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<b>PART A:</b>	<b>MATTERS DEALT WITH UNDER DELEGATED POWERS</b>
<b>REPORT TO:</b>	<b>POLICY AND RESOURCES COMMITTEE</b>
<b>DATE:</b>	<b>18 MARCH 2021</b>
<b>REPORT OF THE:</b>	<b>PLANNING AND DEVELOPMENT MANAGER JILL THOMPSON</b>
<b>TITLE OF REPORT:</b>	<b>MALTON AND NORTON NEIGHBOURHOOD PLAN CONSULTATION</b>
<b>WARDS AFFECTED:</b>	<b>NORTON EAST, NORTON WEST, MALTON</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

1.1 To agree a response to the current consultation on the draft Neighbourhood Plan.

### **2.0 RECOMMENDATION**

2.1 It is recommended that:

- (i) The proposed response from paragraph 6.4 of this report is agreed and that any further revisions are included by the Head of Planning and Regulatory Services and agreed in consultation with the Chairman of the Policy and Resources Committee.

### **3.0 REASON FOR RECOMMENDATION**

3.1 To ensure that the views of the District Council are considered in the Neighbourhood Planning process.

### **4.0 SIGNIFICANT RISKS**

4.1 There are no significant risks to the District Council arising from the recommendation. The report covers a response to consultation document.

### **5.0 POLICY CONTEXT AND CONSULTATION**

5.1 Members are aware that local councils have the right to prepare Neighbourhood Plans for their areas. Neighbourhood Plans are planning policy documents that become part of the development plan for an area, if they proceed through the statutory process.

- 5.2 Malton and Norton Town Councils have been committed to producing a Neighbourhood Plan for a number of years. The Town Councils have now prepared a draft of their Neighbourhood Plan and are consulting on its policies and proposals during the period 12 February 2021-26 March 2021. The document is accompanied by a Proposals Map, Habitat Regulations Assessment and Strategic Environmental Assessment report.
- 5.3 The Local Councils are expected to take any comments received during this consultation into account before they finalise their Neighbourhood Plan. Once the Town Councils finalise the Plan they will then submit it to the Local Planning Authority (LPA) for the LPA to arrange a formal examination of the Plan. The extent to which a plan then progresses to become 'made' as part of the development plan is then dependent on the extent to which it is considered to meet a set of 'basic conditions' in relation to its production and is subsequently supported with a majority vote in a local referendum.
- 5.4 The basic conditions that Neighbourhood Plans are required to satisfy are that they;
- Have regard to national policy;
  - Contribute to the achievement of sustainable development
  - Are in general conformity with strategic policies of the development plan
  - Do not breach / are compatible with EU obligations as incorporated into UK law
  - Meet other prescribed conditions

Further details of the Neighbourhood Plan process can be found at :

<https://www.gov.uk/guidance/neighbourhood-planning--2>

- 5.5 In terms of policy content, the Town Councils are not obliged to prepare a plan which contains policies addressing all types of development. However, it is clear in national guidance that policies in Neighbourhood Plans should be based on proportionate and robust evidence and that they should be drafted to be clear and unambiguous.
- 5.6 Local Planning Authorities are expected to support local councils in the production of Neighbourhood Plans. Officers are represented on the Neighbourhood Plan Steering Group and have sought to provide constructive advice on the emerging plan over the course of its production, including the accompanying Habitat Regulation Assessment. This has meant that the Town Councils have taken into account some specific issues prior to the preparation of the consultation draft. This is entirely consistent with the principle of front-loading and on-going consultation and engagement in the plan-making process.

## **6.0 REPORT DETAILS**

- 6.1 The consultation draft of the Neighbourhood Plan can be read in full at <https://www.ryedale.gov.uk/planning/planning-policy/neighbourhood-plans/malton-and-norton-neighbourhood-plan.html> and a copy has been emailed to all members of the Council for consideration in advance of this meeting. Appendix 1 to this report provides a summary of key proposals in the document and a brief officer commentary, in order to assist members in agreeing a response to the draft plan as part of the consultation. Appendix 2 is the Proposals Map which accompanies the draft Plan.
- 6.2 The Plan is designed to cover the period to 2027 and to align with the plan period of

the strategic Ryedale Plan. The Neighbourhood Plan does not propose to allocate sites for specific types or quantum's of development. Members will be aware that it is within the gift of local councils to allocate land for development in a Neighbourhood Plan. Prior to the District Council preparing the Local Plan Sites Document, the Town Councils were asked if they wanted to include land allocations in the Neighbourhood Plan but they resolved not to do so. For the most part, the Plan includes:

- A range of topic based policies and proposals, many of which are aspirational or which seek to provide support in principle for specific matters.
- A suite of very specific heritage policies aimed at the conservation and enhancement of the conservation areas within the Plan area
- Proposals for the designation of a number of areas of Local Greenspace, which is a significant protection based policy
- An implementation section which provides a steer for local communities over how the Town Councils will use the portion of Community Infrastructure Levy receipts that will be available to them.

- 6.3 It is important that Members recognise that the Neighbourhood Plan is the Town Councils' Plan. The District Council's role as a consultee in the process is to help ensure that the policies in the plan are planning policies; that they are in general conformity with the development plan and to advise in terms of legal requirements. It is not the role of the District Council to seek to otherwise change or impose a policy steer on the document.

Proposed RDC Response.

- 6.4 *Thank you for consulting the District Council on the Pre-Submission draft of the Malton and Norton Neighbourhood Plan. Broadly, the policies in the draft plan are not in conflict with the strategic policies of the Ryedale Plan and the policies in the strategic plan that specifically relate to the neighbourhood area. The Neighbourhood Plan recognises the role of Malton and Norton in the District and the role of the twin towns to 2027 in the Ryedale Plan. The District Council is of the view that the Malton and Norton Neighbourhood Plan has the potential to add to the existing policies of the development plan and provide a further suite of policies specific to the twin towns and their immediate hinterland.*
- 6.5 *As a general observation, it is considered that the draft plan is very light touch in its references to the evidence which underpins its proposals. Whilst it is accepted that the evidence base will be collated to support the plan through examination, the plan itself would benefit from the inclusion of reference to key pieces of evidence to support policy proposals. Reference to evidence would also help to support some of the statements included in parts of the supporting text, which without a 'root' in evidence could be regarded as assertions rather than statements. The Local Planning Authority would be happy to discuss how the evidence base used to support the Ryedale Plan can be used to explicitly support the Neighbourhood Plan.*
- 6.6 *National guidance makes it clear that plans and policies should be drafted to be clear and unambiguous. Many of the policies in the document act to provide general policy support for specific matters or are aspirational in their intent. On the whole they are drafted clearly and (with limited exceptions) are not ambiguous. However, as many of the policies are supportive and aspirational in nature, the plan should take every opportunity to make this clear in order to ensure that expectations are not raised. As well as the main body of the plan, the implementation section requires some revision*

to ensure clarity around infrastructure delivery in order to avoid expectations being raised within the local communities. This is expanded upon in more detail below.

- 6.7 *It is the intention that the plan progresses to the stage at which it becomes part of the development plan for the area. In this respect, it is helpful if, consequently the development plan is aligned as a whole. The penultimate paragraph of Chapter two makes reference to recent 'rapid growth, weak development planning and a lack of traffic management presenting a threat to Malton and Norton's heritage'. The Neighbourhood Plan should include evidence and further explanation to support this assertion. In the District Councils view, the statement does not bear scrutiny and is unduly negative and unhelpful in the context of a shared aspiration to include the Neighbourhood Plan as part of the development plan.*

#### *Policies and Proposals*

##### *Traffic and Transport*

- 6.8 *Traffic and transport matters have a high profile in the document and the District Council understands the desire for road infrastructure improvements that will help to alleviate traffic congestion in the central road network. Whilst some of the improvements referred to will help to alleviate road congestion, they are not required to support planned growth at the towns to 2027. The adopted development plan and the evidence base supporting the plan is clear on the strategic transport improvements that are necessary to support planned growth. To avoid any confusion or ambiguity, this should be made clearer in the supporting text. Furthermore, a number of the improvements referred to have not previously been evidenced as being highway improvements which would reduce congestion. An A64/Castle Howard road junction and a Castle Howard Road- Broughton Road link road are examples. Without evidence that these further improvements would result in network improvements these should not be referred to in the plan, even in an aspirational sense.*
- 6.9 *The implementation section also includes references to Ryedale CIL being used to fund these wider strategic highway improvements. This will raise expectations in the local community that these improvements can or will be delivered. The use of CIL is aligned to the infrastructure required to support planned growth. Its use to fund further strategic transport improvements will be considered if this is required to support further growth in the longer term beyond 2027. In the meantime, the references to the use of CIL to fund improvements which are not required in the current plan period should not be included in the plan.*
- 6.10 *The reference to the Ryedale Local Plan Sites Document on Page 17 should refer to it being adopted rather than submitted.*
- 6.11 *Policy TM5 would benefit from being clearer in respect of the revised road priorities sought in order to avoid ambiguity. In order to assist the implementation of this policy and to allow the application of the development plan as a whole. In the absence of evidence that all of the measures are appropriate, the policy would benefit by being tempered with a statement to ensure that they are supported if it can be evidenced that they are appropriate in terms of highway safety, air quality and congestion.*

##### *The River Corridor*

- 6.12 *The plan places significant emphasis on improving and maximising opportunities associated with the river. The proposed policies make it clear that the aspirations are*

*subject to there being no adverse effects on the integrity of the River Derwent SAC and subject to flood risk. This is appropriate and will assist the implementation of this policy. The District Council is aware that a Habitat Regulation Assessment has been prepared to support the plan and that the application of the assessment has informed the plan as it is now drafted.*

#### *The Environment*

- 6.13 *The Plan seeks to designate a number of areas of land as local greenspace. The District Council considers that the Neighbourhood Plan is the most appropriate way in which to designate these sites which are considered to be of significant value to local communities.*
- 6.14 *It is not clear how the Town Councils expect Policy E5 to be implemented or what the policy is seeking to achieve. Given the position of Malton and Norton in the landscape, distanced views of surrounding landscape character types are achieved from many vantage points. Is the policy aimed at protecting the setting of these landscapes or to protect views of them? If it is the latter then in order to provide clarity and assist implementation, the Neighbourhood Plan should make it clear which views it considers to be of importance and support this with evidence and further justification.*
- 6.15 *The Plan would benefit from reference to recent evidence and trends in air quality in the AQMA. The District Council will forward further information relating to this issue.*

#### *Community Facilities*

- 6.16 *The plan refers to community facilities that are lacking in Malton and Norton but is unclear about what these are. The proposed improvements to existing facilities are clear. The plan includes an aspiration for a new doctor's surgery to serve the Towns. Whilst it is appreciated that the proposed policy is aspirational and serves to provide policy support in the event of proposals for a new surgery, the plan should avoid raising expectations in the local community. It is considered that the extent to which a new surgery is required or realistic should be discussed with the existing surgery and CCG and the position reflected in the plan.*

#### *Tourism and Culture*

- 6.17 *The Neighbourhood Plan proposes to designate Orchard Fields as an area of Local Greenspace. National policy makes it clear the proposals for development on local greenspace should be consistent with the application of green belt policy. In this respect, the Town Councils will need to consider whether the visitor facilities that are envisaged are consistent with these requirements. In this respect the Neighbourhood plan should include a commentary in recognition of this potential policy conflict. As the landowner of Wentworth Street Car Park, it would be helpful for the District Council to understand if the support in principle for a hotel at the car park is dependent upon an operator agreeing to the provision of public car parking.*

#### *Horse Racing Industry*

- 6.18 *Policy HR12 would benefit from further clarification to assist its implementation. It is unclear whether the policy only applies to development within the zones or further afield. The policy approach appears to conflict with the in principle support and indicative route of the south Norton link road shown on the proposals map. Whilst it is acknowledged that the development plan does not include provision for a link road and the transport policies in the Neighbourhood Plan aim to protect an indicative route, this is an inherent conflict in the plan as currently drafted.*

*Whilst the intent of Policy HR13 is clear, there is the potential for conflict between users of rights of way under this policy. It would be helpful to understand the views of the horse racing trainers on this policy*

#### *Heritage and Design*

- 6.19 *Whilst this level of detail in these policies would normally be included in a Conservation Area Appraisal which would be adopted as a Supplementary Planning Document to inform the planning process, the inclusion of these policies in the Neighbourhood Plan is not inappropriate. It provides a level of detail which is relevant to the neighbourhood area and which further adds to the implementation of the strategic policies of the development plan and national policy. However, the Conservation Area policies are prescriptive as drafted and in some respects this may not assist their implementation. For example, Policy HD1 specifies the use of local clamp bricks. Locally sourced clamp bricks are unlikely to be available and in this respect the policy is considered to be overly prescriptive. Policy HD8 provides support for the redevelopment of vacant plots in built up frontages. To assist the implementation of the policy within the built up area, it would be helpful if the plan could clarify if reference to a built frontage is a main road frontage.*

#### *Housing*

- 6.20 *It is ambitious to expect sites of 10 dwellings to reflect the mix outlined. Whilst the District Council does not dispute the intent of the policy, it would benefit from some revision to its wording to assist implementation. Alternatively the policy could be recast to ensure that more specialist provision will be sought as part of larger housing sites.*

#### *Employment*

- 6.21 *Whilst it is understandable that the Town Councils wish to support sectors that are specific to the towns, there are a range of other economic sectors that contribute to the local economy. Insertion of the word 'including' before listing specific sectors in the policy will ensure that wider economic activity is not excluded from this in principle support*

#### *Malton-Specific policies*

- 6.22 *It would assist the implementation of this policy if it could be clarified whether improvements to the market square would only be supported if these did not result in a loss of car parking capacity.*

#### *Norton-Specific Policies*

- 6.23 *The land in question is within an area at risk of flooding. The policy support should be subject to the application of the sequential and, where appropriate, exception test in relation to flood risk.*

#### *Community Actions*

- 6.24 *The section provides a useful distinction between those matters that can be addressed by the development plan and those which fall outside of the scope of planning. To reinforce this further, it would be appropriate to include this section as an Appendix to the plan.*

#### *Implementation Section*

- 6.25 *The use of the Neighbourhood Plan to list the infrastructure and projects that the Town Councils will use CIL money to address is welcomed. This is consistent with Government advice and provides transparency for the local communities.*

- 6.26 *The plan also includes a list of infrastructure types/projects which the Town Councils would like the District Council to address with CIL receipts. The Ryedale Plan makes it clear what types of infrastructure are required to support planned growth for the plan period. A necessary improvement is the provision of additional school capacity, especially for Norton and this should be included on this list. Infrastructure that is not required to support planned growth for the plan period should not be included in this list. The Neighbourhood Plan should make it clear that the extent to which further projects that are not required to support planned growth to 2027 are funded by CIL will be dependent on future growth strategies and choices beyond the plan period. In addition, the plan should make it clear that the Ryedale CIL is required to support infrastructure improvements across the whole of Ryedale and that the money does need to be prioritised as it is a limited source of funding and will not be sufficient to deliver all required or desired infrastructure improvements. Clarity on these matters will avoid expectations being raised over the deliverability of infrastructure – especially strategic highway improvements.*
- 6.27 *As outlined above, it is the view of the Local Planning Authority that the Project Delivery Plan should not include infrastructure projects that are not required to support planned growth over the plan period. The District Council will be happy to discuss the necessary revisions to this list and the evidence base which supports such a list.*

#### *Supporting Documents*

- 6.28 *The conclusions of the supporting documentation are broadly agreed. However, the Habitat Regulation Assessment (HRA) will require a short update addendum to: reflect concerns raised in relation to Policy RC1 and the mitigation measures proposed in the HRA; the subsequent revision to the draft policy and to include revised HRA conclusions.*
- 6.29 *The District Council is happy to continue to work with the Town Councils as the plan is refined in response to comments made as part of the current consultation and prior to the formal submission of the plan.*

## **7.0 IMPLICATIONS**

7.1 The following implications have been identified:

a) Financial

There is no existing budget provision to cover the Neighbourhood Plan process. The District Council is required to cover the cost of the examination of the Neighbourhood Plan and the local referendum. Experience elsewhere indicates that the cost of a Neighbourhood Plan examination ranges between 5-10K. Updated costs of a referendum for Malton and Norton are that it will cost approximately 25K. New burdens funding of 20k is available to Local Authorities to assist with these costs. Consequently a further 15K will be required to cover the anticipated costs.

b) Legal

A Neighbourhood Plan can become part of the development plan for the area if it progresses through an examination and is supported by a majority vote in a local referendum.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)

Local Government re-organisation across North Yorkshire should not impact upon

the ability of Town and Parish Councils to prepare Neighbourhood Plans. Any new unitary authority covering the area will be expected to support the production of Neighbourhood Plans, including those that are in the process of being prepared, providing a Neighbourhood Plan is in general conformity with the development plan that is in place for the area.

## **8.0 NEXT STEPS**

8.1 The Town Councils have a project plan for the production of the Neighbourhood Plan which is summarised as follows:

- Submission of Plan to LPA – September 2021
- Examination – December 2021
- Referendum- September 2022
- Plan'made' ( the term used to bring the plan into effect as part of the development plan) - October 2022

8.2 It should be noted that from submission, all of the necessary consultation and publicity requirements and the examination arrangements are the responsibility of the District Council. Best endeavours will be used to align with the indicative project plan although the precise timing of the formal stages in the process will be dependent on the timely submission of the document ; the scheduling of the formal examination and the ability to progress this work in tandem with existing workloads.

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### **Background Papers:**

Malton and Norton Neighbourhood Plan Pre-Submission Draft; Proposals Map; Habitat Regulations Assessment; Environmental Assessment

**Background Papers are available for inspection at:**

<https://www.ryedale.gov.uk/planning/planning-policy/neighbourhood-plans/malton-and-norton-neighbourhood-plan.html>



## **Appendix 1: Summary of the Malton and Norton Neighbourhood Plan (Pre-Submission Draft).**

The draft document is comprised of 6 chapters which are summarised below. A brief commentary is provided on each of the sections of the draft plan and the supporting documentation.

Chapter 1 – Introduction

Chapter 2 – Malton and Norton. Yesterday and Today

Commentary

The introductory chapters provides an overview of the role of the plan and brief history of the town towns. Chapter two concludes with the view that ‘rapid growth, weak development planning and a lack of traffic management present a threat to Malton and Norton’s heritage’. The evidence for the assertion is not clear and given that all parties are aspiring to include the Neighbourhood Plan as part of the development plan, the assertion is not helpful.

Chapter 3 - Vision and Objectives

The vision for the Towns to 2027 is supported by the following objectives:

- To protect and improve the local environment and particularly the ecological quality of the River
- To cut congestion and improve air quality
- To improve connectivity between Malton and Norton
- To improve access to the river for the community
- To build on local distinctiveness in order to enhance the visual quality and appearance of the towns
- To protect heritage assets
- To encourage the regeneration and redevelopment of vacant plots
- To capitalise on the history and culture of Malton and Norton and to develop the tourist industry
- To build on the economic strengths of the towns and address deficiencies in the economy
- To protect and improve community services and facilities
- To encourage housing provision that meets local needs

Commentary

The proposed vision and objectives of the plan are not inconsistent with the vision, aims, objectives and strategy of the Ryedale Plan in so far as these relate to Malton and Norton.

Chapter 4 – Policies and Proposals

Transport and Movement

The section includes six proposed policies:

TM1 Protection and Enhancement of Pedestrian, Cycle and Bridleway network – looks to protect the network and to support improvements at the following locations (Disused railway tracks, Broughton Manor Estate, Showfield Site, Broughton Road, Norton Grove-Beverley Road, Langton Horse Walk and Welham Road).

TM2 New Pedestrian and Cycle River/ Railway Crossing – aims to ensure that development which would prevent a crossing at any of the following locations would not be supported (Dismantled railway line to the north east of Orchard Fields; Land at Woolgrowers /rear of Lidl to the station; land near the station and county bridge

TM3 New Vehicular River/ Rail Crossing – seeks to ensure that development which would prevent the creation of a new road crossing at the following locations would not be supported (land to the north east of York Road Industrial Estate and land to the south of Norton Road)

TM4 Highway Improvement Schemes – states that development which would prevent the provision of the following improvement schemes would not be supported,( A64/B1257 Broughton Road; A64/B1248 Castle Howard Road; Link Road between Scarborough Road and Beverley Road; southern Norton Bypass; Link road between A64 Castle Howard Road and A64 B1257 Broughton Road)

TM5 County Bridge Level Crossing- provides support for development which would provide the following highway improvements (Traffic light control; revised road priorities; clear signage and road markings; zebra or pedestrian crossing; refuge areas for pedestrians and cyclists)

TM6 Traffic Management Plans – supports the provision of traffic management plans.

#### Commentary

Policies TM1 and TM5 provide support in principle for the measures/ improvements referred to and in the absence of committed deliverable schemes, it is considered that this is as far as the plan can go in terms of policy support for the proposed improvements. As currently drafted it is unclear which revised road priorities would be supported as part of the policy or how this is supported by evidence. Given the location of this junction in the network and in relation to the Air Quality Management Area, it is considered that this element of the policy needs to be less ambiguous and policy support tempered/clarified to ensure that support is provided where it can be demonstrated that the improvements can be achieved without detrimental impacts on air quality, safety and congestion.

Policies TM2, TM3 and TM4 aim to ensure that new development does not prevent the ability to secure highway improvements in the longer term. The plan does not commit to the provision of these infrastructure projects and to ensure that expectations (or concerns) are not raised unduly, the position in relation to these projects should be very clear. They are not required to support current planned levels of growth but may be required depending on the choices over the future distribution of development beyond this plan period. Some of the infrastructure projects are not evidenced as being beneficial to congestion and these should not be referred to in the plan without evidence that they would make a positive contribution to the operation of the local network.

#### The River Corridor

RC1 – Malton and Norton River Corridor Development – supports specific actions and development to enhance use of the riverside area.

RC 2 – Regeneration of land north and south of County Bridge

#### Commentary

The Neighbourhood Plan places emphasis on improving the appearance and use of the riverside. Both policies are drafted to ensure that proposals are appropriate in terms of flood risk and will be subject to there being no adverse effects on the integrity of the River Derwent Special Area of Conservation. The Habitat Regulation Assessment of the plan has considered these policies.

#### The Environment

E1- Protection of Local Greenspace. The policy identifies 8 sites as Local Greenspace. (Ladyspring Wood and river Walk; Castle Gardens; Norton Road Riverside; Norton Grove woodland; Scott's Hill; Orchard Fields; Mill Beck Corridor)

E2 – Enhancement of local greenspace. The policy provides support in principle for proposals that will enhance local greenspace or other protected greenspace.

E3 – Open Space in New Development. The policy provides support for residential development that includes places for recreation and playspace.

E4 – Green Infrastructure. The policy aims to protect the following areas as multifunctional Green Infrastructure (The River Derwent Corridor; Howardian Hills; Rye Corridor; Mill Beck corridor; Driffield-Thirsk Railway Line; Westfield way/Priorpot Beck

E5 – Gateways. The policy aims to ensure that new development respects key views towards nationally and locally designated landscapes and Conservation Areas.

E6 – Development affecting the Malton Air Quality Management Area. The policy aims to ensure that adverse effects on the AQMA are mitigated

#### Commentary

In principle, the identification of Local Greenspace is welcomed. It is entirely appropriate and consistent with the Ryedale Plan that Neighbourhood Plans are used to identify areas of greenspace that are of particular significance to local communities. Local Greenspace is a policy mechanism that is akin to Green Belt policy in its application. The remainder of the policies in this section are largely consistent with existing policies in the Development Plan. However, it is considered that further explanation of policy E5 is required in order to assist its implementation. The policy would benefit from additional clarity.

#### Community Facilities

CF1 – Norton's Swimming Pool. The policy provides support in principle for the upgrading, extension or replacement of the facility

CF2 – Malton Community Sports Centre. The policy provides support in principle for the upgrading or extension to the facility to increase capacity and improve facilities.

CF 3 – Medical Centre Development. The policy provides support in principle for a new surgery.

#### Commentary

The in principle support for improvements to these facilities is consistent with policies

in the adopted development plan. It is considered that care should be taken not to raise expectations, particularly in referring a new doctor's surgery.

#### Tourism and Culture

TC1 – New Museums and Visitor Facilities. The policy provides support in principle for the development of new museums and visitor facilities and extensions to existing facilities.

TC2 – Orchard Fields. The policy provides support for the development of sympathetic visitor facilities to improve understanding of its historic importance and enhance its recreational value.

TC3 Hotel Development. The policy provides support in principle for the development of a new hotel to provide modern visitor accommodation at the A64 or within a central location at the Towns.

TC4- Wentworth Street. The policy provides support in principle for the development of a new hotel with public car parking capacity at Wentworth Street. The Proposals Map indicates that this is at the Wentworth Street Car Park site (upper deck)

#### Commentary

The Neighbourhood Plan proposes to designate Orchard Fields as an area of Local Greenspace. National policy makes it clear the proposals for development on local greenspace should be consistent with the application of green belt policy. In this respect, the Town Councils will need to consider whether the visitor facilities that are envisaged are consistent with these requirements. In this respect the Neighbourhood plan should include a commentary in recognition of this potential policy conflict. As the landowner of Wentworth Street Car Park, it would be helpful for the District Council to understand if the support in principle for a hotel at the car park is dependent upon an operator agreeing to the provision of public car parking.

#### The Horse Racing Industry

HR11 – Protection of Horse Racing Stables. The policy provides support for the protection of existing stables for a change of use.

HR12 – Horse Racing Zones and Development. The policy seeks to resist development that would have an adverse effect on horse racing zones identified on the proposals map

HR13- Improved access to the horse racing industry. The policy provides support for improvements to footpath, cycleway and bridleway network to improve access to the horse racing industry

#### Commentary

Policy HR12 would benefit from further clarification to assist its implementation. It is unclear whether the policy only applies to development within the zones or further afield. The policy approach appears to conflict with the in principle support and indicative route of the south Norton link road shown on the proposals map. Whilst it is acknowledged that the development plan does not include provision for a link road and the transport policies in the Neighbourhood Plan aim to protect an indicative route, this is an inherent conflict in the plan as currently drafted.

Whilst the intent of Policy HR13 is clear, there is the potential for conflict between users of rights of way under this policy. It would be helpful to understand the views of the horse racing trainers on this policy.

#### Heritage and Design

HD1- Development and Design – Conservation Areas. The policy includes detailed policy criteria for development within the 3 Conservation Areas in the plan area.

HD2 – Development and Design – Area-Wide principles. The criteria –based policy lists a number of design principles to operate across the plan area.

HD3- Shopfronts. The policy includes a range of criteria to ensure the sensitive design of shopfronts

HD4 - Malton Town Conservation Area – Enhancements. The policy lists a range of enhancements which would be supported in the Conservation Area.

HD5- Public Realm improvements in the Malton Town Conservation Area. The policy lists a range of public realm improvements which would be supported in the Conservation Area.

HD6- Norton Town Centre Conservation Area – Enhancements. The policy lists a range of enhancements which would be supported in the Conservation Area

HD7 – Public realm improvements within the Norton –on –Derwent Conservation Area. The policy lists a range of public realm improvements which would be supported in the Conservation Area.

HD8- Malton Old Town Conservation Area- Enhancements. The policy lists a range of enhancements which would be supported in the Conservation Area

HD9- Public realm improvements within the Malton Old Town Conservation Area. The policy lists a range of public realm improvements which would be supported in the Conservation Area.

HD10- Area-Wide public realm improvements. The policy lists a number of public realm improvements that will be supported across the plan area.

HD11- Archaeology. The policy includes information required to support a planning application.

#### Commentary

The suite of heritage policies included in the plan is one of the most detailed sections of the document. The Town Councils have invested heavily in Conservation Area appraisals to evidence and support the proposed policies. It should be noted that these are the Town Council's appraisals of the Conservation Areas. Regrettably the District Council was not involved in the methodology for undertaking the appraisals and as such, they are not documents that the Local Planning Authority itself can adopt. Notwithstanding this procedural point, it is considered that many of the criteria in these policies are appropriate. Whilst this level of detail would normally be included in a Conservation Area Appraisal which would be adopted as a Supplementary Planning Document to inform the planning process, the inclusion of these policies in the Neighbourhood Plan is not inappropriate. It provides a level of detail which is relevant

to the neighbourhood area and which further adds to the implementation of the strategic policies of the development plan and national policy.

In terms of detail, it is considered that the following comments should be considered by the Town Councils as part of this consultation. Policy HD1 specifies the use of local clamp bricks. Locally sourced clamp bricks are unlikely to be available and in this respect the policy is considered to be overly prescriptive. Policy HD8 provides support for the redevelopment of vacant plots in built up frontages. To assist the implementation of the policy within the built up area, it would be helpful if the plan clarified what it means by a built frontage and whether this is a main road frontage. There are many areas within the built up area in which may have frontage development but where development may have impacts for neighbours, for example.

#### Housing

H1 – Housing Mix. The policy provides support for housing schemes of 10 or more dwellings that include a mix of dwelling types and tenures.

#### Commentary

Smaller development sites are unlikely to be able to provide the full range and mix of housing included in the policy. It would assist the implementation of the policy if this could be acknowledged. Alternatively the policy could be recast to ensure that more specialist provision will be sought as part of larger housing sites.

#### Employment

EM1 – Encouragement of Local Employment Sectors. The policy provides support in principle for development which supports the key local employment sectors of food, tourism, horse racing and retail.

#### Commentary

A range of other economic sectors contribute to the local economy. Whilst it is understandable that the Town Councils wish to support sectors that are specific to the towns, there are a range of other economic sectors that contribute to the local economy. Insertion of the word 'including' before listing specific sectors in the policy will ensure that wider economic activity is not excluded from this in principle support.

#### Malton Specific Policies

M1 – Wentworth Street Car Park. The policy looks to resist development at the site which would result in a loss of car parking capacity. It also provides in principle support for improvements to the car park.

M2 – Malton Market Place. The policy looks to resist development that would result in the loss of car parking capacity in the market place and provides in principle support for improvements to the car park.

#### Commentary

It would assist the implementation of this policy if it could be clarified whether improvements to the market square would only be supported if these did not result in a loss of car parking capacity.

#### Norton Specific Policies

N1 – Land to rear of Commercial Street. The policy provides support for the regeneration, including for public car parking, of an area of land, shown on the Proposals Map.

#### Commentary

The land in question is within an area at risk of flooding. The policy support should be subject to the application of the sequential and, where appropriate, exception test in relation to flood risk.

#### Community Actions

The plan includes a list of actions that address ambitions for the neighbourhood area but which are not planning policies.

#### Commentary

The section provides a useful distinction between those matters that can be addressed by the development plan and those which fall outside of the scope of planning. To reinforce this further, it would be appropriate to include this section as an Appendix to the plan.

#### Monitoring, Review and Implementation

This section includes proposals for the use of the Community Infrastructure Levy that will be returned locally to the Town Councils.

#### Commentary

The use of the Neighbourhood Plan to list the infrastructure and projects that the Town Councils will use CIL money to address is welcomed. This is consistent with Government advice and provides transparency for the local communities.

The Town Councils have also set out how they would like to see the District Council spend CIL money in the Neighbourhood Area. Whilst this is not inappropriate in principle and the list refers mainly to infrastructure types rather than specific projects, it is considered that this has the potential to raise expectations over what can be delivered by CIL. In addition, infrastructure that is not required to support planned growth for the plan period should not be included in this list. The Ryedale Plan makes it clear that increased school capacity is required and this should be included on the list.

#### Supporting Documents

The draft plan is supported by a Habitat Regulations Assessment and Strategic Environmental Assessment. Both of these supporting documents are required to ensure that the plan meets the 'basic conditions' for Neighbourhood Plan preparation.

#### Commentary

The Town Councils have had to commission specialist support to help prepare these documents. The conclusions are broadly agreed. However, the HRA will require a short addendum to: reflect concerns raised in relation to Policy RC1 and the mitigation measures proposed in the HRA; the subsequent revision to the draft policy and to include revised HRA conclusions.