadic outlying development or to allow villages to expand into open countryside. Gaps created by the development of rural exception sites which are not part of the main built up area of the settlement will not be considered to be suitable small sites. It is also important to recognise the amenity value of certain undeveloped spaces within the main built up area of settlements and therefore not every site will be considered suitable for new housing.
- 7.33 The National Park contains many settlements with a loose knit character where there is existing outlying development beyond the main core area. In these settlements the outlying development and any land between it and the core area are not regarded as part of the main built up area of the village. Any small plots of land within an existing frontage of the outlying development would not therefore be regarded as suitable small sites. Where settlements contain a number of built up areas it is intended that the housing policies will apply solely to the central main built up part of the settlement.

### **Types of housing**

- 7.34 Policies within this Local Plan support the provision of a range of types of housing. The vast majority of existing housing in the National Park is open market housing without any restrictions regarding occupation or price and more open market dwellings are being provided in Helmsley in accordance with the Helmsley Local Plan.
- 7.35 **Principal residence housing.** A form of market housing controlled by a mechanism which ensures it can be lived in by anyone but only as their main residence. Villages where a large proportion of properties are used as second homes can suffer from a lack of vitality particularly during winter months and this can lead to an erosion of the sense of community within the village. Local services and facilities can also decline in the absence of all year round support. Requiring new dwellings to be occupied as a principal residence avoids further loss of stock to second homes in the National Park whilst enabling the local economy to benefit by providing new housing

for people coming into the area to live, work and contribute to the local community. The Authority will therefore allow principal residence housing in Larger Villages to support their service function.

- 7.36 Principal residence housing must be used as the principal residence of the household living in it but does not have any price restrictions or any local connection requirements. Although there is likely to be a small reduction in the value of the dwelling compared with an open market dwelling, the reduction is significantly less than with a local connection condition. Principal residence requirements will be secured through a planning condition and will be monitored by the Authority.
- 7.37 **Local needs housing.** Since 1992 the Authority has used local occupancy conditions to ensure that new housing is used to meet the needs of local people. There is ongoing local support for this approach which is continued for new housing development in Smaller Villages and for conversion of buildings in Open Countryside. In comparison with previous policies, however, the criteria used to determine local occupancy have been widened and are now referred to as 'local connection' criteria. Their aim is to ensure that new housing developments in Smaller Villages are for the benefit of existing and future residents who make a contribution to the National Park society and economy. Policy CO13 sets out the criteria that will be applied to local needs housing schemes. The local connection requirement will be secured through a planning condition and will be monitored by the Authority.
- 7.38 **Affordable housing.** In recent years many small affordable housing schemes have been successfully developed in the National Park through partnership working with Rural Housing Enablers, Registered Providers (housing associations), Local Housing Authorities and Homes England (formerly the Homes and Communities Agency) as part of the North Yorkshire Strategic Housing Project. These schemes have delivered social and affordable rented housing as well as shared ownership dwellings in local communities and this Local Plan supports the provision of further affordable dwellings which meet local needs.
- 7.39 Affordable housing is defined in the NPPF and the same definition is included in the Glossary to this Plan (Appendix 4). Recent changes to the definition of affordable housing mean that many different types of housing development now come under the umbrella of affordable housing, including ones that have not so far been common in the National Park such as discounted market sales housing and affordable private rent. Such new forms of affordable housing mean that local landowners and small developers as well as Registered Providers may now put forward affordable schemes in the National Park provided they comply with policies in this Plan, including that the proposed dwellings will remain affordable in perpetuity.
- 7.40 The link between local incomes and prices on the open market is a key factor in the assessment of affordability and the Authority will be looking for schemes where the monthly rent and/or mortgage costs are less than 30% of gross monthly household income. If proposals are for any form of low cost home ownership, the Authority will also look at the level of deposit needed to secure a mortgage as this can take a property out of reach of people who need affordable housing. Applicants should be aware that some affordable models, for example, developments where sales are discounted below the prevailing market value, may still not deliver genuinely affordable options for local residents and these would not be supported by the Authority. Similarly, affordable rents may need to be less than 80% of local open market rents to be affordable for local households.
- 7.41 Occupancy of affordable dwellings will be restricted by means of a Section 106 agreement or planning condition to those in housing need who require affordable housing and also have strong links to the local community. The agreement or condition will require the dwellings to remain affordable in perpetuity.

### **Size of new dwellings**

- 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. At the same time

there is a trend towards smaller households and there is also evidence that affordability is a problem, particularly for younger people needing to set up home for the first time.

- 7.43 In order to achieve a better balance within the housing stock, all new build housing developments within Larger and Smaller Villages together with new build 'windfall' developments in Helmsley should 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.

## Policy CO6 - Housing in Helmsley

**In order to deliver the objectives of the Helmsley Local Plan, open market and affordable housing will only be permitted:**

- 1. On sites allocated under Policy H1 of the Helmsley Local Plan, New Residential Development;**
- 2. On suitable sites brought forward under Policy H2 of the Helmsley Local Plan as Windfall Development. Proposals will be expected to meet the need for smaller dwellings;**
- 3. As a conversion of an existing building which lies within the defined Development Limit and makes a positive contribution to the character of the settlement. Where a conversion scheme would create six or more new dwellings, 40% of the new units should be affordable, subject to viability.**

### Explanation

- 7.44 Policy CO6 ensures that the objectives of the Helmsley Local Plan will be delivered under this Local Plan. Further information is provided within the Helmsley Local Plan itself. Policy H2 of the Helmsley Local Plan, Windfall Development, refers to residential development on small infill gaps within the Development Limit of the town and cross refers to the North York Moors Core Strategy and Development Policies document which is replaced on adoption of this Local Plan. For the avoidance of doubt, the guidance regarding suitable small sites at paragraph 7.31 to 7.33 will apply in consideration of applications for windfall developments in Helmsley.
- 7.45 In line with policy in the adopted Helmsley Local Plan, where the conversion of an existing building within the main built up area of Helmsley would result in the creation of six or more new units, there will be an affordable housing target of 40% of the new dwellings to meet the needs of local people. Where this target cannot be met the applicant will need to submit an independent viability assessment justifying any lower provision of affordable housing. Where the number of units to achieve 40% does not equal a whole unit, a pro-rata financial contribution will be sought for that part where viable.

## Policy CO7 - Housing in Larger Villages

**In order to support the wider service function of Larger Villages, principal residence and affordable housing will only be permitted:**

- 1. On suitable small sites within the main built up area of the village only. Proposals will be expected to meet the need for smaller dwellings;**
- 2. As a 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 dwellings an appropriate proportion should be affordable, in line with national policy and subject to viability.**



## Policy CO8 - Housing in Smaller Villages

**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 only be permitted:**

- 1. On suitable small sites within the main built up area of the village where additional development will respect the form and character of the settlement. Proposals will be expected to meet the need for smaller dwellings;**
- 2. As a 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 dwellings, an appropriate proportion should be affordable, in line with national policy and subject to viability.**

### Explanation

- 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 or by conversions of existing buildings. Proposals must respect the form and character of the village and the guidance at paragraph 7.31 to 7.33 will apply in determining whether a site is suitable for development. This will generally be sites of no more than five dwellings. Any large sites which do not meet the guidance would only be considered for housing development as an exception to policy and proposals would be assessed under Policy CO11.
- 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 and by conversions of existing buildings. Again, the guidance at paragraphs 7.31 to 7.33 will apply to individual proposals but the expectation is that a smaller scale of development will be appropriate in Smaller Villages. This will generally be sites of no more than two dwellings. Policy CO13 sets out the criteria that will be applied to local needs housing schemes. Applications to vary a local connection condition will be assessed under Policy CO13.
- 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 negotiated on a case by case basis and applicants should submit an independent financial viability assessment as part of their application. Where existing dwellings are subdivided an occupancy condition in line with the spatial strategy set out in Strategic Policy B will be placed on any net new dwellings. For clarity, where a replacement dwelling is permitted within a settlement identified in Strategic Policy B any occupancy restrictions will remain unchanged.

## Policy CO9 - Botton Village

**Development which is necessary to meet the functional needs of the supported community at Botton will only be permitted in accordance with the following principles:**

- 1. New community facilities should be located in the Village Centre or Falcon neighbourhoods, reinforcing their position at the centre of the community. In the case of new development it must be demonstrated that the need cannot be met through the reuse, extension or alteration of an existing appropriate building or facility;**
- 2. Works to improve buildings used for living accommodation, including their conversion or change of use to create new self-contained dwellings for supported residents, will be permitted within any of the eight neighbourhoods (Village Centre, Falcon, Botton Farm, High Farm, Stormy Hall, Lodge, Nook and Honey Bee Nest);**

- 3. Proposals for the improvement of other existing buildings, including their conversion or change of use will be permitted within any of the eight neighbourhoods provided they comply with requirements 1 to 7 of Policy CO12, Conversion of Existing Buildings in Open Countryside;**
- 4. New agricultural buildings or structures or extensions to existing agricultural buildings should comply with Policy BL5, Agricultural Development;**
- 5. Works to improve or extend private roads or tracks to meet an agricultural, forestry or community need should comply with Policy BL6, Tracks;**
- 6. Development that would be incompatible with the on-going care and support provided for residents at Botton will not be permitted;**
- 7. All development should respect the existing character of the neighbourhood and its landscape setting as set out in any adopted Botton Village character appraisal.**

### **Explanation**

- 7.49 The land at Botton Village towards the head of Danby Dale is owned by Camphill Village Trust, a registered charity that provides care, support and housing to people with learning and other disabilities. Community facilities and houses in which community residents live, some with carers under a 'Shared Lives' arrangement, are located in eight neighbourhood areas, originally centred around established dwellings or farmsteads. Residents receive support to participate in the life of the community which provides opportunities for work, social interaction, education, training, and cultural and leisure activities.
- 7.50 Botton Village is an evolving community, physically and socially different to all other settlements in the National Park. It is placed in a separate category in the National Park settlement hierarchy as the dispersed settlement of Botton. In recent years it has undergone various changes, some in response to changing legislative requirements covering social care. Although the community is not expanding at present, some of its buildings need updating and facilities need to be improved in order for its caring role to continue. A number of traditional buildings are currently empty and need to be brought back into use in order to be secured for the longer term. Policy CO9 allows for development that will meet the ongoing needs of the supported community at Botton without damaging the character of the settlement or its position within the wider landscape.
- 7.51 Botton is a widely dispersed settlement with buildings from different periods and in a variety of architectural styles. Centred around Botton Hall, it comprises a unique built environment which includes traditional farmhouses and agricultural buildings, workshops, a church and community facilities. It is set in a rich natural environment of agricultural land, gardens, planted woodland and footpaths, created over many decades by its original owners and the Camphill community. Architecturally there is a mix of traditional buildings, more recent residential buildings and internationally recognised modern structures which follow the principles of Rudolf Steiner's unique architectural style. The history and character of the settlement and its contribution to the landscape in this part of the National Park may be set out in a future Botton Village character appraisal and all applications must show that they respect the principles for future development detailed in any future appraisal.
- 7.52 The Authority retains its strong support for Botton and all development proposals must contribute to a long-term sustainable future for the caring community there. Many of its residents are vulnerable and it is important to have regard to safeguarding issues. Proposals will not therefore be permitted which are incompatible with the on-going care and support of residents. All development proposals at Botton will also be considered against other relevant policies in the Plan and the requirement that new development proposals should meet the needs of the supported communities at Botton will be secured by means of an occupancy restriction applied as a condition of planning permission.

## Policy CO10 - Housing in Open Countryside

**In order to maintain the quality of the National Park landscape, housing development in Open Countryside will only be permitted in the following circumstances:**

- 1. Where there is an essential need for a dwelling in the proposed location to support established farming, forestry or other essential land management activities. It must also be demonstrated that:**
  - a) The need for the accommodation cannot be met through the reuse or alteration of an existing suitable building;**
  - b) The proposed accommodation is essential to the functioning of a financially sound enterprise that has been established for at least three years;**
  - c) The dwelling will be used only in connection with that enterprise; and**
  - d) The size and specification of the dwelling is commensurate with the functional need for accommodation.**

**Occupancy will be restricted to agricultural, forestry or other essential land management workers.**

- 2. Where an existing dwelling is to be replaced in accordance with Policy CO14, Replacement Dwellings;**
- 3. Where a rural building is of architectural or historic interest and is converted in accordance with Policy CO12, Conversion of Existing Buildings in Open Countryside.**

**Dwellings that are not of a high quality or that have a harmful impact on the landscape will not be permitted.**

### Explanation

- 7.53 The National Park is characterised by large areas of open countryside with scattered farmsteads and groups of buildings which are too small to be categorised as villages in the settlement hierarchy. These are areas where conservation of the landscape and environment are the overriding principles and new housing is not permitted. There are, however, certain circumstances where residential development in Open Countryside is necessary and Policy CO10 enables such development to take place provided it can be done without unacceptable harm to the landscape or the special qualities of the National Park.
- 7.54 Where the application is for a farm, forestry or land management worker's dwelling, applicants must demonstrate that there is a genuine and essential need for the accommodation in that location and full information must be provided on each part of criterion 1 of the policy. Further details of the information required in support of applications for dwellings for farm, forestry or other land management workers by the Authority are at Appendix 3.
- 7.55 The Authority will not support new build proposals where suitable alternative accommodation is available in the area or where existing buildings could be satisfactorily converted into accommodation. The history of the land holding will be investigated to establish whether any buildings suitable for conversion have recently been sold off and any such sale could constitute evidence of lack of need for a new dwelling.
- 7.56 New agricultural workers dwellings should be sited so as to meet the identified functional need and to minimise the impact on the landscape, taking advantage of existing topographical features,

trees and hedgerows. They should be well related to existing farm buildings or other dwellings and should be an appropriate size, design and specification. Care should be taken to ensure that the curtilage and access arrangements are unobtrusive in the wider landscape. Dwellings that are unusually large in relation to the functional needs of the enterprise will not be supported. Where planning permission is granted a condition will be attached restricting occupancy to agricultural, forestry or other land management workers as appropriate.

## **Policy CO11 - Affordable Housing on Rural Exception Sites**

**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:**

- 1. Adjacent to the main built up area of Helmsley;**
- 2. Within or adjacent to the main built up area of a Larger Village, where the site where the site would not meet the requirements of Policy CO7;**
- 3. Within or adjacent to the main built up area of a Smaller Village, where the site would not meet the requirements of Policy CO8, provided a Sustainability Appraisal demonstrates that the homes will contribute to the environmental, social and economic sustainability of the settlement.**

**Development will only be permitted where:**

- a) The need for the proposed number, type, size and tenure of affordable dwellings is supported by an up to date local housing needs survey and the proposed rent and/or mortgage costs are genuinely affordable for local people;**
- b) The number, design, materials and proposed layout of the dwellings are appropriate to the size, form and character of the settlement;**
- c) Development does not significantly detract from important views into or out of the settlement;**
- d) Robust arrangements are put in place to ensure that the dwellings remain affordable to the community in perpetuity, and**
- e) Effective community engagement has been undertaken.**

**The occupancy of all affordable dwellings will be restricted to those in need of affordable housing who also have a local connection. Where a scheme is proposed within the main built up area of a Larger Village and there are exceptional circumstances which demonstrate that it is not financially viable for all the dwellings to be affordable, the Authority will consider an element of principal residence housing.**

### **Explanation**

- 7.57 The National Park Authority has a long-established Rural Exception Site policy which has been successful in providing small affordable housing schemes for many communities. Policy CO11 continues this approach by permitting development on sites that would not normally be considered for housing provided the schemes meet specifically identified local needs and the dwellings remain affordable in perpetuity.
- 7.58 The starting point should always be a need for affordable housing being identified in the local community. The number, size and tenure of dwellings to be provided should be based on clear and up-to-date evidence of households in need of affordable housing in the local area. Applications should be supported by a parish-wide survey which will normally be carried out by the Rural Housing Enabler and the survey report should include:

- Details of the nature of the housing need, for example, inadequate facilities or overcrowding in the present home or the need to set up an independent home;
- The size, type and tenure of accommodation required, including the need for housing for elderly people or others with special accommodation needs;
- Whether the accommodation is needed immediately or in the future;
- What rent or mortgage payments households in need of accommodation could afford;
- Confirmation of connection to the local parish.

- 7.59 In some cases it may be appropriate for an exception site scheme to meet the affordable housing needs of a group of neighbouring parishes also located within the National Park, in which case the local housing needs survey should cover all of the proposed parishes in the group.
- 7.60 Local communities should be closely involved in the development of exception site schemes and the Parish Council may be able to suggest possible locations. It is important that the size, design and layout of any proposed development is appropriate to the form and character of the village and does not significantly detract from important views in and out of the settlement. If a suitable brownfield site is available, that will be given preference over a green field site. Potential sites are often at or near the edge of a settlement and care should be taken that the design creates a suitable link with the surrounding countryside.
- 7.61 Schemes of up to 12 dwellings would normally be considered appropriate. Applications for permission in Smaller Villages should be supported by a Sustainability Assessment which demonstrates that the location is suitable for new affordable housing and the development will contribute to the environmental, social and economic sustainability of the settlement. Information should be included about journeys people would need to make for work, school, shopping or medical care, the availability of local services and facilities such as post offices, shops and petrol stations and any local community activities which take place on a regular basis. The Authority will support applications where a reasonable part of people's everyday needs can be met within the local area and where the new development could help retain existing services, for example, by providing more custom for a local shop.
- 7.62 Proposals put forward under Policy CO11 should deliver housing that is genuinely affordable for local people as set out in paragraph 7.40. The expectation is that permission will only be granted for Rural Exception Site schemes comprising 100% affordable housing, as has been the case in the past.
- 7.63 However, in the case of sites within the main built up area of Larger Villages, where this Plan supports the development of principal residence housing, the Authority will in exceptional circumstances consider the inclusion of a limited number of principal residence dwellings within a Rural Exception Site scheme. It would need to be demonstrated that the scheme could not be delivered without the principal residence dwellings providing a cross-subsidy, for example, because costs were abnormally high or insufficient grant available. As this policy allows new housing on an exceptional basis only the expectation is that the majority of new housing will meet the definition of affordable housing. Evidence should be provided to show that the scheme includes the maximum possible number of affordable dwellings. Such schemes should be designed so that the principal residence and affordable dwellings are well integrated.
- 7.64 Planning permissions granted under this policy will be subject to a Section 106 agreement which requires that affordable dwellings remain affordable in perpetuity and that the first and all subsequent occupants are in need of affordable housing and have a strong local connection. This means living or being employed in the parish (or group of parishes) for at least 3 years or having parents, children or siblings who have lived there for at least 3 years. When considering residence within a parish which is split by the National Park boundary, the approach outlined in paragraph 7.75 will apply. If it is not possible to find a suitable occupant for an affordable dwelling

at any point, the agreement includes 'cascade' arrangements whereby occupants can be selected from adjoining parishes and then from elsewhere in the National Park.

- 7.65 The Authority will monitor Section 106 obligations from time to time and the organisations responsible for the management of affordable housing should hold relevant information to enable monitoring checks to be made. This should include rent levels, sale price at the last re-sale for low cost home ownership schemes and details of occupants' local connection and housing need when they moved in.

## **Policy CO12 - Conversion of Existing Buildings in Open Countryside**

**Conversion of existing buildings in Open Countryside will only be permitted where:**

- 1. The building is of architectural or historic interest and makes a positive contribution to the landscape and special qualities of the National Park;**
- 2. The building is structurally sound and capable of conversion without substantial rebuilding, as demonstrated by a qualified structural engineer's report;**
- 3. The building is appropriately sized for its intended use without the need for significant alterations, extensions or other new buildings;**
- 4. The building has reasonable access to necessary infrastructure, services and facilities;**
- 5. The proposal is of a high quality design that reflects the form and character of the building and provides for essential functional requirements without unacceptable harm to the fabric of the building or its setting. The design should retain existing external features which contribute significantly to the character of the building including original openings and roofing materials;**
- 6. The proposed use does not lead to changes, for example, in the building's curtilage or in relation to 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; and**
- 8. The proposed use is compatible in nature, scale and level of activity with the surrounding locality and any neighbouring buildings.**

**The proposed use should be the optimum viable use consistent with the building's conservation and the requirements of Policy ENV11 Historic Settlements and Built Heritage must also be met.**

**New uses for rural buildings that may be permitted under this policy are:**

- a. Employment, education or training; or**
- 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; or**
- c. Tourism facilities; or**
- d. Community facilities, in exceptional circumstances and where the proposal meets the requirements of Strategic Policy L; or**



**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 should also be met.**

### Explanation

- 7.66 Rural buildings make an important contribution to the quality and character of the landscape of the National Park. Chapels, schools and mill buildings as well as agricultural buildings are often architecturally or historically important and the purpose of Policy CO12 is to ensure the retention of the most desirable and significant buildings which, without conversion to alternative uses, would deteriorate and be lost to the National Park landscape.
- 7.67 Not every building will be considered suitable for conversion and reuse. In some cases there may be no appropriate alternative use and in others the amount of re-building required would be tantamount to the construction of a new building which, in locations outside settlements, is unlikely to be sustainable. In such cases it may be appropriate to accept the building falling into disrepair and eventually being lost. It may also be the case that allowing conversion to new residential use may result in an unacceptable impact on the amenity of an existing adjacent occupier or that the introduction of new openings, domestic paraphernalia, structures and extended curtilages would have an unacceptable landscape impact. In such cases permission will be resisted. Where a proposed development would have implications for biodiversity, for example the asset is a derelict or vacant building; the proposal will still be expected to provide appropriate protection for habitats, wildlife, biodiversity and geodiversity.
- 7.68 Certain changes of use, for example of agricultural buildings to commercial use, are now allowed as permitted development<sup>37</sup> and planning permission is not required. However, in many cases permission is required and applicants should follow the guidance in the Authority's Design Guide, Part 4: The Reuse of Traditional Rural Buildings to prepare conversion proposals that are sympathetic to the immediate surroundings.
- 7.69 The policy sets out acceptable new uses. Economic uses are often the most appropriate, as these can be incorporated with least impact on the fabric of the building and will contribute to the vitality of the local area.
- 7.70 There can be sustainability implications with proposals for permanent residential use in very remote locations but, in less remote situations and where the building is part of an existing group, the Authority will consider local needs housing for letting or sale. Residential annexes are also an option for buildings within the immediate curtilage of an existing dwelling. In all cases it is important that the rural character of the building is retained, for instance by avoiding subdivision of the curtilage.
- 7.71 Holiday accommodation or permanent residential use will also be acceptable only where there is an existing dwelling within a group of buildings. Planning conditions may be imposed to ensure that the curtilage of the building does not take on a domestic character. 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.
- 7.72 In instances where a building has been converted and a proposal relates to further alterations or extensions, the Authority will apply the criteria of this policy in order to ensure that the original character of the building is not lost. Such instances could be where a chapel has been converted to residential use; any future changes should still respect the original character of the building, rather than simply conform to the householder policies.

<sup>37</sup> The Town and Country Planning (General Permitted Development) (England) Order 2015.

## Policy CO13 - Local Connection Criteria for Local Needs Housing

The occupancy of local needs dwellings will be restricted to those:

1. Currently resident in the National Park, having been resident in the Park for at least the previous 3 years; or
2. Currently in employment in the National Park; or
3. Having an essential need to live close to relative(s) who are currently living in the National Park; or
4. Having an essential requirement for substantial support from relatives who are currently living in the National Park; or
5. Former residents whose case for needing to return to the National Park is accepted by the Authority.

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.

7.73 Local connection requirements will be applied as a condition of planning permission for all local needs housing and occupants will need to meet at least one of the criteria set out in Policy CO13. A planning condition will also require the dwelling to be occupied as the principal residence of the household living there.

7.74 When considering employment within the National Park, the Authority will accept full time employment and part-time employment of at least 16 hours per week where there is a permanent contract of at least one year in both cases. Households moving into the National Park to take up a job offer would be eligible as would self-employed people who can provide evidence to show that the employment has been ongoing for at least a year.

7.75 When considering residence within the National Park, the Authority will accept residence in any part of a parish which is split by the National Park boundary with the following exceptions where the main town or village lies outside the Park boundary. In these cases a qualifying residence must be strictly within the National Park boundary:

Allerston	Kirkby in Cleveland
Beadlam	Kirkbymoorside
Burniston	Lockwood
East Harlsey	Nawton
Ebberston and Yedingham	Newby
Great Ayton	Pickering
Great and Little Broughton	Potto
Great Busby	Scalby
Guisborough	Snainton
Irton	Sutton under Whitestonecliffe

7.76 The local connection criteria focus on existing and future residents of the National Park but there may be circumstances where it would be appropriate for former residents who would not comply with any other criteria to be able to return to the National Park, for example, someone returning after a period of service with the armed forces. The Authority also accepts it is also not possible for policy to anticipate every circumstance where personal circumstances may justify a local connection, or where it may be beneficial to the local community for a particular person to live in

that community. These situations would be considered by the Authority on a case-by-case basis and details should be provided with the application. Anyone wishing to purchase an existing property which has a local connection condition attached is advised to obtain written approval from the Authority that they comply with the condition prior to occupation.

- 7.77 Local connection conditions represent a long-term strategy to ensure that at least part of the housing stock of the National Park remains available to meet the current and future needs of local communities. Evidence suggests that the condition reduces the value of properties by 15 to 20% so they fall between open market and affordable dwellings in price and contribute to a balanced mix of housing available in the National Park. These dwellings form a valuable part of the existing stock and the Authority will resist applications to have local connection conditions removed, even in Larger Villages where principal residence housing is now supported. Owners of dwellings with a local connection condition will be expected to adopt a realistic approach to valuation when selling or renting, as they would have done on initial occupancy, and allow sufficient marketing time for a suitable new occupant to be found, during which time a temporary change of use to holiday accommodation may be permitted. The replacement of a local connection condition with a principal residence condition will only be allowed where a property has been marked at a suitable price for a period of 12-18 months. The Authority will also monitor local connection conditions on a regular basis and take action where appropriate if there is a breach of condition. If a person has been occupying a property contrary to the terms of a local connection condition, the time spent in the property will not count as part of their period of residence in the National Park.

## Policy CO14 - Replacement Dwellings in Open Countryside

**The replacement of an existing dwelling outside the main built up area of settlements listed in the settlement hierarchy will only be permitted where:**

- 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 interest;**
- 3. It is demonstrated that it is not feasible to repair or improve the existing dwelling or, if repairs are feasible but the existing building is incongruous in the landscape, it is demonstrated that the replacement dwelling would make a significantly improved contribution to the local landscape character;**
- 4. The replacement dwelling is in the same position as the existing unless it can be demonstrated that an alternative position is more acceptable in landscape terms and that the original dwelling will be removed beforehand; and**
- 5. The replacement dwelling is of an appropriate design and has a similar floor area, volume, scale and curtilage to the existing dwelling.**

### Explanation

- 7.78 Where an existing dwelling in Open Countryside is in such poor condition that repair and improvement is not financially viable, replacement with a new dwelling may be the only feasible way to improve the occupants' living conditions. There may also be circumstances where repairs are feasible but a replacement dwelling would significantly improve the local landscape. Policy CO14 sets out the circumstances where the Authority would support such proposals. The occupancy status of the original dwelling will remain unchanged.
- 7.79 Permission will only be granted where it can be demonstrated that the building is in an unsatisfactory state of repair and that the residential use has not been abandoned. Replacement of an existing house with one of a significantly different size and scale could have an adverse impact on the character and appearance of the local area and for this reason the replacement dwelling should have a similar footprint and scale as the existing dwelling and be in the same location unless an alternative position is more suitable in landscape terms. In considering

applications under this policy, the Authority will have regard to the North York Moors Landscape Assessment.

## Policy CO15 - Gypsy, Roma and Traveller Accommodation

**Permanent sites within the National Park to meet the identified accommodation needs of Gypsies, Roma and Travellers will only be permitted if it can be demonstrated that:**

- 1. There is a proven permanent need as evidenced by a Gypsy, Roma and Traveller Accommodation Assessment;**
- 2. There are no alternative suitable sites outside the National Park boundary to meet that need;**
- 3. It can be demonstrated that National Park purposes will not be compromised;**
- 4. The proposed site is for no more than two pitches and is in close proximity to the highway network in a position that is appropriate to the locality with existing screening;**
- 5. Essential infrastructure and services can be provided at the site without there being a harmful impact on the surrounding area; and**
- 6. The site is reasonably accessible to local services, including schools and has sufficient space for vehicle parking and manoeuvring.**

### Explanation

- 7.80 National planning policy requires local planning authorities to make provision for Gypsy, Roma and Traveller pitches where there is evidence of a need to do so. Needs assessments are carried out by the National Park's constituent authorities in their role as housing authorities. All four authorities have undertaken to make the necessary provision for Gypsy, Roma and Traveller pitches in the parts of their areas which lie outside the National Park boundary. The most recent need assessments carried out by the four District or Borough Councils reveal that there is either no need for that area (Scarborough and Ryedale) or that where need is demonstrated it can be met through vacancies on existing sites (Hambleton) or on a newly allocated site outside the National Park area (Redcar & Cleveland).
- 7.81 This Local Plan does not permit the development of new static caravan sites which are not considered to be an appropriate form of development within the National Park. However, if in future a need arises which cannot be met on a suitable site outside the National Park, Policy CO15 sets out the basis on which a proposal for new Gypsy, Roma and Traveller pitches would be considered.

## Policy CO16 - Removal of Agricultural Occupancy Conditions

**The removal of occupancy conditions relating to agriculture, forestry or other essential land management activity will only be permitted where it can be demonstrated that there is no longer a need for the accommodation on the holding or from persons meeting the conditions in the locality. Where this has been successfully demonstrated the condition will be substituted with a condition restricting occupancy to local needs in accordance with Policy CO13.**

### Explanation

- 7.82 Where new dwellings are permitted in Open Countryside to meet the needs of people employed in agriculture, forestry or other essential land management activities, an agricultural occupancy condition is attached to the planning permission. Such dwellings should remain available for use

by agricultural or other workers in the local area for the long term and the Authority will only permit removal of agricultural occupancy conditions in exceptional circumstances.

- 7.83 However, it is recognised that changes in farming, forestry or land management practices may in certain circumstances mean that a dwelling constructed for agricultural workers is no longer required. Before considering an application for removal of the agricultural occupancy condition, owners must demonstrate that they have actively marketed the dwelling at a realistic price reflecting the occupancy restriction for 12-18 months, in order to find an occupant who satisfies the condition. Within this marketing period the Authority is likely to support a temporary permission to allow the dwelling to be let on a temporary basis to persons satisfying the local connection criteria.
- 7.84 Once it can clearly be demonstrated that the dwelling has been adequately marketed at a suitable price for an appropriate period with no persons meeting the criteria, the Authority is likely to grant consent for the for the condition to be replaced with a local connection condition to allow the dwelling to be permanently occupied by persons meeting the local connection criteria, in accordance with Policy CO13.

## **Policy CO17 - Householder Development**

**Development within the domestic curtilage of dwellings should take full account of the character of the local area, the special qualities of the National Park and will only be permitted where:**

- 1. The scale, height, form, position and design of the new development do not detract from the character and form of the original dwelling or its setting in the landscape;**
- 2. The development does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling; and**
- 3. The development reflects the principles outlined in the Authority's Design Guide.**

**In the case of extensions and alterations to the existing dwelling, the following criteria must also be met:**

- a) Any extension should be clearly subservient to the main part of the building and should not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension; and**
- b) The design and detailing should complement the architectural form and character of the original dwelling and any new roofline should respect the form and symmetry of the original dwelling.**

**Where permission is granted, future extensions may be controlled by the removal of permitted development rights.**

**In the case of existing outbuildings and the development of new outbuildings, the following criteria must also be met:**

- i. The outbuilding should be required for purposes incidental to the residential use of the main dwelling;**
- ii. Any new or extended outbuilding should be proportionate in size and clearly subservient to the main dwelling;**
- iii. New outbuildings should be located in close proximity to existing buildings;**
- iv. If the proposal involves works to improve or extend an existing outbuilding, the original structure must be worthy of retention and capable of improvement; and**



**v. It should be demonstrated that any change of use of existing outbuildings is not likely to lead to future proposals for additional outbuildings to replace the existing use.**

**All proposals for residential annexes should also meet the requirements of Policy CO18 Residential Annexes.**

## **Explanation**

- 7.85 The Authority receives many applications for development within the domestic curtilage of dwellings. Extensions are often put forward as a convenient way to provide additional accommodation to meet changing family needs. Sheds, garages and other works may be proposed for additional domestic facilities and storage. However, unsympathetic works within the domestic curtilage can harm both the host property and surrounding environment and it is important that householder development should integrate effectively with the surroundings, reinforcing local distinctiveness and avoiding harm to the character of the settlement and wider landscape. Applicants are encouraged to incorporate sustainable design and construction techniques in all new householder development where feasible and regard should be had to Strategic Policy F. Further detailed advice on sustainable design can be found in Part 1 of the Design Guide. Where appropriate, applicants should also refer to the Government's Flood Risk Standing Advice for minor development<sup>38</sup>
- 7.86 Certain works within the domestic curtilage are covered by permitted development rights and householders should refer to the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 1. Where proposals require planning permission the Authority will permit schemes which are sympathetic to existing buildings in terms of scale, massing, form, materials and colour and which do not cause an unacceptable reduction in amenity either for the existing dwelling, or garden, or for neighbouring properties. All applications for planning permission should demonstrate that the principles in the Authority's Design Guide have been taken into account.
- 7.87 Very large extensions can be overbearing and proposals which incrementally extend small dwellings beyond their original size can have a detrimental impact on the character of an area and the mix of dwelling types needed to sustain balanced communities. Limiting the size of new extensions can avoid the loss of smaller more affordable dwellings in the National Park.
- 7.88 The Authority will therefore expect proposals for extensions to be clearly subservient to the main dwelling. Scale and design go hand in hand but in practice this means that schemes which increase the total habitable floor space by more than 30% will not be supported unless there are compelling reasons for a larger extension. Total habitable floor space should be calculated excluding existing extensions (unless built before 1 July 1948), garages, conservatories and outbuildings. Understanding the form and character of the existing dwelling is key to a successful extension and a high standard of design is essential in all cases; a poorly conceived small extension which harms the character of a building will not be acceptable simply because of its size.
- 7.89 All applications should be supported by drawings of a professional standard showing the existing and proposed elevations. Where relevant, Design and Access Statements should include an assessment of the dwelling's particular characteristics and how the local vernacular has been taken into account in designing the proposed extension. Designs which adversely affect the appearance of a dwelling, its curtilage or immediate surroundings will not be supported, even if the extension would not be generally visible from public viewpoints.
- 7.90 Extensions to traditional buildings in particular should respect and sustain the historic significance, character and appearance of the original building through sensitive design. The Authority will support contemporary as well as traditional design solutions provided the proposal

<sup>38</sup> Flood Risk Assessment: Standing Advice, Department for Agriculture, Food and Rural Affairs and Environment Agency, <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice>.



complements and enhances the existing architectural form of the building. Schemes which require the roof of a traditional building to be raised are not encouraged and care is also needed in the design of two storey extensions and in proposals which affect one of a row or group of similar properties. Extensions which would detract from the harmony and visual appearance of the group as a whole will not be supported.

- 7.91 Proposals for new outbuildings should ensure that the number, scale and design of buildings within the domestic curtilage do not detract from the character or appearance of the dwelling and its surrounding area. Outbuildings should be required for purposes ancillary to the main dwelling and should be commensurate with the needs of the household. In the case of a 'workshop', information about the proposed use should be provided so that the Authority can consider any potential impacts on neighbours, highway safety or local amenity.
- 7.92 When considering proposals for works to existing outbuildings, the Authority will take into account the condition and quality of the existing structure and whether it is worthy of retention and improvement. Where existing outbuildings would be lost to other uses, permitted development rights may be removed to enable the Authority to assess any subsequent proposals which may result in overdevelopment of the site.
- 7.93 Where works are proposed to a building which is listed, is of architectural or historic significance or is located in a Conservation Area, regard should be had to Strategic Policy I, The Historic Environment and Policy ENV11, Historic Settlements and Built Heritage. Where works involve the conversion of an existing outbuilding, Policy CO12 Conversion of Existing Buildings in Open Countryside also applies. Proposals to extend or alter dwellings previously permitted as a conversion from a different use in the Open Countryside will be considered under Policy CO12.

## Policy CO18 - Residential Annexes

**Residential annexes will only be permitted where:**

- 1. The development is located within the domestic curtilage and is ancillary to the main dwelling in terms of its scale, specification and proposed use;**
- 2. A clear functional need for the ancillary accommodation is demonstrated; and**
- 3. In the case of a new build annexe, it is physically attached to the main dwelling with an interconnecting door.**

**All proposals should also meet the requirements of Policy CO17, Householder Development.**

**Where permission is granted a condition will be applied to ensure that the annexe remains under the control of the occupier of the main dwelling.**

### Explanation

- 7.94 Household circumstances sometimes lead to a need for additional accommodation which is ancillary to the main dwelling but provides a degree of independence for the occupant. Residential annexes may be provided either as an extension to the main dwelling or by conversion of an existing outbuilding to meet this need.
- 7.95 An annexe is living accommodation which is ancillary to the main dwelling and forms part of the same planning unit. It must have a functional link with the main dwelling so that it is not occupied as a separate independent dwelling. 'Ancillary' implies a smaller or subordinate unit and in all cases the design should ensure that the accommodation is ancillary to the main building and commensurate with the identified need. The intention of this policy is not to facilitate a process of incremental development which leads to new independent dwellings with unsuitable amenity, access or landscape impacts becoming established.

- 7.96 Residential annexes may be self-contained and provide all the facilities needed for independent living or they may provide more limited accommodation, for example a small living space and bedroom with en-suite bathroom for a dependent relative but with kitchen space shared between the main dwelling and the annexe. Whatever the arrangement, applicants should be able to demonstrate that there is a clear functional link between the main dwelling and the annexe and that the proposal does not constitute an inappropriate addition to the existing building.
- 7.97 Acceptable schemes would typically have a shared common access with adequate parking and amenity space for the residents of the annexe and the main building. There should be no boundary demarcation or subdivision of the garden area and a condition of planning permission will be that the annexe will not be occupied as a separate independent dwelling nor sold off separately from the main house. The design should also allow for flexibility to bring the annexe accommodation back into use as an integral part of the main dwelling if the ancillary accommodation is no longer needed.
- 7.98 Detached new build residential annexes within the domestic curtilage will not be permitted although the conversion of an existing detached outbuilding would be acceptable, provided it is sufficiently close to the main building and the structure is worthy of retention.

## Policy CO19 - Extensions to Domestic Curtilages

**The extension of existing domestic curtilages will only be permitted only where:**

- 1. The change to domestic use will not have an adverse impact on the local landscape character;**
- 2. The land to be incorporated into the domestic curtilage does not form part of a Community Space or a valuable local habitat or heritage asset; and**
- 3. The change to domestic use will not cause unacceptable harm to the amenities of neighbouring occupiers by reason of noise, disturbance or other adverse impact.**

### Explanation

- 7.99 In areas of Open Countryside the change of use of agricultural land for domestic use can result in the erosion of the quality of the landscape particularly when domestic paraphernalia, landscaping and fencing appears as an intrusion into adjacent Open Countryside. The extension of domestic curtilages will therefore only be permitted where the site can be integrated without detriment to the wider landscape and the natural environment.
- 7.100 Extensions may be appropriate where the existing domestic boundary is irregular and a squaring or rounding off is desirable. Proposals should take account of the form of the settlement and the scale of any extension should be small and designed to supplement the existing curtilage rather than making a major change to the size of the planning unit. Proposals where significant engineering works are needed, for example, a retaining structure on sloping land, should be avoided. New boundaries should respect the character of the surrounding area and make use of any historic features. Traditional treatments such as natural low stone walling, hedging or agricultural style post and rail fencing will usually be appropriate rather than high close boarded fencing which has a suburban feel. Applicants are encouraged to consider, where possible and appropriate, how extensions to domestic curtilages can incorporate environmental enhancements such as re-building or re-instatement of dry-stone walling, tree or orchard planting or the creation of wildflower areas. External lighting in extended curtilages will not be allowed and the Authority will normally remove permitted development rights to protect against future inappropriate development within an enlarged curtilage.
- 7.101 Applicants should refer to the North York Moors Landscape Assessment for information about the local landscape character and protected and valuable habitats in the locality. Proposals that could have an adverse effect on the integrity of a European site will not be permitted and all proposals should incorporate an environmental enhancement.

7.102 Proposals to extend the domestic curtilage of buildings that have been previously converted from a different use in the Open Countryside will be considered under Policy CO12.

## Policy CO20 - Equestrian Development for Private Use

**Horse related development for private use, including stables, outdoor exercise arenas and permanent field shelters will only be permitted where:**

- 1. There is no unacceptable impact on the local landscape character or the special qualities of the National Park;**
- 2. Existing buildings are used as far as possible and any new stables, yard areas and facilities are closely associated with existing buildings and are not prominent in the landscape;**
- 3. The scale of any new structures is appropriate to their setting and the design reflects the principles outlined in the Authority's Design Guide;**
- 4. The development does not harm the amenities of neighbouring occupiers by reason of noise, disturbance, smell or other adverse impact;**
- 5. Lighting is discreet in order to minimise light pollution; and**
- 6. There is adequate space for parking and access for horse related vehicles and the development will not prejudice road safety in the locality.**

**All proposals located within the domestic curtilage of an existing dwelling should also meet the requirements of Policy CO17 Householder Development.**

**Where permission is granted, planning conditions will be imposed to control the equestrian use and ensure that the facility is for private use only.**

### Explanation

7.103 Many households living at the edge of villages or in Open Countryside keep horses for private use, taking advantage of the network of country lanes and bridleways for recreation. Horse related development needs to be managed with care as it can be harmful to the appearance of the landscape, especially where stables, all-weather exercise areas and paraphernalia associated with horse keeping are located in fields and paddocks adjacent to residential properties rather than within the domestic curtilage. The character of the landscape can also be altered when agricultural land is broken up into smaller scale paddocks containing horse keeping structures.

7.104 The Authority aims to protect the landscape from intrusion by isolated features so new stables, loose boxes or outdoor exercise arenas which are separated from existing buildings or are prominent in the landscape will not be permitted. Outdoor exercise areas in particular can appear as intrusive man made features especially if provided with extensive artificial lighting. Stables, field shelters and exercise areas should be located in positions which relate well to existing buildings and proposals should take advantage of hedgerows or other landscape features that would provide screening.

7.105 Applicants should have regard to the Authority's Design Guide. Advice contained in Part 5: New Agricultural Buildings will be relevant to horse related development proposals. Exercise arenas should not be located in elevated positions or on sloping land where major 'cut and fill' works would be needed to achieve a level surface. Surface materials should be chosen with care so as to blend in with the surrounding land. External lighting will not usually be permitted.

7.106 Where proposals are permitted, planning conditions will be applied to ensure that the facility remains for private use only and that, if the use ceases or the land is sold off separately from the

dwelling, horse related structures are to be removed and the land restored. Other conditions may be applied if appropriate, for example to control hours of use or to ensure that brightly coloured jumps are stored when not in use.

7.107 Policy on equestrian development for commercial proposes is set out at Policy BL11.



Photo: Mike Kipling

## 8. Monitoring and Implementation

- 8.1 This Local Plan will be subject to regular monitoring over the course of its life to see if policies are being implemented as expected and whether there is a need for a review. Each summer the Authority will publish an Annual Monitoring Report (AMR) which will track progress across a number of indicators and targets. The Local Plan will be reviewed every five years.
- 8.2 The Authority produces regular monitoring updates on performance against policies set out the North York Moors National Park Management Plan and its own Business Plan. The monitoring framework set out below includes only indicators of change over which the policies in this plan will have influence, and as a development plan they will tend to focus on levels and types of development. Other indicators over which this plan has little or no direct impact (for example the number of wildlife connections made) are not included within the framework below and will instead be report through other processes
- 8.3 The following indicators and targets will be included and monitored.

Local Plan Policies	Monitoring Indicator	Trigger / Target
<b>Strategic Approach</b> SPA SPB SPC SPD	a. No. of applications permitted / refused on design grounds b. Avoid major development except in exceptional circumstances	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
<b>The Environment</b> SPE SPF SPG SPH ENV1 - ENV8 SPI ENV9 - ENV13	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	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

	<p>requirement under ENV8 to displace at least 10% of predicted CO2 emissions through on site renewables.</p> <p>j. Reduction in CO2 Emissions</p> <p>k. Amount of traffic by no. of vehicles passing Saltergate traffic counter</p> <p>l. Number of Scheduled Monuments on the Historic England 'At Risk' register</p> <p>m. Number of Listed Buildings on the Authority's 'At Risk' register (Grade II Listed Buildings only)</p> <p>n. Number of buildings Listed Buildings, Conservation Areas and Registered Parks and Gardens on the Historic England's 'Heritage At Risk' register (Grade I &amp; II* Listed Buildings)</p> <p>o. Number of Conservation Area Appraisals and Management Plans</p>	<p>l. Remove 20 monuments</p> <p>m. Remove 20 buildings</p> <p>n. Monitor condition</p> <p>o. Complete 8 Appraisals</p>
<p><b><u>Understanding and Enjoyment</u></b> SPJ UE1 - UE4</p>	<p>a. Number of visitor days</p> <p>b. Number of new developments permitted under UE1</p> <p>c. Number of new developments permitted under UE2</p> <p>d. Number of tourism and recreation development lost</p>	<p>a. Increase</p> <p>b. No specific target</p> <p>c. No specific target</p> <p>d. No specific target</p>
<p><b><u>Business and Land Management</u></b> SPK BL1-BL12</p>	<p>a. Amount of net floorspace developed by type (B1, B2 and B8 use classes)</p> <p>b. Amount of net floorspace developed by type (A1-A5 use classes)</p> <p>c. No. and % of applications for telecommunications equipment approved</p> <p>d. No of new farming/diversification related permissions</p>	<p>a. Increase floorspace</p> <p>b. Increase floorspace</p> <p>c. 100%</p> <p>d. Monitor approvals</p>
<p><b><u>Communities</u></b> SPL CO1 – CO5  SPM CO6 – CO20</p>	<p>a. Percentage of settlements with key facilities</p> <p>b. Development of land designated as a Community Space (sq.m.)</p> <p>c. No. of net housing completions / permissions</p> <p>d. Breakdown of housing completions / permissions by Settlement Hierarchy</p> <p>e. Breakdown of housing completions / permissions by type</p> <p>f. Breakdown of housing completions / permissions by occupancy</p> <p>g. No. of affordable housing completions / permissions</p> <p>h. No. of replacement dwelling completions / permissions by SH</p> <p>i. No. of additional Gypsy and Traveller pitches granted permission</p> <p>j. No and % of extensions built within the 30% limit</p>	<p>a. No decrease</p> <p>b. No loss</p> <p>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.</p> <p>d. No specific target</p> <p>e. No specific target</p> <p>f. No specific target</p> <p>g. Maintain supply of RES sites</p> <p>h. No specific target</p> <p>i. No specific target</p> <p>j. Monitor approvals to see if policy is effective</p>



# Appendix 1 - Sequential Test

The table below shows how development will be expected to follow the sequential test under Policy ENV5 – Flood Risk. Explanations of the five flood risk vulnerability classifications can be found in National Policy Practice Guidance on flood risk and coastal change.

Flood Zones	Flood Risk Vulnerability Classification.				
	Essential infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compatible
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception Test required	✓	✓	✓
Zone 3a †	Exception Test required †	x	Exception Test required	✓	✓
Zone 3b *	Exception Test required *	x	x	x	✓*

Key:                      ✓ Development is appropriate  
                                   x Development should not be permitted.

† In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood.

\* In Flood Zone 3b (functional floodplain) essential infrastructure that has to be there and has passed the Exception Test, and water-compatible uses, should be designed and constructed to:

- result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere.
- remain operational and safe for users in times of flood;

The 2017 Strategic Flood Risk Assessment for the North York Moors National Park also recommended that other sources of flood risk should be considered within the Sequential Test process. The following table outlines the approach to consideration of surface water and groundwater flood risk.

	Essential Infrastructure	Water Compatible	High Vulnerability	Moderate Vulnerability	Low Vulnerability
Surface Water Flood Risk – very low vulnerability	<b>a)</b>	<b>b)</b>	<b>c)</b>	<b>d)</b>	<b>e)</b>
Surface Water Flood Risk – low vulnerability	<b>f)</b>	<b>g)</b>	<b>h)</b>	<b>i)</b>	<b>j)</b>
Surface Water Flood Risk - moderate vulnerability	<b>k)</b>	<b>l)</b>	Exception Test required where supported by other risk factors	<b>m)</b>	<b>n)</b>
Surface Water Flood Risk - high vulnerability	Exception Test required where supported by other risk factors	<b>o)</b>	Exception Test required where supported by other risk factors	Exception Test required where supported by other risk factors	<b>p)</b>
Groundwater Flood Risk - low risk (<25% & ≥25% <50%)	<b>q)</b>	<b>r)</b>	<b>s)</b>	<b>t)</b>	<b>u)</b>
Groundwater Flood Risk - moderate risk (≥50% <75%)	<b>v)</b>	<b>w)</b>	Exception Test required where supported by other risk factors	<b>x)</b>	<b>y)</b>
Groundwater Flood Risk - high risk (≥75%)	Exception Test required where supported by other risk factors	<b>z)</b>	Exception Test required where supported by other risk factors	Exception Test required where supported by other risk factors	<b>aa)</b>

# Appendix 2 – Viability Tests

1. Within the National Park facilities such as shops, small business units, chapels, post offices, car parks and public houses are considered an essential part of sustaining inclusive communities. Local businesses, including tourism uses are also vital to supporting the economic well-being of the National Park's residents.
2. Community facilities have been in decline in recent years and the scale of economic activity is limited. The Authority recognises the importance retaining local services and employment uses has on the continued vitality and sustainability of settlements.
3. The Authority receives many enquiries relating to the conversion of existing buildings in economic uses or community facilities to residential use; however the Authority wishes to make sure that every opportunity has been taken to retain the original uses for the benefit of the local economy and community before any conversion is made. It will therefore require robust evidence that the current use cannot viably continue or change to another community or employment use.

## Relevant Policies

4. These tests will apply to applications being assessed under:
  - a) Policy UE3 (Loss of Existing Tourism and Recreation Facilities)
  - b) Strategic Policy K (The Rural Economy)
  - c) Policy BL2 (Reuse of Existing Employment and Training Facilities)
  - d) Policy BL8 (Shops, Offices and Food and Drink Services)
  - e) Strategic Policy L (Community Facilities)
  - f) Policy CO5 (Community Spaces).

## Which Uses Will the Viability Tests Apply To?

5. Unless it can be demonstrated that the existing use is unsuitable in the area (see paragraph 10) applicants will need to meet the viability tests when they wish change to residential or holiday letting use from one of or more of the following economic or community uses:

### *Commercial Uses*

- a) Shops and Post Offices (all use classes within Use Class A1)
- b) Financial and Professional Services (all use classes within Use Class A2)
- c) Other Employment Uses (Use Classes B1, B2 and B8)
- d) Restaurants and Cafes (all use classes within Use Class A3)
- e) Public Houses and other drinking establishments (all use classes within Use Class A4)

### *Non-Commercial uses*

- f) Schools and other education and training facilities Healthcare Facilities, Childcare Facilities Libraries and Cultural Facilities (all use classes within Use Class D1)
- g) Tourist Facilities (including car parks but excluding rental holiday cottages)

- h) Allotments
- i) Play Areas
- j) Recreation Fields/Areas
- k) Sports Facilities and Playing Fields (cricket, tennis, football, bowls, quoits etc.)
- l) Churches, Chapels and Religious grounds
- m) Village Halls

## The Tests

### *For Existing Commercial Uses*

6. Applications must be supported by evidence that the current use is economically unviable and that it has been subject to a robust marketing exercise to find a new owner. Applicants will be asked to supply trading accounts over a period of 5 years for the existing enterprise. Depending on the nature of the enterprise this may need to be broken down into different components of the business. This information may then be assessed by an independent financial appraiser appointed by the National Park Authority. The costs for carrying out this assessment will be charged to the applicant. Financial details and account details provided will remain confidential throughout the determination of the planning application and will be retained on our records as such.
7. Applicants must provide evidence that a comprehensive marketing exercise to dispose of the existing enterprise has been carried out. In most cases applicants will need to carry out a minimum of 12 to 24 months active marketing depending on the circumstances of the case, which should include;
  - a) The use of an established commercial agent
  - b) Advertising in the local and regional press as follows:
 

Usually a minimum of one advert per month or online for 12-24 months in at least one of the following local newspapers depending on the location of the property in question:

    - Whitby Gazette
    - Malton Gazette and Herald
    - Darlington and Stockton Times
    - Scarborough Evening News
    - The Northern Echo
    - Or any other paper, which can be shown to provide coverage of the area in question).

A minimum of two adverts or one online advert over the marketing period in a relevant national publication e.g. Dalton's Weekly, Estates Gazette.
  - c) Where appropriate, registration of the availability of the property on the relevant Local Authority Commercial Property Database
8. Applicants will be asked to provide details of the marketing particulars including the details of the agency with which the property has been marketed and the asking price. The National Park

Authority will also request written details of all enquiries received and the reasons why potential buyers/leaseholders found the buildings to be unsuitable or why proposed offers were not accepted. In some circumstances the National Park Authority will need to seek independent advice as to whether a realistic sale price or leasehold rent has been set.

#### *Non-Commercial Uses*

9. In the case of publicly funded or non-commercial community facilities evidence should be submitted to demonstrate that:
  - The use is genuinely surplus to requirements – for example there are suitable facilities elsewhere, or evidence of usage levels which render the use unviable
  - All opportunities for alternative funding have been explored
  - There is no scope to secure viability through voluntary or community participation
  - That there are no other facilities nearby which could share its space
  - That the current use is not capable of being viably run as a new business. Where the current site has suitable building or buildings that could accommodate a commercial use the marketing exercises described above for commercial uses will need to be demonstrated.

#### **Demonstrating Unsuitability**

10. In exceptional circumstances the change of use from an employment site, shop or tourist facility may be justified through application of a suitability test. Under this test a building is deemed unsuitable as an economic use because of particular locational or structural constraints that prevent redevelopment or where very specific restraints apply, for example where the building is in very close proximity to existing dwellings. The Authority anticipates the application of this test to be a rare occurrence, however where it is successfully met the Authority may conclude that it is not necessary to apply the viability tests.

#### **Determining the Planning Application**

11. The National Park Authority will need to be satisfied that the viability tests have been carried out robustly and in accordance with the criteria set out above. Where reference is made to the availability of other buildings for economic purposes the National Park Authority will need to make a judgement about whether comparisons may be drawn, for example the availability of a modern industrial unit is likely to cater for a different user to that of a converted farm building.





# Appendix 3 - Dwellings for Farm, Forestry or Other Land Management Workers

This appendix sets out information required in support of applications for dwellings for farm, forestry or other land management workers. It should be read in conjunction with Policy CO10- Housing in Open Countryside and Policy BL12 – Temporary rural workers' dwellings.

## Permanent agricultural and forestry dwellings

1. Evidence should be submitted to demonstrate that:
  - a) there is a clearly established *existing* functional need for the new dwelling;
  - b) the need relates to a *full-time* worker or one who is primarily employed in agriculture and does not relate to a part-time requirement;
  - c) the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
  - d) the functional need could not be fulfilled by another dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned;
  - e) Other planning requirements, for example in relation to access, siting and impact on the landscape, are satisfied.
2. A *functional test* must be met. This means that it must be demonstrated that it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:
  - a) in case animals or agricultural processes require essential care at short notice;
  - b) to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.
3. The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for an agricultural dwelling, although it will not by itself be sufficient to justify one. Requirements arising from food processing, as opposed to agriculture, cannot be used to justify an agricultural dwelling. Nor can agricultural needs justify the provision of new dwellings as retirement homes for farmers.
4. A *financial test* must be met. This is to make sure that the farming enterprise is economically viable and to provide evidence of the size of dwelling which the unit can sustain. Agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, will not normally be permitted. It is the requirements of the enterprise rather than of the owner or occupier which are relevant to determining the size of dwelling that is appropriate to a particular holding.

## Temporary agricultural and forestry dwellings

5. If a new dwelling is essential to support a new farming, forestry or other land management activity, whether on a newly-created agricultural unit or an established one, it should normally for the first three years be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. Evidence should be submitted to demonstrate that:
  - a) There is a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
  - b) There is a clear functional need for the dwelling, as described in paragraphs 2 and 3 above;
  - c) The need relates to a *full-time* worker or one who is primarily employed in agriculture and does not relate to a part-time requirement;
  - d) The proposed enterprise has been planned on a sound financial basis;
  - e) The functional need could not be fulfilled by another dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
  - f) Other planning requirements, for example in relation to access, siting and impact on the landscape, are satisfied.

# Appendix 4 - Glossary

## Acronyms Definition/Explanation

### Advertisement

The Town and Country Planning Act 1990 defines an advertisement as:

“any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and (without prejudice to the previous provisions of this definition) includes any hoarding or similar structure used or designed, or adapted for use and anything else principally used, or designed or adapted principally for use, for the display of advertisements.”

### Affordable Housing

The definition included below is the same as that in the National Planning Policy Framework:

Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

- a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).
- b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute at the time of plan-preparation or decision-making. Income restrictions should be used to limit a household's eligibility to purchase a starter home to those who have maximum household incomes of £80,000 a year or less (or £90,000 a year or less in Greater London)
- c) **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, and other low cost homes for sale and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any

receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

### **Aged or veteran tree**

A tree, which because of its great age, size or condition is of exceptional quality for wildlife, in the landscape, or culturally.

### **Agricultural Occupancy Condition**

The occupancy of certain agricultural dwellings can be lawfully restricted to those working in certain employment sectors. The Agricultural Occupancy Condition states *"the occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants"*.

### **Annexe (Residential)**

Living accommodation which is ancillary to the main dwelling, forms part of the same planning unit and has a functional link with the main dwelling so that it is not occupied as a separate independent dwelling. 'Ancillary' implies a smaller or subordinate unit but an annexe may or may not be physically attached to the main dwelling and it may or may not be self-contained i.e. with all the key living spaces that would be found in an independent dwelling and its own entrance. It should always form part of the same planning unit as the main dwelling and will share the access, parking area and garden.

### **Ancient Woodland**

An area that has been wooded continuously since at least 1600 AD.

AMR

### **Annual Monitoring Report**

The Annual Monitoring Report will assess the implementation of the Local Development Scheme and the extent to which policies in the Local Development Documents are being implemented.

### **Archaeological Recording**

Is a programme of controlled, intrusive or non-intrusive fieldwork with defined research objectives which examines, records and interprets archaeological deposits, features and structures and, as appropriate retrieves artefacts, ecofacts and other remains within a specified area or site on land, inter-tidal zone or underwater. The records made and objects gathered during fieldwork are studied and the results of that study published in detail appropriate to the project design. (Based on the CIFA Standard and guidance for archaeological excavation, 2014).

### **Article 4 Direction**

A direction which withdraws automatic planning permission granted under Permitted Development rights. Article 4 directions are made when the character of an area of acknowledged importance would be threatened. They are most common in Conservation Areas.

## **Biodiversity**

Biodiversity measures the variety of wildlife (animal, plants, micro-organisms) living and interacting within the habitats and ecosystems on earth. Biodiversity in this document is referred to in relation to the biodiversity of the North York Moors.

## **Brownfield Land**

Also known as 'Previously Developed Land' and defined in the NPPF as:

"land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development control procedures; land in built up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape".

## **Buildings of architectural or historic interest**

A building which contributes to the character of the local built environment and reflects the vernacular architecture of the North York Moors; or is important in terms of its connection with local history or culture, or an example of a style of building that is unique to the local area; or a building which represents a good surviving example of an historic architectural style; or a building of exceptional quality and design.

## **Community Spaces**

These are spaces identified by this plan which are considered important and valued by the local community and which provide a public benefit which contributes to the health and well-being of the local community. They include sports fields, play areas, churchyards, and allotments.

## **Conservation Area**

Conservation Areas are '*areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance*'. Such areas are designated by Local Planning authorities under the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **Curtilage**

Curtilage is the land immediately surrounding a house/dwelling; this can sometimes include other houses and structures that are connected to the area. The curtilage of a dwelling usually depicts the amount of land that is part of the property. For houses with large amounts of land attached (usually country homes) the curtilage will only include the immediate garden, not the extra land.

## **Development**

The legal definition of development is set out in Section 55 of the Town and Country Planning Act 1990. It is the carrying out of building, engineering, mining or other operations in, on, over or under land or making any material change of use of any building or land. Such operations which affect only the interior of a building or do not materially affect its external appearance do not fall within this definition.

## **Development Plan**

Formally adopted Development Plan Documents (including Local Plans, Minerals and Waste Plans and Neighbourhood Plans) as defined in Section 38 of the Planning and Compensation Act 2004. Planning applications must be decided in accordance with the Development Plan unless 'material considerations' indicate otherwise.

## **Ecosystem Services**

Ecosystems services are the services provided by the natural environment that benefit people. Some are well known such as food, fuel and water and cultural services such as recreation and tourism. Others are less apparent but equally vital for human well-being for example soil formation, biodiversity, flood regulation, nutrient cycling and pollination.

EIA

## **Environmental Impact Assessment**

A statutory process by which information about the environmental effects of a proposal is collected, and taken into account by the planning authority in informing their judgement about whether or not to grant planning consent. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out the types of project for which an environmental assessment is required.

## **Geodiversity**

The range of rocks, minerals, fossils, soils and landforms.

GI

## **Green Infrastructure**

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

HRA

## **Habitats Regulations Assessment**

A legal requirement to assess the potential impact of plans and proposals on the nature conservation importance of designated European habitats.

## **Heritage Asset**

A building, monument, site, place, or area of landscape having a degree of significance meriting consideration in planning decisions, because of its heritage interest. This includes designated assets (such as listed buildings and conservation areas) and non-



designated assets (such as other important historic buildings) identified by the Local Authority.

### **Heritage Coast**

Heritage coastlines are established to conserve the best stretches of undeveloped coast in England'. These areas are regulated to protect the natural beauty, heritage features, flora and fauna of the coastline, consequently, the public are able to enjoy and learn about the area. The North York Moors coastline is defined as Heritage Coast and is part of the wider North Yorkshire and Cleveland Heritage Coast.

HER

### **Historic Environment Record**

The database of sites of historic interest held by the Authority. This is not a definitive record of all heritage assets in the National Park as many assets are yet to be identified or properly understood.

HMA

### **Housing Market Area**

Geographic areas defined by household demand and preferences for housing. They reflect the key functional linkages between places where people live and work, and the need for new housing is assessed for these areas. The National Park overlies four HMAs corresponding to the four local authority area boundaries.

### **Landscape Character**

The character of a landscape can be described as 'the distinct, recognisable and consistent pattern of elements in the landscape'. Landscape character is what makes an area distinctive; what makes one locality different from another locality. Landscape character is an impact of natural influences (such as land forms, geology and soil) and human influences (such as settlement and land management).

### **Listed Building**

A building, object or structure that has been judged to be of national importance in terms of architectural or historic interest. Listed Buildings are included on a special register, called the List of Buildings of Special Architectural or Historic Interest. Listed Buildings are protected under the Planning (Listed Buildings and Conservation Areas) Act 1990 and works that affect the character or appearance of the building as one of special architectural or historic interest will require Listed Building Consent. Protection extends to the whole building, inside and out, its curtilage and certain structures within its domain.

LDS

### **Local Development Scheme**

The LDS is the 'project plan' which sets out which development plan documents a local planning authority is to produce and by when. Production of an LDS is a legal requirement.

LEP

### **Local Enterprise Partnership**

A body, designated by the Secretary of State for Communities and Local Government,

established for the purpose of creating or improving the conditions for economic growth in an area. The North York Moors area is covered mainly by the North Yorkshire & East Riding Local Enterprise Partnership (which is due to merge with the Leeds City Region LEP), with a small part of the National Park covered by the Tees Valley LEP.

### **Local Needs Housing**

Housing subject to a restriction meaning it can only be occupied by people with some form of local connection. A local occupancy condition or clause is a legal restriction which states that only people with a local connection can occupy a property. In the National Park local occupancy is used to ensure that people who live and/or work in the National Park are able to find a home to live locally. Local occupancy conditions have been imposed on most new housing since 1992, in part to remedy the increasing number of second homes. Local occupancy housing in the National Park includes affordable housing as well as other types of housing.

LSC

### **Local Service Centre**

Is a local settlement - usually a small town or large village- that provides services to people in the wider rural area. These services may include shops, healthcare facilities, libraries, education. Helmsley is identified as a Local Service Centre in this Local Plan.

### **Major Development**

Major development can have two meanings. In general planning terms it refers to a category of planning application which involves larger scale development, the decisions on which are subject to different application fees, performance and monitoring regimes. Major development applications are defined in Section 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. For example, housing development where 10 or more homes will be provided, or where the site has an area of 0.5 hectares or more is classed as major. For non-residential development it means additional floorspace of 1,000m<sup>2</sup> or more, or a site of 1 hectare or more.

In the specific context of a National Park and its use in this local plan it refers to the national policy presumption of refusal of development which because of its major scale and nature is likely to be in conflict with National Park purposes (paragraph 179 of the NPPF). The policy, known as “the major development test” only allows such development in exceptional circumstances and where its approval is in the public interest.

### **Management Plan**

The National Park Management Plan is the strategic framework for the future of the National Park. The National Park Management Plan sets out the vision, strategic policies and outcomes for the National Park over the long term. It is a Plan for the National Park, its communities, businesses, visitors and organisations and will require all who have an interest in the National Park to work together to achieve its aspirations.

National Park Management Plans are required to be reviewed every five years (1995 Environment Act Part 3. Section 66). They are not part of the statutory development plan but are material considerations in planning decisions and play a key role in informing the Local Plan for the National Park.

## Marine Plan

Produced by the Government's Marine Management Organisation a marine plan sets out priorities and directions for future development within the plan area, informs sustainable use of marine resources and helps marine users understand the best locations for their activities, including where new developments may be appropriate.

## Material Planning Considerations

Certain issues that are taken into account when decisions are made on planning applications are referred to as material planning considerations. Material considerations have to be related to the use and development of land. Examples could include the latest government policy, previous planning decisions (including appeal decisions), overlooking/loss of privacy, parking and highways issues, or layout and design issues. The loss of a private view or the effect on the value of a property are not material planning considerations.

## Natural Capital

The stock of natural resources (including geology, soils, air, water and all living organisms), as considered using a framework derived from economics.

NPPF /

## National Planning Policy Framework and Guidance

NPPG

First published in 2012 (and updated in 2018 and 2019) the NPPF is the main source of the Government's planning policies. Guidance on the application of NPPF policies is available through an online National Planning Policy Guidance (NPPG) which is regularly updated. Both have to be taken into account in the production of the Local Plan.

## Neighbourhood Plans

A neighbourhood plan is a statutory development plan for a particular neighbourhood area that has been prepared by a Parish Council or a Neighbourhood forum. Neighbourhood Plans are subject to a local referendum and if successful are then adopted (or 'made') by the local planning authority or authorities.

PD

## Permitted Development

Types of development where planning permission is not required. They derive from a general planning permission granted not by the local authority but by Parliament. In some areas of the country, known generally as 'designated areas', permitted development rights are more restricted. This includes National Parks.

## Planning Condition

A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990). They are most commonly used to place a time limit within which development has to be started, to require particular materials or finishing to be used or to phase development over time.

## **Planning Obligation**

A legally enforceable obligation entered into under Section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal. They can be imposed to require development to provide, amongst other things landscaping, infrastructure and affordable housing. They are also known as planning gain or Section 106 agreements.

PDL

## **Previously Developed Land**

See Brownfield Land

## **Principal Residence Housing**

A form of market housing controlled by a mechanism which ensures it can be lived in by anyone but only as their main residence. A local connection (as set out at Policy CO13) is not required. The aim of this mechanism is to prevent any new market housing being used as a second or holiday home, and to allow for housing to come forward for sale at close to open market rates which allows for an element of cross subsidy to be generated to fund affordable housing.

## **Priority Habitats and Species**

Species and Habitats of Principle Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006.

RP/RSL

## **Registered Provider/Registered Social Landlord**

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

RES

## **Rural Exceptions sites**

Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.

RHE

## **Rural Housing Enablers**

Rural Housing Enablers work with and on behalf of rural communities across the National Park to help deliver affordable homes. The work involves identifying the local need for housing and searching for development opportunities or empty properties to bring back into use. This work is carried out in partnership with the local community, as well as other interested parties.

## **Sandford Principle**

Set out in the 1995 Environment Act, the Sandford principle states that where there is

potential conflict between delivering the two National Park purposes of conservation of the environment and people's enjoyment of a National Park's special qualities the conservation and enhancement of the area should take priority

### **Section 3 Land**

National Parks are required in the Wildlife and Countryside Act 1981 (as amended in 1985) to produce a Section 3 map. Maps show the areas of natural beauty which the National Park Authority considers particularly important to conserve. These can include areas of mountain, moor, heath, woodland, down, cliff or foreshore.

SSSI

#### **Sites of Special Scientific Interest**

Sites designated by Natural England under the Wildlife and Countryside Act 1981.

SMP

#### **Shoreline Management Plan**

A plan providing a large-scale assessment of the risk to people and to the developed, historic and natural environment associated with coastal processes.

SAC

#### **Special Area of Conservation**

Areas of international significance established under the EU Habitats Directive, selected to safeguard certain important rare habitats and species.

SQ

#### **Special Qualities**

Particular aspects of the National Park identified by the National Park Authority that make it distinctive – for example diversity of landscapes, tranquillity, dark skies at night and the locally distinctive buildings. 28 special qualities are identified in the North York Moors National Park Management Plan.

SPA

#### **Special Protection Area**

Areas of international significance established under EU Wild Birds Directive to protect important habitats and thereby conserve populations of certain species of birds.

SCI

#### **Statement of Community Involvement**

A statement by the National Park Authority setting out how the Authority will involve people in plan making and planning decisions. Production of an SCI is a legal requirement.

SFRA

#### **Strategic Flood Risk Assessment**

A Strategic Flood Risk Assessment is a study carried out by a local planning authority to assess the susceptibility of new development to flooding. It is part of the evidence which supports the Local Plan.

SHMA

#### **Strategic Housing Market Assessment**

The SHMA is a technical document used to inform Local Plan policies by assessing the need for new housing and the amount, size, type and tenure required.

**SHLAA Strategic Housing Land Availability Assessment**

The SHLAA is a technical document assessing the future supply of new housing. It assesses the likelihood of housing coming forward on identified sites. The SHLAA forms part of the evidence base for this Local Plan and was completed in July 2018.

**SPD Supplementary Planning Documents**

Supplementary planning documents provide additional detail on how particular policies in the Local Plan will be interpreted and implemented by the National Park Authority. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

**SuDS Sustainable Drainage Systems**

Sustainable drainage systems are drainage solutions that provide an alternative to the direct channelling of surface water through networks of pipes and sewers to nearby watercourses, to reduce flood risk and enhance the nature conservation, landscape and amenity of the site's surroundings.

**Sustainable Design and Construction**

Sustainable design and construction is concerned with implementing sustainable development at the scale of individual sites and buildings. It takes account of the resources used in construction, and of the environmental, social and economic impacts of the construction process itself and of how buildings are designed and used. Thus, while consideration of energy and carbon impacts is an important element, sustainable design and construction goes wider than this. In summary, it seeks to: minimise the use of resources (including energy and water); ensure that the built environment mitigates and is resilient to the impact of climate change; protect and enhance biodiversity and green infrastructure; provide buildings and spaces that are pleasant and healthy for occupiers and users; ensure the sustainable sourcing of materials; and minimise waste (BREEAM, Good Practice Guidance).

**SA Sustainability Appraisal**

A tool for appraising policies to ensure that they reflect sustainable development objectives (environmental, social and economic) and required to be undertaken for all Local Development Documents.

**Traditional Buildings**

Older buildings of solid wall construction built of local or natural materials. In the North York Moors National Park these usually pre-date World War II.



## **Traditional Orchard**

Traditional orchards are characterised by widely spaced standard or half-standard fruit trees, of old and often scarce varieties, grown on vigorous rootstocks and planted at low densities, usually less than 150 trees per hectare in permanent grassland. Standard tree means a tree grown on a vigorous rootstock that has a crown high enough to allow animals to graze beneath without them reaching the branches. Rootstock means a root system used to ensure the trees resulting from grafting grow into half-standards or standards (3-10 metres tall at maturity).

## **Whole Estate Plan**

WEP Whole Estate Plans are documents prepared by individual landowning organisations. They set out the assets of the organisations and their future aspirations to enable the organisation to manage their land holding holistically.

## **Windfall Sites**

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

WSI **Written Scheme of Investigation**

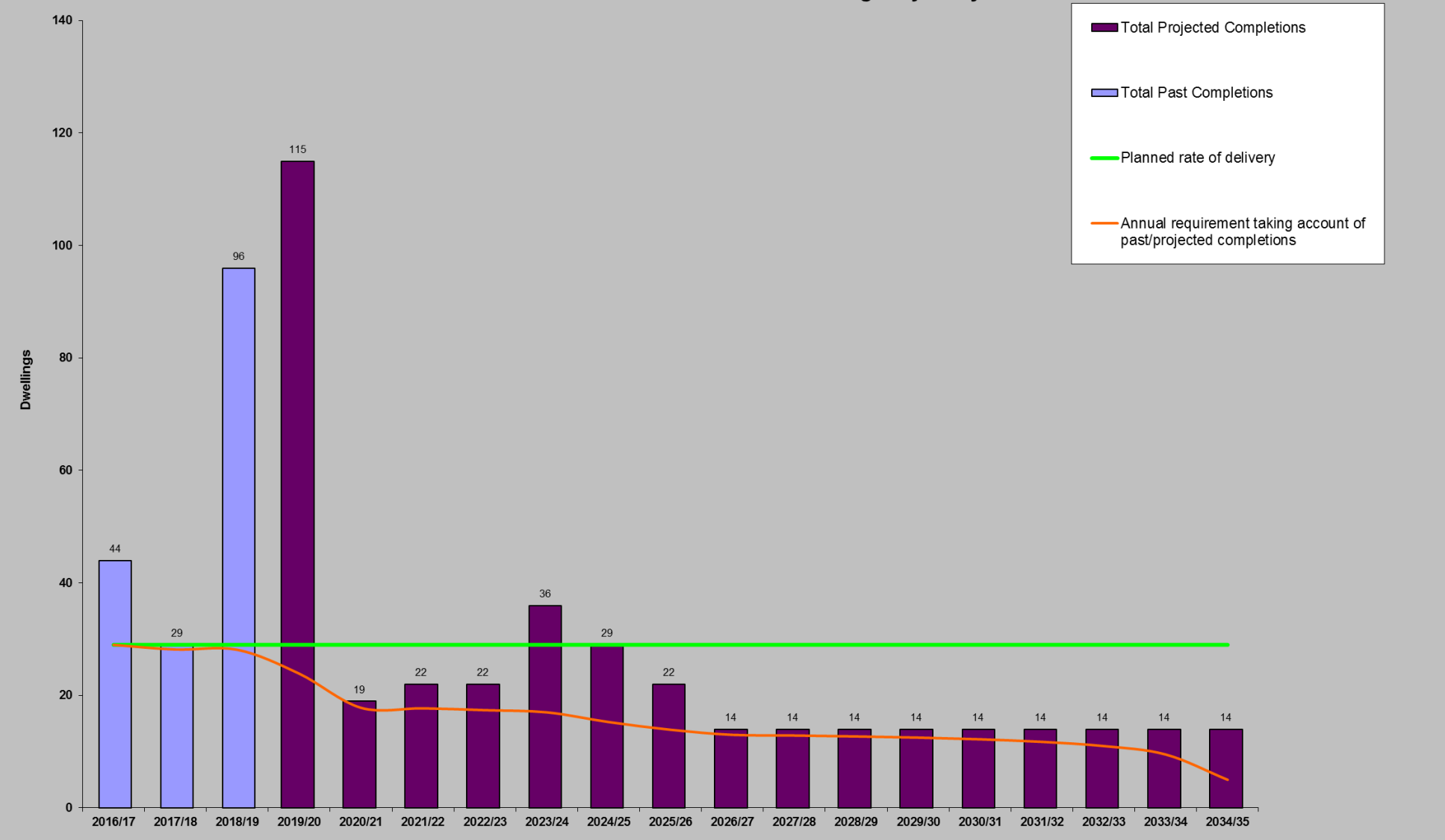
The Written Scheme of Investigation is a method statement or a project design to cover a suite of archaeological works for a site but also for historic building recording. The Authority will require all archaeological works to be undertaken to proper professional standards, as defined by the Chartered Institute for Archaeologists (CIfA). The record created by any investigation or recording must be deposited in a publicly accessible institution such as a Record Office or accredited museum. It must also provide for the publication and dissemination of the information gathered.



# Appendix 5 – Housing Trajectory

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	TOTAL
	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	
<b>COMPLETIONS</b>																				
Allocated - Land off Swanlands Road, Helmsley (NYMH1)		8	16																	24
Allocated - Land west of Ashwood Close (NYMNH3)			69																	
Allocated - Land to the North of Linkfoot Lane (NYMH8)	7																			7
Allocated - Land to the rear of the Black Swan	15																			15
Past completions - Unallocated sites of two or more dwellings	12	6	2																	20
Past completions - Unallocated sites, single dwellings	10	15	9																	34
<b>PROJECTIONS</b>																				
Allocated - Land off Swanlands Road, Helmsley (NYMH1)				30																30
Allocated - Land to the North of Elmslac Road (NYMNH3)				37																37
Allocated: Land to the rear of the Black Swan							6													6
Projections - Other identified sites of two or more dwellings, under construction				19																19
Projections - Sites with one dwelling, under construction.				22																22
Projections - Identified sites of two or more dwellings, with permission but not yet started.							8	9												17
Projections - Sites with one dwelling, with permission but not yet started.							6	6	8											18
Projections - developable sites (promotions, including possible rural exceptions sites)																				0
Projections - developable rural exception schemes being progressed				12	8	8	2													30
Projections - Vacant sites with development potential																				0
Projections - windfalls - including conversions			7	7	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	210
<b>Total Past Completions</b>	<b>44</b>	<b>29</b>	<b>96</b>																	169
<b>Total Projected Completions</b>				<b>115</b>	<b>19</b>	<b>22</b>	<b>22</b>	<b>36</b>	<b>29</b>	<b>22</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>	391
<b>Cumulative Completions</b>	44	73	169	284	303	325	347	383	412	434	448	462	476	490	504	518	532	546	560	560
<b>Planned rate of delivery</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	<b>29</b>	551
Annual requirement taking account of past/projected completions	29	28	28	24	18	18	17	17	15	14	13	13	13	13	12	12	11	10	5	

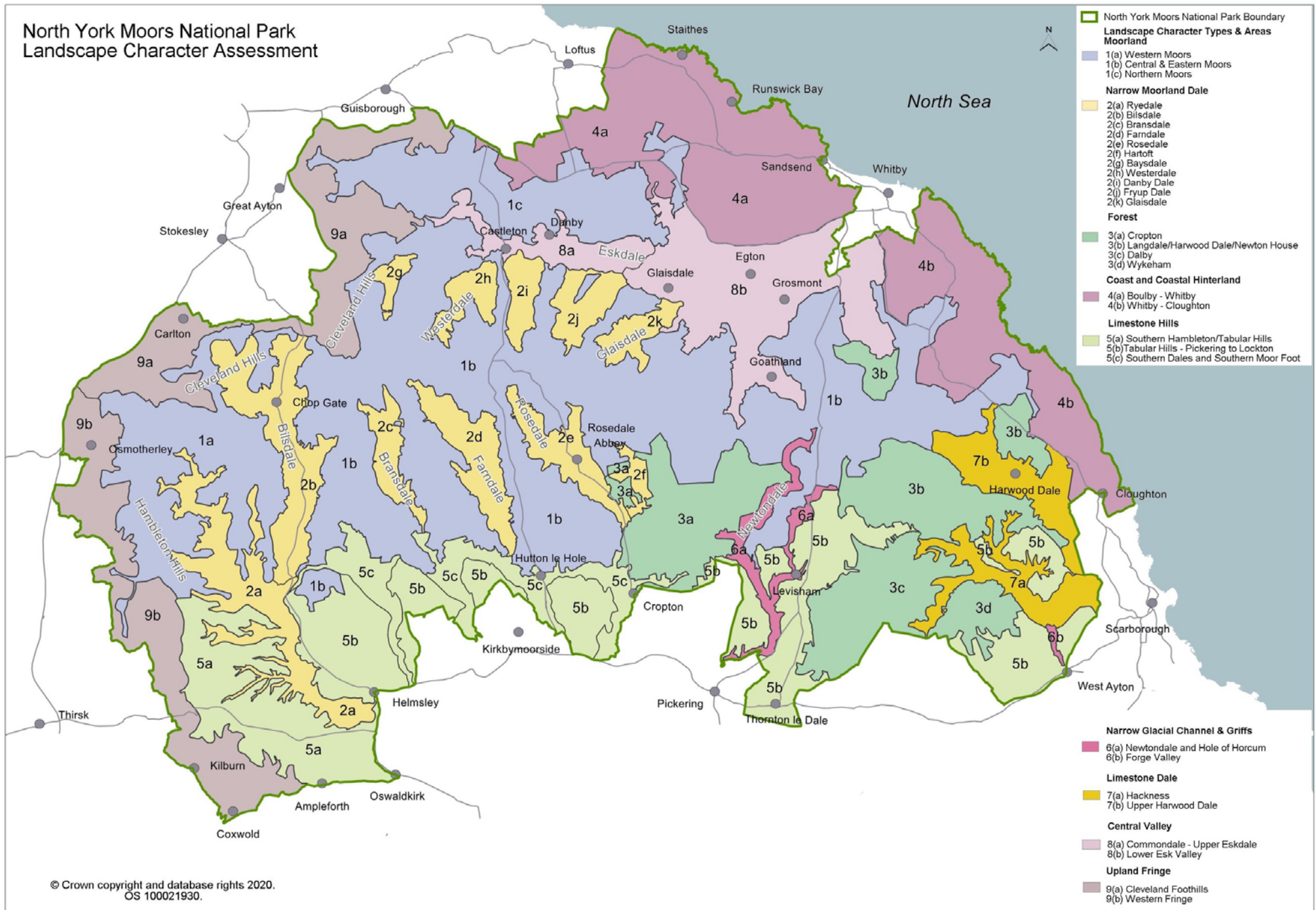
### North York Moors Draft Local Plan - Housing Trajectory



**Notes:**

Rural exceptions sites are included as deliverable with a reasonable prospect of coming forward.  
 Promoted developable sites and sites and vacant/derelict sites not included as no guarantee of a reasonable prospect of delivery.  
 Promoted developable sites and sites and vacant/derelict sites not included as no guarantee of a reasonable prospect of delivery.  
 Windfall rates are calculated on the basis of the average of past completions on unidentified sites over the ten years 2008/9 to 2018/19 on sites of 1 & 2 dwellings.

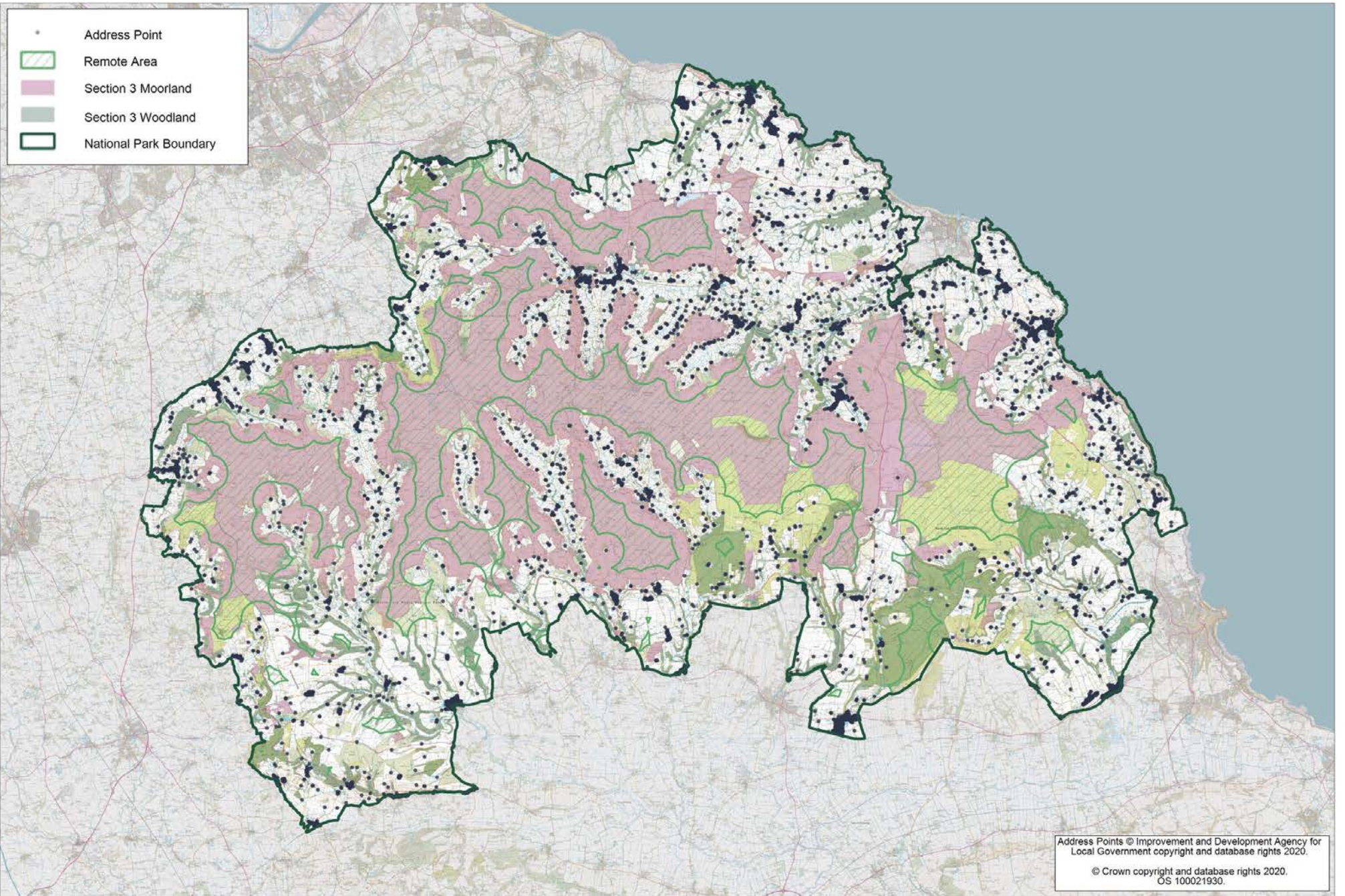
# North York Moors National Park Landscape Character Assessment



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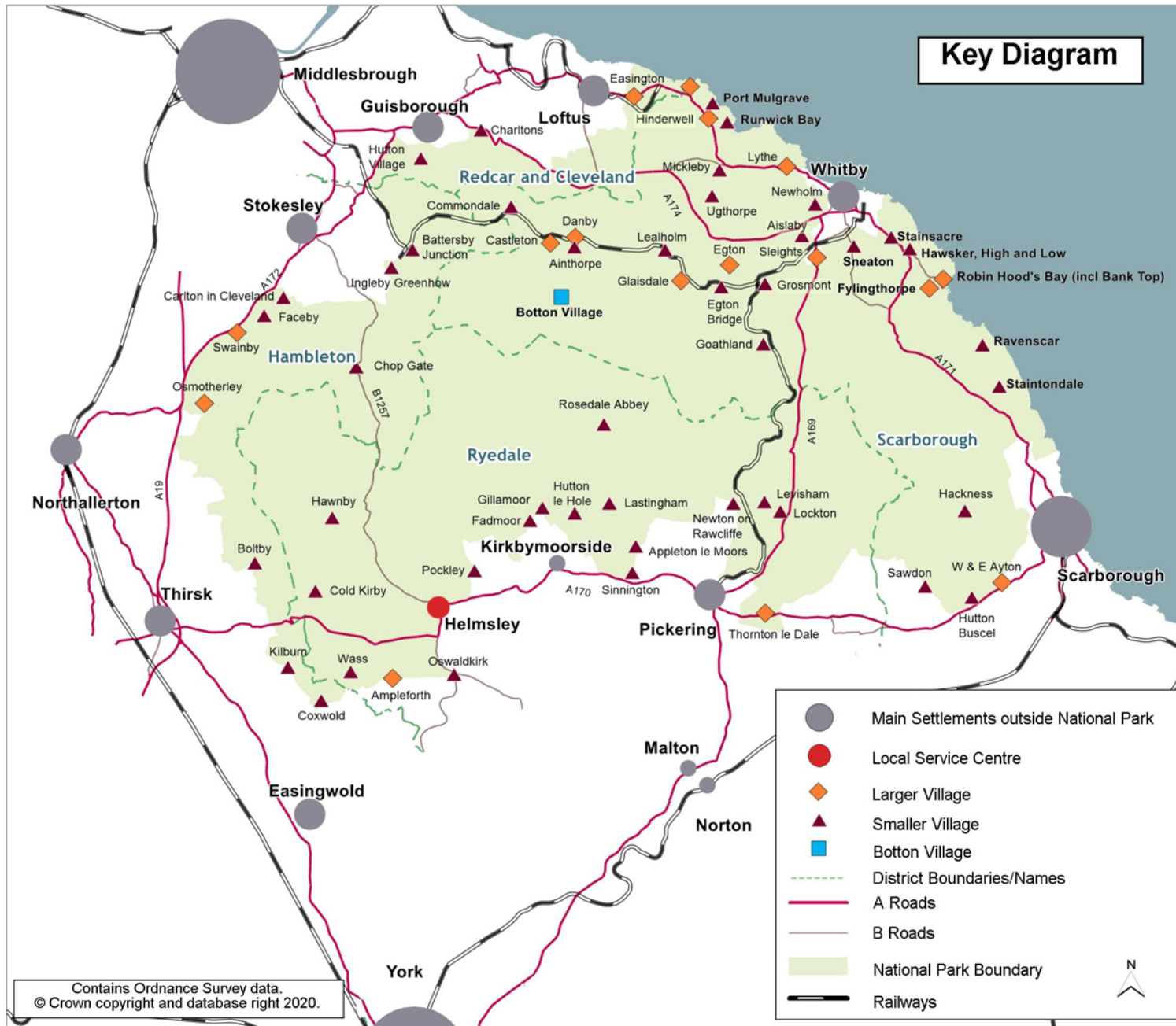
















The Planning Inspectorate

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# **Report to North York Moors National Park Authority**

**by Richard Schofield BA(Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Date: 15 May 2020**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the North York Moors National Park Authority Local Plan**

The Plan was submitted for examination on 2 July 2019

The examination hearings were held between 12 and 13 November 2019

File Ref: PINS/W9500/429/7

## **Abbreviations used in this report**

The Authority	North York Moors National Park Authority
The Framework	National Planning Policy Framework
DPA	Dwellings Per Annum
HMA	Housing Market Area
LAA	Land Availability Assessment
MM	Main Modification
The Plan	North York Moors National Park Authority Local Plan
SHMA	Strategic Housing Market Assessment



## **Non-Technical Summary**

This report concludes that the North York Moors National Park Authority Local Plan ("the Plan") provides an appropriate basis for the planning of the National Park, provided that a number of main modifications (MMs) are made to it. The National Park Authority ("the Authority") has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Following the hearings, the Authority prepared schedules of the proposed modifications and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. In some cases I have amended their detailed wording and/or added consequential modifications where necessary. I have recommended their inclusion in the Plan after considering all of the representations made in response to consultation on them.

The MMs can be summarised as follows:

- Amending a number of policies to ensure that they are fully effective, internally consistent and consistent with national policy;
- Deleting policies ENV12 and ENV14 as they are not justified;
- Amending the Monitoring Framework; and
- Inserting a housing trajectory.

## Introduction

1. This report contains my assessment of the North York Moors National Park Authority Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2019 ("the Framework") (paragraph 35) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The North York Moors National Park Authority Local Plan, submitted in July 2019, is the basis for my examination. It is the same document that was published for consultation in April 2019.

## Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Authority requested that I should recommend any main modifications (MMs) necessary to rectify matters that make the Plan unsound and, thus, incapable of being adopted. My report explains why the recommended MMs, which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2**, etc, and are set out in full in the Appendix to this report.
4. Following the examination hearings, the Authority prepared a schedule of proposed MMs and carried out sustainability appraisal of them. The MM schedule was subject to public consultation for six weeks.
5. I have taken account of the consultation responses in coming to my conclusions and have made some amendments to the detailed wording of the main modifications where these are necessary for consistency or clarity. These amendments do not significantly alter the content of the modifications as published for consultation nor do they undermine the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report.

## Policies Map

6. The Authority must maintain an adopted policies map, which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Authority is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as PM1 to PM11; PMIMEES1 and PMIMESS2; and PMIM1 to PMIM90.
7. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a small number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. These further

changes to the policies map were published for consultation alongside the MMs.

8. When the Plan is adopted, in order to comply with the legislation and to give effect to the Plan's policies, the Authority will need to update the adopted policies map to include all of the changes that were proposed and published alongside the MMs.

## **Assessment of Duty to Co-operate**

9. Section 20(5)(c) of the 2004 Act requires that I consider whether the Authority complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
10. There was no suggestion from any representors that the Duty to Co-operate had not been met. The Authority's Duty to Co-operate Statement sets out clearly the work that has been undertaken with relevant local authorities and prescribed bodies. Statements of Common Ground with the National Park's constituent local authorities have also been provided, supporting the approach taken by the Authority.
11. I am satisfied that, where necessary, the Authority has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

## **Assessment of Soundness**

### **Main Issues**

12. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified seven main issues upon which the soundness of the Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan. My conclusions should also be read in the context of the statutory purposes of the National Park, namely to:
  - Conserve and enhance the natural beauty, wildlife and cultural heritage; and
  - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public.

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

### **Issue 1 – Whether the Plan's strategic approach is justified, effective and consistent with national planning policy**

13. Strategic Policies A to D set out the Plan's overall approach to the design, scale and distribution of development, alongside its overarching view of sustainable development.

14. Within the context of the National Park's statutory purposes, these approaches are justified. They are consistent with the thrust of national planning policy, set out in the Framework, which affords National Parks the highest status of protection with regard to conserving and enhancing landscape and scenic beauty.
15. The Framework also affords "*great weight*" to the conservation and enhancement of wildlife and cultural heritage, limits the scale and extent of development and indicates that major development proposals should be refused other than in exceptional circumstances or in the public interest.
16. **MM5** is required to ensure that Strategic Policy A and its supporting text is clearer and more flexible in relation to matters of design and scale in a national park context.
17. Strategic Policy B sets out a settlement hierarchy. This does not establish the levels of development that will be directed to each tier (for reasons set out below). Nonetheless, it provides a clear indication of the role of each tier and the tenure of housing expected therein. It also gives an indication of the breadth and scale of non-residential development that will be supported within each tier.
18. The hierarchy is based upon a careful consideration of the scale and role of individual settlements, the facilities that they offer and the transport (and other) linkages between them. This is set out in more detail in the Spatial Strategy and Settlement Hierarchy Topic Paper. The judgements made in establishing the tiers and allocating settlements to them are just that. Others may have different views, but I consider those of the Authority to be reasonable.
19. **MM6** is required to ensure that Strategic Policy B, and its supporting text, is consistent with other Plan policies (in relation to the location and type of development) and with the Framework (with regard to heritage terminology). This also brings greater clarity about the role and purpose of Whole Estate Plans, which is lacking.
20. **MM7** is required to make Strategic Policy C effective by avoiding repetition in relation to design requirements and by being emphatic about what is sought in relation to biodiversity and to access requirements. It also provides clarity within the supporting text about open space considerations, following the deletion of Policy ENV14 (see below).
21. **MM8** is necessary to ensure that the geographic scope of Strategic Policy D is evident in relation to the local economy; that the expectations upon applicants for major development proposals are clear; and that it is explicit to what standard land should be restored following the end of major development schemes.
22. **MM1** to **MM4** are necessary to make a number of policies effective, by making it clear which criteria in a policy need to be addressed and that the grant of planning permission is not conditional on meeting only the terms of a single policy. This applies to policies under each of the Issues, but I do not intend to repeat the matter each time.

### *Conclusion*

23. Overall, subject to the main modifications referred to, the strategic approach is justified, effective and consistent with national planning policy.

### **Issue 2 – Whether the Plan's approach to housing provision is justified, effective and consistent with national planning policy**

#### *Housing Target*

24. Strategic Policy M is clear that the Plan aims to deliver a minimum of 551 new houses over the plan period, equating to 29 dwellings per annum. As the Plan makes clear, this number is not a housing requirement. In other words, it is not a figure that the Authority *has* to deliver, for the reasons that I set out below.
25. The National Park falls within the local authority areas of Hambleton District, Redcar & Cleveland Borough, Ryedale District and Scarborough Borough. Thus, it also falls within four different Housing Market Areas (HMA). The local authorities within those HMAs will meet the objectively assessed need for their areas by delivering housing outside the National Park boundaries. The exceptions to this are the allocations in Helmsley, set out in the Helmsley Local Plan (prepared by Ryedale District Council and the Authority).
26. Consequently, there is no need (insofar as the requirements of the Framework are concerned) for the National Park to accommodate any new residential development, including for gypsy and traveller provision, within its boundary.
27. Nonetheless, the Authority has a duty to foster the economic and social wellbeing of local communities. It is also apparent, from the early consultation responses of residents of the National Park, that there are concerns about the potential loss of local services, arising from a declining population, and a lack of affordable housing options. The knock on effects of this situation upon local communities within the National Park, were it to endure, would clearly be adverse.
28. Thus, the Authority has produced a Strategic Housing Market Assessment (SHMA) for the National Park. This recommends that 29 dwellings per annum (dpa) are required over the plan period in order to sustain the National Park's population at 2014 levels.
29. It is clear from the evidence that the National Park's population has dropped quite considerably from a high point in 2003/2004. One could reasonably set out a strategy to grow it back to that level. SHMAs are not, however, an exact science; they require the application of judgement. One must start from somewhere and I do not find there to be anything unsound about the Authority's decision to take 2014 population levels as the benchmark for the purposes of plan making.
30. This is quite aside from the fact that the level of residential development likely to be required to bring the population back up to 2003/2004 levels would be arguably at odds with a National Park environment and statutory purposes. I am also mindful that the Framework is clear that "*the scale and extent of development within these designated areas should be limited*".

31. Levels of housing delivery since 2008 have, when averaged, been well above the 29 dwellings per annum now being proposed. This level of delivery has, however, been somewhat skewed by the large allocations in Helmsley coming on stream; a situation which will not endure or be replicated through the Plan. As such, I do not consider that a higher housing target could be justified on the basis of past levels of delivery. I find that the provision of 551 dwellings over the plan period is justified.

#### *Future delivery*

32. The anomalous situation of Helmsley's allocations aside, past delivery has relied largely upon windfall sites and affordable housing exception sites. The Plan continues this strategy, making no allocations. Given the sensitivities of the National Park's landscape this is not unreasonable. That said, the Authority has recognised the distinct possibility that maintaining current policy approaches to windfall development could mean that very few, if any, future windfall sites would be policy compliant.
33. The Plan increases, therefore, the current limits on the number of new dwellings permitted on sites within the different tiers of the settlement hierarchy. It is also more flexible in its approach to the type of site that may be supported, moving away from the strict infill only approach. Allowance is now made for conversions in the open countryside to be for permanent residential development, albeit for local occupancy.
34. Allocating sites would have made for more certain delivery and it is not uncommon for National Parks to have allocations. Even so, every area is different (in so far as the scope for allocations in the context of their particular landscape and settlement types are concerned) and windfall development has been a reliable source of most of the housing supply in the North York Moors National Park for some time. I am satisfied that broadening the windfall site restrictions is a reasonable approach to securing ongoing supply, the success of which can be monitored over the plan period.
35. In addition, local occupancy criteria have been broadened and a "*principal residence*" category has been introduced as a bridge between open market and local residency housing. These actions should, arguably, make new dwellings with these restrictions upon them more attractive to the market, and thus to developers, than those under the current local occupancy conditions.
36. Affordable housing exception sites have made up a large proportion of past housing supply. On the basis of all that I have read and heard, notably the Authority's proactive approach to such sites, and the apparent appetite for such schemes from Parish Councils, I consider it reasonable to assume that this will continue to be the case (if the grant funding regime is not curtailed significantly).
37. In this context, given the strong need for affordable housing delivery in the National Park, I am satisfied that allowing only exception sites "*adjacent*" to settlements is a sensible policy approach. Allowing market or principal residence housing development in such locations would very likely mean that the supply of exception sites would reduce considerably, as landowners sought to realise more profitable development opportunities.



### *Settlement Tiers*

38. Each tier of the settlement hierarchy has a bespoke range of dwelling types and tenures that would be supported by the Authority. These range from the full gamut of housing tenures in Helmsley to only local needs and affordable housing in the Smaller Villages.
39. The logic of not allowing open market housing outside Helmsley is that this will prevent the further proliferation of second homes, which can push up house prices, and diminish the supply of available homes, to the disadvantage of those who need to live in the National Park. This seems to me to be a reasonable approach, in the context of an area with around 17 per cent of the total housing stock being second homes.
40. Principal residence housing is allowed in the Larger Villages. This is a sensible means of ensuring that those who need or want to live in the National Park could do so, but would be unable to treat such housing as a second home. It would be in the interests of sustainable development, serving to support the vitality of local communities year round.
41. The Authority's viability work demonstrates that such housing would be commercially viable, even with the estimated *circa* five percent reduction in market value against an open market dwelling.
42. Arguably, allowing principal residence dwellings in both Larger and Smaller Villages would offer increased support for communities in both types of settlement, while offering a wider choice of housing. That said, there is nothing inherently unsound in the Authority's approach. It would serve to limit development in less sustainable locations, while ensuring that residential development that does occur within them is targeted at those living and working in the National Park, having regard to the more limited site availability in these smaller settlements.
43. **MM49** is necessary to ensure that Strategic Policy M highlights the need to deliver smaller dwellings, rather than leaving it to supporting text, and to make it effective in relation to what is expected of applicants.
44. **MM50** to **MM60**, which apply to policies CO6 to CO14, and **MM62**, which applies to CO18, are necessary to address inconsistencies between the policies and discrepancies between the policies and their supporting text; to provide greater flexibility over the numbers of dwellings permitted on windfall sites in each settlement tier, in line with the revised Housing Policies Diagram; address the affordable housing threshold and requirement for conversion schemes; specify the acceptable locations for affordable housing exception schemes; ensure consistency with the Helmsley Local Plan; clarify the status of the Botton Village Character Appraisal; and introduce greater flexibility in relation to local occupancy requirements.
45. They are also required to excise from policy the maximum floor space requirements, for which there is no clear justification, particularly when considering the size of sites that may come forward for development. The focus of policy on smaller dwellings (see **MM49** above), along with proposed additional guidance in the supporting text, will ensure that the delivery of such is retained without unnecessary rigidity in requirements.

46. I have amended **MM50**, **MM52** and **MM53** to ensure that the proposed supporting text does not replicate the demands of excised policy rather than, more appropriately, giving an indication of expected development scales.
47. **MM61** is necessary to clarify that the CO15's requirements apply to "pitches" not "units", in line with accepted terminology and definitions.
48. **MM63** is necessary to remove policy CO19's requirement for environmental enhancements, the justification for which is unclear. Its role as guidance in the supporting text is more appropriate. It is also required to clarify what is meant by the policy's reference to "the land".

### *Conclusion*

49. Overall, I am satisfied that, subject to the MMs noted above, the Plan's approach to housing provision is justified, effective and consistent with national planning policy.

### **Issue 3 – Whether the Plan's approach to protecting and enhancing the natural environment is justified, effective and consistent with national planning policy.**

50. Strategic policies E to H set out the Plan's overarching approach to the natural environment, including the impacts of climate change.
51. **MM9** is necessary to make Strategic Policy E: The Natural Environment more emphatic, and thus more effective, in its requirements. The introduction of the term "natural capital" brings the policy into line with terminology used elsewhere in the Plan, ensuring consistency.
52. **MM10** is required to ensure that Strategic Policy F: Climate Change and Mitigation is effective by "requiring" action rather than merely "supporting" it.
53. **MM11** is necessary to remove text from Strategic Policy G: Landscape, which is unjustified by virtue of it describing how development proposals will be assessed rather than a policy requirement.
54. **MM12** is required to make Strategic Policy H: Habitats, Wildlife, Biodiversity and Geodiversity effective by requiring, rather than expecting, certain activity. It also removes unnecessary, and potentially confusing, text in relation to the status of Sites of Special Scientific Interest. Commensurate changes to the supporting text ensure that the guidance it gives is consistent.
55. ENV1 to ENV8 provide a suite of development management policies, which 'hang' from their overarching strategic parents. Of these, ENV2 is problematic as it is difficult to see how any development could reasonably conserve tranquillity, when one takes account of the uses arising (domestic or otherwise). In addition, the policy blends, ineffectively, impacts upon tranquillity that may arise as a result of development and features that are already present at a development site. In this context, it is rather opaque regarding what it is that applicants would need to demonstrate. **MM13** is necessary to address these matters, with commensurate changes to the policy's supporting text.

56. The title of ENV3 lacks clarity over its application. In addition, the policy is not wholly justified as it merely replicates Plan policy in relation to tranquillity. **MM14** is required to address this.
57. The final criterion of ENV4 is an informative rather than a policy requirement and, as such, ineffective in a policy. **MM15** is necessary to address this.
58. **MM16** is required to delete a non-specific, and thus ineffective, policy requirement, with regard to the trigger for Sustainable Drainage Schemes, from ENV5.
59. **MM17** is needed to make ENV6 effective, by clarifying that it refers to permanent buildings.
60. By requiring the removal of contaminants and pollutants, to ensure safe development, and removing the ambiguous (in this context) term "significant", **MM18** will ensure that ENV7 is effective.
61. **MM19** is necessary to ensure that ENV8 and its supporting text are clear and emphatic with regard to the extent of the policy's coverage and requirements for renewable energy and wind turbine proposals.
62. **MM64** to CO20 is necessary in the interests of the Plan's internal consistency in so far as the qualification of unacceptable impacts is concerned.

#### *Conclusion*

63. I conclude that, subject to the MMs noted above, the Plan's approach to protecting and enhancing the natural environment is justified, effective and consistent with national planning policy.

#### **Issue 4 - Whether the Plan's approach to protecting and enhancing the historic environment is justified, effective and consistent with national planning policy.**

64. Strategic policy I sets out the Plan's ambitions with regard to the historic environment of the National Park. To ensure that it, and the supporting text, is consistent with national planning policy, however, **MM20** and **MM21** are required. They will also ensure that the policy is locally distinctive by setting out the key historic features that contribute to the character of the National Park.
65. Similarly, **MM22** is necessary, first, to ensure that policy ENV9 and its supporting text provide comprehensive (albeit not exhaustive) identification of historic landscape assets and, second, are effective in aligning with the wording of other heritage policies in the Plan and with national planning policy.
66. **MM23** is required to ensure that the wording of policy ENV10 accords with the requirements of national planning policy. Namely that Substantial harm to or loss of a Scheduled Monument should be wholly exceptional.
67. ENV11 lacks clarity about the approach to in-situ preservation of archaeological assets. **MM24** is necessary to address this and to ensure that

the policy is clear about the need for approval of Written Schemes of Archaeological Investigation.

68. Policy ENV12, which deals with heritage assets 'at risk', includes within the Plan a policy for something which is, explicitly, contrary to other Plan policies. As such it is not justified and should be deleted, not least because the issue of enabling development, which is an issue that goes wider than just "at risk" heritage assets, is in any case addressed by national guidance. **MM25** addresses this.
69. Policy ENV14 replicates the requirements of other policies and, without actually identifying specific Important Undeveloped Spaces, is overly restrictive in its blanket approach. The policy is not justified and **MM26**, deleting the policy, addresses this. I have amended the proposed additional supporting text to ensure that the policy's approach is not merely relocated.
70. **MM27** is necessary to ensure that policy ENV15 is effective by being clear about the process for preparing and approving planning briefs.

### *Conclusion*

71. Subject to the MMs noted above, I find that the Plan's approach to protecting and enhancing the historic environment is justified, effective and consistent with national planning policy.

### **Issue 5 – Whether the Plan's approach to sustaining the economic well-being of local businesses and communities is justified, effective and consistent with national planning policy.**

72. The National Park does not contain any areas that one could reasonably characterise as being concentrations of economic or major retail activity. Helmsley's industrial estate lies outside the National Park boundary and, while some of Whitby's Business Park lies just within the National Park it is, clearly, a focus for activity in Whitby rather than the National Park. I also note that around 16 hectares of new employment land has been allocated in recently adopted local plans for areas around the National Park.
73. The Woodsmith polyhalite mine, which is currently under construction, is likely to become a significant employer within the National Park, but this is an exceptional development, arising from the location of a specific mineral. It does not set a precedent for further largescale employment development within the National Park.
74. In short, in the context of a National Park that relies largely on small scale (and often seasonal) businesses in the tourism, recreation and agricultural sectors (which do not often require new employment floorspace, and for which a geographical focus is not easy to achieve), standard economic and retail forecasts are not especially helpful.
75. Instead, the Authority has sought to scrutinise the available data at the National Park level, to provide a proportionate evidence base to inform planning policy decisions. I am satisfied, given the context summarised above, that this approach, and the subject matter of the policies arising, is reasonable.

76. Strategic Policy J: Sustainable Tourism and Recreational Development requires **MM28** to ensure that it is internally consistent; consistent with policy UE1; more direct about the Authority's principles of sustainable tourism; and allows for development that does not involve the re-use of a building. The same modification also makes the supporting text effective by clarifying the occupation time limits for holiday letting.
77. The title of Policy UE1 is not helpful and is, arguably, misleading. Criteria relating to how accommodation should be constructed and screened are imprecise. Requirements relating to static caravans are too stringent in the context of modern caravan design. They are, thus, unjustified in this particular instance, having regard to the Authority's real aim to ensure that there is not a proliferation of unsightly, large, starkly coloured box caravans.
78. **MM30** makes significant changes to policy UE1, which is renumbered as policy UE2, to address these issues. With these changes, and the deletion of the current policy UE2 and supporting text (through **MM31**), which lacks clarity as to its coverage (whether to new or to existing tourism businesses), the plan is effective and justified.
79. **MM29** creates a new policy UE1 and adds additional supporting text. This is necessary to make the plan effective, by ensuring that it is clear about how and where it may support new tourism and recreational development, particularly new, permanent buildings.
80. **MM32** is necessary in order that policy UE3's requirement in relation to highway improvements does not go beyond that set out in the Sustainability Appraisal, in the absence of clear justification. It is also necessary to make it clear that occupancy restrictions, in relation to changes of use, will be applied in accordance with the settlement hierarchy. Concomitant changes to the supporting text are also required.
81. Policy UE4 is unsound as it and its supporting text fail to recognise that there may be instances where holiday accommodation within a residential curtilage may be acceptable even if it does not make use of an existing building of architectural or historic interest. It also departs from national planning policy by stating that permitted development rights will be removed in every instance where planning permission is granted under this policy. **MM33** and **MM34** are necessary to address these shortcomings and, thus, to make the policy effective and justified.
82. Turning to matters of land management, **MM35** is needed to clarify Strategic Policy K's criterion in relation small and micro businesses. I have reinstated criterion 1 of the policy, in the light of representations, to ensure that the policy covers the full range of development scenarios that may arise.
83. Policy BL1 requires **MM36** to make the policy effective, by clarifying the nature of employment and training development that would be supported. It is also needed to ensure that the criteria in relation to building re-use and extensions are consistent and that the onerous requirement in relation to physical and functional links to existing businesses is removed. **MM37** is necessary to ensure that the Plan is clear about which other development plans certain types of economic development may be assessed against.

84. **MM38** is required to ensure that policy BL2's criterion in relation to highway improvements does not go beyond that set out in the Sustainability Appraisal, in the absence of clear justification. It is also necessary to make the policy effective, by inserting wording from the supporting text upon which the Plan was seeking to rely as a policy requirement.
85. BL3 is ineffective as it fails to define the full range of rural businesses that it should cover or to address the locational requirements of new buildings. **MM39** rectifies this.
86. Policy BL5 is unclear about what is meant by "*in recent years*" and requires **MM40** to excise this reference and to make the policy effective. The same modification ensures that the Plan does not use the wording of the national planning policy test in relation to Green Belt development and apply it instead to isolated buildings in the countryside. Such an approach is potentially confusing and unhelpful to applicants, rendering the policy ineffective.
87. Policy BL6 is not justified, as it contains text that sets out how policy will be applied, rather than what is expected of applicants. **MM41** addresses this.
88. It is unclear how "*severe economic disadvantage*" in policy BL7 would be demonstrated. In any event, the policy's requirement to demonstrate the financial viability of a farming enterprise is sufficient for the policy's purposes, albeit that it needs to be made clear that it is financial, rather than logistical, viability, which is under scrutiny. **MM42** addresses these points to make the policy effective.
89. Policy BL8 requires **MM43** to ensure that it is consistent with the Helmsley Local Plan, as far as development in the town centre is concerned. It will also address the movement of supporting text relating to the loss of retail premises, which reads as a policy requirement, into the policy itself.
90. Policies BL9 and BL10 require **MM44** and **MM45** respectively to ensure that their wording, ensuring that planning permission will "only" be granted if certain criteria are met, is consistent with that in other policies throughout the Plan.

### *Conclusion*

91. I conclude that, subject to the MMs noted above, the Plan's approach to sustaining the economic well-being of local businesses and communities is justified, effective and consistent with national planning policy.

### **Issue 6 – Whether the Plan's approach to community infrastructure is justified, effective and consistent with national planning policy**

92. Strategic policy L is the overarching policy relating to community facilities. It is not clear, however, what is meant by "*an unacceptable adverse impact*" upon a community facility. Rather, the policy seeks to avoid compromising the use of such facilities. **MM46** is necessary to clarify this point and, thus, to make the policy effective. It also pulls marketing and viability test requirements into the policy from the supporting text, also necessary to ensure that the policy is effective.



93. Policy CO1 fails to reflect the wording of national planning policy (and, indeed of the Community Infrastructure Levy Regulations 2010) with regard to when developer contributions may be sought. **MM47** is needed to bring the policy, and its supporting text, into line with the Framework.
94. The supporting text to policy CO5 contains wording that reads as policy. This is not justified or effective and **MM48**, which moves this wording into policy CO5, is necessary to make the Plan sound.

#### *Conclusion*

95. I conclude that, subject to the MMs noted above, the Plan's approach to community infrastructure is justified, effective and consistent with national planning policy.

#### **Issue 7 – Whether the Plan's approach to monitoring is justified, effective and consistent with national planning policy**

96. The Plan's monitoring framework is ineffective, with few triggers for action in the event that policy is not operating or delivering as expected. **MM65** and **MM123** are needed to address this matter.
97. The Plan's lack of a housing trajectory is also inconsistent with national planning policy. Given that the Authority has produced a trajectory, there is no obvious reason why it should not feature in the Plan. **MM66** rectifies this omission with a new Appendix 5 to the Plan.

#### *Conclusion*

98. I conclude that, subject to the MMs noted above, the Plan's approach to monitoring is justified, effective and consistent with national planning policy.

### **Assessment of Legal Compliance**

99. My examination of the legal compliance of the Plan is summarised below.
100. The Plan has been prepared in accordance with the Authority's Local Development Scheme. There was been a two month slippage with regard to the anticipated submission date, but I do not consider this marginal departure from the timetable to be significant in the overall scheme of things.
101. Consultation on the Plan and the MMs was carried out in compliance with the Authority's Statement of Community Involvement.
102. Sustainability Appraisal has been carried out and is adequate.
103. The Habitats Regulations Assessment of the Plan (June 2019) sets out why an Appropriate Assessment is not necessary.
104. The Plan includes policies, such as Strategic Policies A, E and F; and Policies ENV5 and ENV8, designed to ensure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

105. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

106. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination, including policies relating to the supported community at Botton Village; the relaxation of local connection criteria for carers; and Gypsy, Roma and Traveller Accommodation.

### **Overall Conclusion and Recommendation**

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

108. The Authority has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix to this report the North York Moors National Park Authority Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Richard Schofield*

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.

## Appendix – SCHEDULE OF MAIN MODIFICATIONS

Main Modification Reference	Page Number	Policy / Paragraph	Modification
MM1	Various	Various	Add the word 'and' 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.
MM2	Various	Various	The word 'only' 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.
MM3	UE1 (Now UE2), BL9	Various	Changes from 'granted' to 'permitted' in policies UE1, BL9
MM4	Various	Various	Changes from 'permitted' to 'supported' in policies SPC, SPG, SPJ, SPK.

## CHAPTER 3 – STRATEGIC APPROACH

MM5	27	SPA Achieving National Park Purposes and Sustainable Development	Insert reference to scale at criterion a) a) Is of a high quality design <u>and scale</u> which respects and reinforces the character of the local landscape and the built and historic environment;
	28	Add to Paragraph 3.3	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>
MM6	29	SPB Spatial Strategy	Development will be guided in accordance with the following settlement hierarchy:  <i>Local Service Centre – Helmsley</i>  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.  <i>Larger Villages listed in Table 1</i>  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.  <i>Smaller Villages listed in Table 1</i>  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.  <i>Botton Village</i>  Development which is necessary to meet the <u>functional</u> needs of the supported community.

	<p>31</p> <p>Paragraph 3.12, second sentence</p> <p>Paragraph 3.13, third sentence</p> <p>32</p> <p>New paragraphs after 3.16</p>	<p><i>Open Countryside</i></p>	<ol style="list-style-type: none"> <li>1. <del>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 housing needs, in accordance with Policy CO12 (Conversion of Existing Buildings in the Open Countryside) and which contributes positively to the character of the local landscape;</del></li> <li>2. <del>Where there is an essential need for development to meet the needs of farming, forestry and other rural enterprise or land management activities;</del></li> <li>3. <del>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;</del></li> <li>4. <del>Where it meets the requirements set out at Policy UE2 (Camping, Glamping, Caravans and Cabins).</del></li> <li>5. <del>Where development proposals are part of a Whole Estate Plan that has been approved endorsed by the National Park Authority.</del></li> </ol> <p>3.12 The Local Plan allows for small scale development <del>in or adjacent to these areas</del> <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 <del>in or adjacent to these areas</del> <u>in the main built up area of these villages</u> to meet housing, employment and community needs.</p> <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, 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>
MM7	33	SPC Quality and Design of New Development	<p><b>To maintain and enhance the distinctive character of the National Park, development will be permitted <u>supported</u> where:</b></p> <ol style="list-style-type: none"> <li>1. <b>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;</b></li> <li>2. <b>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;</b></li> <li>3. <b>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;</b></li> <li>4. <b>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;</b></li> <li>5. <del>In the case of conversions, the design and detailing respects the architectural form and character of the existing building and surrounding area.</del></li> <li>5. <b>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;</b></li> <li>6. <b>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 proposal;</b></li> <li>7. <del>Opportunities are taken to</del> <b>Proposals enhance local wildlife and biodiversity, for example through the inclusion of nesting boxes and bat roosts;</b></li> <li>8. <b>Provision is made for adequate storage including storage for domestic items kept outdoors and waste management facilities;</b></li> <li>9. <del>The proposal ensures the creation of an accessible, safe and secure environment for all potential users</del> <b>Where appropriate, cycling facilities and car parking <u>are provided</u> provision and without compromising local highway safety, traffic flow or Public Rights of Way, and</b></li> <li>10. <b>The proposal ensures the creation of an accessible, safe and secure environment for all potential users, <u>including the elderly, children and those with a health condition or impairment.</u></b></li> </ol> <p>(note: new paragraphs 3.23 &amp; 3.24 for SPC inserted by MM26)</p>
MM8	35	SPD - Major Development	<p><b>Proposals for major development <u>shall</u> <del>should</del> 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:</b></p> <ol style="list-style-type: none"> <li>1. <b>The need for the development which can include a national need and the contribution of the development to the national economy;</b></li> <li>2. <b>The impact of permitting it, or refusing it, upon the local economy <u>which includes that</u> of the National Park;</b></li> <li>3. <b>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 National Park's statutory purposes; or that the need for it can be met in some other way;</b></li> </ol>

			<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 <del>appropriately restored or enhanced</del> <u>to a condition in line with National Park purposes.</u></p>
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CHAPTER 4 – THE ENVIRONMENT			
MM9	37	SPE The Natural Environment	<p>Development which has an <u>unacceptable</u> <del>potential adverse</del> impact on the natural environment, the wildlife it supports and the environmental benefits it provides will not be permitted.</p> <p>All development <del>should</del> <u>will be expected to:</u></p> <ol style="list-style-type: none"> <li>1. Ensure that natural <u>capital is resources</u> <del>are</del> used in efficient and sustainable ways;</li> <li>2. Demonstrate, where appropriate, how <del>they it</del> <u>makes</u> a positive contribution to the natural <u>capital</u> environment and its ability to provide ecosystem services.</li> </ol>
MM10	38	SPF Climate Change and Mitigation	<p>New development in the National Park will be expected to be resilient to and mitigate the effects of climate change. <u>Where appropriate, tThis</u> will be achieved by requiring development to <del>supporting development which:</del></p> <ol style="list-style-type: none"> <li>1. Reduce the need for and makes efficient use of energy;</li> <li>2. Use renewable energy;</li> <li>3. Incorporate sustainable design and construction;</li> <li>4. Facilitate carbon sequestration and storage in uplands and woodlands;</li> <li>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;</li> <li>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;</li> <li>7. <del>Is</del> <u>Be</u> compatible with the appropriate Shoreline Management Plan.</li> </ol>
MM11	39	SPG Landscape	<p>Great weight will be given to landscape considerations in planning decisions and development will <del>only be permitted</del> <u>supported</u> 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><del>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.</del></p> <p>Development that would have an unacceptable <del>adverse</del> 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>
	40	Paragraph 4.10	<p>4.10 A Landscape Character Assessment was carried out in 2013 and <u>is due to be updated in 2019</u> <del>as the North York Moors Landscape Assessment.</del></p>





MM15	48	ENV4 Dark Night Skies	<p>Delete criterion 4:  <del>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.</del></p> <p>Combine and include text concerning encouraging bringing existing lighting up to standards:</p>
	49	Paragraph 4.42 & new 4.43	<p>4.42 <del>They</del> <u>Dark night skies</u> 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 <del>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.</del></p>
MM16	49	ENV5 Flood Risk	<p>Delete the final criterion:  <del>3. A Sustainable Drainage System to manage surface water run-off is incorporated in new developments above a certain scale.</del></p>
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 <u>permanent</u> building or structure <del>in permanent use</del>;</p>
MM18	51	ENV7 Environmental Protection  Criterion 4  Final paragraph	<p>4. It is not located on <del>significant</del> <u>sizeable</u> 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 <u>must</u> <del>should</del> be undertaken to remove any contamination and pollutants to ensure safe development.</p>
MM19	52	ENV8 Renewable Energy	<p><del>Where appropriate, d</del> <u>Development proposals for small-scale schemes</u> for the generation of renewable energy will <u>only</u> be permitted where:</p> <ol style="list-style-type: none"> <li>1. It is of a scale and design appropriate to their locality and contributes to meeting energy needs within the National Park;</li> <li>2. It respects and complements the existing landscape character type as defined in the North York Moors Landscape Assessment;</li> <li>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;</li> <li>4. It provides environmental enhancement or community benefits wherever possible; <u>and</u></li> <li>5. It makes provision for the removal of the facilities and reinstatement of the site, should it cease to be operational.</li> </ol> <p>In addition to meeting the criteria above development proposals for <del>small-scale</del> wind turbines will only be permitted where:</p> <ol style="list-style-type: none"> <li>a) They are in a position identified as suitable for wind energy development in the North York Moors Renewable Energy Supplementary Planning Document; and</li> <li>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.</li> </ol>
	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 '<u>small appropriate scale</u>' is defined as:</p> <ul style="list-style-type: none"> <li>• Wind <u>turbine</u> developments <u>which are appropriate in scale to the</u> <del>of one turbine and of a height which is visually related to</del> landscape, landform, structures and buildings in the immediate vicinity.</li> </ul>

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 <del>heritage assets</del> the <u>historic environment</u>. <del>New development must safeguard</del> <u>should conserve</u> heritage assets and their setting and <del>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</del>, <u>in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area</u>, including:</p> <ol style="list-style-type: none"> <li>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>;</li> <li>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>;</li> <li>3. The <u>vernacular building styles, materials and the form and layout of the historic built environment</u> including Conservation Areas, Listed Building and regionally or locally important non-designated structures and buildings.</li> </ol> <p>Applicants will be required to provide a Heritage 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><u>Harm to an element which contributes to the significance of a designated heritage asset (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 <del>on</del> <u>and</u> the significance of the asset and other material considerations.</p> <p>Add text to end of paragraph:</p>
	55	Paragraph 4.71	<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>
MM21	56	After paragraph 4.77	<p>New paragraph</p> <p><u>Enabling Development</u></p> <p>4.80. <u>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 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	ENV9 - Historic Landscape Assets  Paragraph 1, first sentence  Paragraph 1, bullet points	<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> <ol style="list-style-type: none"> <li>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></li> <li>11. <u>The 18th Century water races of the southern Moors such as at the Duncombe Estate;</u></li> <li>12. <u>The network of extant trenches, bombing decoys, anti-tank defences and radar installations from the First and Second World Wars;</u></li> <li>13. <u>The remains of the structures associated with rabbit-farming along the southern edges of the North York Moors.</u></li> </ol> <p>Modification to last paragraph of ENV9 to align wording with that of ENV11:</p> <p><u>Where a development will impact on features which contribute to the historic landscape (and our understanding and appreciation of it) is acceptable in principle, the Authority will seek to preserve require preservation of the original features in-situ. When in-situ preservation is not justified the applicant will be required to made adequate provision for recording and analysis in advance of the development, secured through an approved Written Scheme of Investigation.</u></p>
	57	Paragraph 4.79 (now 4.82)	<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. Retention of original features in-situ preservation will 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 not be permitted.</u></p>
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 wholly exceptional circumstances and that there are substantial public benefits that outweigh the harm.</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, 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>

MM24	58	<p>ENV11 – Historic Settlements and Built Heritage</p> <p>Paragraph 4.95</p>	<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 <del>permitted</del> where they:</p> <ol style="list-style-type: none"> <li>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;</li> <li>2. <del>Preserve</del> <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;</li> <li>3. Reinforce the distinctive qualities of settlements through the consideration of scale, height, massing, alignment; design detailing, materials and finishes;</li> <li>4. Respect the integrity of the form of historic settlements including boundary and street patterns and spaces between buildings;</li> <li>5. In the case of new uses, ensure the new use represents the <del>optimal</del> <u>optimum</u> viable use of the asset which is compatible with its conservation;</li> <li>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 proposal. Development should not harm the heritage value of any assets affected.</li> </ol> <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 <del>in situ preservation</del> <u>retention of the feature</u> is not justified or the form and appreciation of a heritage asset is compromised though 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, Where there is acceptable harm to or loss of a heritage asset the Authority will seek appropriate recording in order to advance understanding of the significance of any asset to be lost in accordance with paragraph 199 of the NPPF 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). Further information on recording and WSI's can be found in the Glossary.</u></p>
MM25	61	<p>ENV12 Supporting the Conservation and Reuse of Designated Heritage Assets</p>	<p>Main modification - Delete ENV12 in full.</p> <p><del>Policy ENV12 – Supporting the Conservation and Reuse of Designated Heritage Assets ‘At Risk’</del></p> <p><del>Where development would secure the long-term future of a designated heritage asset on Historic England’s or the Authority’s ‘At Risk’ Register 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.</del></p> <p><del>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.</del></p> <p><del>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.</del></p> <p><del>Any approval will be subject to a legal agreement to secure the restoration of the asset prior to completion of the enabling development.</del></p> <p><del>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.</del></p> <p>(Note: Text on enabling development added by MM21)</p>

MM26	63	ENV14 Important Undeveloped Spaces	<p><b>Main modification - Delete ENV14 (Important Undeveloped Spaces) in full.</b></p> <p><b>Delete supporting text (paragraphs 4.112-4.114). New text at Strategic Policy C</b></p> <p><u>3.23 Some areas of undeveloped space are of visual, historical, archaeological, cultural or biodiversity value. Their loss could adversely affect the character and/or appearance of settlements and the qualities of the National Park. 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.</u></p>
	34	New paragraphs after 3.20	
MM27	64	Policy ENV15, first line (now ENV13)	<p><b>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:</b></p> <p>4.111. Careful re-development of these sites <del>in accordance with a planning brief agreed between the Authority and the landowner</del> 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></p>
	64	Para 4.115 (now 4.111)	

**CHAPTER 5 - UNDERSTANDING AND ENJOYMENT**

MM28	67	SPJ - Sustainable Tourism and Recreational Development	<p>Amend title:</p> <p><b>Strategic Policy J – Tourism and Recreational Development</b></p> <p><del>The quality of t</del><b>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</u> permitted where:</b></p> <ol style="list-style-type: none"> <li>1. <del>It conserves and enhances the natural beauty, wildlife and cultural heritage of the North York Moors National Park;</del></li> <li>2. <b><u>It is consistent with the principles of sustainable tourism set out in paragraph 5.4;</u></b></li> <li>3. <del>It does not lead to unacceptable harm to <u>the local landscape character</u> or an ecological or archaeological asset;</del></li> <li>4. <b>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;</b></li> <li>5. <b>It is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape;</b></li> <li>6. <b>Any accommodation is used only for short term holiday stays;</b></li> <li>7. <b>It does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way; <u>and</u></b></li> <li>8. <b>It does not lead to unacceptable harm in terms of noise and activity <u>on</u> <u>to</u> the immediate neighbourhood;</b></li> </ol> <p><del>Tourism and Recreational Accommodation and facilities development will be permitted where:</del></p> <p>a) <del>It is located in Helmsley or within the main built up area of one of the villages listed in Strategic Policy B;</del></p> <p>b) <del>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 GO12.</del></p> <p><b>Paragraph 5.6 &amp; 5.14</b></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. 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</u></p>

			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 acceptable if it was to be of lightweight design and construction so that it can easily be removed from the site.
MM29	68	New Policy UE1  New supporting text to new Policy UE1	<p><b>Policy UE1 – Location of Tourism and Recreation Development</b></p> <p><b><u>Tourism and recreation development will only be permitted where:</u></b></p> <ol style="list-style-type: none"> <li>1. <b><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></b></li> <li>2. <b><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></b> <ol style="list-style-type: none"> <li>a) <b><u>The proposal is for the expansion or diversification of an existing tourism or recreation business;</u></b></li> <li>b) <b><u>The proposed development is functionally dependent and subservient in scale to the existing business; and</u></b></li> <li>c) <b><u>It has been demonstrated that the proposed development cannot be accommodated in an existing building, or</u></b></li> </ol> </li> <li>3. <b><u>Proposals are part of a Whole Estate Plan that has been approved by the National Park Authority.</u></b></li> </ol> <p><b><u>Proposals for new holiday accommodation within a residential curtilage will be considered under Policy UE4.</u></b></p> <p>5.7 Policy UE1 sets out the Plan’s approach to the 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).</p> <p>5.8 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.</p>
MM30	68	UE1 (now UE2) – Small Scale Tourism Accommodation	<p>Change title and numbering of policy and amend as follows:</p> <p><b>Policy <del>UE1</del> UE2 - <del>Small Scale Tourism Accommodation</del> <u>Camping, Glamping, Caravans and Cabins</u></b></p> <p><del>Permission will be granted for the d</del><b>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:</b></p> <ol style="list-style-type: none"> <li>1. It is within <u>Helmsley or the main built up area of</u> 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;</li> <li>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 <u>can will</u> be used to manage the accommodation.</li> </ol> <p><del>In order to respect the sensitivity of the local landscape character type all</del> <b>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.</b></p> <p>The following criteria <u>will be expected to</u> <del>should also be</del> met:</p> <ol style="list-style-type: none"> <li>a) <del>A</del><b>The accommodation avoids extensive alteration to ground levels and has a low environmental impact through limited 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;</b></li> <li>b) It does not lead to unacceptable harm in terms of noise and activity on the immediate area;</li> <li>c) The proposal does not, in combination with existing development detract from the character, tranquillity or visual attractiveness of the area; <u>and</u></li> <li>d) The accommodation is of a high quality design which complements its surroundings.</li> <li>e) <del>It is not sited within a residential curtilage;</del></li> <li>f) <del>The accommodation can be removed without harm to the landscape and any woodland when no longer required;</del></li> </ol> <p>In additional to the above criteria:</p>

	68	<p>Paragraph 5.7</p> <p>Paragraph 5.8</p> <p>Paragraph 5.11</p> <p>Paragraph 5.12</p> <p>Paragraph 5.13</p> <p>Paragraph 5.14</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 sites 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 landscape.</p> <p><u>Applications will be expected to provide details outlining the proposed management arrangements for the accommodation.</u></p> <p>5.9 Policy UE42 is intended to cover <u>applications for traditional camping and caravan accommodation as well as development and</u> also newer forms of non-permanent tourist accommodation.</p> <p>5.10 The intention of the policy is to allow for small scale and sensitively designed and located tourism and recreational development <u>holiday accommodation</u> to support local businesses and allow people to enjoy the special qualities of the National Park whilst avoiding sporadic development in unsuitable and unsustainable locations. The policy directs new <u>tourism and recreational development holiday accommodation</u> to the main built up area of listed settlements or areas where there is already an <u>available existing business or dwelling</u> which can be used to manage the site. This could include <del>on</del> a farm or at a public house <u>for example</u>. This is to ensure <u>there is adequate and active management of the site to prevent any local amenity issues such as noise or other disturbance from occurring</u>. Applicants will be expected to provide details of proposed management arrangements. <u>Parcels of land isolated from the managing unit are not considered to be suitable locations for development.</u></p> <p>5.13 Where sites are screened by existing vegetation <del>arrangements</del> this should be in the ownership of the <del>developer</del> <u>landowner</u> and its management over the duration of the use will 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, <del>and</del> which is capable of being used for permanent human habitation and is a <del>This includes</del> traditional metal or plastic skinned box caravans <u>or</u> <del>and</del> 'park home' type development. <del>but</del> <u>excludes the forms of development described in the supporting text to Policy UE1.</u></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>
MM31	70	<p>Paragraph 5.15</p> <p>UE2 – Development of Existing Tourism and Recreational Business</p>	<p>Delete Policy UE2 (replaced by a new Policy UE1 and supporting text)</p> <p><b>Policy UE2 – Development of Existing Tourism and Recreational Businesses</b></p> <p><del>Development of new</del> <b>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:</b></p> <p><del>1. It uses an existing building, or;</del>  <del>2. The development forms an extension to an existing building;</del></p> <p><b>Exceptions may be considered for new build development where there is sufficient justification for this approach.</b></p> <p><del>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.</del></p>



	70	Paragraph 5.16	<p><del>Proposals for new holiday accommodation within a residential curtilage will be considered under Policy UE4.</del></p> <p><b>Explanation</b></p> <p><del>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 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.</del></p>
MM32	70	<p>UE3 – Loss of Existing Tourism and Recreational Facilities</p> <p>1<sup>st</sup> 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</u> 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 <del>local connection condition</del> <u>an occupancy condition in accordance with the spatial strategy set out in SPB.</u></p>
	70	<p>Paragraph 5.17</p> <p>Paragraph 5.20</p>	<p>5.17. In cases where permission is <u>granted</u> to vary an occupancy condition from holiday occupation to a permanent <u>residential use</u> residence a <del>local connection</del> <u>an occupancy</u> restriction will be applied.</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</u> occupancy for local needs occupation the Authority will impose a condition removing the unit's 'permitted development' rights for future alterations and extensions, domestic outbuildings, fences and walls and other ancillary residential development <del>will be removed by condition</del> in order to protect the character and appearance of the <u>building, the group of buildings and the wider landscape.</u></p>
MM33	71	<p>UE4 – New Holiday Accommodation Within Residential Curtilages</p> <p>Paragraph 5.21 third sentence</p>	<p>Development of new holiday accommodation within a residential curtilage will only be permitted where:</p> <ol style="list-style-type: none"> <li>1. It makes use of an existing building which is of architectural or historic <u>interest</u> <del>importance</del> and makes a positive contribution to the character of the surrounding area;</li> <li>2. It would not detract from the character or appearance of the locality;</li> <li>3. It is of an appropriate scale; <u>and</u></li> <li>4. There is no unacceptable harm in terms of noise and activity on the amenity of the neighbourhood.</li> </ol> <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><del>Where granting permission under this policy, the Authority will remove permitted development rights which apply to the residential curtilage.</del></p> <p>5.21 Where permission is granted the Authority <del>may</del> <u>will</u> remove existing permitted development rights within the curtilage to prevent further proliferation of outbuildings <u>needed</u> to replace 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.</p>
MM34	71	New Paragraph 5.22	<p>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></p>

**CHAPTER 6 – BUSINESS AND LAND MANAGEMENT**

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 <del>permitted</del> <u>supported</u> where one or more of the following criteria are met:</p> <ol style="list-style-type: none"> <li>1. It promotes and protects existing businesses by providing flexibility for established rural businesses to diversify and expand;</li> <li>2. 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;</li> <li>3. It provides for and supports small and micro business through the provision of <del>small, flexible, start-up businesses or incubator units;</del></li> <li>4. 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;</li> <li>5. 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.</li> </ol>
MM36	74	BL1 - Employment and Training Development	<p>Development <del>for</del> of <u>new or expansion of existing</u> small-scale employment and <u>or</u> training <u>facilities</u> <del>purposes</del> will <u>only</u> be permitted:</p> <p><b>A. Within the main built up areas of Helmsley and the Larger Villages:</b></p> <ol style="list-style-type: none"> <li>1. Where it reuses existing permanent buildings, <u>or</u>;</li> <li>2. Where it <del>involves the expansion</del> <u>forms a small extension</u> of an existing <u>building, or; facility or business;</u></li> <li>3. In the case of new buildings, <u>where</u> there is no other suitable accommodation available in the locality.</li> </ol> <p><b>B. Within the main built up area of Smaller Villages:</b></p> <ol style="list-style-type: none"> <li>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>;</li> <li>2. <u>Where it reuses existing permanent buildings, or;</u></li> <li>3. <u>Where the proposal relates to the expansion it forms a small extension</u> of an existing building <del>facility or business.</del></li> </ol> <p><b>C. Within Open Countryside and is <del>physically and functionally linked to an existing business:</del></b></p> <ol style="list-style-type: none"> <li>1. Where it reuses existing permanent buildings in accordance with the requirements of Policy CO12, Conversion of Existing Buildings in Open Countryside; <del>and is physically and functionally linked to an existing business., or</del></li> <li>2. <u>Where it forms a small extension of an existing building.</u></li> </ol> <p><b>D. Where development proposals are part of a Whole Estate Plan that has been <u>approved</u> <del>endorsed</del> by the National Park Authority.</b></p> <p>All proposals for employment and training development will be expected to demonstrate that:</p> <ol style="list-style-type: none"> <li>1. The scale and location of the proposal would not individually or cumulatively be detrimental to the character and appearance of the local and wider landscape;</li> <li>2. The site can be safely accessed by the existing road network;</li> <li>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 <u>and that</u>;</li> <li>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.</li> </ol> <p><u>Development for new large warehousing or storage proposals or development</u> where the open storage of materials or products will be the sole or principal use will not be permitted.</p>

	75	Paragraph 6.8	<p>6.8 Within Open Countryside the reuse of an existing building for employment and training provision will be supported <del>provided it forms part of an existing business and</del> where it meets the requirements of Policy CO12.</p> <p><del>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.</del></p>
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>
MM38	76	BL2 Reuse of Existing Employment and Training Facilities	<p><b>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> <del>or to access and highway arrangements</del>, which outweighs the loss of employment and training facility land.</b></p> <p>Move Paragraph 6.9 to the end of Policy BL2, new paragraph:</p> <p><b><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></b></p>
MM39	76	BL3 – Rural Diversification	<p>Development for the diversification of existing agricultural, <del>and forestry</del> <u>and land-based businesses</u> will <u>only</u> be permitted where:</p> <ol style="list-style-type: none"> <li>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></li> <li>2. The proposed use is compatible with and ancillary to the existing farming or forestry activity in terms of physical scale, activity and function;</li> <li>3. The proposal is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape;</li> <li>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></li> <li>5. There are satisfactory arrangements for storage, parking and the manoeuvring of vehicles.</li> </ol>
MM40	78	BL5 – Agricultural Development  Delete from criterion 3:	<p><del>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;</del></p>
MM41	79	BL6 – Tracks Paragraph 1, point 4  Final paragraph	<p>It can be demonstrated that there will not be an unacceptable <del>adverse</del> impact on any known historic or archaeological features;</p> <p>Remove from policy and place in supporting text (after 6.27)</p> <p><del>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.</del></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>

MM42	80	BL7 – Relocation of Agricultural Businesses	The relocation of agricultural enterprises from within villages will <u>only</u> be permitted <del>only</del> in certain circumstances. These circumstances are where: <ol style="list-style-type: none"> <li>It is <del>not possible to financially viable to continue to operate</del> the same form of agricultural activity in the current location, and <del>continuing the same activity in the current location would cause severe economic disadvantage</del></li> <li>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.</li> </ol>
MM43	81	BL8 – Shops, Offices and Food and Drink Services  Point 1 and 4.	New retail development, professional and financial and food and drink services will <u>only</u> be permitted: <ol style="list-style-type: none"> <li><u>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</u></li> <li>Within the main built up area of Larger Villages;</li> <li>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, <u>or</u>;</li> <li><u>In Open Countryside</u> where <del>Where</del> new proposals are ancillary to an existing enterprise</li> </ol> <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>
MM44	82	BL9 – Advertising and Signposting	First sentence:  Proposals <del>Permission</del> will <u>only</u> be granted <u>permitted</u> for the display of advertisements where:
MM45	83	BL10 – Communications Infrastructure	The provision of infrastructure for radio, broadband and other telecommunications and information technology will <u>only</u> be <del>supported</del> <u>permitted</u> 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:

**CHAPTER 7 - COMMUNITIES**

MM46	87	SPL Community Facilities 1 <sup>st</sup> paragraph	Development that would result in the loss of <del>or unacceptable adverse impact on</del> 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>
MM47	88  89	CO1 Supporting New Development  2 <sup>nd</sup> paragraph  Paragraph 7.8	<u>Developer Contributions and Infrastructure Supporting New Development</u>  Developer contributions will be required where they are considered <del>reasonable, necessary and appropriate</del> , to:  Contributions will be sought where they are <del>necessary to make any development acceptable in planning terms and where they are</del> <u>necessary and directly</u> , fairly and reasonably related in scale and kind to the development.
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 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> . <del>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.</del>

MM49	92	CO20 Housing	<p>Strategic Policy M - Housing</p> <p><b>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.</b></p> <p><b>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.</b></p> <p><del>All new homes should contribute to the provision of a range</del> <b>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. <u>Schemes will be expected to meet the need for smaller dwellings.</u></b></p> <p><b>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.</b></p>
MM50	93          94       95	<p><b>Paragraph 7.24</b></p> <p><b>Diagram</b></p> <p><b>Paragraph 7.26</b></p> <p><b>Paragraph 7.28, penultimate sentence</b></p> <p><b>Paragraph 7.31, 1<sup>st</sup> and 3<sup>rd</sup> sentence</b></p>	<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 <u>small sites capable of accommodating up to 5 dwellings</u> 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 <u>small sites of up to 2 dwellings</u> 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 <u>Strategic Policy M and Policies CO6, CO7 and CO8.</u></p> <p>7.25 The following <del>diagrams</del> <u>guide</u> helps to explain this strategy:</p> <p><u>Local Plan – Housing Policies Diagram Guide.</u></p> <p>Helmsley (New Build) <del>Where 6+ units or 0.2 ha+, 40% to be affordable.</del></p> <p>Larger Villages (New Build) <u>100% affordable on Rural Exception Sites adjacent to the village. On or on larger sites within the main built up part of the village, 100% affordable but will accept an element of Principal Residence for viability reasons.</u></p> <p><del>All new build housing within Larger and Smaller Villages will be subject to a size restriction of 93sq.m (excluding RES schemes which are built to meet the local need).</del></p> <p>7.26 No land is allocated for housing in this Local Plan apart from any housing elements of Environmental Enhancement Sites (Policy ENV135). Housing delivery will be through land allocated in the Helmsley Local Plan, <del>windfall</del> development of <u>suitable small sites</u> in Smaller and Larger Villages (including custom and self-build housing), conversions and affordable housing ‘exception’ sites identified in conjunction with Rural Housing Enablers.</p> <p>7.28 The rate of 29 new homes per year should be regarded as a minimum and <u>will not be used to put a moratorium on new housing development once it is reached. A Housing Trajectory showing anticipated housing delivery over the lifetime of the Plan is at Appendix 5. Equally, Should monitoring of the trajectory reveal that the rate of 29 homes per year is not being reached over a sustained period, policies relating to housing supply in the Plan will be reviewed.</u></p> <p>7.31 Policies CO6, CO7 and CO8 allow for housing development on small suitable sites in Helmsley and villages listed in the settlement hierarchy. These sites must be <u>within the main built up area and have satisfactory access to the existing public highway. They must be of a scale that is appropriate to the size and function of the settlement. This will generally be sites capable of accommodating no more than five dwellings in Helmsley and the Larger Villages and no more than two dwellings in Smaller Villages.</u></p>

		<p><b>Paragraph 7.42</b></p> <p><b>Paragraph 7.43</b></p> <p><b>Paragraph 7.44</b></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 there is also evidence that affordability is a problem, particularly for younger people needing to set up home for the first time.</u></p> <p>7.43 <u>In order to achieve a better balance within the housing stock, all new build housing developments within Larger and Smaller Villages together with new build 'windfall' developments in Helmsley should 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. 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 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.</u></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>
MM51	98	CO6 Housing in Helmsley	<p><b>In order to deliver the objectives of the Helmsley Local Plan, open market and affordable housing will <u>only</u> be permitted:</b></p> <ol style="list-style-type: none"> <li>1. On sites allocated under Policy H1 of the Helmsley Local Plan, New Residential Development,</li> <li>2. On suitable small sites <del>capable of accommodating no more than five dwellings</del> 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; 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></li> <li>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.</li> </ol>
	99	Paragraph 7.45 final sentence	<p>For the avoidance of doubt, the <del>definition of</del> <u>guidance regarding</u> suitable small sites at paragraph 7.31 &amp; 7.33 will apply in consideration of applications for windfall developments in Helmsley.</p>
MM52	99	CO7 Housing in Larger Villages	<p><b>In order to support the wider service function of Larger Villages, principal residence and affordable housing will <u>only</u> be permitted:</b></p> <ol style="list-style-type: none"> <li>1) <del>On suitable small sites capable of accommodating no more than five dwellings</del> within the main built up area of the village. <u>Proposals will be expected to meet the need for smaller dwellings; 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></li> <li>2) As a 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</u> dwellings an appropriate proportion should be affordable, in line with national policy and subject to viability.</li> </ol>
	99	Paragraph 7.47, final sentence	<p>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 <del>capable of accommodating no more than five dwellings</del> 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 in determining whether a site is suitable for development. This will generally be sites of no more than five dwellings. Any large sites which do not meet the guidance Sites which can accommodate more than five units within these villages would only be considered for housing development as an exception to policy and proposals would be assessed under Policy CO11. 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><b>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:</b></p>
		Criterion 1	<ol style="list-style-type: none"> <li>1. On suitable small sites <del>capable of accommodating no more than two dwellings</del> 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, 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; meet the need for smaller dwellings;</u></li> <li>2. As a 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 dwellings, an appropriate proportion should be affordable, in line with national policy and subject to viability.</li> </ol>

		<b>Paragraph 7.48</b>	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 <del>capable of accommodating no more than two dwellings</del> and by conversions of existing buildings. <del>Again, the guidance at paragraphs 7.31-7.33 will apply to individual proposals but the expectation is that a smaller scale of development will be appropriate in Smaller Villages. This will generally be sites of no more than two dwellings.</del> 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>
<b>MM54</b>	<b>100</b>	<b>Paragraph 7.49</b>	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 <del>required</del> <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 an <u>occupancy condition in accordance with the spatial strategy set out in Strategic Policy B</u> <del>local connection restriction</del> 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</u> any occupancy restrictions will remain unchanged.
<b>MM55</b>	<b>100</b>	<b>CO9 - Botton Point 7</b>	<b>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.</b>
<b>MM56</b>	<b>101</b>	<b>CO10 Housing in Open Countryside</b>	Delete 'as appropriate' before (2) <b>Occupancy will be restricted to agricultural, forestry or other essential land management workers as appropriate.</b>
<b>MM57</b>	<b>102</b>	<b>CO11 Affordable Housing on Rural Exception Sites</b>	Changes to the first three criteria: <b>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:</b>  <ol style="list-style-type: none"> <li>1. <b>Adjacent to the main built up area of Helmsley or a Larger Village;</b></li> <li>2. <b>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>; <del>where the site is capable of accommodating more than five dwellings</del></b></li> <li>3. <b>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.</b></li> </ol>
<b>MM58</b>	<b>104</b>	<b>CO12 Conversion of Existing Buildings in the Open Countryside</b>	<b>Conversion of existing buildings in Open Countryside will <u>only</u> be permitted where:</b>  <ol style="list-style-type: none"> <li>1. <b>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;</b></li> <li>6. <b>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 any new vehicular access or parking area</u>, that would adversely affect the character and appearance of the building or the surrounding landscape;</b></li> <li>7. <b>The building is located within an existing group of buildings that have a close physical and visual relationship to each other; <u>and...</u></b></li> </ol> <b>New uses for rural buildings that may be permitted under this policy are:</b>  <ol style="list-style-type: none"> <li>a) <b>Employment, education or training; <u>or</u></b></li> <li>b) <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></b></li> <li>c) <b>Tourism facilities; <u>or</u></b></li> <li>d) <b><u>Community facilities, in exceptional circumstances and where the proposal meets the requirements of Strategic Policy L; or</u></b></li> <li>e) <b><u>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.</u></b></li> </ol>
	<b>106</b>	<b>Para 7.72</b>	Add to the end of para 7.72:  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>



MM59	106	Policy CO13 Local Connection Criteria for Local Needs Housing	<p><del>The occupancy of local needs dwellings will be restricted to those: 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:</del></p> <ol style="list-style-type: none"> <li>1. Currently resident in the National Park, having been resident in the Park for at least the previous 3 years; <u>or</u></li> <li>2. Currently in employment in the National Park; <u>or</u></li> <li>3. Having an essential need to live close to relative(s) who are currently living in the National Park, <del>have resided in the National Park for at least the previous 3 years and require substantial support; or</del></li> <li>4. Having an essential requirement for substantial support from relatives who are currently living in the National Park <del>and have resided in the National Park for at least the previous 3 years; or;</del></li> <li>5. Former residents whose case for needing to return to the National Park is accepted by the Authority.</li> </ol> <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>
			Note – Plan as submitted resets paragraph numbers after 7.76 to 7.73. Renumber. Following paragraph references refer to the Plan as submitted.
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 <del>Helmsley or any of the Larger or Smaller Villages</del> <u>settlements</u> listed in the settlement hierarchy will only be permitted where:</p> <ol style="list-style-type: none"> <li>1. Residential use has not been abandoned;</li> <li>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>;</li> </ol>
MM61	108	CO15 Gypsy, Roma and Traveller Accommodation Criterion 4	<ol style="list-style-type: none"> <li>4. The proposed site is for no more than two <del>units</del> <u>pitches</u> and is in close proximity to the highway network in a position that is appropriate to the locality with existing screening.</li> </ol>
MM62	112	CO18 – Residential Annexes	Residential annexes will <u>only be supported permitted</u> where:
MM63	113	CO19 Extensions to Domestic Curtilages	<p>The extension of existing domestic curtilages will <u>only</u> be permitted where:</p> <ol style="list-style-type: none"> <li>1. The change to domestic use will not have an adverse impact on the local landscape character;</li> <li>2. The <u>land to be incorporated into the domestic curtilage</u> does not form part of a Community Space or a valuable local habitat or heritage asset;</li> <li>3. The change to domestic use will not cause unacceptable harm to the amenities of neighbouring occupiers by reason of noise, disturbance or other adverse impact;</li> <li>4. <del>The proposal will incorporate an environmental enhancement.</del></li> </ol>
	113	Paragraph 7.98 Between 5 <sup>th</sup> and 6 <sup>th</sup> sentences	7.100 Applicants are encouraged to consider, where possible and appropriate, how extensions to domestic curtilages can incorporate environmental enhancements such as re-building or re-instatement of dry-stone walling, tree or orchard planting or the creation of wildflower areas.
MM64	114	CO20 – Equestrian Development for Private Use Criterion 1	<ol style="list-style-type: none"> <li>1. There is no unacceptable <del>adverse</del> impact on the local landscape character or the special qualities of the National Park;</li> </ol>
MM65	115	CH 7: Monitoring & 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

MM66		New Appendix 5	Insert housing trajectory diagram
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Appendix 1 – Revised Monitoring Framework (MM123)

Local Plan Policies	Monitoring Indicator	Trigger / Target
<b>Strategic Approach</b> SPA SPB SPC SPD	a. No. of applications permitted / refused on design grounds b. Avoid major development except in exceptional circumstances	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
<b>The Environment</b> SPE SPF SPG SPH ENV1 - ENV8 SPI ENV9 - ENV13	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	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
<b>Understanding and Enjoyment</b> SPJ UE1 - UE4	a. Number of visitor days b. Number of new developments permitted under UE1 c. Number of new developments permitted under UE2 d. Number of tourism and recreation development lost	a. Increase b. No specific target c. No specific target d. No specific target
<b>Business and Land Management</b> SPK BL1-BL12	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	a. Increase floorspace b. Increase floorspace c. 100% d. Monitor approvals
<b>Communities</b> SPL CO1 – CO5 SPM CO6 – CO20	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	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



## Adoption Statement

### Notification under Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

### Planning and Compulsory Purchase Act 2004 (as amended)

In accordance with the above regulations, notice is hereby given that the **North York Moors National Park Local Plan 2016 – 2036** and accompanying Policies Map was formally adopted by North York Moors National Park Authority on 27 July 2020. This replaces in full the North York Moors Core Strategy and Development Management Policies DPD (adopted November 2008).

The Local Plan 2016 – 2036 was the subject of an independent examination conducted by Richard Schofield, Inspector appointed by the Secretary of State. The examination included a two day public hearing session in November 2019. The Inspectors' Report was issued on 15 May 2020 and concluded that the Local Plan is sound and legally compliant, subject to the Inspectors' main modifications pursuant to Section 20(5) of the Planning and Compulsory Purchase Act 2004.

The adopted Local Plan 2016 – 2036 (July 2020) incorporates all the main modifications set out in the appendix to the Inspectors' Report, as well as the Authority's additional minor modifications to the Submission Plan.

The adopted Local Plan 2016 - 2036, Policies Map, Adoption Statement and Sustainability Appraisal Report can be viewed on the Authority's website at:

<https://www.northyorkmoors.org.uk/planning/framework>

The Local Plan and accompanying documents can be viewed at the Authority's Offices at The Old Vicarage, Bondgate, Helmsley YO62 5BP by appointment only. Copies will also be placed in local libraries once reopened.

Any person aggrieved by the adoption of the Local Plan 2016 - 2036 may make an application to the High Court, under Section 113 of the Planning and Compulsory Purchase Act 2004, on the grounds that the document is not within the appropriate power of the local planning authority and/or a procedural requirement has not been complied with. Any such application must be made not later than 8 September 2020 (six weeks from the date of adoption).

For further information about the Local Plan 2016 – 2036 please contact the Policy Team by email [policy@northyorkmoors.org.uk](mailto:policy@northyorkmoors.org.uk) or by telephone on 01439 772700.