

Forward Planning,
 Ryedale District Council,
 Old Malton Road,
 MALTON
 YO17 7HH

Our Ref: HD/P5340/04

Your Ref:

Telephone:

Fax:



21 December 2017

Dear Sir or Madam,

re: Ryedale Local Plan – Local Plan Sites Document Publication Version

Thank you for consulting Historic England on the latest iteration of the Local Plan Sites Document. We have the following comments to make regarding its contents.

Page	Section	Sound/ Unsound	Comments	Suggested Change
8	Policy SD2	Unsound	<p>Several of the sites identified in this Policy lies within an extensive archaeological landscape which stretches along the length of the Vale of Pickering. This area exhibits evidence of continuing human habitation and activity from the early prehistoric periods through the Roman period, and up to the present day. The buried prehistoric landscapes and the unique, continuous “ladder” settlements are an extraordinary survival of human activity on a landscape scale, preserved beneath thick sand-blown deposits across the Vale.</p> <p>Based upon the understanding gained during 25 years of archaeological research and excavation on adjacent sites and</p>	<p>Paragraph 2.12 - Insert an additional Paragraph explaining why the Plan has had to identify sites for development which would be likely to result in harm to nationally-important archaeology [This could be based upon the approach set out Paragraph 2.32 of the <i>Adopted Scarborough Local Plan</i>]</p>

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			<p>across the remainder of the Vale of Pickering, there is a high probability that this area will contain archaeological remains many of which are likely to be of national importance.</p> <p>The NPPF makes it clear that non-designated archaeological remains that are demonstrably of equivalent significance to Scheduled Monuments (such as the ones which are likely to be present in this area) should be considered as if they were a designated heritage asset - i.e. that substantial harm or total loss should be wholly exceptional.</p> <p>Policy SP12 of the Adopted Local Plan Strategy recognises the importance of this archaeological landscape and makes it clear that :- <i>“Development proposals which would result in substantial harm to or total loss of the significance ... to the archaeological significance of the Vale of Pickering will be resisted unless wholly exceptional circumstances can be demonstrated”.</i></p> <p>Therefore, the reasons why it is considered appropriate to allocate sites which will result in the loss of national-important archaeology and, therefore, conflict with both the Adopted Local Plan Strategy and national policy guidance will need to be justified in the Plan.</p>	

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			As you will probably be aware, Scarborough Borough Council faced exactly the same challenges in their Local Plan. Given that both Plans are dealing with the same archaeological landscape, it is suggested that the Ryedale Sites Document adopts a similar approach. The approach taken in Scarborough's Local Plan was endorsed by their Inspector.	
12	Policy SD3, Land to East of Beverley Road, Norton	Unsound	<p>This area lies within an extensive archaeological landscape which stretches along the length off the Vale of Pickering. This area exhibits evidence of continuing human habitation and activity from the early prehistoric periods through the Roman period, and up to the present day. The buried prehistoric landscapes and the unique, continuous "ladder" settlements are an extraordinary survival of human activity on a landscape scale, preserved beneath thick sand-blown deposits across the Vale.</p> <p>Based upon the understanding gained during 25 years of archaeological research and excavation on adjacent sites and across the remainder of the Vale of Pickering, there is a high probability that this area will contain archaeological remains potentially of national importance.</p> <p>The NPPF makes it clear that non-designated archaeological</p>	<p>(a) Policy SD3 - Insert the following additional bullet-point:-</p> <p><i>"Appropriate archaeological evaluation and mitigation as detailed in Appendix A"</i></p> <p>(b) Insert the following Appendix at the end of the document:-</p> <p><i>"Appendix A – Archaeological Informative for Sites SD3, SD6, SD10, SD11 and SD12.</i></p> <p><i>This Appendix provides additional information regarding Housing Allocations made under Policies SD3, SD6, SD10, SD11 and the Employment Allocations at Thornton Road Industrial Estate, Pickering and to the north of the A64/east of A169, Malton made under Policy SD12.</i></p> <p><i>As a result of the high</i></p>

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			<p>remains that are demonstrably of equivalent significance to Scheduled Monuments (such as the ones which are likely to be present in this area) should be considered as if they were a designated heritage asset - i.e. that substantial harm or total loss should be wholly exceptional. In addition, Policy SP12 of the Adopted Local Plan Strategy seeks to ensure that the archaeology of the Vale of Pickering is appropriately protected.</p> <p>It is essential that the Plan alerts prospective developers of the likelihood that they may encounter important archaeological remains and also which explains how they might need to deal with this archaeological resource.</p> <p>As you will probably be aware, Scarborough Borough Council faced exactly the same challenges in their Local Plan. Given that both Plans are dealing with the same archaeological landscape, it is suggested that the Ryedale Sites Document adopts a similar approach. The approach taken in Scarborough's Local Plan was endorsed by their Inspector.</p>	<p><i>probability of important archaeological remains in this area, it is considered appropriate to set out further information and advice on this specific matter.</i></p> <p><u>Background:</u></p> <p><i>These sites form part of an extensive archaeological landscape which stretches along the length of the Vale of Pickering. This area exhibits evidence of continuing human habitation and activity from the early prehistoric periods through the Roman period, and up to the present day. The buried prehistoric landscapes and continuous "ladder" settlements are an extraordinary survival of human activity on a landscape scale, preserved beneath thick sand-blown deposits across the Vale.</i></p> <p><i>Based upon the understanding gained during 30 years of archaeological research and excavation on adjacent sites and across the remainder of the Vale of Pickering, there is a high probability that this area will contain archaeological remains of national importance. The NPPF makes it clear that non-designated archaeological remains that are demonstrably of equivalent significance to</i></p>

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				<p><i>Scheduled Monuments (such as the ones which are likely to be present in this area) should be considered as if they were a designated heritage asset - i.e. that substantial harm or total loss should be wholly exceptional.</i></p> <p><i>It is essential that any development proposals are informed by these and by a robust archaeological assessment of this area in order to fully understand the potential implications which the development of this area might have not just upon important archaeological remains but also the associated costs that archaeological mitigation might involve.</i></p> <p><i><u>Implications:</u></i></p> <p><i>Should, as Historic England suspect, that any desk based archaeological assessments result in the requirement for more substantial investigations the following information provides the basis for successfully meeting the likely requirements of Historic England.</i></p> <p><i>a. An archaeological assessment would likely require the inclusion of;</i></p> <p><i>i. An assessment of the proposed development site</i></p>

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				<p><i>in its wider historic landscape context;</i></p> <p><i>ii. Landscape characterisation and modelling including a review of available lidar data and aerial photography;</i></p> <p><i>iii. Geophysical Survey;</i></p> <p><i>iv. Trial trenching.</i></p> <p><i>b. An evaluation of how the proposed development is likely to impact upon the archaeology</i></p> <p><i>Subject to the outcome of the above works a mitigation strategy will most likely be required which will require agreement from the Local Planning Authority (in consultation with Historic England). The remit of a strategy will be determined by the outcome of the above and should include the following (unless it can be shown that these are not necessary):</i></p> <p><i>a. A framework for managing, recording, archiving and publishing the results of any archaeological evaluations and interventions.</i></p> <p><i>b. A strategy for maximising the educational potential of any archaeological interventions including the development of community archaeology projects;</i></p>

Page	Section	Sound/ Unsound	Comments	Suggested Change
				<i>c. A proposed access strategy for the archaeological landscape of this development site”</i>
14	Policy SD6 (Land to the west of Malton Road, Pickering	Unsound	See comments regarding Policy SD3, above	(a) Policy SD6 - Insert the following additional bullet-point:- <i>“Appropriate archaeological evaluation and mitigation as detailed in Appendix A”</i>
14	Policy SD6 (Land to the west of Malton Road, Pickering	Unsound	<p>Vivers Mill, its outbuildings, Mill House and Mill Cottages are Grade II Listed Buildings.</p> <p>Paragraph 126 of the NPPF sets out a requirement for Local Plans to conserve heritage assets in a manner appropriate to their significance. When considering the impact of a proposed development upon the significance of a designated heritage asset, Paragraph 132 of the NPPF makes it clear that great weight should be given to the asset’s conservation and explains that significance can be harmed by development within its setting.</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF or Policy SP 12 of the Local Plan Strategy, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the significance of this Listed</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of this Listed Building and what impact the loss of this undeveloped site and its subsequent development might have upon its significance.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of this building, then Policy SD6 needs to set out the measures by which that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of this building, then this site should not be</p>

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			<p>Building and what effect the loss of this site and its subsequent development might have upon its significance.</p> <p>In addition, there is a requirement in the 1990 Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is submitted, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving a Listed Building or its setting may mean that either, the site cannot actually be developed or the anticipated quantum of development is undeliverable.</p>	allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).
16	Policy SD10 (Land to the south of Amotherby Primary School, Amotherby)	Unsound	See comments regarding Policy SD3, above	(a) Policy SD10 - Insert the following additional bullet-point:- <i>“Appropriate archaeological evaluation and mitigation as detailed in Appendix A”</i>
17	Policy SD11 (Land to the south of Aspen Way, Slingsby)	Unsound	See comments regarding Policy SD3, above	(a) Policy SD11 - Insert the following additional bullet-point:- <i>“Appropriate archaeological evaluation and mitigation as detailed in Appendix A”</i>

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17	Policy SD11 (Land to the south of Aspen Way, Slingsby	Unsound	<p>Part of this site lies within the Slingsby Conservation Area.</p> <p>Paragraph 126 of the NPPF sets out a requirement for Local Plans to conserve heritage assets in a manner appropriate to their significance. When considering the impact of a proposed development upon the significance of a designated heritage asset, Paragraph 132 of the NPPF makes it clear that great weight should be given to the asset's conservation and explains that significance can be harmed by development within its setting.</p> <p>In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF or Policy SP 12 of the Local Plan Strategy, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the character or appearance of the Conservation Area and what effect the loss of this site and its subsequent development might have upon the designated area.</p>	<p>Before allocating this site for development:-</p> <p>(1) An assessment needs to be undertaken of the contribution which this site makes to the elements which contribute towards the significance of the Conservation Area and what impact the loss of this undeveloped site and its subsequent development might have upon those significances.</p> <p>(2) If it is considered that the development of this site would harm elements which contribute to the significance of the Conservation Area, then the Plan needs to set out the measures by which that harm might be removed or reduced.</p> <p>(3) If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of the Conservation Area, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 133 or 134).</p>
19	Paragraph 3.7	Unsound	The Allocation south of Thornton Road Industrial Estate, Pickering and the land to the north of the A64/ east of the A169 lies within an extensive archaeological	Paragraph 3.7 - Insert an additional Paragraph explaining why the Plan has had to identify a future employment site which

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			<p>landscape which stretches along the length of the Vale of Pickering. This area exhibits evidence of continuing human habitation and activity from the early prehistoric periods through the Roman period, and up to the present day. The buried prehistoric landscapes and the unique, continuous “ladder” settlements are an extraordinary survival of human activity on a landscape scale, preserved beneath thick sand-blown deposits across the Vale.</p> <p>Based upon the understanding gained during 25 years of archaeological research and excavation on adjacent sites and across the remainder of the Vale of Pickering, there is a high probability that this area will contain archaeological remains many of which could, potentially, be of national importance.</p> <p>The NPPF makes it clear that non-designated archaeological remains that are demonstrably of equivalent significance to Scheduled Monuments (such as the ones which are likely to be present in this area) should be considered as if they were a designated heritage asset - i.e. that substantial harm or total loss should be wholly exceptional.</p> <p>Policy SP12 of the Adopted Local Plan Strategy recognises the importance of this archaeological</p>	<p>would harm nationally-important archaeology. [This could be based upon the approach set out Paragraph 2.32 of the Adopted <i>Scarborough Local Plan</i>]. This should also refer users of the Plan to the advice set out in Appendix A</p>

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			<p>landscape and makes it clear that :- <i>“Development proposals which would result in substantial harm to or total loss of the significance ... to the archaeological significance of the Vale of Pickering will be resisted unless wholly exceptional circumstances can be demonstrated”.</i></p> <p>Therefore, the reasons why it is considered appropriate to allocate sites which will result in the loss of national-important archaeology and, therefore, conflict with both the Adopted Local Plan Strategy and national policy guidance will need to be justified in the Plan.</p> <p>As you will probably be aware, Scarborough Borough Council faced exactly the same challenges in their Local Plan. Given that both Plans are dealing with the same archaeological landscape, it is suggested that the Ryedale Sites Document adopts a similar approach. The approach taken in Scarborough’s Local Plan was endorsed by their Inspector.</p>	
20	Policy SD12, final Paragraph	Unsound	See comments regarding Policy SD3, above	<p>(a) Policy SD1, Employment Land Allocation south of Thornton Road Industrial Estate, Pickering insert the following bullet-point:-</p> <p><i>“Appropriate archaeological evaluation and mitigation as detailed in Appendix A”</i></p>

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				(b) Policy SD1, land to the north of the A64/ east of the A169 insert the following additional bullet-point:- <i>“Appropriate archaeological evaluation and mitigation as detailed in Appendix A”</i>

If you have any queries about any of the matters raised in this letter or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

Ian Smith

Historic Environment Planning Adviser (Yorkshire)

