

Malton and Norton on Derwent Neighbourhood Plan  
 2<sup>nd</sup> Submission (Regulation 15) version  
 Strategic Environmental Assessment

Appendices to the Environmental Report – July 2023

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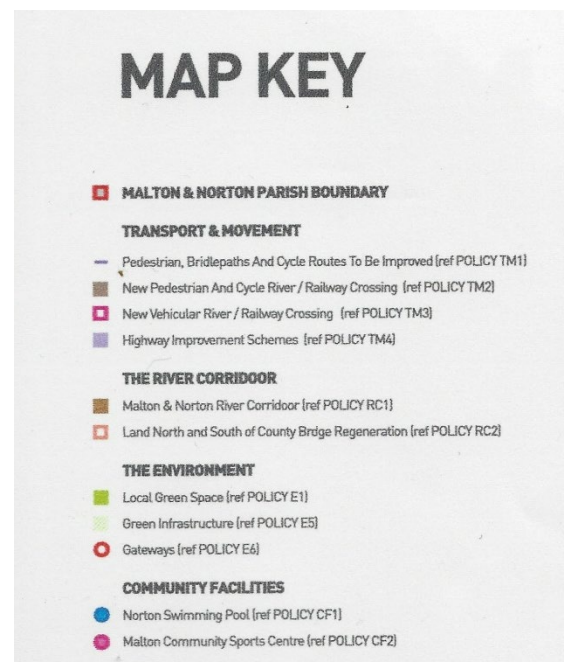
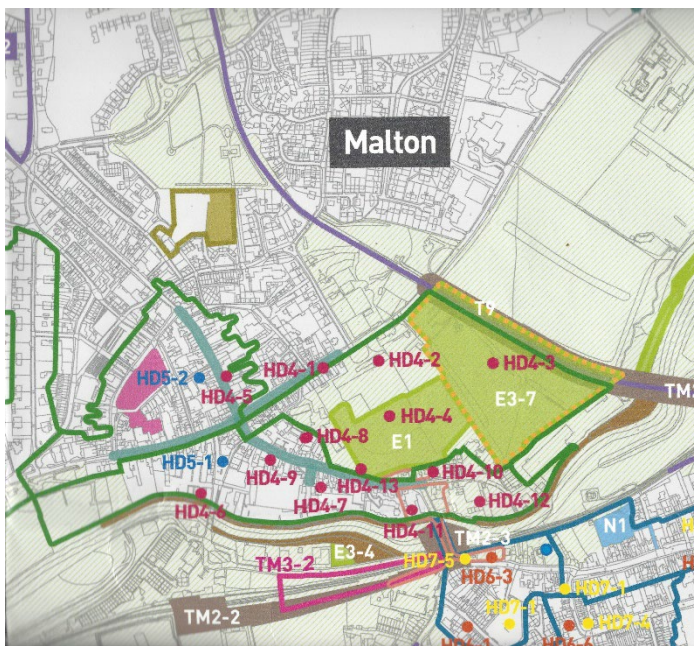
**RC1: Malton and Norton River Corridor Development**

The following types of development proposals within the Malton and Norton River Corridor, as identified on the Neighbourhood Plan Proposals Map, will be supported:-

- Recreational enhancement works to include:-
  - A new picnic area
  - Improved riverside seating
  - Fishing platforms/pegs
  - Boat moorings
  - A bandstand/facilities to host performances and entertainment
- Enhanced footpath, cycleway and bridleway provision along the river frontage
- Café/refreshment facilities
- The appropriate change of use or redevelopment of existing buildings within the corridor.

The acceptability of any such development is subject to satisfying the requirements of Local Plan Strategy Policy SP14 in respect of biodiversity sites statutorily protected by international legislation.

Development is also subject to the satisfaction of flood risk requirements, including sequential testing, as directed by the Environment Agency



**Map 1 – Extract from emerging proposals map and key**

Proposed scoring system for the SEA of the NP

Symbol	Score	Definition
++	Strongly positive impact	Positively influencing change in accordance with the objective
+	Positive impact	The policy is consistent with meeting the objective
=	Neutral impact	The policy will have neither and positive nor a negative impact upon this objective
-	Negative impact	This policy may hinder achievement of this objective
--	Negative impact	This policy would hinder achievement of this objective
U	Uncertain impact	The policy may hinder achievement of this objective, but may have no negative impact. This will depend on implementation.
O	No direct link	There is no direct link between the nature of the policy and the nature of this objective.

December 2022 Update: Please note that the assessment of the alternatives set out in Appendices 1a to 1d remain unchanged from the SEA of the previous version of the Reg 14 NP. These tables therefore refer to previously available evidence including the Northeast Yorkshire Strategic Flood Risk Assessment (SFRA), last updated in 2010 and the 2020 HRA work undertaken for the previous version of the NP.

Appendix 1a to SEA of the NP: Assessment of ALTERNATIVE Policy RC1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<p><b>SEA 1:</b> To ensure the Malton and Norton local population have access to health, education, leisure and recreation services that are required.</p>	<p>1. Does the policy result in the loss of a community facility or poorer access to a community facility?</p> <p>2. Does the policy result in improved access to community facility</p>	<p>1. No.</p> <p>2. This is an aspirational policy stating that development proposals (which would also need to meet the requirements set out other planning policies set out in the NP and Local Plan) which deliver one of a number of recreational enhancement works would be supported. These recreational enhancement works are all types of community facilities and therefore this registers a positive impact. The delivery of such impact is uncertain since the policy itself won't deliver the improvements, instead it would facilitate it if a proposal comes forward. The impact is therefore uncertain.</p> <p>The policy also supports proposals delivering enhanced footpath/cycleway and bridleway provision, café/refreshment facilities. These are all types of community facilities so a further positive impact is registered. The delivery of such impact is uncertain since the policy itself won't deliver the improvements, instead it would facilitate it if a proposal comes forward. The impact is therefore uncertain.</p>	<p>=</p> <p>U +</p> <p>U +</p>
<p><b>SEA 2:</b> To provide the opportunity for all people to meet their housing needs.</p>	<p>1. Does the policy deliver homes which will address an identified local need such as affordable homes?</p>	<p>1. There is no link registered between this draft NP policy and this SEA objective</p>	<p>0</p>
<p><b>SEA 3:</b> To maintain and promote the distinctiveness of communities within Malton and Norton</p>	<p>1. Would the policy lead to loss of an existing use which contributes to the social character and distinctiveness of Malton and Norton?</p> <p>2. Would the policy involve new public</p>	<p>1. No</p> <p>2. There is a possible significant positive impact. Recreational enhancements and enhancements to the public footpath, cycleway and bridleway are all considered to be enhancements to public realm provision. If proposals come forward as a result of this policy there is a possible significant positive impact. The delivery of such impact is uncertain since the policy itself won't deliver the improvements, instead it would facilitate it if a proposal comes forward. The impact is therefore uncertain.</p>	<p>0</p> <p>U+</p>

Appendix 1a to SEA of the NP: Assessment of ALTERNATIVE Policy RC1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	realm or enhancements to the public realm?		
<b>SEA 4:</b> To reduce crime and the fear of crime in Malton and Norton	1. Would the policy deliver development that would incorporate the principles of Secure by Design, reducing the potential for crime and discouraging anti-social behaviour.	1. Policy RC1 supports proposals which will deliver recreational enhancements along the River Corridor. This would have the potential to address any current issues there may be regarding crime or unsociable behaviour along the River Corridor. However, there is no evidence to indicate there are any existing issues.	=
<b>SEA 5:</b> to maintain and enhance employment opportunities in the NP area.	1. Will this policy deliver or help to deliver improved employment opportunities?	<p>1. There are a number of different retail and business uses along the River Derwent corridor. These are described in the environmental baseline to the SEA report. However, the extent of the RC1 does not include these and the retail and business uses lie outside of the designation (see Map 1 above). The policy supports 'appropriate' changes of uses along the corridor as identified on the map. However, the only structures identified along the extent of RC1 is the County Bridge itself. No loss of employment uses is therefore likely as a result of this policy.</p> <p>The policy supports public realm enhancements taking place along the river corridor. This could make the area more attractive to business occupiers. There is therefore a potential positive impact registered. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain</p>	U +
<b>SEA 6:</b> To maintain and enhance the vitality of the	1. Will the policy protect or enhance the viability and	1. By encouraging development that would deliver public realm improvements in this town centre location, the policy registers a positive impact. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is also uncertain.	U+

Appendix 1a to SEA of the NP: Assessment of ALTERNATIVE Policy RC1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
countryside and town centres.	vitality of the town centres? 2. Will the policy protect or enhance open areas outside the town centre?	2. The policy seeks to enhance a corridor along the River Derwent, parts of which are in open land although this is in a location in the town centre not outside. No direct link.	0
<b>SEA 7:</b> To retain and enhance the factors which are conducive to wealth creation, including personal creativity and attractiveness to investors	1. Does the policy protect, employment opportunities in plan area? 2. Does the policy encourage or deliver more employment opportunities in accessible locations?	1. The policy does not protect employment opportunities. The policy supports 'appropriate' changes of uses along the extent of RC1. However, the proposals map shown above indicates that the extent of RC1 does not include any existing uses for this to apply to.  2. The policy supports public realm enhancements taking place along the river corridor. This could make the area more attractive to business occupiers. There is therefore a potential indirect positive impact registered. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain	=  U +
<b>SEA 8:</b> To diversify the local economy	1. Does the policy assist in diversifying the local economy in Malton and Norton?	1. There is no perceivable link between this objective and Policy RC1	0
<b>SEA 9:</b> To protect and enhance biodiversity in the River Derwent SAC and SSSI	1. Does the policy protect or enhance the River Derwent SAC and SSSI?	1. The policy designation RC1 overlaps in some locations with the extent of the River Derwent SAC and the River Derwent SSSI. However, as these protected areas (SAC and SSSI) apply to a flowing river the entirety of the RC1 designation is directly relevant to the SAC and SSSI.  The policy is an aspirational policy that seeks recreational enhancements along the River Corridor. There is a potential negative impact from riverside recreational activities on to	U -

Appendix 1a to SEA of the NP: Assessment of ALTERNATIVE Policy RC1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>sensitive environmental receptors along the river. The River Derwent SAC has been designated European status due to the habitat:</p> <ul style="list-style-type: none"> <li>• Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation. (Rivers with floating vegetation often dominated by water-crowfoot)</li> </ul> <p>And due to the species:</p> <ul style="list-style-type: none"> <li>• Bullhead Cottus gobio</li> <li>• River lamprey Lampetra fluviatilis</li> <li>• Otter Lutra lutra</li> <li>• Sea lamprey Petromyzon marinus</li> </ul> <p>The HRA appropriate screening assessment<sup>1</sup> undertaken on the NP states concluded that <i>There is a credible risk that recreational pressure and pollution/erosion etc from Policy RC1 could undermine the conservation objectives of the River Derwent SAC and that a likely significant effect cannot be ruled out (alone). Consequently, an appropriate assessment is required.</i></p> <p>The concern identified in the HRA screening recreational pressure impacts on the otter population and the pollution/erosion issue related to the possible construction activity (supported in the wording on Policy RC1) would have on water quality.</p> <p>At the more detailed assessment stage (the appropriate assessment) the HRA assessment<sup>2</sup> concluded that increased recreational activity along the river corridor would not impact the otter population if it were restricted to the daytime drawing on the observation that <i>“otters already make frequent use of this stretch of river even though it is exposed to the typical disturbance associated within any busy town with road bridges, railway lines, industry and people all in close proximity”.</i></p>	

<sup>1</sup> See screening section of the Habitats Regulations Assessment of the Malton and Norton Neighbourhood Development Plan, June 2020, Fleming Ecology Limited.

<sup>2</sup> See HRA assessment in the Habitats Regulations Assessment of the Malton and Norton Neighbourhood Development Plan, June 2020, Fleming Ecology Limited

Appendix 1a to SEA of the NP: Assessment of ALTERNATIVE Policy RC1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>The HRA then states that the proposals for a bandstand <i>“does suggest that organised activities could take place in the evenings and the associated people, lights and noise could hinder the behaviour of otters. Given their large territories there is the real, if remote possibility that large-scale organised activities at night could disrupt this behaviour and an adverse effect on the integrity of the site may arise.”</i></p> <p>The HRA appropriate assessment also concludes that the inclusion in Policy RC1 of supporting fishing pegs and boat moorings along the River Corridor also has a potential adverse impact on the otter population and identifies potential for fuel spills, pollution and litter. The appropriate assessment concludes that the only way to rule this potential impact out is to amend the policy to remove reference to fishing pegs and boat moorings.</p> <p>The appropriate assessment also considers in more detail the implications of the part of Policy RC1 that allows for <i>The appropriate change of use or redevelopment of existing buildings within the corridor</i>. The assessment however concludes that impacts can be ruled out since, existing flood risk levels in this area implies any acceptable change of use or redevelopment would be very low key. This SEA actually finds that there are no existing uses within the exact extent of RC1 (as shown on the proposals map) that a change of use application could apply to. So for different reasons the SEA finds no impact here.</p> <p>There is a potential link between Policy RC1 and an impact on the otter population However, any impact would depend on the exact recreational activity and the time of day that this takes place.</p> <p>In recognition of the ecology status of the River Derwent, Policy RC1 includes the following requirement:  <i>The acceptability of any such development is subject to satisfying the requirements of Local Plan Strategy Policy SP14 in respect of biodiversity sites statutorily protected by international legislation.</i></p>	



Appendix 1a to SEA of the NP: Assessment of ALTERNATIVE Policy RC1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>Local Plan Strategy Policy SP14 doesn't specify how proposals which could harm a SAC would be considered. It does however include the following generic statement: <i>In considering proposals for development – Proposals which would have an adverse effect on any site or species protected under international or national legislation will be considered in the context of the statutory protection which is afforded to them.</i></p> <p>The application of Local Plan Policy SP14 would presumably rule out a proposal coming forward under NP Policy RC1 which would impact adversely on the habitats and species in the River Derwent SAC. There is however scope for the current and emerging policy context (provided by NP policy RC1 and Local Plan Policy SP14) to be more explicit about this.</p> <p>To conclude, Policy RC1 therefore registers a negative impact with respect to impact on the SAC because of the potential disturbance to the otter population caused by increased recreational activity along the river corridor during the evening. This impact is however uncertain. This is because Policy RC1 is not itself delivering or allocating the development. Instead it is an aspirational policy that would facilitate such a proposal were it to come forward.</p> <p><b>NB: Possible reasonable alternatives are identified as part of this assessment as follows:</b></p> <ul style="list-style-type: none"> <li>a) Policy wording in line with HRA recommendations</li> <li>b) Amending policy so it directly requires any proposal to maintain integrity of the River Derwent SAC (rather than indirectly via reference to the 2013 Local Plan policy which is worded generically to apply district wide and cover a range of circumstances).</li> </ul>	
	1. Does the policy protect or enhance protected flora and fauna?	1. As discussed above there is a potential but uncertain negative impact between Policy RC1 that would support proposals that deliver recreational activities along the River Derwent corridor and the flora and fauna along the River Derwent Corridor.	U -

Appendix 1a to SEA of the NP: Assessment of ALTERNATIVE Policy RC1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	<p>1. Does the policy provide opportunities for provision of green infrastructure including linking in with existing green infrastructure?</p>	<p>1. Policy RC1 covers a corridor of land on either side of the River Derwent that combines current public rights of way, an open space and vegetated river corridor not accessible to the public. Alongside this extent on either side of the river, there are various land uses including business use and rear retail parking. On the northern part of the River there is a public right of way from Castlegate through the middle of the Morrisons' car park to the River Derwent. Depending on proposals which come forward, this policy could potentially open up opportunities for increased access to green infrastructure corridors but there is no positive impact detected from the current policy wording in terms of improving green infrastructure itself.</p> <p>Policy RC1 allows for appropriate changes of use or redevelopment of existing uses along the corridor. Under this assessment however, there are no current uses found in the extent of RC1 what change of use could be applied to. There is therefore no link detected. Were this policy to apply neighbouring land (the retail, business uses) there could however be some positive links.</p>	<p>=</p>
<p><b>SEA 10:</b> To maintain and enhance the quality and character of the landscape</p>	<p>1. What impact would this policy have on the Visually Important Undeveloped Areas in the plan area?</p>	<p>1. Either side of the proposed designation of the NP Policy RC1 are two large areas of land designated in the Ryedale Local Plan as Visually Important Undeveloped Areas. These are shown on the Local Plan Proposals Map.</p> <p>Paragraph 6.1 of the Ryedale Local Sites Plan states that <i>"In general, the VIUA's on the edges of the Market Towns are aimed at protecting areas which, by virtue of their open nature make a significant contribution to the setting of a Town and the role of the setting in influencing and framing the traditional form and character of the settlement. To this end, these sites tend to be larger in scale than VIUA's within settlements."</i></p> <p>The extent of the land covered by RC1 which is currently undeveloped is not open for additional development under the wording of Policy RC1 other than for very minor development (e.g. picnic areas, a café) that would allow for enhanced recreational enhancements. Potential negative impacts could be avoided altogether were the policy to require any such development to maintain or enhance existing landscape quality.</p> <p><b>NB: Possible reasonable alternatives are identified as part of this assessment as follows:</b></p>	<p>U –</p>

Appendix 1a to SEA of the NP: Assessment of ALTERNATIVE Policy RC1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>a) Potential negative impacts could be avoided altogether were the policy to require any such development to maintain or enhance existing landscape quality.</p>	
<p><b>SEA 11:</b> Reduce long distance commuting and congestion by reducing the need to travel.</p>	<p>1. Would this policy encourage people to walk and cycle rather than travel by car?</p> <p>2. Would this policy lead to highway impacts that would require highway mitigation measures?</p> <p>3. Will the policy protect or enhance access to public rights of way?</p>	<p>1. If this policy succeeds to facilitate improved accessible open space provision there is potential for this policy to result in fewer journeys to areas of open space by car. Likewise, if successful this policy will result in enhancing provision of an existing public right of way.</p> <p>This impact is however uncertain given the fact this policy is aspirational and does not include specific proposals for development.</p> <p>2. No highway impacts identified.</p> <p>3. There is a direct link between this policy and public rights of way since the policy wording itself seeks enhanced footpath, cycleway and bridleway provision along the river frontage. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain</p>	<p>U +</p> <p>=</p> <p>U+</p>
<p><b>SEA 12:</b> To ensure future development is resilient to climate change such as development is not vulnerable to flooding, or will increase the risk of flooding elsewhere</p>	<p>1. Does the policy lead to development in areas at risk of flooding e.g. within the Flood Zone 3 or b or within the rapid inundation zone?</p>	<p>1. The Northeast Yorkshire Strategic Flood Risk Assessment (SFRA) was last updated in 2010. Drawing number 10.2 to this SFRA (listed as PPS25 Malton and Norton flood plain delineation zone on the Ryedale website (accessed September 2020 <a href="https://www.ryedale.gov.uk/planning/planning-policy/evidence-base/environmental.html">https://www.ryedale.gov.uk/planning/planning-policy/evidence-base/environmental.html</a>) shows the delineation of flood risk in the centre of Malton and Norton. It shows that the proposed extent of NP policy RC1 is largely in flood zone 3b. This is the functional floodplain. The area borders flood zone 3aiii where 3aiii denotes <i>areas at high risk of flooding which are currently defended to the appropriate minimum standard for existing development as defined by Defra (annual probability of 2% for fluvial flooding and 1 % for flooding from the sea) but are not defended to the appropriate minimum standard for new</i></p>	<p>U –</p>

Appendix 1a to SEA of the NP: Assessment of ALTERNATIVE Policy RC1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	<p>2. Does the policy lead to increases in flood risk to people and property in the plan area?</p>	<p><i>development as defined by PPS25 (annual probability of 1% for fluvial flooding and 0.5% for flooding from the sea).</i></p> <p>Policy RC1 allows for <i>"The appropriate change of use or redevelopment of existing buildings within the corridor."</i></p> <p>The final paragraph of the policy requires that: <i>Development is also subject to the satisfaction of flood risk requirements, including sequential testing, as directed by the Environment Agency</i></p> <p>The zones (e.g. 3a and 3b) in the SFRA provide the basis for the application of the sequential test in line with PPG25. The SFRA states that the only development that would be appropriate in zone 3b would be:</p> <ul style="list-style-type: none"> <li>• Water compatible development provided that an appropriate FRA has been submitted</li> <li>• Essential infrastructure development types so long as it can be demonstrated that the proposal meets the requirements of the exception test.</li> </ul> <p>The flood risk therefore directly restricts what development could come forward within the extent of NP policy RC1. For example, no residential development could come forward. Nonetheless, as currently worded Policy RC1 could potentially lead to development in Flood Zone 3b.</p> <p>2. Given the type of development envisaged in this policy, it is unlikely this policy would lead to increases in flood risk to people and property. There is therefore a neutral impact registered against this second question. However, it is noted that ambiguity is created with the last bullet point in the first paragraph as it could be interpreted as allowing residential uses. It also creates confusion since there are no buildings located within the extent of RC1.</p> <p><b>NB: Possible reasonable alternatives are identified as part of this assessment as follows:</b></p> <p>a) Remove the last bullet point in the first paragraph</p>	<p>=</p>

Appendix 1a to SEA of the NP: Assessment of ALTERNATIVE Policy RC1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
SEA 13: To conserve and where appropriate enhance the significance <sup>3</sup> of the historical and cultural environment.	<p>Does the policy conserve or enhance the significance of the designated heritage asset?</p> <p>Does the policy conserve or enhance the significance of the non-designated heritage assets?</p>	<p>There are many heritage assets close to the extent of the River Derwent corridor. The closest one is the County Bridge itself which is statutorily listed as a Grade II structure.</p> <p>It is possible that Policy extent RC1 could lie within the setting of some of these important heritage assets.</p> <p>Policy RC1 supports development along the river corridor where this would deliver recreational enhancements. National planning policy (provided through NPPF and PPS25, together with the last paragraph which confirms <i>Development is also subject to the satisfaction of flood risk requirements, including sequential testing, as directed by the Environment Agency</i>, would in practice limit what development could come forward due to the existing site lying in flood zone 3b (see the 2012 Northeast Yorkshire SFRA). Any development coming forward under Policy RC1 is therefore likely to small in scale. Nonetheless, it is noted the policy does not refer to need for development to conserve and enhance the setting of existing heritage assets.</p> <p>A negative impact is therefore recorded. The impact is uncertain since the policy is an aspirational and is not linked with any specific scheme in the development pipeline.</p> <p><b>NB: Possible reasonable alternatives are identified as part of this assessment as follows:</b></p> <p>a) Including a paragraph to require any development to conserve or enhance the setting of heritage assets. The SEA finds that the River Derwent corridor is located very close to a large concentration of statutorily listed buildings. Some stretches of the corridor are likely to be fall within the setting of some of these heritage assets.</p>	U –
SEA 14: To encourage the use of renewable	Does the policy facilitate the delivery of	There is no relationship between this policy and this SEA objective. The policy neither encourages or discourages the use of renewable resources and the development of renewable energy sources.	0

<sup>3</sup> Significance being defined as “the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting” (NPPF Glossary)

Appendix 1a to SEA of the NP: Assessment of ALTERNATIVE Policy RC1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
resources and the development of renewable energy sources within Malton and Norton	renewable energy schemes?		
<b>SEA 15:</b> To make the most efficient use of land	<p>Does the policy focus development towards previously developed land.</p> <p>Does the policy focus on maximising efficient uses of land?</p>	The extent of RC1, whilst located adjacent to previously developed land, appears to be limited to the vegetated river corridor only. There is no relationship between this policy and this SEA objective.	0
<b>SEA 16:</b> To maintain a high quality environment in terms of air quality	Does the policy have an adverse impact on the Malton Air Quality Management area?	<p>This policy is an aspirational one which would support proposals which would lead to river corridor recreational enhancements. If this policy leads to the desired development coming forward, access and public use of the river corridor would be increased. This could have the effect of increasing opportunities for pedestrians and cyclists to travel through the plan area whilst avoiding the Malton Air Quality Management Area NO2 where emissions are concentrated. There could in the long run therefore be a positive impact here in terms of providing access to cleaner air. However the link is tenuous and uncertain.</p> <p>A neutral impact is therefore recorded against this objective.</p>	=



## Proposed scoring system for the SEA of the NP

Symbol	Score	Definition
++	Strongly positive impact	Positively influencing change in accordance with the objective
+	Positive impact	The policy is consistent with meeting the objective
=	Neutral impact	The policy will have neither and positive nor a negative impact upon this objective
-	Negative impact	This policy may hinder achievement of this objective
--	Negative impact	This policy would hinder achievement of this objective
U	Uncertain impact	The policy may hinder achievement of this objective, but may have no negative impact. This will depend on implementation.
O	No direct link	There is no direct link between the nature of the policy and the nature of this objective.

December 2022 Update: Please note that the assessment of the alternatives set out in Appendices 1a to 1d remain unchanged from the SEA of the previous version of the Reg 14 NP. These tables therefore refer to previously available evidence including the Northeast Yorkshire Strategic Flood Risk Assessment (SFRA), last updated in 2010 and the 2020 HRA work undertaken for the previous version of the NP.



Appendix 1b to SEA of NP: Assessment of ALTERNATIVE Policy RC2 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<p><b>SEA 1:</b> To ensure the Malton and Norton local population have access to health, education, leisure and recreation services that are required.</p>	<p>1. Does the policy result in the loss of a community facility or poorer access to a community facility?</p> <p>2. Does the policy result in improved access to community facility</p>	<p>1. No.</p> <p>2. This policy is an aspirational policy stating that development proposals (which would also need to meet the requirements set out other planning policies set out in the NP and Local Plan) which deliver development-related regeneration on the land which includes the County Bridge, land to the north and land to the south will be supported. The policy includes specific criteria which are applicable to community facilities. This is the requirement to retain or replace on-site public convenience and a requirement to maximise opportunities to improve pedestrian, cycle and motorised access the River Derwent and the York Scarborough Railway Line. These are all types of community facilities, so a positive impact is registered. The delivery of such impact is uncertain since the policy itself won't deliver the improvements, instead it would facilitate it if a proposal comes forward. The impact is therefore uncertain.</p>	<p>=</p> <p>U +</p>
<p><b>SEA 2:</b> To provide the opportunity for all people to meet their housing needs.</p>	<p>1. Does the policy deliver homes which will address an identified local need such as affordable homes?</p>	<p>1. There is no link registered between this draft NP policy and this SEA objective</p>	<p>0</p>
<p><b>SEA 3:</b> To maintain and promote the distinctiveness of communities within Malton and Norton</p>	<p>1. Would the policy lead to loss of an existing use which contributes to the social character and distinctiveness of Malton and Norton?</p> <p>2. Would the policy involve new public</p>	<p>1. Policy RC2 covers land in both the Norton on Derwent conservation area and land in the Malton Town Centre conservation area. There are also numerous built heritage assets and archaeological remains in this area. An overview of the built heritage assets in this part of the town is shown in the environmental baseline in the SEA report and the archaeological remains are shown in Appendix 3 to the draft NP. The richness in heritage assets in this location is considered to be a key contributor to social character and distinctiveness. Policy RC2 includes a requirement to preserve or enhance the character and appearance of the Malton Town Centre conservation area and the Norton on Derwent conservation area. The Local Plan (SP12) and the NPPF would require impact of development on</p>	<p>U+</p>

Appendix 1b to SEA of NP: Assessment of ALTERNATIVE Policy RC2 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	<p>realm or enhancements to the public realm?</p>	<p>heritage assets to be fully considered at planning application stage. However, the policy does not refer to built-heritage assets. The policy could be strengthened in this respect.</p> <p>The supporting text to Policy RC2 refers to underused river corridor sites. Whilst the built up area around the County Bridge has heritage value there may be scope for sense of place to be strengthened were development to take place which resulted in both conservation/enhancement of a heritage asset <i>and</i> which resulted in better use of the sites in this location.</p> <p>Whilst the SEA concludes the policy could be strengthened to include reference to the need to conserve or enhance all built heritage assets and their setting, the SEA registers a potential positive impact. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain</p> <p>2. The policy could also potentially lead to a better public realm if it resulted in increased occupation of currently underutilised sites. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain</p> <p><b>NB: Possible reasonable alternatives are identified as part of this assessment as follows:</b>  a) <b>the policy could be strengthened to include reference to the need to conserve or enhance all built heritage assets and their setting</b></p>	<p>U+</p>
<p><b>SEA 4:</b> To reduce crime and the fear of crime in Malton and Norton</p>	<p>1. Would the policy deliver development that would incorporate the principles of Secure by Design, reducing the potential for crime and discouraging</p>	<p>1. The intention driving Policy RC2 is understood to be a drive to encourage use of currently underused river corridor sites. This would have the potential to address any current issues there may be regarding crime or unsociable behaviour associated with unoccupied building. However, there is no evidence to indicate there are any existing issues.</p>	<p>=</p>

Appendix 1b to SEA of NP: Assessment of ALTERNATIVE Policy RC2 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	anti-social behaviour.		
<b>SEA 5:</b> to maintain and enhance employment opportunities in the NP area.	1. Will this policy deliver or help to deliver improved employment opportunities?	1. The policy identifies a central location in the NP area as a regeneration opportunity. This, if implemented, would delivery employment opportunities in the short and medium term (construction) and the long term (occupation)  Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain	U +
<b>SEA 6:</b> To maintain and enhance the vitality of the countryside and town centres.	1. Will the policy protect or enhance the viability and vitality of the town centres?  2. Will the policy protect or enhance open areas outside the town centre?	1. By encouraging development that would deliver regeneration benefits in a town centre location. Yes. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain  2. No direct link.	U+  0
<b>SEA 7:</b> To retain and enhance the factors which are conducive to wealth creation, including personal creativity and attractiveness to investors	1. Does the policy protect, employment opportunities in plan area? 2. Does the policy encourage or deliver more employment opportunities in accessible locations?	1. The policy does not protect employment opportunities.  2. The policy identifies a central location in the NP area as a regeneration opportunity. This, if implemented, would delivery employment opportunities in the short and medium term (construction) and the long term (occupation). Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain	=  U +

Appendix 1b to SEA of NP: Assessment of ALTERNATIVE Policy RC2 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<b>SEA 8:</b> To diversify the local economy	1. Does the policy assist in diversifying the local economy in Malton and Norton?	1. The policy identifies a central location in the NP area as a regeneration opportunity. This, if implemented, would delivery employment opportunities in the short and medium term (construction) and the long term (occupation). This facilities opportunities for diversifying the local economy. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain	U+
<b>SEA 9:</b> To protect and enhance biodiversity in the River Derwent SAC and SSSI	1. Does the policy protect or enhance the River Derwent SAC and SSSI?	<p>1. The policy designation RC2 overlaps in some locations with the extent of the River Derwent SAC and the River Derwent SSSI. However, as these protected areas (SAC and SSSI) apply to a flowing river the entirety of the RC2 designation is directly relevant to the SAC and SSSI.</p> <p>The policy is an aspirational policy that seeks the regeneration of the land north and south of the County Bridge. There is a potential negative impact from riverside construction activities on to sensitive environmental receptors along the river. The River Derwent SAC has been designated European status due to the habitat:</p> <ul style="list-style-type: none"> <li>• Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation. (Rivers with floating vegetation often dominated by water-crowfoot)</li> </ul> <p>And due to the species:</p> <ul style="list-style-type: none"> <li>• Bullhead Cottus gobio</li> <li>• River lamprey Lampetra fluviatilis</li> <li>• Otter Lutra lutra</li> <li>• Sea lamprey Petromyzon marinus</li> </ul> <p>The HRA appropriate screening assessment<sup>4</sup> undertaken on the NP also identified a concern relating to possible residential development that could come forward under Policy RC2 and that the provision of additional housing without adequate provision of open space opportunities would increase recreational pressure on the River Derwent SAC and SSSI.</p>	U –

<sup>4</sup> See screening section of the Habitats Regulations Assessment of the Malton and Norton Neighbourhood Development Plan, June 2020, Fleming Ecology Limited.

Appendix 1b to SEA of NP: Assessment of ALTERNATIVE Policy RC2 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>At the more detailed assessment stage (the appropriate assessment) the HRA assessment<sup>5</sup> concluded that the only way to avoid increased recreational pressure on the River Derwent SAC and SSSI from Policy RC2 would be for the policy to be amended so as to rule out residential uses. With respect to pollution and disturbance from construction activity the HRA ruled any adverse impacts out on the basis that safeguards to protect the SAC and SSSI during construction would be required by law.</p> <p>In recognition of the ecology status of the River Derwent, Policy RC2 includes the requirement that any proposal is accepted via the Local Plan or otherwise, relative to the requirements of Local Plan Strategy Policy SP14 (in respect of biodiversity sites statutorily protected by international legislation). This goes some way to ensure protection of the SAC. However, Local Plan Strategy Policy SP14 doesn't specify how proposals which could harm a SAC would be considered. Instead it has the following generic statement: <i>In considering proposals for development – Proposals which would have an adverse effect on any site or species protected under international or national legislation will be considered in the context of the statutory protection which is afforded to them.</i></p> <p>The application of Local Plan Policy SP14 would presumably rule out a proposal coming forward under NP Policy RC2 which would impact adversely on the habitats and species in the River Derwent SAC. There is however scope for the current and emerging policy context (provided by NP policy RC2 and Local Plan Policy SP14) to be more explicit about this.</p> <p>To conclude, Policy RC2 therefore registers a negative impact with respect to potential for increased recreational pressure on the SAC. This impact is however uncertain. This is because Policy RC2 is not itself delivering or allocating the development. Instead it is an aspirational policy that would facilitate such a proposal were it to come forward.</p>	

<sup>5</sup> See HRA assessment in the Habitats Regulations Assessment of the Malton and Norton Neighbourhood Development Plan, June 2020, Fleming Ecology Limited

Appendix 1b to SEA of NP: Assessment of ALTERNATIVE Policy RC2 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>NB: Possible reasonable alternatives are identified as part of this assessment as follows:                      a) The application of Local Plan Policy SP14 would presumably rule out a proposal coming forward under NP Policy RC2 which would impact adversely on the habitats and species in the River Derwent SAC. There is however scope for the current and emerging policy context (provided by NP policy RC2 and Local Plan Policy SP14) to be more explicit about this.</p>	
	2. Does the policy protect or enhance protected flora and fauna?	2. As discussed above there is a potential but uncertain negative impact between Policy RC2 that would support proposals that deliver recreational activities along the River Derwent corridor and the flora and fauna along the River Derwent Corridor.	U -
	3.Does the policy provide opportunities for provision of green infrastructure including linking in with existing green infrastructure?	No.	=
SEA 10: To maintain and enhance the quality and character of the landscape	1. What impact would this policy have on the Visually Important Undeveloped Areas in the plan area?	<p>1. There are two large areas of land designated in the Ryedale Local Plan as Visually Important Undeveloped Areas. These are shown on the Local Plan Proposals Map. Paragraph 6.1 of the Ryedale Local Sites Plan states that <i>"In general, the VIUA's on the edges of the Market Towns are aimed at protecting areas which, by virtue of their open nature make a significant contribution to the setting of a Town and the role of the setting in influencing and framing the traditional form and character of the settlement. To this end, these sites tend to be larger in scale than VIUA's within settlements."</i></p> <p>Policy designation RC2 is some distance away from the VIUAs. Also, the land covered by this policy is already built up and given any proposals would need to conserve or enhance the conservation areas, there is no identified impact on the VIUAs from this policy.</p>	0

Appendix 1b to SEA of NP: Assessment of ALTERNATIVE Policy RC2 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<p><b>SEA 11:</b> Reduce long distance commuting and congestion by reducing the need to travel.</p>	<p>1. Would this policy encourage people to walk and cycle rather than travel by car?</p> <p>2. Would this policy lead to highway impacts that would require highway mitigation measures?</p> <p>3. Will the policy protect or enhance access to public rights of way?</p>	<p>1. Regeneration at this location could lead to a more attractive and vibrant town centre. This, itself may lead to increased footfall and cycle trips. However this link is indirect and too uncertain for any impact to be registered.</p> <p>2. The third criteria in this policy is for <i>The maximisation of opportunities to improve pedestrian, cycle and motorised vehicular access across the River Derwent and the York-Scarborough Railway Line.</i> Proposals envisaged under this policy could lead to disruption to the highways during the construction phase but the policy could lead to long term improvements overall. The policy therefore registers uncertain positive impact and an uncertain negative impact.</p> <p>3. There is currently a public right of way on the southern side of the River Derwent from This public right of way runs from the west until the County Bridge where it stops. Policy RC2 does not mention protection of the public right of way but equally there is no indication that the policy would lead to the loss of the public right of way. Regeneration of the southern side could allow for enhancement or even extension of this public right of way. But as this is not mentioned, there is a neutral impact registered here.</p>	<p>=</p> <p>U -</p> <p>U +</p>
<p><b>SEA 12:</b> To ensure future development is resilient to climate change such as development is not vulnerable to flooding, or will increase the risk of flooding elsewhere</p>	<p>1. Does the policy lead to development in areas at risk of flooding e.g. within the Flood Zone 3 or b or within the rapid inundation zone?</p> <p>2. Does the policy lead to increases in flood risk to people</p>	<p>1. The Northeast Yorkshire Strategic Flood Risk Assessment (SFRA) was last updated in 2010. Drawing number 10.2 to this SFRA (listed as PPS25 Malton and Norton flood plain delineation zone on the Ryedale website (accessed September 2020 <a href="https://www.ryedale.gov.uk/planning/planning-policy/evidence-base/environmental.html">https://www.ryedale.gov.uk/planning/planning-policy/evidence-base/environmental.html</a>) shows the delineation of flood risk in the centre of Malton and Norton.</p> <p>Land shown in the Proposals Map as land to the south of County Bridge lies in flood zone 3aiii and 3aii. PPS25 Flood Zone 3a is defined as those areas with a high probability of flooding of greater than 1% for fluvial flooding or 0.5% for tidal flooding and which are not Functional Floodplain. <b>The SFRA has developed sub zones for 3a as follows.</b> 3aiii denotes the area is <i>applicable for those developed areas at high risk of flooding which are currently defended to the appropriate minimum standard for existing development as defined by Defra (annual probability of 2% for fluvial flooding and 1 % for flooding from the sea) but are not</i></p>	<p>U --</p>

Appendix 1b to SEA of NP: Assessment of ALTERNATIVE Policy RC2 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	and property in the plan area?	<p><i>defended to the appropriate minimum standard for new development as defined by PPS25 (annual probability of 1% for fluvial flooding and 0.5% for flooding from the sea). 3a(ii) denotes the area is Applicable for those developed areas at high risk of flooding which are currently defended to the appropriate minimum standard as defined by PPS25 (annual probability of 1% for fluvial flooding and 0.5% for flooding from the sea).</i></p> <p>The zones (e.g. 3a(iii) and 3a(ii)) in the SFRA provide the basis for the application of the sequential test in line with PPG25. PPS25 states that Zone 3a(ii) is appropriate for</p> <ul style="list-style-type: none"> <li>• 'Water Compatible' and</li> <li>• 'Less Vulnerable' development types (see Table 7.1).</li> <li>• 'More Vulnerable' and 'Essential Infrastructure' development types are only considered appropriate if the requirements of the Exception Test are passed</li> <li>• 'Highly Vulnerable' development types are not appropriate within this Zone</li> </ul> <p>The SFRA states for Zone 3a(iii) that <i>Rapid inundation of an area following the breach or overtopping of a flood defence has the potential to lead to structural damage, injury and/or death.</i> The SFRA states this zone should be treated as if it were a developed site at high risk of flooding without an appropriate standard of flood defence and states also that a sequential approach to the allocation of sites within areas behind flood defences should also be followed, with preference being given to those sites where the lowest consequences of flood defence failure are anticipated.</p> <p>The level of flood risk within the extent of Policy RC2 would therefore restrict (if NPPF policy and guidance in the SFRA were being followed) what land uses could come forward and in all cases the sequential test and exceptions test would need to be met.</p> <p>Policy RC2 currently requires of any scheme: <i>The satisfaction of flood risk requirements, including sequential testing, as directed by the Environment Agency.</i> As currently worded however the policy does not exclude the possibility of residential and other vulnerable uses from coming forward under this policy. Neither does it explicitly state requirements for the exceptions test to be met. A significant negative impact is therefore registered.</p>	



Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>This impact is however uncertain. This is because Policy RC2 is not itself delivering or allocating the development. Instead it is an aspirational policy that would facilitate such a proposal were it to come forward</p> <p>2. If residential development or vulnerable uses came forward as a result of this policy then it would lead to increases in flood risk to people and property in the plan area. A significant negative impact is therefore registered. This impact is however uncertain. This is because Policy RC2 is not itself delivering or allocating the development. Instead it is an aspirational policy that would facilitate such a proposal were it to come forward</p> <p><b>NB: Possible reasonable alternatives are identified as part of this assessment as follows</b>  <b>a) Exclude the possibility of residential or other vulnerable uses coming forward on this site</b>  <b>b) Require sequential and exceptions test to be met</b></p>	U --
<p><b>SEA 13:</b> To conserve and where appropriate enhance the significance<sup>6</sup> of the historical and cultural environment.</p>	<p>1. Does the policy conserve or enhance the significance of the designated heritage asset?</p> <p>2. Does the policy conserve or enhance the significance of the non-designated heritage assets?</p>	<p>1. Policy RC2 covers land which falls in both the Norton on Derwent conservation area and in the Malton Town Centre conservation area. There are also numerous built heritage assets and archaeological remains in this area. The County Bridge itself is a grade II listed building.</p> <p>An overview of the built heritage assets in this part of the town is shown in the environmental baseline in the SEA report and the archaeological remains are shown in Appendix 3 to the draft NP. Policy RC2 includes a requirement to preserve or enhance the character and appearance of the Malton Town Centre conservation area and the Norton on Derwent conservation area. The Local Plan (SP12) and the NPPF would require impact of development on heritage assets to be fully considered at planning application stage. However, the NP policy does not refer to built heritage assets. Given the number of statutorily listed buildings in this area, the policy could be strengthened in this respect.</p>	U +

<sup>6</sup> Significance being defined as “the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting” (NPPF Glossary)

Appendix 1b to SEA of NP: Assessment of ALTERNATIVE Policy RC2 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>The supporting text to Policy RC2 refers to underused river corridor sites. Whilst the built up area around the County Bridge has heritage value there may be scope for sense of place to be strengthened were development to take place which resulted in both conservation/enhancement of a heritage asset/s <i>and</i> which resulted in better use of the sites in this location.</p> <p>Whilst the SEA concludes the policy could be strengthened to include reference to the need to conserve or enhance all built heritage assets and their setting, the SEA registers a potential positive impact. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain</p> <p>2. There are no known non-designated heritage assets in this area.  <b>NB: Possible reasonable alternatives are identified as part of this assessment as follows</b>  <b>a) the SEA concludes the policy could be strengthened to include reference to the need to conserve or enhance all built heritage assets and their setting,</b></p>	
<p><b>SEA 14:</b> To encourage the use of renewable resources and the development of renewable energy sources within Malton and Norton</p>	<p>Does the policy facilitate the delivery of renewable energy schemes?</p>	<p>There is no relationship between this policy and this SEA objective. The policy neither encourages or discourages the use of renewable resources and the development of renewable energy sources.</p>	<p>0</p>
<p><b>SEA 15:</b> To make the most efficient use of land</p>	<p>1. Does the policy focus development towards previously developed land.</p> <p>Does the policy focus on</p>	<p>1. The extent of RC2 is all previously developed land. One of the aspirations in the plan is to facilitate the redevelopment of underused river corridor sites subject (subject to flood risk). The plan considers this an opportunity to improve the built fabric of the towns. A positive impact is registered here as it directs development to previously developed land.</p>	<p>+</p>

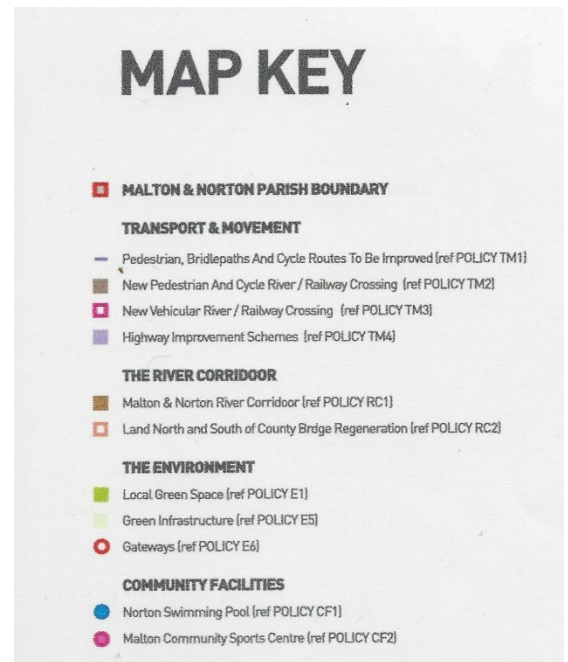
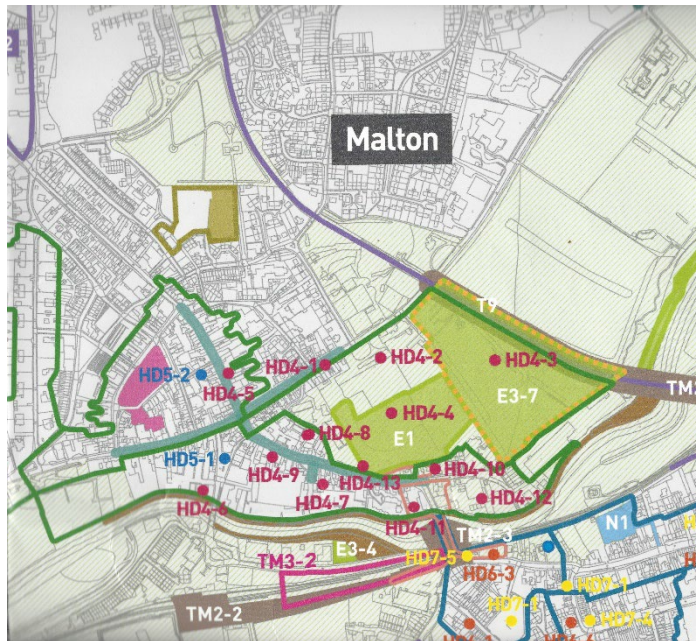
Appendix 1b to SEA of NP: Assessment of ALTERNATIVE Policy RC2 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	maximising efficient uses of land?		
<p><b>SEA 16:</b> To maintain a high quality environment in terms of air quality</p>	<p>Does the policy have an adverse impact on the Malton Air Quality Management area?</p>	<p>This policy identifies a regeneration opportunity on land north and south of County Bridge. The third criteria in this policy is for <i>The maximisation of opportunities to improve pedestrian, cycle and motorised vehicular access across the River Derwent and the York-Scarborough Railway Line.</i></p> <p>Proposals envisaged under this policy could lead to disruption to the highways during the construction phase but the policy could lead to long term improvements overall. Since the emissions in the Malton Air Quality Management Area (which is close to the land at RC2) are traffic related, this policy registers uncertain positive impact and an uncertain negative impact.</p>	<p>U + U-</p>

CF1: Norton's Swimming Pool

*Development of Norton Swimming Pool to provide additional capacity or improved leisure facilities for the benefit of the community, including its upgrading, extension or replacement, will in principle be supported.*

*Consideration should be given to the need for any additional off-road car parking provision to serve any enhanced facility.*



**Map 1 – Extract from emerging proposals map and key**

## Proposed scoring system for the SEA of the NP

Symbol	Score	Definition
++	Strongly positive impact	Positively influencing change in accordance with the objective
+	Positive impact	The policy is consistent with meeting the objective
=	Neutral impact	The policy will have neither and positive nor a negative impact upon this objective
-	Negative impact	This policy may hinder achievement of this objective
--	Negative impact	This policy would hinder achievement of this objective
U	Uncertain impact	The policy may hinder achievement of this objective, but may have no negative impact. This will depend on implementation.
O	No direct link	There is no direct link between the nature of the policy and the nature of this objective.

December 2022 Update: Please note that the assessment of the alternatives set out in Appendices 1a to 1d remain unchanged from the SEA of the previous version of the Reg 14 NP. These tables therefore refer to previously available evidence including the Northeast Yorkshire Strategic Flood Risk Assessment (SFRA), last updated in 2010 and the 2020 HRA work undertaken for the previous version of the NP.

Appendix 1c to SEA of NP: Assessment of ALTERNATIVE Policy CF1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<b>SEA 1:</b> To ensure the Malton and Norton local population have access to health, education, leisure and recreation services that are required.	<p>1. Does the policy result in the loss of a community facility or poorer access to a community facility?</p> <p>2. Does the policy result in improved access to community facility</p>	<p>1. No.</p> <p>2. This policy is an aspirational policy stating that development proposals (which would also need to meet the requirements set out other planning policies set out in the NP and Local Plan) which would provide additional capacity or improved leisure facilities including upgrading, extension or replacement would in principle be support.</p> <p>Ryedale District Council's 2012 Infrastructure Study<sup>7</sup> reported a quantitative requirement for a swimming pool at Malton and also highlighted that the Derwent Swimming Pool is nearing the end of its operational life and replacement/refurbishment will be required. The emerging NP asserts that both Norton's swimming pool and Malton's Community Sports Centre require extensions and improvements. Policy CF1 is a response to this. <b>A positive impact is registered.</b> The impact is uncertain since the policy itself won't deliver the improvements, instead it would facilitate it if a proposal comes forward.</p>	<p>=</p> <p>U +</p>
<b>SEA 2:</b> To provide the opportunity for all people to meet their housing needs.	1. Does the policy deliver homes which will address an identified local need such as affordable homes?	1. There is no link registered between this draft NP policy and this SEA objective	0
<b>SEA 3:</b> To maintain and promote the distinctiveness of communities within Malton and Norton	1. Would the policy lead to loss of an existing use which contributes to the social character and distinctiveness of Malton and Norton?	<p>1. Policy CF2 applies to the existing site of the Derwent Swimming Pool which is in the Norton on Derwent Conservation Area and located on Church Street close to where it changes to Commercial Street. The building is single storey and is set back from the road. The site incorporates a green area of amenity land with mature trees fronting onto Church Street.</p> <p>Whilst the current site does contribute to social character, there is no reason why a replacement facility or refurbishment would not do the same. There is a therefore a neutral impact registered here.</p>	<p>=</p> <p>=</p>

<sup>7</sup> Infrastructure Delivery Plan, January 2012, Ryedale District Council

Appendix 1c to SEA of NP: Assessment of ALTERNATIVE Policy CF1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	2. Would the policy involve new public realm or enhancements to the public realm?	2. It is possible any development taking place here could create or enhance public realm but there is nothing in the policy referring to this. A neutral impact is registered here.	
<b>SEA 4:</b> To reduce crime and the fear of crime in Malton and Norton	1. Would the policy deliver development that would incorporate the principles of Secure by Design, reducing the potential for crime and discouraging anti-social behaviour.	1. There is nothing to indicate in this policy alone that development would incorporate the principles of Secure by Design. A neutral impact is therefore registered.  This is not to assert that the Local Plan and Neighbourhood Plan as a whole would not do this.	=
<b>SEA 5:</b> to maintain and enhance employment opportunities in the NP area.	1. Will this policy deliver or help to deliver improved employment opportunities?	1. The policy supports in principle the provision of expanded community facilities. It is expected this would also deliver new employment opportunities.  Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain	U +
<b>SEA 6:</b> To maintain and enhance the vitality of the countryside and town centres.	1. Will the policy protect or enhance the viability and vitality of the town centres?  2. Will the policy protect or enhance	1. By encouraging development that would deliver enhanced community facilities in a town centre location. Yes. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain  2. No direct link.	U+  0

Appendix 1c to SEA of NP: Assessment of ALTERNATIVE Policy CF1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	open areas outside the town centre?		
<b>SEA 7:</b> To retain and enhance the factors which are conducive to wealth creation, including personal creativity and attractiveness to investors	1. Does the policy protect, employment opportunities in plan area? 2. Does the policy encourage or deliver more employment opportunities in accessible locations?	1. The policy does not protect employment opportunities.  2. The policy identifies a central location in the NP area as an opportunity for enhanced community facilities. This, if implemented, would delivery employment opportunities in the short and medium term (construction) and the long term (occupation). Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain	=  U +
<b>SEA 8:</b> To diversify the local economy	1. Does the policy assist in diversifying the local economy in Malton and Norton?	1. The policy identifies a central location in the NP area as an opportunity for enhanced community facilities. This, if implemented, would delivery employment opportunities in the short and medium term (construction) and the long term (occupation). This facilities opportunities for diversifying the local economy. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain	U+
<b>SEA 9:</b> To protect and enhance biodiversity in the River Derwent SAC and SSSI	1. Does the policy protect or enhance the River Derwent SAC and SSSI?	1. The site of Derwent Swimming Pool is located south of the River Derwent SAC and SSSI and the railway line separates the building from the river. There is no access from the swimming pool to the river. This would indicate there is little relationship between Policy CF2 and the ecological sensitivity of the River Derwent SAC and SSSI.  The HRA screening <sup>8</sup> however concludes: <i>There is a credible risk that pollution from construction from Policy CF1 could undermine the conservation objectives of the River Derwent SAC and that a likely significant effect cannot be ruled out (alone). Consequently, and an appropriate</i>	=

<sup>8</sup> See screening section of Habitats Regulations Assessment of the Malton and Norton Neighbourhood Development Plan



Appendix 1c to SEA of NP: Assessment of ALTERNATIVE Policy CF1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p><i>assessment is required.</i></p> <p>At the more detailed assessment stage (the appropriate assessment) the HRA assessment<sup>9</sup> concluded that any adverse effects can be avoided altogether taking into account the following:</p> <ul style="list-style-type: none"> <li>• the limited range of activities required to construct the facility would be unlikely to present a threat of any magnitude to groundwater resources and any fuel spills can be confidently expected to be accommodated by existing drainage infrastructure</li> <li>• it is separated from the river by the railway line making any incidents even less likely to arise in the river as it will not only provide a physical barrier, but will bring with it its own drainage infrastructure.</li> <li>• any development of this scale will be required (through other legislation) to be accompanied by comprehensive construction techniques to effectively rule out any threat from pollution etc. As these measures would be required by law and best practice to afford wide-ranging environmental safeguards and would not be required specifically for the SAC, they can be considered to be reliable, effective and their implementation guaranteed</li> </ul> <p>A neutral impact is therefore recorded here.</p>	
	<p>2. Does the policy protect or enhance protected flora and fauna?</p>	<p>2. There are existing mature trees on the site. Assuming existing national, Local Plan and emerging NP relating to biodiversity impacts and development are applied, potential impacts during construction and on completion of any potential development would be appropriately managed. Indeed there is potential positive impacts in the long run if development is required to achieve a net gain in biodiversity.</p> <p>Both an uncertain positive impact is registered to reflect the operation stage and an uncertain negative impact to reflect potential impact on the existing trees. The impacts are uncertain since the policy is an aspirational one and is dependent on a development</p>	<p>U – U +</p>

<sup>9</sup> See HRA assessment in the Habitats Regulations Assessment of the Malton and Norton Neighbourhood Development Plan, June 2020, Fleming Ecology Limited

Appendix 1c to SEA of NP: Assessment of ALTERNATIVE Policy CF1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		scheme coming forward. There is no indication in the NP that such a scheme is in the pipeline.	
	3.Does the policy provide opportunities for provision of green infrastructure including linking in with existing green infrastructure?	The site has a green corridor along the railway line and green infrastructure in front. There is potential for green infrastructure to be improved, for example through the provision of green roofs or an enhanced open space. However, delivery information is not sufficiently advanced for any conclusions to be drawn on this. An uncertain impact is registered.	U
<b>SEA 10:</b> To maintain and enhance the quality and character of the landscape	1. What impact would this policy have on the Visually Important Undeveloped Areas in the plan area?	<p>1. The site is located on the opposite side of the River Derwent to a large area designated in the Ryedale Local Plan as Visually Important Undeveloped Area.</p> <p>Paragraph 6.1 of the Ryedale Local Sites Plan states that <i>“In general, the VIUA's on the edges of the Market Towns are aimed at protecting areas which, by virtue of their open nature make a significant contribution to the setting of a Town and the role of the setting in influencing and framing the traditional form and character of the settlement. To this end, these sites tend to be larger in scale than VIUA's within settlements.”</i></p> <p>There is potential for a new scheme on this site to have either a negative or positive impact on the VIUA. However, delivery information is not sufficiently advanced for any conclusions to be drawn on this. An uncertain impact is registered</p>	U
<b>SEA 11:</b> Reduce long distance commuting and congestion by reducing the need to travel.	<p>1. Would this policy encourage people to walk and cycle rather than travel by car?</p> <p>2. Would this policy lead to highway impacts that would</p>	<p>1. The policy presents and aspiration for expanded community facilities in this accessible town centre location. Any scheme, if implemented, will help to encourage people to walk and cycle to the leisure facility. It is noted the policy also includes a proviso that consideration should be given to the need for additional off-street car parking to serve an expanded facility.</p> <p>A neutral impact is registered to reflect the potential mixed impacts in this regard.</p>	<p>=</p> <p>=</p>

Appendix 1c to SEA of NP: Assessment of ALTERNATIVE Policy CF1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	<p>require highway mitigation measures?</p> <p>3. Will the policy protect or enhance access to public rights of way?</p>	<p>2. It is not known what the highway impacts of any scheme would be. The policy lacks sufficient detail for any conclusion to be drawn on this. No such impacts are therefore registered.</p> <p>3. There are not public rights of way in this location.</p>	0
<p><b>SEA 12:</b> To ensure future development is resilient to climate change such as development is not vulnerable to flooding, or will increase the risk of flooding elsewhere</p>	<p>1. Does the policy lead to development in areas at risk of flooding e.g. within the Flood Zone 3 or b or within the rapid inundation zone?</p> <p>2. Does the policy lead to increases in flood risk to people and property in the plan area?</p>	<p>1. The Northeast Yorkshire Strategic Flood Risk Assessment (SFRA) was last updated in 2010. Drawing number 10.2 to this SFRA (listed as PPS25 Malton and Norton flood plain delineation zone on the Ryedale website (accessed September 2020 <a href="https://www.ryedale.gov.uk/planning/planning-policy/evidence-base/environmental.html">https://www.ryedale.gov.uk/planning/planning-policy/evidence-base/environmental.html</a>) shows the delineation of flood risk in the centre of Malton and Norton.</p> <p>According to this map, the site of the swimming pool is in one of the few river corridor sties that is not in the flood zone.</p> <p>2. No.</p>	0
<p><b>SEA 13:</b> To conserve and where appropriate enhance the significance<sup>10</sup> of the historical and</p>	<p>1. Does the policy conserve or enhance the significance of the designated heritage asset?</p>	<p>1. Policy CF2 applies to the existing site of the Derwent Swimming Pool which is in the Norton on Derwent Conservation Area and located on Church Street close to where it changes to Commercial Street. The conservation area itself is a heritage asset. There are no other heritage assets in this location. The building is single storey and is set back from the road. There is no reason why a replacement facility or refurbishment would not</p>	=

<sup>10</sup> Significance being defined as “the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting” (NPPF Glossary)

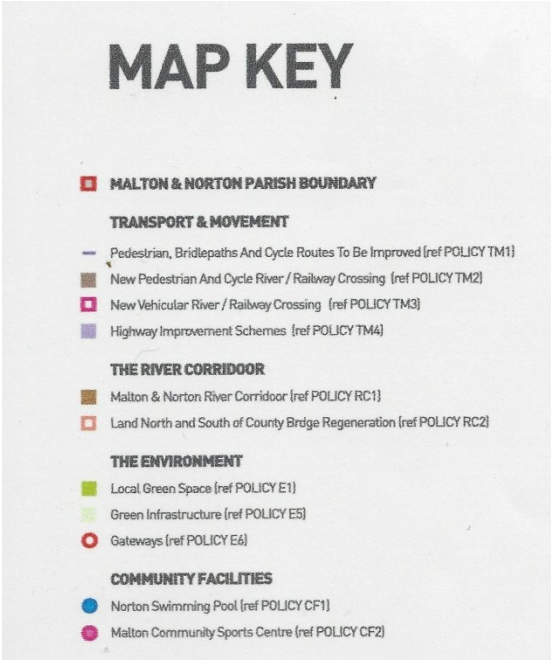
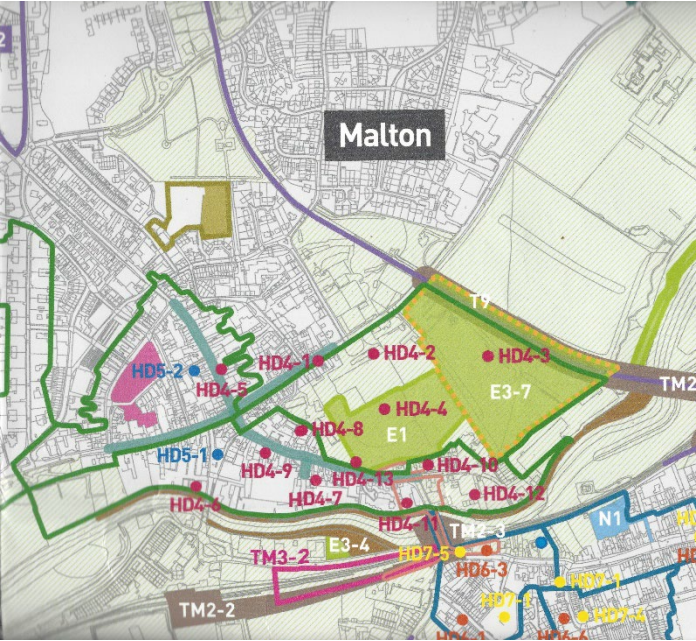
Appendix 1c to SEA of NP: Assessment of ALTERNATIVE Policy CF1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
cultural environment.	2. Does the policy conserve or enhance the significance non-designated heritage assets?	conserve or enhance the conservation area, given other planning policies that would apply. There is a therefore a neutral impact registered here.  2. There are no known non-designated heritage assets in this area.	0
<b>SEA 14:</b> To encourage the use of renewable resources and the development of renewable energy sources within Malton and Norton	Does the policy facilitate the delivery of renewable energy schemes?	There is no relationship between this policy and this SEA objective. The policy neither encourages or discourages the use of renewable resources and the development of renewable energy sources.	0
<b>SEA 15:</b> To make the most efficient use of land	1. Does the policy focus development towards previously developed land.  Does the policy focus on maximising efficient uses of land?	1. The extent of CF1 is all previously developed land. A positive impact is registered here as it directs development to previously developed land.	+
<b>SEA 16:</b> To maintain a high quality environment in terms of air quality	1. Does the policy have an adverse impact on the Malton Air Quality Management area?	1. The Malton Air Quality Management area is located on the northern side of the River Derwent. Increased community facilities at this town centre location could result in increased traffic movements to the town. This could in turn impact negatively on the air quality management area. The impact however is uncertain given the policy is aspirational and depending on a scheme to come forward.	U-

N1: Land to the Rear of Commercial Street

Regeneration of land to the rear of Commercial Street, as identified on the Neighbourhood Plan Proposals Map, including the development of a public car park, with associated service access to the rear of commercial properties in Commercial Street, will be supported.

The acceptability of any such regeneration development is subject to satisfying the requirements of Local Plan Strategy Policy SP14 in respect of biodiversity sites statutorily protected under international legislation.



Map 1 – Extract from emerging proposals map and key

## Proposed scoring system for the SEA of the NP

Symbol	Score	Definition
++	Strongly positive impact	Positively influencing change in accordance with the objective
+	Positive impact	The policy is consistent with meeting the objective
=	Neutral impact	The policy will have neither and positive nor a negative impact upon this objective
-	Negative impact	This policy may hinder achievement of this objective
--	Negative impact	This policy would hinder achievement of this objective
U	Uncertain impact	The policy may hinder achievement of this objective, but may have no negative impact. This will depend on implementation.
O	No direct link	There is no direct link between the nature of the policy and the nature of this objective.

December 2022 Update: Please note that the assessment of the alternatives set out in Appendices 1a to 1d remain unchanged from the SEA of the previous version of the Reg 14 NP. These tables therefore refer to previously available evidence including the Northeast Yorkshire Strategic Flood Risk Assessment (SFRA), last updated in 2010 and the 2020 HRA work undertaken for the previous version of the NP.

Appendix 1d to SEA of NP: Assessment of ALTERNATIVE Policy N1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<p><b>SEA 1:</b> To ensure the Malton and Norton local population have access to health, education, leisure and recreation services that are required.</p>	<p>1. Does the policy result in the loss of a community facility or poorer access to a community facility?</p> <p>2. Does the policy result in improved access to community facility</p>	<p>1. No.</p> <p>2. This policy highlights the site shown as N1 on the NP proposals map as an opportunity for regeneration including the development of a public car park. The NP identifies shortage of car parking spaces as presenting an issue for people visiting the town centre. On the basis that improved car parking provision will increase access to shops and services including community facilities (e.g. the swimming pool), a positive impact is registered.</p> <p>The impact is uncertain since the policy itself won't deliver the improvements, instead it would facilitate it if a proposal comes forward.</p>	<p>=</p> <p>U +</p>
<p><b>SEA 2:</b> To provide the opportunity for all people to meet their housing needs.</p>	<p>1. Does the policy deliver homes which will address an identified local need such as affordable homes?</p>	<p>1. There is no link registered between this draft NP policy and this SEA objective</p>	<p>0</p>
<p><b>SEA 3:</b> To maintain and promote the distinctiveness of communities within Malton and Norton</p>	<p>1. Would the policy lead to loss of an existing use which contributes to the social character and distinctiveness of Malton and Norton?</p> <p>2. Would the policy involve new public realm or enhancements to the public realm?</p>	<p>1. No.</p> <p>.</p> <p>2. It is possible any development taking place here could create or enhance public realm but there is nothing in the policy referring to this. A neutral impact is registered here.</p>	<p>=</p> <p>=</p>

Appendix 1d to SEA of NP: Assessment of ALTERNATIVE Policy N1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<b>SEA 4:</b> To reduce crime and the fear of crime in Malton and Norton	1. Would the policy deliver development that would incorporate the principles of Secure by Design, reducing the potential for crime and discouraging anti-social behaviour.	1. There is nothing to indicate in this policy alone that development would incorporate the principles of Secure by Design. A neutral impact is therefore registered.  This is not to assert that the Local Plan and Neighbourhood Plan as a whole would not do this.	=
<b>SEA 5:</b> to maintain and enhance employment opportunities in the NP area.	1. Will this policy deliver or help to deliver improved employment opportunities?	1. The policy identifies this site as suitable for regeneration which could include new commercial uses which could help to deliver improved employment opportunities. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain	U+
<b>SEA 6:</b> To maintain and enhance the vitality of the countryside and town centres.	1. Will the policy protect or enhance the viability and vitality of the town centres?  2. Will the policy protect or enhance open areas outside the town centre?	1. By encouraging development that would deliver enhanced access to shops, services and community facilities in a town centre location. Yes. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain  2. No direct link.	U+  0
<b>SEA 7:</b> To retain and enhance the factors which are conducive to	1. Does the policy protect, employment	1. The policy does not protect employment opportunities.  2. The policy identifies this site as suitable for regeneration which could include new commercial uses which could help to deliver improved employment opportunities in this	=  U +



Appendix 1d to SEA of NP: Assessment of ALTERNATIVE Policy N1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
wealth creation, including personal creativity and attractiveness to investors	opportunities in plan area? 2. Does the policy encourage or deliver more employment opportunities in accessible locations?	town centre location. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain	
<b>SEA 8:</b> To diversify the local economy	1. Does the policy assist in diversifying the local economy in Malton and Norton?	1. The policy identifies a central location in the NP area as an opportunity for regeneration. This, if implemented, would deliver employment opportunities in the short and medium term (construction) and the long term (occupation). This facilitates opportunities for diversifying the local economy. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain	U+
<b>SEA 9:</b> To protect and enhance biodiversity in the River Derwent SAC and SSSI	1. Does the policy protect or enhance the River Derwent SAC and SSSI?	1. The land identified as NI is located south of the River Derwent SAC and SSSI and the railway line separates the building from the river. There is no access from this site to the river. This would indicate there is little relationship between Policy N1 and the ecological sensitivity of the River Derwent SAC and SSSI.  The HRA screening <sup>11</sup> however concludes: <i>There is a credible risk that pollution from construction from Policy CF1 could undermine the conservation objectives of the River Derwent SAC and that a likely significant effect cannot be ruled out (alone). Consequently, and an appropriate assessment is required.</i>  At the more detailed assessment stage (the appropriate assessment) the HRA assessment <sup>12</sup> found that <i>“Providing development is limited to construction and use of a car</i>	=

<sup>11</sup> See screening section of Habitats Regulations Assessment of the Malton and Norton Neighbourhood Development Plan

<sup>12</sup> See HRA assessment in the Habitats Regulations Assessment of the Malton and Norton

Appendix 1d to SEA of NP: Assessment of ALTERNATIVE Policy N1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p><i>park, it is almost inconceivable that adverse effects on the integrity of the River Derwent could arise. This is because the limited range of activities required to construct the facility would be unlikely to present a threat of any magnitude to groundwater resources and any fuel spills can be confidently expected to be accommodated by the existing drainage infrastructure. Furthermore, it is separated from the river by the railway line making any incidents even less likely to arise in the river.”</i></p> <p>The HRA however could not rule out adverse effects if residential development were to come forward at this location as a result of this policy. This is on the basis that residential development would result in increased recreational activity near to a sensitive ecological site.</p> <p>The policy wording of N1 does not currently rule out residential development. However, it is clear in the supporting text to the policy that residential development in this location is not the intention on the basis that the flood risk zone would make residential development inappropriate. The supporting text states:</p> <p><i>“The land is within an area of flood risk which limits any development potential, certain types of development, such as residential, being considered inappropriate due to their particular vulnerability to flooding. The town councils would, nonetheless, like to see the land put to better use. The land is considered to be situated in a convenient location to the shops along Commercial Street which are currently served by a restricted number of on-street car parking spaces. The land therefore provides an opportunity for additional parking spaces to support the existing shops, both in terms of parking and servicing/deliveries. Other regeneration uses may also be appropriate.”</i></p> <p>The SEA does not register negative impacts against this SEA criteria. This is on the basis that it is clear that the policy is not intended to allow residential uses in this site. It is however agreed the policy wording could be made clear with regards to this.</p>	

Appendix 1d to SEA of NP: Assessment of ALTERNATIVE Policy N1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>NB: Possible reasonable alternatives are identified as part of this assessment as follows:</p> <ul style="list-style-type: none"> <li>- To reflect the vulnerability of this site to flooding, make clear in the policy wording that residential uses are not supported in this location</li> </ul>	
	2. Does the policy protect or enhance protected flora and fauna?	2. There is existing vegetation and mature trees on the site. Assuming existing national, Local Plan and emerging NP relating to biodiversity impacts and development are applied, potential impacts during construction and on completion of any potential development would be appropriately managed. Due to largely undeveloped and vegetated nature of the current site an uncertain negative impact is registered. The impacts are uncertain since the policy is an aspirational one and is dependent on a development scheme coming forward. There is no indication in the NP that such a scheme is in the pipeline.	U –
	3.Does the policy provide opportunities for provision of green infrastructure including linking in with existing green infrastructure?	The site is largely undeveloped and vegetated. It already links with the green corridor along the railway line. It is difficult to see how development could provide increased opportunities. There is therefore a neutral impact registered.	=
<b>SEA 10:</b> To maintain and enhance the quality and character of the landscape	1. What impact would this policy have on the Visually Important Undeveloped Areas in the plan area?	1. The site is located on the opposite side of the River Derwent to a large area designated in the Ryedale Local Plan as Visually Important Undeveloped Area. Paragraph 6.1 of the Ryedale Local Sites Plan states that <i>“In general, the VIUA's on the edges of the Market Towns are aimed at protecting areas which, by virtue of their open nature make a significant contribution to the setting of a Town and the role of the setting in influencing and framing the traditional form and character of the settlement. To this end, these sites tend to be larger in scale than VIUA's within settlements.”</i>	U

Appendix 1d to SEA of NP: Assessment of ALTERNATIVE Policy N1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		There is potential for a new scheme on this site to have either a negative or positive impact on the VIUA. However, delivery information is not sufficiently advanced for any conclusions to be drawn on this. An uncertain impact is registered	
<p><b>SEA 11:</b> Reduce long distance commuting and congestion by reducing the need to travel.</p>	<p>1. Would this policy encourage people to walk and cycle rather than travel by car?</p> <p>2. Would this policy lead to highway impacts that would require highway mitigation measures?</p> <p>3. Will the policy protect or enhance access to public rights of way?</p>	<p>1. The policy presents an aspiration for regeneration including a town centre car parking facility in this accessible town centre location. Alone, the policy potentially would discourage walking and cycling to the town centre. A negative impact is registered to reflect the potential mixed impacts in this regard. The impacts are uncertain since the policy is an aspirational one and is dependent on a development scheme coming forward. There is no indication in the NP that such a scheme is in the pipeline</p> <p>2. It is not known what the highway impacts of any scheme would be. The policy lacks sufficient detail for any conclusion to be drawn on this. There is however existing access to this site from the highway. A neutral impact is registered.</p> <p>3. There are no public rights of way in this location.</p>	<p>U-</p> <p>=</p> <p>=</p>
<p><b>SEA 12:</b> To ensure future development is resilient to climate change such as development is not vulnerable to flooding, or will increase the risk of flooding elsewhere</p>	<p>1. Does the policy lead to development in areas at risk of flooding e.g. within the Flood Zone 3 or b or within the rapid inundation zone?</p>	<p>1. The Northeast Yorkshire Strategic Flood Risk Assessment (SFRA) was last updated in 2010. Drawing number 10.2 to this SFRA (listed as PPS25 Malton and Norton flood plain delineation zone on the Ryedale website (accessed September 2020 <a href="https://www.ryedale.gov.uk/planning/planning-policy/evidence-base/environmental.html">https://www.ryedale.gov.uk/planning/planning-policy/evidence-base/environmental.html</a>) shows the delineation of flood risk in the centre of Malton and Norton.</p> <p>According to this map, the site is partly located in Flood Zone 3a(ii) 3a(ii). PPS25 Flood Zone 3a is defined as those areas with a high probability of flooding of greater than 1% for fluvial flooding or 0.5% for tidal flooding and which are not Functional Floodplain. <b>The SFRA has developed sub zones for 3a as follows.</b> 3a(ii) denotes the area <i>is Applicable for those developed areas at high risk of flooding which are currently defended to the appropriate</i></p>	<p>U --</p> <p>U--</p>

Appendix 1d to SEA of NP: Assessment of ALTERNATIVE Policy N1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	2. Does the policy lead to increases in flood risk to people and property in the plan area?	<p><i>minimum standard as defined by PPS25 (annual probability of 1% for fluvial flooding and 0.5% for flooding from the sea).</i></p> <p>The zones (e.g. 3aiii and 3aii) in the SFRA provide the basis for the application of the sequential test in line with PPG25. PPS25 states that Zone 3a(ii) is appropriate for</p> <ul style="list-style-type: none"> <li>• 'Water Compatible' and</li> <li>• 'Less Vulnerable' development types (see Table 7.1).</li> <li>• 'More Vulnerable' and 'Essential Infrastructure' development types are only considered appropriate if the requirements of the Exception Test are passed</li> <li>• 'Highly Vulnerable' development types are not appropriate within this Zone</li> </ul> <p>As currently worded however the policy does not exclude the possibility of residential and other vulnerable uses from coming forward under this policy. Neither does it explicitly state requirements in relation to new development and flood risk management. A significant negative impact is therefore registered. This impact is however uncertain. This is because Policy N1 is not itself delivering or allocating the development. Instead it is an aspirational policy that would facilitate such a proposal were it to come forward</p> <p>2. If residential development or vulnerable uses came forward as a result of this policy then it would lead to increases in flood risk to people and property in the plan area. A significant negative impact is therefore registered. This impact is however uncertain. This is because Policy N1 is not itself delivering or allocating the development. Instead it is an aspirational policy that would facilitate such a proposal were it to come forward</p> <p><b>NB: Possible reasonable alternatives are identified as part of this assessment as follows:</b></p> <ul style="list-style-type: none"> <li>- To reflect the vulnerability of this site to flooding, make clear in the policy wording that residential uses are not supported in this location</li> </ul>	
SEA 13: To conserve and	1. Does the policy conserve or	1. The site covered by Policy N1 lies in the Norton on Derwent conservation area. However there are no statutorily listed buildings in this area. The conservation area itself is a	=

Appendix 1d to SEA of NP: Assessment of ALTERNATIVE Policy N1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
where appropriate enhance the significance <sup>13</sup> of the historical and cultural environment.	<p>enhance the significance of the designated heritage asset?</p> <p>2. Does the policy conserve or enhance the significance of the non-designated heritage assets?</p>	<p>heritage asset. The current site includes vegetated open land and an area of hardcore. There is no reason why a regeneration scheme envisaged under this policy would not conserve or enhance the conservation area, given other planning policies that would apply. There is a therefore a neutral impact registered here</p> <p>2. There are no known non-designated heritage assets in this area.</p>	0
<b>SEA 14:</b> To encourage the use of renewable resources and the development of renewable energy sources within Malton and Norton	Does the policy facilitate the delivery of renewable energy schemes?	There is no relationship between this policy and this SEA objective. The policy neither encourages or discourages the use of renewable resources and the development of renewable energy sources.	0
<b>SEA 15:</b> To make the most efficient use of land	<p>1. Does the policy focus development towards previously developed land.</p> <p>Does the policy focus on maximising efficient uses of land?</p>	1. N1 is partly previously developed land. A positive impact is registered here as it directs development to previously developed land.	+

<sup>13</sup> Significance being defined as “the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting” (NPPF Glossary)

Appendix 1d to SEA of NP: Assessment of ALTERNATIVE Policy N1 against the SEA objectives October 2020

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
SEA 16: To maintain a high quality environment in terms of air quality	1. Does the policy have an adverse impact on the Malton Air Quality Management area?	1. The Malton Air Quality Management area is located on the northern side of the River Derwent. Increased car parking or commercial uses at this town centre location could result in increased traffic movements to the town. This could in turn impact negatively on the air quality management area. The impact however is uncertain given the policy is aspirational and depending on a scheme to come forward.	U-

## Appendix 2: SEA scoping response from Natural England.



Date: 11 September 2020  
Our ref: 323624



Tim Hicks  
Deputy Town Clerk to Malton and Norton Town Councils  
Norton On Derwent Town Council  
The Old Courthouse  
84b Commercial Street  
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**BY EMAIL ONLY**

Dear Mr Hicks

**Planning consultation: SEA of the Malton and Norton Neighbourhood Plan: Scoping consultation**

Thank you for your consultation on the above which was received by Natural England on 28 July 2020

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Provided the SEA covers all environmental effects identified in the HRA then Natural England does not wish to make any further comments over and above our advice on the HRA of the Neighbourhood Plan. We are responding separately the HRA consultation that has been sent to Natural England.

In answer to the specific questions posed please see below:

Q1: Do you agree with the proposed scope of the SEA in particular that the SEA of the NP will be limited to assessing the impact of Policies RC1, RC2, CF2 and N1? See section 7 and section 8 of this report for a detailed explanation of this. Yes.

Q2: Do you agree with the proposed SEA objectives (Table 10.1) which will be used in assessing the environmental effects of the NP? See Table 10.3 of this report. Yes.

Q3: Do you agree with the proposed approach to assessing alternatives (see section 8 of this report) to the draft Policies RC1, RC2, CF2 and NI where this approach will focus on looking at alternative ways of realising the NP vision and objectives to the approach taken in the four policies and where these alternatives could include: Yes.

- Removal of these policies;
- Looking at alternative policy wording and alternative wording in the supporting text
- Incorporating the changes proposed by the HRA appropriate assessment

Q4: Do you consider anything to be missing from the environmental baseline and environmental issues? See section 9 of this report. No.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Kate Wheeler on 07769918711. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Kate Wheeler  
Yorkshire and Northern Lincolnshire Area

## Appendix 3: SEA scoping response from Historic England



Historic England

YORKSHIRE

Mr. Tim Hicks,  
Deputy Town Clerk,  
Malton and Norton On Derwent Town Councils,  
The Old Courthouse,  
84b Commercial Street,  
Norton,  
YO17 9ES

Our ref: PL00708702  
Your ref:  
  
Telephone 01904 601 879  
Mobile 0755 719 0988

24 August 2020

Dear Mr. Hicks,

## Malton and Norton Neighbourhood Plan

### Strategic Environmental Assessment Scoping Report Consultation Response

Thank you for consulting Historic England on the Strategic Environmental Assessment Scoping Report for the Malton and Norton Neighbourhood Plan.

The Malton and Norton Neighbourhood Plan Area contains a large number of designated and undesignated heritage assets, although our assessment of the draft Neighbourhood Plan concluded that there would be no adverse environmental effect upon them, arising from the making of the Neighbourhood Plan (letter of 30 September 2019).

Your e-mail invited us to respond to the four specific questions set out in Paragraph 1.3 of the report, which we do so below, on the understanding that our responses are confined to the impact of the Neighbourhood Plan on Malton and Norton's cultural heritage.

### Consultation Questions & Responses

Q1: Do you agree with the proposed scope of the SEA in particular that the SEA of the NP will be limited to assessing the impact of Policies RC1, RC2, CF2 and N1?

*We agree with the proposed scope of the SEA should be limited to assessing the impact of Policies RC1, RC2, CF2 and N1*

Q2: Do you agree with the proposed SEA objectives (Table 10.1) which will be used in assessing the environmental effects of the NP?



Historic England, 37 Tanner Row, York YO1 6WP  
Telephone 01904 60 1948 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



We agree with the proposed SEA Objectives as set out in Table 10.1 of the Scoping report. However we would advise that the text SEA Objective 13 should be re-worded in Table 10.1 & 10.3 as follows:

*“To conserve and where appropriate enhance the significance\* of the historical and cultural environment.”*

Additionally, the Appraisal Prompts text in relation to SEA 13 require re-wording as follows:

*“Does the policy conserve or enhance the significance\* of designated heritage asset?”*

*“Does the policy conserve or enhance the significance\* of non-designated heritage assets?”*

*\*Significance being defined as “the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.” (National Planning Policy Framework Glossary)*

Q3: Do you agree with the proposed approach to assessing alternatives to the draft Policies RC1, RC2, CF2 and NI where this approach will focus on looking at alternative ways of realising the NP vision and objectives to the approach taken in the four policies and where these alternatives could include:

- Removal of these policies;
- Looking at alternative policy wording and alternative wording in the supporting text
- Incorporating the changes proposed by the HRA appropriate assessment

We agree with the proposed approach to assessing alternatives to the draft Policies RC1, RC2, CF2 and NI.

Q4: Do you consider anything to be missing from the environmental baseline and environmental issues?

We do not consider that any other matters need to be added the environmental baseline and environmental issues.

We trust the above advice is clear, and look forward to receiving the consultations on the Submission draft of the Malton Neighbourhood Plan, in due course.

Yours sincerely



Craig Broadwith  
Historic Places Adviser  
E-mail: [Craig.Broadwith@HistoricEngland.org.uk](mailto:Craig.Broadwith@HistoricEngland.org.uk)



Historic England, 37 Tanner Row, York YO1 6WP  
Telephone 01904 60 1948 [HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.



## Appendix 4: SEA scoping response from the Environment Agency

# Malton and Norton on Derwent Neighbourhood Plan

## Strategic Environmental Assessment Environmental Report

### October 2020 – Appendix 4 Scoping report responses

Responses from the Environment Agency:

Received from the Environment Agency, 28 September 2020 by email.

Thank you for consulting the Environment Agency regarding the above mentioned proposed draft plan. We have reviewed the information submitted and we wish to make the following comments

#### **Strategic Environmental Assessment**

We note that the Council has a responsibility to advise the Parish Council if there is a need for formal Strategic Environmental Assessment of the draft Neighbourhood Plan. You are seeking our views in order to inform the Council's decision on this matter.

We have considered the draft plan and its policies against those environmental characteristics of the area that fall within our remit and area of interest.

Having considered the nature of the policies in the Plan, we consider that it is **unlikely that significant negative** impacts on environmental characteristics that fall within our remit and interest will result through the implementation of the plan.

Kind Regards

### RC1: Malton and Norton River Corridor Development

The following types of development proposals within the Malton and Norton River Corridor, as identified on the Neighbourhood Plan Proposals Map, will be supported:-

-Recreational enhancement works to include:-

- A new picnic area
- Improved riverside seating

-Enhanced footpath, cycleway and bridleway provision along the river frontage

-Café/refreshment facilities

- Provision of river history interpretation panels

The acceptability of any such development is subject to there being no adverse effects on the integrity of the River Derwent Special Area of Conservation.

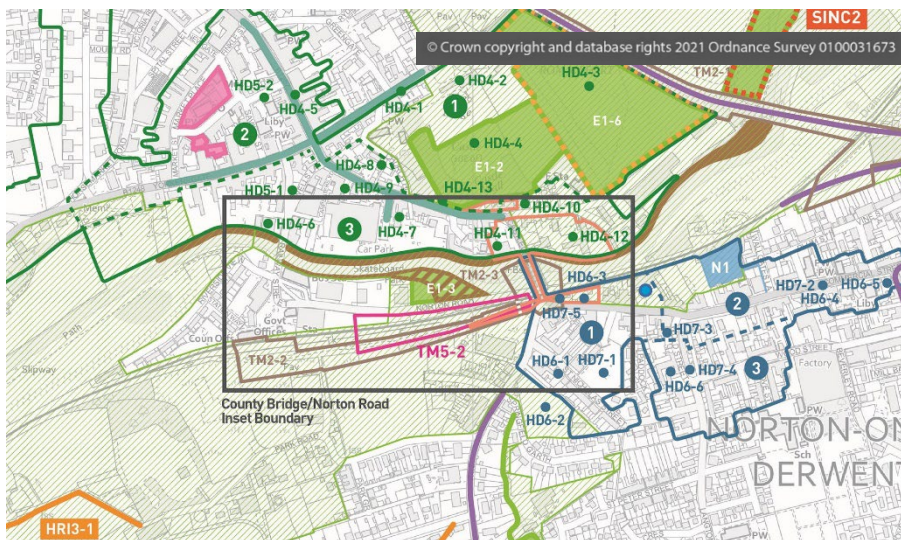
Development is also subject to:

-The preparation of a flood risk assessment (FRA), where the type of development proposed (e.g. a café/refreshment facility) requires it. The FRA should be informed by flood risk modelling set out in the latest available published Strategic Flood Risk Assessment applicable to the plan area, and should demonstrate that the proposal meets the requirements (including the undertaking of a sequential test) and up to date guidance set out in the NPPF and national planning practice guidance;

-The conservation or enhancement of the significance of heritage assets within the defined river corridor, including their settings, as applicable;

-The maintenance or enhancement of existing landscape quality within the defined river corridor

Extract taken from Reg 15 Neighbourhood Plan Proposals Map showing the extent of Policy RC1 and RC2



Selected items from Map Key:

- THE RIVER CORRIDOR**
- Malton & Norton River Corridor (ref POLICY RC1)
  - Land North and South of County Bridge Regeneration (ref POLICY RC2)



Proposed scoring system for the SEA of the NP

Symbol	Score	Definition
++	Strongly positive impact	Positively influencing change in accordance with the objective
+	Positive impact	The policy is consistent with meeting the objective
=	Neutral impact	The policy will have neither a positive nor a negative impact upon this objective
-	Negative impact	This policy may hinder achievement of this objective
--	Negative impact	This policy would hinder achievement of this objective
U	Uncertain impact	The policy may hinder achievement of this objective, but may have no negative impact. This will depend on implementation.
O	No direct link	There is no direct link between the nature of the policy and the nature of this objective.
U -	Uncertain and negative impact	Uncertain, but the policy may hinder achievement of the objective
U +	Uncertain impact but possibly positive impact.	Uncertain, but the policy may be positively consistent with meeting the objective

Appendix 5a: Assessment of the Regulation 15 version of NP policy RC1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<p><b>SEA 1:</b> To ensure the Malton and Norton local population have access to health, education, leisure and recreation services that are required.</p>	<p>1. Does the policy result in the loss of a community facility or poorer access to a community facility?</p> <p>2. Does the policy result in improved access to community facility</p>	<p>1. No.</p> <p>2. This is an aspirational policy stating that development proposals (which would also need to meet the requirements set out other planning policies set out in the NP and Local Plan) which deliver one of a number of recreational enhancement works would be supported. These recreational enhancement works are all types of community facilities and therefore this registers a positive impact. The delivery of such impact is uncertain since the policy itself won't deliver the improvements, instead it would facilitate it if a proposal comes forward. The impact is therefore uncertain.</p> <p>The policy also supports proposals delivering enhanced footpath/cycleway and bridleway provision, café/refreshment facilities. These are all types of community facilities, so a further positive impact is registered. The delivery of such impact is uncertain since the policy itself won't deliver the improvements, instead it will facilitate it if a proposal comes forward. The impact is therefore uncertain.</p>	<p>=</p> <p>U +</p>
<p><b>SEA 2:</b> To provide the opportunity for all people to meet their housing needs.</p>	<p>1. Does the policy deliver homes which will address an identified local need such as affordable homes?</p>	<p>1. There is no link registered between this draft NP policy and this SEA objective</p>	<p>0</p>
<p><b>SEA 3:</b> To maintain and promote the distinctiveness of communities within Malton and Norton</p>	<p>1. Would the policy lead to loss of an existing use which contributes to the social character and distinctiveness of Malton and Norton?</p> <p>2. Would the policy involve new public realm or</p>	<p>1. No</p> <p>2. There is a possible significant positive impact. Recreational enhancements and enhancements to the public footpath, cycleway and bridleway are all considered to be enhancements to public realm provision. If proposals come forward as a result of this policy there is a possible significant positive impact. The delivery of such impact is uncertain since the policy itself won't deliver the improvements, instead it would facilitate it if a proposal comes forward. The impact is therefore uncertain.</p>	<p>0</p> <p>U++</p>

Appendix 5a: Assessment of the Regulation 15 version of NP policy RC1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	enhancements to the public realm?		
<b>SEA 4:</b> To reduce crime and the fear of crime in Malton and Norton	1. Would the policy deliver development that would incorporate the principles of Secure by Design, reducing the potential for crime and discouraging anti-social behaviour.	1. Policy RC1 supports proposals which will deliver recreational enhancements along the River Corridor. This would have the potential to address any current issues there may be regarding crime or unsociable behaviour along the River Corridor. However, there is no evidence to indicate there are any existing issues.	=
<b>SEA 5:</b> to maintain and enhance employment opportunities in the NP area.	1. Will this policy deliver or help to deliver improved employment opportunities?	1. There are a number of different retail and business uses along the River Derwent corridor. These are described in the environmental baseline to the SEA report. However, the extent of the RC1 does not include these and the retail and business uses lie outside of the designation (see Map above). No loss of employment uses is therefore likely as a result of this policy.  The policy supports public realm enhancements taking place along the river corridor. This could make the area more attractive to business occupiers. There is therefore a potential positive impact registered. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain	U +
<b>SEA 6:</b> To maintain and enhance the vitality of the countryside and town centres.	1. Will the policy protect or enhance the viability and vitality of the town centres? 2. Will the policy protect or enhance open areas outside the town centre?	1. By encouraging development that would deliver public realm improvements in this town centre location, the policy registers a positive impact. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is also uncertain.  2. The policy seeks to enhance a corridor along the River Derwent, parts of which are in open land although this is in a location in the town centre not outside. No direct link.	U+  0

Appendix 5a: Assessment of the Regulation 15 version of NP policy RC1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<p><b>SEA 7:</b> To retain and enhance the factors which are conducive to wealth creation, including personal creativity and attractiveness to investors</p>	<p>1. Does the policy protect, employment opportunities in plan area? 2. Does the policy encourage or deliver more employment opportunities in accessible locations?</p>	<p>1. The policy does not protect employment opportunities. However, the proposals map shown above indicates that the extent of RC1 does not include any existing uses for this to apply to.</p> <p>2. The policy supports public realm enhancements taking place along the river corridor. This could make the area more attractive to business occupiers. There is therefore a potential indirect positive impact registered. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain</p>	<p>=</p> <p>U +</p>
<p><b>SEA 8:</b> To diversify the local economy</p>	<p>1. Does the policy assist in diversifying the local economy in Malton and Norton?</p>	<p>1. There is no perceivable link between this objective and Policy RC1</p>	<p>0</p>
<p><b>SEA 9:</b> To protect and enhance biodiversity in the River Derwent SAC and SSSI</p>	<p>1. Does the policy protect or enhance the River Derwent SAC and SSSI?</p>	<p>1. The policy designation RC1 overlaps in some locations with the extent of the River Derwent SAC and the River Derwent SSSI. However, as these protected areas (SAC and SSSI) apply to a flowing river the entirety of the RC1 designation is directly relevant to the SAC and SSSI.</p> <p>The policy is an aspirational policy that seeks recreational enhancements along the River Corridor. There is a potential negative impact from riverside recreational activities on to sensitive environmental receptors along the river. The River Derwent SAC has been designated European status due to the habitat:</p> <ul style="list-style-type: none"> <li>• Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation. (Rivers with floating vegetation often dominated by water-crowfoot)</li> </ul> <p>And due to the species:</p> <ul style="list-style-type: none"> <li>• Bullhead Cottus gobio</li> <li>• River lamprey Lampetra fluviatilis</li> <li>• Otter Lutra lutra</li> </ul>	<p>=</p>

Appendix 5a: Assessment of the Regulation 15 version of NP policy RC1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<ul style="list-style-type: none"> <li>Sea lamprey <i>Petromyzon marinus</i></li> </ul> <p>The HRA appropriate screening assessment<sup>14</sup> undertaken on the 2<sup>nd</sup> Pre-Submission Neighbourhood Plan (December 2022) concluded that <i>There is a credible risk that disturbance and pollution from construction from Policy RC1 could undermine the conservation objectives of the River Derwent SAC and that likely significant effects cannot be ruled out (alone). Consequently, an appropriate assessment is required.</i></p> <p>Following this, the policy was subject to a detailed appropriate assessment which then concluded:</p> <p><i>It is considered that the Council will be able to ascertain beyond reasonable scientific doubt that Policy RC1 will have no adverse effect on the integrity of the River Derwent SAC alone. There would be no need for mitigation, no residual effects, and no need for an in-combination assessment.</i></p> <p>This finding is unsurprising given that the 2<sup>nd</sup> Pre-submission NP already embeds mitigation from previous HRA work.</p> <p>In recognition of the ecology status of the River Derwent, Policy RC1 includes the following requirement to ensure that where any implications do exist they would be ruled out at the planning application stage.</p> <p><i>The acceptability of any such development is subject to there being no adverse effects on the integrity of the River Derwent Special Area of Conservation.</i></p> <p>To conclude, Policy RC1 therefore registers a neutral impact with respect to impact on the SAC because of the policy wording that has been included.</p>	
	2. Does the policy protect or enhance protected flora and fauna?	As discussed above adverse impacts on the integrity of the River Derwent SAC has been ruled out. However, there is nonetheless a sensitive site and there is a potential but uncertain negative impact between Policy RC1 that	U -

<sup>14</sup> See screening section of the 2022 Habitats Regulations Assessment of the Malton and Norton 2<sup>nd</sup> Pre-submission Neighbourhood Plan Neighbourhood Development Plan, June 2020, Fleming Ecology Limited.

Appendix 5a: Assessment of the Regulation 15 version of NP policy RC1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		would support proposals that deliver recreational activities which may impact the flora and fauna along the River Derwent Corridor.	
	3. Does the policy provide opportunities for provision of green infrastructure including linking in with existing green infrastructure?	1. Policy RC1 covers a corridor of land on either side of the River Derwent that combines current public rights of way, an open space and vegetated river corridor not accessible to the public. Alongside this extent on either side of the river, there are various land uses including business use and rear retail parking. On the northern part of the River there is a public right of way from Castlegate through the middle of the Morrisons' car park to the River Derwent. Depending on proposals which come forward, this policy could potentially open up opportunities for increased access to green infrastructure corridors but there is no positive impact detected from the current policy wording in terms of improving green infrastructure itself.	=
<b>SEA 10:</b> To maintain and enhance the quality and character of the landscape	1. What impact would this policy have on the Visually Important Undeveloped Areas in the plan area?	1. Either side of the proposed designation of the NP Policy RC1 are two large areas of land designated in the Ryedale Local Plan as Visually Important Undeveloped Areas. These are shown on the Local Plan Proposals Map. Paragraph 6.1 of the Ryedale Local Sites Plan states that <i>"In general, the VIUA's on the edges of the Market Towns are aimed at protecting areas which, by virtue of their open nature make a significant contribution to the setting of a Town and the role of the setting in influencing and framing the traditional form and character of the settlement. To this end, these sites tend to be larger in scale than VIUA's within settlements."</i> The extent of the land covered by RC1 which is currently undeveloped is not open for additional development under the wording of Policy RC1 other than for very minor development (e.g. picnic areas, a café) that would allow for enhanced recreational enhancements. Potential negative impacts are avoided due to the inclusion of policy wording which requires development to maintain or enhance existing landscape quality.	=
<b>SEA 11:</b> Reduce long distance commuting and	1. Would this policy encourage people to walk	1. If this policy succeeds to facilitate improved accessible open space provision there is potential for this policy to result in fewer journeys to areas	U +

Appendix 5a: Assessment of the Regulation 15 version of NP policy RC1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
congestion by reducing the need to travel.	<p>and cycle rather than travel by car?</p> <p>2. Would this policy lead to highway impacts that would require highway mitigation measures?</p> <p>3. Will the policy protect or enhance access to public rights of way?</p>	<p>of open space by car. Likewise, if successful this policy will result in enhancing provision of an existing public right of way.</p> <p>This impact is however uncertain given the fact this policy is aspirational and does not include specific proposals for development.</p> <p>2. No highway impacts identified.</p> <p>3. There is a direct link between this policy and public rights of way since the policy wording itself seeks enhanced footpath, cycleway and bridleway provision along the river frontage. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain</p>	<p>=</p> <p>U+</p>
<p><b>SEA 12:</b> To ensure future development is resilient to climate change such as development is not vulnerable to flooding, or will increase the risk of flooding elsewhere</p>	<p>1. Does the policy lead to development in areas at risk of flooding e.g. within the Flood Zone 3 or b or within the rapid inundation zone?</p> <p>2. Does the policy lead to increases in flood risk to people and property in the plan area?</p>	<p>The Scarborough Borough and Ryedale Level 1 Strategic Flood Risk Assessment (2021) provides detail on the areas of flood risk. An interactive map focusing on Malton and Norton is available to view here <a href="https://www.ryedale.gov.uk/resources/strategic-flood-risk-assessment-2021-map-for-malton-and-norton/">https://www.ryedale.gov.uk/resources/strategic-flood-risk-assessment-2021-map-for-malton-and-norton/</a></p> <p>According to this map, Riverside corridor denoted through Policy RC1 is located in flood zone 3b (functional flood plain) and 3a (High probability: greater or equal to a 1% chance of river flooding in any given year or greater than a 0.5% chance of sea flooding in any given year.) In terms of the EA's risk of flooding from rivers and sea, the interactive map for Malton and Norton shows that site RC1 falls within the high risk zone (High risk: each year there is a chance of flooding of greater than 1 in 30 (3.3%.)) and within the medium risk zone (Medium risk: each year there is a chance of flooding of between 1 in 100 (1%) and 1 in 30 (3.3%.)) In terms of risk of flooding from surface water, the policy extents for Policy RC1, falls within three different areas at risk (1 in 1000 chance of flooding each year and 1 in 100 chance of flooding each year and 1 in 30 chance of flooding each year.</p>	<p>U-</p>

Appendix 5a: Assessment of the Regulation 15 version of NP policy RC1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>Policy RC1 supports recreational enhancement works, enhanced footpath, cycleway and bridleway provision and café/refreshment facilities. Locating a café/refreshment facilities in areas at risk of flooding could lead to flood risk to property. An uncertain negative impact is therefore registered here.</p> <p>Annex 3 to the NPPF 2021 classifies amenity open space as water-compatible development and cafes and hot food takeaways as less vulnerable uses. Any proposal to locate a café/refreshment facility would need to be accompanied by a Flood Risk Assessment that satisfies national flood risk requirements following the undertaking of the sequential test. According to Table 2: Flood risk vulnerability and flood zone ‘incompatibility’ in paragraph 079 reference ID: 7-079-20220825 of national planning practice guidance, the exceptions test is not required for less vulnerable uses in the zone 3a.</p> <p>2. The NPPF 2021 clarifies that a Flood Risk Assessment should be provided for all development in Flood Zones 2 and 3 and that <i>“Development should only be allowed in areas at risk of flooding where, in light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</i></p> <ul style="list-style-type: none"> <li><i>(a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</i></li> <li><i>(b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;</i></li> <li><i>(c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</i></li> <li><i>(d) any residual risk can be safely managed; and</i></li> <li><i>(e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”</i> </li></ul>	=



Appendix 5a: Assessment of the Regulation 15 version of NP policy RC1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>National planning practice guidance relating to flood risk was last updated in August 2022.</p> <p>The policy, requires the preparation of a flood risk assessment, where the development proposed requires it. The policy is also clear that the FRA should be informed by flood risk modelling set out in the latest available Strategic Flood Risk Assessment and should demonstrate the proposed meets the requirements and up to date guidance set out in the NPPF and national planning practice guidance. A neutral impact is therefore registered.</p>	
<p><b>SEA 13:</b> To conserve and where appropriate enhance the significance<sup>15</sup> of the historical and cultural environment.</p>	<p>Does the policy conserve or enhance the significance of the designated heritage asset?</p> <p>Does the policy conserve or enhance the significance of the non-designated heritage assets?</p>	<p>There are many heritage assets close to the extent of the River Derwent corridor. The closest one is the County Bridge itself which is statutorily listed as a Grade II structure.</p> <p>It is possible that Policy extent RC1 could lie within the setting of some of these important heritage assets.</p> <p>Policy RC1 supports development along the river corridor where this would deliver recreational enhancements. National planning policy (NPPF 2021) and national practice guidance available at <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change">https://www.gov.uk/guidance/flood-risk-and-coastal-change</a> together with the last paragraph which confirms <i>Development is also subject to the satisfaction of flood risk requirements, including sequential testing, as directed by the Environment Agency</i> (note SEA recommendations to amend this wording), would in practice limit what development could come forward due to the existing site lying in flood zone 3b and 3a (see the Scarborough Borough and Ryedale Level 1 Strategic Flood Risk Assessment (November 2021)). Any</p>	<p>=</p> <p>=</p>

<sup>15</sup> Significance being defined as “the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting” (NPPF Glossary)

Appendix 5a: Assessment of the Regulation 15 version of NP policy RC1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>development coming forward under Policy RC1 is therefore likely to small in scale.</p> <p>It is also noted the policy refers to the need for development to conserve and enhance the setting of existing heritage assets.</p> <p>A neutral impact is therefore registered.</p>	
<p><b>SEA 14:</b> To encourage the use of renewable resources and the development of renewable energy sources within Malton and Norton</p>	<p>Does the policy facilitate the delivery of renewable energy schemes?</p>	<p>There is no relationship between this policy and this SEA objective. The policy neither encourages or discourages the use of renewable resources and the development of renewable energy sources.</p>	<p>0</p>
<p><b>SEA 15:</b> To make the most efficient use of land</p>	<p>Does the policy focus development towards previously developed land.</p> <p>Does the policy focus on maximising efficient uses of land?</p>	<p>The extent of RC1, whilst located adjacent to previously developed land, appears to be limited to the vegetated river corridor only. There is no relationship between this policy and this SEA objective.</p>	<p>0</p>
<p><b>SEA 16:</b> To maintain a high quality environment in terms of air quality</p>	<p>Does the policy have an adverse impact on the Malton Air Quality Management area?</p>	<p>This policy is an aspirational one which would support proposals which would lead to river corridor recreational enhancements. If this policy leads to the desired development coming forward, access and public use of the river corridor would be increased. This could have the effect of increasing opportunities for pedestrians and cyclists to travel through the plan area whilst avoiding the Malton Air Quality Management Area NO2 where emissions are concentrated. There could in the long run therefore be a positive impact here in terms of providing access to cleaner air. However the link is tenuous and uncertain.</p> <p>A neutral impact is therefore recorded against this objective.</p>	<p>=</p>

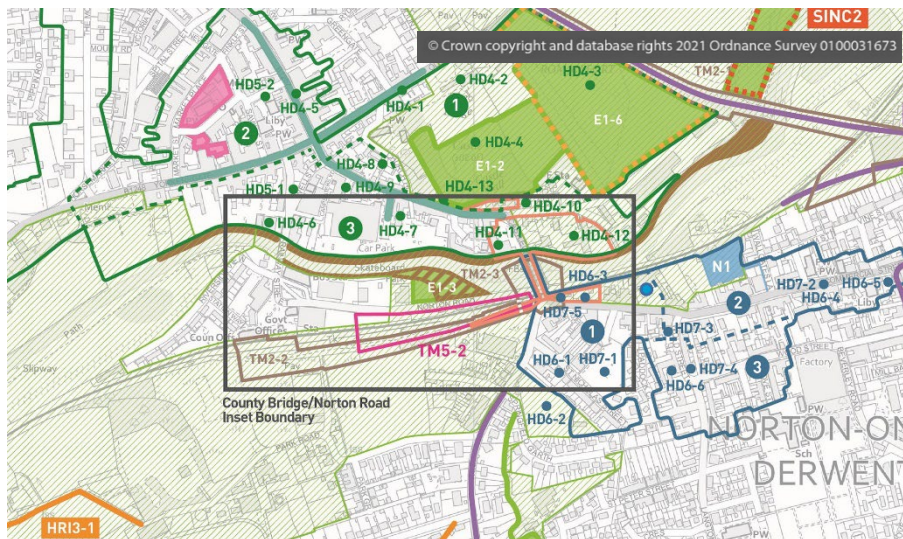
### RC2: Regeneration of Land North and South of County Bridge

Development-related regeneration on land to the North and South of County Bridge, as shown on the Neighbourhood Plan Proposals Map, will be supported.

In the event that the principle of any such development on this site is accepted via the Local Plan or otherwise, and subject to any adverse effects on the integrity of the River Derwent Special Area of Conservation being ruled out, development of this site will be supported, subject to:

- No residential or other vulnerable use (in terms of flood risk) coming forward on this land
- The preparation of a flood risk assessment (FRA), where the type of development proposed (e.g. employment related development such as offices or general industry) requires it. The FRA should be informed by flood risk modelling set out in the latest available published Strategic Flood Risk Assessment applicable to the plan area, and should demonstrate that the proposal meets the requirements (including the undertaking of a sequential test) and up to date guidance set out in the NPPF and national planning practice guidance;
- The preservation and/or enhancement of the character and appearance of the Malton Town Centre and Norton-on- Derwent Conservation Areas within which the site is located;
- The conservation or enhancement of the significance of heritage assets, including their setting, as applicable;
- The maximisation of opportunities to improve pedestrian, cycle and motorised vehicular access across the River Derwent and the York-Scarborough Railway Line;
- The incorporation of low emission measures to ensure that the overall impact on AQMA air quality is mitigated;
- The retention/replacement of Yorkshire Water's site access;
- The retention/replacement of the on-site public conveniences.

Extract taken from Reg 15 Neighbourhood Plan Proposals Map showing the extent of Policy RC1 and RC2



Selected items from Map Key:

- THE RIVER CORRIDOR**
- Malton & Norton River Corridor (ref POLICY RC1)
  - Land North and South of County Bridge Regeneration (ref POLICY RC2)

Proposed scoring system for the SEA of the NP

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U	Uncertain impact	The policy may hinder achievement of this objective, but may have no negative impact. This will depend on implementation.
O	No direct link	There is no direct link between the nature of the policy and the nature of this objective.
U -	Uncertain and negative impact	Uncertain, but the policy may hinder achievement of the objective
U +	Uncertain impact but possibly positive impact.	Uncertain, but the policy may be positively consistent with meeting the objective

Appendix 5b: Assessment of the Regulation 15 version of NP Policy RC2 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<p><b>SEA 1:</b> To ensure the Malton and Norton local population have access to health, education, leisure and recreation services that are required.</p>	<p>1. Does the policy result in the loss of a community facility or poorer access to a community facility?</p> <p>2. Does the policy result in improved access to community facility</p>	<p>1. No.</p> <p>2. This policy is an aspirational policy stating that development proposals (which would also need to meet the requirements set out other planning policies set out in the NP and Local Plan) which deliver development-related regeneration on the land which includes the County Bridge, land to the north and land to the south will be supported. The policy includes specific criteria which are applicable to community facilities. This is the requirement to retain or replace on-site public convenience and a requirement to maximise opportunities to improve pedestrian, cycle and motorised access the River Derwent and the York Scarborough Railway Line. These are all types of community facilities, so a positive impact is registered. The delivery of such impact is uncertain since the policy itself won't deliver the improvements, instead it would facilitate it if a proposal comes forward. The impact is therefore uncertain.</p>	<p>=</p> <p>U +</p>
<p><b>SEA 2:</b> To provide the opportunity for all people to meet their housing needs.</p>	<p>1. Does the policy deliver homes which will address an identified local need such as affordable homes?</p>	<p>1. There is no link registered between this draft NP policy and this SEA objective</p>	<p>0</p>
<p><b>SEA 3:</b> To maintain and promote the distinctiveness of communities within Malton and Norton</p>	<p>1. Would the policy lead to loss of an existing use which contributes to the social character and distinctiveness of Malton and Norton?</p> <p>2. Would the policy involve new public</p>	<p>1. Policy RC2 covers land in both the Norton on Derwent conservation area and land in the Malton Town Centre conservation area. There are also numerous built heritage assets and archaeological remains in this area. An overview of the built heritage assets in this part of the town is shown in the environmental baseline in the SEA report and the archaeological remains are shown in Appendix 4 to the draft NP. The richness in heritage assets in this location is considered to be a key contributor to social character and distinctiveness. Policy RC2 includes a requirement to preserve or enhance the character and appearance of the Malton Town Centre conservation area and the Norton on Derwent conservation area. The policy also includes a requirement to conserve or enhance the significance of heritage assets including their setting.</p>	<p>U+</p>

Appendix 5b: Assessment of the Regulation 15 version of NP Policy RC2 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	realm or enhancements to the public realm?	<p>2. The supporting text to Policy RC2 refers to underused river corridor sites. Whilst the built up area around the County Bridge has heritage value there may be scope for sense of place to be strengthened were development to take place which resulted in both conservation/enhancement of a heritage asset <i>and</i> which resulted in better use of the sites in this location.</p> <p>The SEA registers a potential positive impact. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain</p> <p>The policy could also potentially lead to a better public realm if it resulted in increased occupation of currently underutilised sites. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain</p>	U+
<b>SEA 4:</b> To reduce crime and the fear of crime in Malton and Norton	1. Would the policy deliver development that would incorporate the principles of Secure by Design, reducing the potential for crime and discouraging anti-social behaviour.	1. The intention driving Policy RC2 is understood to be a drive to encourage use of currently underused river corridor sites. This would have the potential to address any current issues there may be regarding crime or unsociable behaviour associated with unoccupied building. However, there is no evidence to indicate there are any existing issues.	=
<b>SEA 5:</b> to maintain and enhance employment opportunities in the NP area.	1. Will this policy deliver or help to deliver improved employment opportunities?	<p>1. The policy identifies a central location in the NP area as a regeneration opportunity. This, if implemented, would delivery employment opportunities in the short and medium term (construction) and the long term (occupation)</p> <p>Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain</p>	U +

Appendix 5b: Assessment of the Regulation 15 version of NP Policy RC2 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<b>SEA 6:</b> To maintain and enhance the vitality of the countryside and town centres.	<p>1. Will the policy protect or enhance the viability and vitality of the town centres?</p> <p>2. Will the policy protect or enhance open areas outside the town centre?</p>	<p>1. By encouraging development that would deliver regeneration benefits in a town centre location. Yes. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain</p> <p>2. No direct link.</p>	<p>U+</p> <p>0</p>
<b>SEA 7:</b> To retain and enhance the factors which are conducive to wealth creation, including personal creativity and attractiveness to investors	<p>1. Does the policy protect, employment opportunities in plan area?</p> <p>2. Does the policy encourage or deliver more employment opportunities in accessible locations?</p>	<p>1. The policy does not protect employment opportunities.</p> <p>2. The policy identifies a central location in the NP area as a regeneration opportunity. This, if implemented, would delivery employment opportunities in the short and medium term (construction) and the long term (occupation). Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain</p>	<p>=</p> <p>U +</p>
<b>SEA 8:</b> To diversify the local economy	<p>1. Does the policy assist in diversifying the local economy in Malton and Norton?</p>	<p>1. The policy identifies a central location in the NP area as a regeneration opportunity. This, if implemented, would delivery employment opportunities in the short and medium term (construction) and the long term (occupation). This facilities opportunities for diversifying the local economy. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain</p>	<p>U+</p>
<b>SEA 9:</b> To protect and enhance biodiversity in the	<p>1. Does the policy protect or enhance</p>	<p>1. The policy designation RC2 overlaps in some locations with the extent of the River Derwent SAC and the River Derwent SSSI. However, as these protected areas (SAC and</p>	<p>=</p>

Appendix 5b: Assessment of the Regulation 15 version of NP Policy RC2 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
River Derwent SAC and SSSI	the River Derwent SAC and SSSI?	<p>SSSI) apply to a flowing river the entirety of the RC2 designation is directly relevant to the SAC and SSSI.</p> <p>The policy is an aspirational policy that seeks the regeneration of the land north and south of the County Bridge. There is a potential negative impact from riverside construction activities on to sensitive environmental receptors along the river. The River Derwent SAC has been designated European status due to the habitat:</p> <ul style="list-style-type: none"> <li>• Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation. (Rivers with floating vegetation often dominated by water-crowfoot)</li> </ul> <p>And due to the species:</p> <ul style="list-style-type: none"> <li>• Bullhead Cottus gobio</li> <li>• River lamprey Lampetra fluviatilis</li> <li>• Otter Lutra lutra</li> <li>• Sea lamprey Petromyzon marinus</li> </ul> <p>The HRA appropriate screening assessment<sup>16</sup> undertaken on the NP also identified a concern relating to possible development that could come forward under Policy RC2 that could increase the number of visitors to the riverside given the proximity and the proposed expansion of recreational space in RC1 and that this could in turn increase disturbance of otter populations. The screening states: <i>"There is a credible risk that disturbance and pollution from construction from Policy RC2 could undermine the conservation objectives of the River Derwent SAC and that likely significant effects cannot be ruled out (alone). Consequently, and an appropriate assessment is required."</i></p> <p>At the more detailed assessment stage (the appropriate assessment) the HRA assessment<sup>17</sup> concluded that <i>"The Council will be able to ascertain beyond reasonable scientific doubt that Policy RC2 will have no adverse effect on the integrity of the River Derwent"</i></p>	

<sup>16</sup> See screening section of the Habitats Regulations Assessment of the Malton and Norton 2<sup>nd</sup> Pre-submission Neighbourhood Plan, December 2022, Fleming Ecology Limited.

<sup>17</sup> See HRA assessment in the Habitats Regulations Assessment of the Malton and Norton 2<sup>nd</sup> Pre-submission Neighbourhood Plan, June 2022, Fleming Ecology Limited



Appendix 5b: Assessment of the Regulation 15 version of NP Policy RC2 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p><i>SAC alone. There would be no need for mitigation, no residual effects and no need for an in-combination assessment."</i></p> <p>This finding is unsurprising given that the 2<sup>nd</sup> Pre-submission NP already embeds mitigation from previous HRA work.</p> <p>The wording of Policy RC2 rules out residential development. This removes a risk of recreational pressure on the River Derwent SAC and SSSI arising from additional residential development in this area.</p> <p>In recognition of the ecology status of the River Derwent, Policy RC2 includes the requirement that any proposal is accepted via the Local Plan or otherwise, and subject to proposals not adversely affecting the integrity of the River Derwent SAC. This will ensure protection of the SAC.</p> <p>To conclude, whilst this is a sensitive location in which development may be supported, the policy wording ensures that residential uses are ruled out and that no proposal could come forward that would adversely affect the integrity of the River Derwent SAC. There is therefore a neutral impact registered.</p>	
	2. Does the policy protect or enhance protected flora and fauna?	2. As discussed above adverse impacts on the integrity of the River Derwent SAC has been ruled out. However, there is nonetheless a sensitive site and there is a potential but uncertain negative impact between Policy RC2 that would support proposals that deliver recreational activities which may impact the flora and fauna along the River Derwent Corridor.	U -
	3.Does the policy provide opportunities for provision of green infrastructure including linking in	No.	=

Appendix 5b: Assessment of the Regulation 15 version of NP Policy RC2 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	with existing green infrastructure?		
<b>SEA 10:</b> To maintain and enhance the quality and character of the landscape	1. What impact would this policy have on the Visually Important Undeveloped Areas in the plan area?	<p>1. There are two large areas of land designated in the Ryedale Local Plan as Visually Important Undeveloped Areas. These are shown on the Local Plan Proposals Map. Paragraph 6.1 of the Ryedale Local Sites Plan states that <i>“In general, the VIUA's on the edges of the Market Towns are aimed at protecting areas which, by virtue of their open nature make a significant contribution to the setting of a Town and the role of the setting in influencing and framing the traditional form and character of the settlement. To this end, these sites tend to be larger in scale than VIUA's within settlements.”</i></p> <p>Policy designation RC2 is some distance away from the VIUAs. Also, the land covered by this policy is already built up and given any proposals would need to conserve or enhance the conservation areas, there is no identified impact on the VIUAs from this policy.</p>	0
<b>SEA 11:</b> Reduce long distance commuting and congestion by reducing the need to travel.	<p>1. Would this policy encourage people to walk and cycle rather than travel by car?</p> <p>2. Would this policy lead to highway impacts that would require highway mitigation measures?</p> <p>3. Will the policy protect or enhance access to public rights of way?</p>	<p>1. Regeneration at this location could lead to a more attractive and vibrant town centre. This, itself may lead to increased footfall and cycle trips. However this link is indirect and too uncertain for any impact to be registered.</p> <p>2. The third criteria in this policy is for <i>The maximisation of opportunities to improve pedestrian, cycle and motorised vehicular access across the River Derwent and the York-Scarborough Railway Line.</i> Proposals envisaged under this policy could lead to disruption to the highways during the construction phase but the policy could lead to long term improvements overall. The policy therefore registers uncertain positive impact and an uncertain negative impact.</p> <p>3. There is currently a public right of way on the southern side of the River Derwent from This public right of way runs from the west until the County Bridge where it stops. Policy RC2 does not mention protection of the public right of way but equally there is no indication that the policy would lead to the loss of the public right of way. Regeneration of the southern side could allow for enhancement or even extension of this public right of way. But as this is not mentioned, there is a neutral impact registered here.</p>	<p>=</p> <p>U -</p> <p>U +</p> <p>=</p>

Appendix 5b: Assessment of the Regulation 15 version of NP Policy RC2 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<p><b>SEA 12:</b> To ensure future development is resilient to climate change such as development is not vulnerable to flooding, or will increase the risk of flooding elsewhere</p>	<p>1. Does the policy lead to development in areas at risk of flooding e.g. within the Flood Zone 3 or b or within the rapid inundation zone?</p> <p>2. Does the policy lead to increases in flood risk to people and property in the plan area?</p>	<p>1. The Scarborough Borough and Ryedale Level 1 Strategic Flood Risk Assessment (2021) provides detail on the areas of flood risk. An interactive map focusing on Malton and Norton is available to view here <a href="https://www.ryedale.gov.uk/resources/strategic-flood-risk-assessment-2021-map-for-malton-and-norton/">https://www.ryedale.gov.uk/resources/strategic-flood-risk-assessment-2021-map-for-malton-and-norton/</a></p> <p>According to this map, the extent for Policy RC2 is located in flood zone 3a (High probability: greater or equal to a 1% chance of river flooding in any given year or greater than a 0.5% chance of sea flooding in any given year.) In terms of the EA's risk of flooding from rivers and sea, the interactive map for Malton and Norton shows that site RC2 falls within the high risk zone (High risk: each year there is a chance of flooding of greater than 1 in 30 (3.3%.)) and within the medium risk zone (Medium risk: each year there is a chance of flooding of between 1 in 100 (1%) and 1 in 30 (3.3%.)) In terms of risk of flooding from surface water, the policy extents for Policy RC2, falls within three different areas at risk (1 in 1000 chance of flooding each year and 1 in 100 chance of flooding each year and 1 in 30 chance of flooding each year.</p> <p>The policy states that no residential or other vulnerable use (in terms of flood risk) can come forward on this land. Annex 3 to the NPPF 2021 categorises development into five categories for flood risk purposes: essential infrastructure, highly vulnerable, more vulnerable, less vulnerable and water compatible development. It is assumed the intention of Policy RC2 is to allow for uses falling into the less vulnerable category. This includes <i>Buildings used for shops; financial, professional and other services; restaurants, cafes and hot food takeaways; offices; general industry, storage and distribution; non-residential institutions not included in the 'more vulnerable' class; and assembly and leisure.</i></p> <p>Policy RC2 supports, in principle, development (albeit less vulnerable types of development) in Flood Zone 3. An uncertain negative impact is therefore registered here.</p> <p>According to Table 2: Flood risk vulnerability and flood zone 'incompatibility' in paragraph 079 reference ID: 7-079-20220825 of national planning practice guidance, less vulnerable uses are compatible in Flood Zone 3a. It also clarifies that the exception test is not required for such land uses in zone 3a.</p>	<p>U-</p>

Appendix 5b: Assessment of the Regulation 15 version of NP Policy RC2 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>The NPPF 2021 clarifies that a Flood Risk Assessment should be provided for all development in Flood Zones 2 and 3 and that <i>“Development should only be allowed in areas at risk of flooding where, in light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</i></p> <p><i>(a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</i></p> <p><i>(b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;</i></p> <p><i>(c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</i></p> <p><i>(d) any residual risk can be safely managed; and</i></p> <p><i>(e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”</i></p> <p>National planning practice guidance relating to flood risk was last updated in August 2022.</p> <p>2. Policy RC2 excludes the possibility of residential and other vulnerable uses from coming forward under this policy. The policy also requires the sequential test and where applicable the exceptions test should be applied. A neutral impact is therefore registered.</p>	=
<p><b>SEA 13:</b> To conserve and where appropriate enhance the significance<sup>18</sup> of</p>	<p>1. Does the policy conserve or enhance the significance of the</p>	<p>1. Policy RC2 covers land which falls in both the Norton on Derwent conservation area and in the Malton Town Centre conservation area. There are also numerous built heritage assets and archaeological remains in this area. The County Bridge itself is a grade II listed building.</p>	U +

<sup>18</sup> Significance being defined as “the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting” (NPPF Glossary)

Appendix 5b: Assessment of the Regulation 15 version of NP Policy RC2 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
the historical and cultural environment.	<p>designated heritage asset?</p> <p>2. Does the policy conserve or enhance the significance of the non-designated heritage assets?</p>	<p>An overview of the built heritage assets in this part of the town is shown in the environmental baseline in the SEA report and the archaeological remains are shown in Appendix 3 to the draft NP. Policy RC2 includes a requirement to preserve or enhance the character and appearance of the Malton Town Centre conservation area and the Norton on Derwent conservation area. The Local Plan (SP12) and the NPPF would require impact of development on heritage assets to be fully considered at planning application stage. The NP policy also requires the conservation or enhancement of the significance of all heritage assets. This is important given the number of statutorily listed buildings in this area, the policy could be strengthened in this respect.</p> <p>The supporting text to Policy RC2 refers to underused river corridor sites. Whilst the built up area around the County Bridge has heritage value there may be scope for sense of place to be strengthened were development to take place which resulted in both conservation/enhancement of a heritage asset/s <i>and</i> which resulted in better use of the sites in this location.</p> <p>The SEA registers a potential positive impact. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain</p> <p>2. There are no known non-designated heritage assets in this area.</p>	U
<b>SEA 14:</b> To encourage the use of renewable resources and the development of renewable energy sources within Malton and Norton	Does the policy facilitate the delivery of renewable energy schemes?	There is no relationship between this policy and this SEA objective. The policy neither encourages or discourages the use of renewable resources and the development of renewable energy sources.	0
<b>SEA 15:</b> To make the most efficient use of land	1. Does the policy focus development	1. The extent of RC2 is all previously developed land. One of the aspirations in the plan is to facilitate the redevelopment of underused river corridor sites subject (subject to flood	+

Appendix 5b: Assessment of the Regulation 15 version of NP Policy RC2 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	<p>towards previously developed land.</p> <p>Does the policy focus on maximising efficient uses of land?</p>	<p>risk). The plan considers this an opportunity to improve the built fabric of the towns. A positive impact is registered here as it directs development to previously developed land.</p>	
<p><b>SEA 16:</b> To maintain a high quality environment in terms of air quality</p>	<p>Does the policy have an adverse impact on the Malton Air Quality Management area?</p>	<p>This policy identifies a regeneration opportunity on land north and south of County Bridge. The fourth criteria in the third paragraph of the policy is for <i>The maximisation of opportunities to improve pedestrian, cycle and motorised vehicular access across the River Derwent and the York-Scarborough Railway Line.</i></p> <p>Proposals envisaged under this policy could lead to disruption to the highways during the construction phase but the policy could lead to long term improvements overall. Since the emissions in the Malton Air Quality Management Area (which is close to the land at RC2) are traffic related, this policy registers uncertain positive impact and an uncertain negative impact.</p>	<p>U + U-</p>

CF1: Norton's Swimming Pool

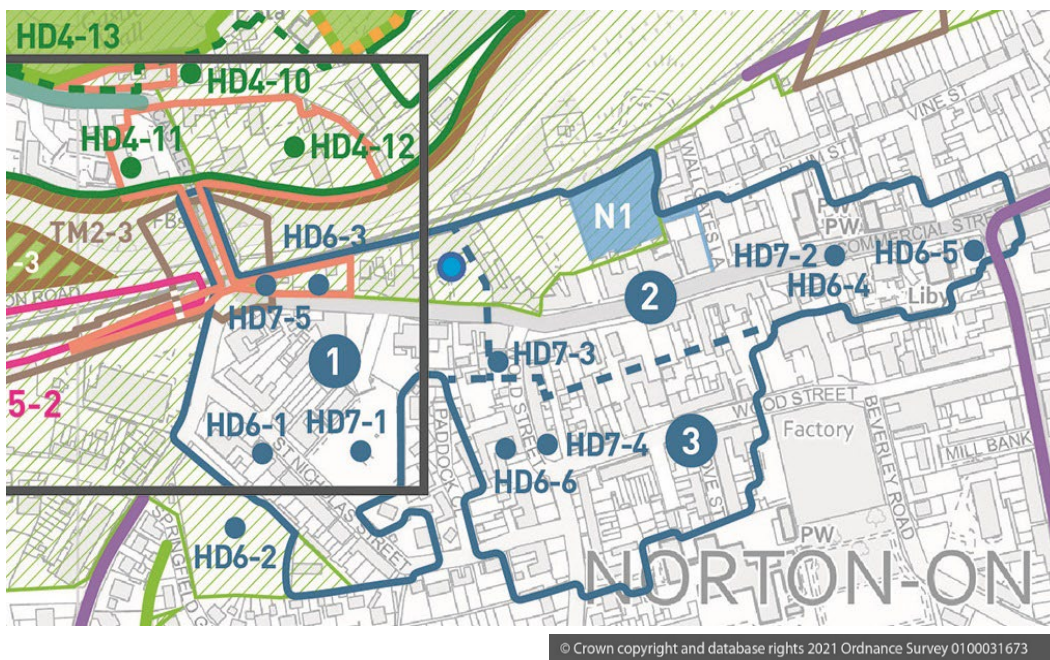
*Development of Norton Swimming Pool to provide additional capacity or improved leisure facilities for the benefit of the community, including its upgrading, extension or replacement, will be supported.*

*Consideration should be given to the need for any additional off-road car parking provision to serve any enhanced facility.*

*The acceptability of any such development is subject to there being no adverse effects on the integrity of the River Derwent Special Area of Conservation.*

*Depending on the scale and location of the development in relation to the flood risk zones, a Flood Risk Assessment (FRA) may be required. The FRA should be informed by flood risk modelling set out in the latest available published Strategic Flood Risk Assessment applicable to the plan area, and should demonstrate that the proposal meets the requirements (including the undertaking of the sequential test) and up-to-date guidance set out in the NPPF and national planning practice guidance.*

NP proposals map showing the extent of N1 and CF1. Extract taken from Reg 15 Proposals Map



Selected items from Map Key

- COMMUNITY FACILITIES**
- Norton Swimming Pool (ref POLICY CF1)
- Malton Community Sports Centre (ref POLICY CF2)
  
- NORTON-SPECIFIC**
- Land to the Rear of Commercial Street (ref POLICY N1)

Proposed scoring system for the SEA of the NP

Symbol	Score	Definition
++	Strongly positive impact	Positively influencing change in accordance with the objective
+	Positive impact	The policy is consistent with meeting the objective
=	Neutral impact	The policy will have neither a positive nor a negative impact upon this objective
-	Negative impact	This policy may hinder achievement of this objective
--	Negative impact	This policy would hinder achievement of this objective
U	Uncertain impact	The policy may hinder achievement of this objective, but may have no negative impact. This will depend on implementation.
O	No direct link	There is no direct link between the nature of the policy and the nature of this objective.
U -	Uncertain and negative impact	Uncertain, but the policy may hinder achievement of the objective
U +	Uncertain impact but possibly positive impact.	Uncertain, but the policy may be positively consistent with meeting the objective



Appendix 5c: Assessment of the Regulation 15 version of NP Policy CF1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<b>SEA 1:</b> To ensure the Malton and Norton local population have access to health, education, leisure and recreation services that are required.	<p>1. Does the policy result in the loss of a community facility or poorer access to a community facility?</p> <p>2. Does the policy result in improved access to community facility</p>	<p>1. No.</p> <p>2. This policy is an aspirational policy stating that development proposals (which would also need to meet the requirements set out other planning policies set out in the NP and Local Plan) which would provide additional capacity or improved leisure facilities including upgrading, extension or replacement would in principle be support.</p> <p>Ryedale District Council's 2012 Infrastructure Study<sup>19</sup> reported a quantitative requirement for a swimming pool at Malton and also highlighted that the Derwent Swimming Pool is nearing the end of its operational life and replacement/refurbishment will be required. The emerging NP asserts that both Norton's swimming pool and Malton's Community Sports Centre require extensions and improvements. Policy CF1 is a response to this. A positive impact is registered. The impact is uncertain since the policy itself won't deliver the improvements, instead it would facilitate it if a proposal comes forward.</p>	<p>+</p> <p>U +</p>
<b>SEA 2:</b> To provide the opportunity for all people to meet their housing needs.	1. Does the policy deliver homes which will address an identified local need such as affordable homes?	1. There is no link registered between this draft NP policy and this SEA objective	0
<b>SEA 3:</b> To maintain and promote the distinctiveness of communities within Malton and Norton	1. Would the policy lead to loss of an existing use which contributes to the social character and distinctiveness of Malton and Norton?	<p>1. Policy CF1 applies to the existing site of the Derwent Swimming Pool which is in the Norton on Derwent Conservation Area and located on Church Street close to where it changes to Commercial Street. The building is single storey and is set back from the road. The site incorporates a green area of amenity land with mature trees fronting onto Church Street.</p> <p>Whilst the current site does contribute to social character, there is no reason why a replacement facility or refurbishment would not do the same. There is a therefore a neutral impact registered here.</p>	<p>=</p> <p>=</p>

<sup>19</sup> Infrastructure Delivery Plan, January 2012, Ryedale District Council

Appendix 5c: Assessment of the Regulation 15 version of NP Policy CF1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	2. Would the policy involve new public realm or enhancements to the public realm?	2. It is possible any development taking place here could create or enhance public realm but there is nothing in the policy referring to this. A neutral impact is registered here.	
<b>SEA 4:</b> To reduce crime and the fear of crime in Malton and Norton	1. Would the policy deliver development that would incorporate the principles of Secure by Design, reducing the potential for crime and discouraging anti-social behaviour.	1. There is nothing to indicate in this policy alone that development would incorporate the principles of Secure by Design. A neutral impact is therefore registered.  This is not to assert that the Local Plan and Neighbourhood Plan as a whole would not do this.	=
<b>SEA 5:</b> to maintain and enhance employment opportunities in the NP area.	1. Will this policy deliver or help to deliver improved employment opportunities?	1. The policy supports in principle the provision of expanded community facilities. It is expected this would also deliver new employment opportunities.  Since the policy is an aspirational one and is dependent on a proposal for the actual delivery. This impact is uncertain	U +
<b>SEA 6:</b> To maintain and enhance the vitality of the countryside and town centres.	1. Will the policy protect or enhance the viability and vitality of the town centres?  2. Will the policy protect or enhance	1. By encouraging development that would deliver enhanced community facilities in a town centre location. Yes. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain  2. No direct link.	U+  0

Appendix 5c: Assessment of the Regulation 15 version of NP Policy CF1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	open areas outside the town centre?		
<b>SEA 7:</b> To retain and enhance the factors which are conducive to wealth creation, including personal creativity and attractiveness to investors	1. Does the policy protect, employment opportunities in plan area? 2. Does the policy encourage or deliver more employment opportunities in accessible locations?	1. The policy does not protect employment opportunities.  2. The policy identifies a central location in the NP area as an opportunity for enhanced community facilities. This, if implemented, would delivery employment opportunities in the short and medium term (construction) and the long term (occupation). Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain	=  U +
<b>SEA 8:</b> To diversify the local economy	1. Does the policy assist in diversifying the local economy in Malton and Norton?	1. The policy identifies a central location in the NP area as an opportunity for enhanced community facilities. This, if implemented, would delivery employment opportunities in the short and medium term (construction) and the long term (occupation). This facilities opportunities for diversifying the local economy. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain	U+
<b>SEA 9:</b> To protect and enhance biodiversity in the River Derwent SAC and SSSI	1. Does the policy protect or enhance the River Derwent SAC and SSSI?	1. The site of Derwent Swimming Pool is located south of the River Derwent SAC and SSSI and the railway line separates the building from the river. There is no access from the swimming pool to the river. This would indicate there is little relationship between Policy CF1 and the ecological sensitivity of the River Derwent SAC and SSSI.  The HRA screening <sup>20</sup> however concludes: <i>There is a credible risk that pollution from construction from Policy CF1 could undermine the conservation objectives of the River Derwent SAC and that likely significant effects cannot be ruled out (alone). Consequently, an appropriate assessment is required.</i>	=

<sup>20</sup> See screening section of Habitats Regulations Assessment of the Malton and Norton 2<sup>nd</sup> Pre-submission Neighbourhood Plan December 2022

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Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>At the more detailed assessment stage (the appropriate assessment) the HRA assessment<sup>21</sup> concluded</p> <p><i>“The Council will be able to ascertain beyond reasonable scientific doubt that Policy CF1 will have no adverse effect on the integrity of the River Derwent SAC alone. There would be no need for mitigation, no residual effects, and no need for an in-combination assessment.”</i></p> <p>Furthermore, the policy includes the wording <b><i>The acceptability of any such development is subject to there being no adverse effects on the integrity of the River Derwent Special Area of Conservation.</i></b> A neutral impact is therefore recorded here.</p>	
	<p>2. Does the policy protect or enhance protected flora and fauna?</p>	<p>2. There are existing mature trees on the site. Assuming existing national, Local Plan and emerging NP relating to biodiversity impacts and development are applied, potential impacts during construction and on completion of any potential development would be appropriately managed. Indeed there is potential positive impacts in the long run if development is required to achieve a net gain in biodiversity.</p> <p>Both an uncertain positive impact is registered to reflect the operation stage and an uncertain negative impact to reflect potential impact on the existing trees. The impacts are uncertain since the policy is an aspirational one and is dependent on a development scheme coming forward. There is no indication in the NP that such a scheme is in the pipeline.</p>	<p>U – U +</p>
	<p>3. Does the policy provide opportunities for provision of green infrastructure including linking in</p>	<p>The site has a green corridor along the railway line and green infrastructure in front. There is potential for green infrastructure to be improved, for example through the provision of green roofs or an enhanced open space. However, delivery information is not sufficiently advanced for any conclusions to be drawn on this. An uncertain impact is registered.</p>	<p>U +</p>

<sup>21</sup> See HRA assessment in the Habitats Regulations Assessment of the Malton and Norton  
<sup>2nd</sup> Pre-Submission Neighbourhood Plan, December 2022, Fleming Ecology Limited

Appendix 5c: Assessment of the Regulation 15 version of NP Policy CF1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	with existing green infrastructure?		
<p><b>SEA 10:</b> To maintain and enhance the quality and character of the landscape</p>	<p>1. What impact would this policy have on the Visually Important Undeveloped Areas in the plan area?</p>	<p>1. The site is located on the opposite side of the River Derwent to a large area designated in the Ryedale Local Plan as Visually Important Undeveloped Area. Paragraph 6.1 of the Ryedale Local Sites Plan states that <i>“In general, the VIUA's on the edges of the Market Towns are aimed at protecting areas which, by virtue of their open nature make a significant contribution to the setting of a Town and the role of the setting in influencing and framing the traditional form and character of the settlement. To this end, these sites tend to be larger in scale than VIUA's within settlements.”</i></p> <p>There is potential for a new scheme on this site to have either a negative or positive impact on the VIUA. However, delivery information is not sufficiently advanced for any conclusions to be drawn on this. An uncertain impact is registered</p>	<p>U – U +</p>
<p><b>SEA 11:</b> Reduce long distance commuting and congestion by reducing the need to travel.</p>	<p>1. Would this policy encourage people to walk and cycle rather than travel by car?</p> <p>2. Would this policy lead to highway impacts that would require highway mitigation measures?</p> <p>3. Will the policy protect or enhance access to public rights of way?</p>	<p>1. The policy presents an aspiration for expanded community facilities in this accessible town centre location. Any scheme, if implemented, will help to encourage people to walk and cycle to the leisure facility. It is noted the policy also includes a proviso that consideration should be given to the need for additional off-street car parking to serve an expanded facility. A neutral impact is registered to reflect the potential mixed impacts in this regard.</p> <p>2. It is not known what the highway impacts of any scheme would be. The policy lacks sufficient detail for any conclusion to be drawn on this. No such impacts are therefore registered.</p> <p>3. There are not public rights of way in this location.</p>	<p>=</p> <p>=</p> <p>0</p>

Appendix 5c: Assessment of the Regulation 15 version of NP Policy CF1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<p><b>SEA 12:</b> To ensure future development is resilient to climate change such as development is not vulnerable to flooding, or will increase the risk of flooding elsewhere</p>	<p>1. Does the policy lead to development in areas at risk of flooding e.g. within the Flood Zone 3 or b or within the rapid inundation zone?</p> <p>2. Does the policy lead to increases in flood risk to people and property in the plan area?</p>	<p>1. The Scarborough Borough and Ryedale Level 1 Strategic Flood Risk Assessment (2021) provides detail on the areas of flood risk. An interactive map focusing on Malton and Norton is available to view here <a href="https://www.ryedale.gov.uk/resources/strategic-flood-risk-assessment-2021-map-for-malton-and-norton/">https://www.ryedale.gov.uk/resources/strategic-flood-risk-assessment-2021-map-for-malton-and-norton/</a></p> <p>According to this map, the extent for Policy CF1 is located on the edge of flood zone 3a (High probability: greater or equal to a 1% chance of river flooding in any given year or greater than a 0.5% chance of sea flooding in any given year) and on the edge of flood zone 2 (Medium probability: between a 1% and 0.1% chance of river flooding in any given year or 0.5% and 0.1% chance of sea flooding in any given year.) In terms of the EA's risk of flooding from rivers and sea, the interactive map for Malton and Norton shows that site CF1 falls within the medium risk zone (Medium risk: each year there is a chance of flooding of between 1 in 100 (1%) and 1 in 30 (3.3%.) In terms of risk of flooding from surface water, the policy extents for Policy CF1 does not appear to fall in any of the zones.</p> <p>There is an existing swimming pool/leisure facility on the site. Policy CF1 supports proposals which provide additional capacity/improved leisure facilities and requires proposals to give consideration to the need for any additional off-road parking provision.</p> <p>It is possible this policy will lead to development within the Flood Zone 3a. An uncertain negative impact is therefore registered.</p> <p>2. Annex 3 to the NPPF 2021 places buildings used for leisure in the less vulnerable category in terms of flood risk.</p> <p>According to Table 2: Flood risk vulnerability and flood zone 'incompatibility' in paragraph 079 reference ID: 7-079-20220825 of national planning practice guidance, less vulnerable uses are compatible in Flood Zone 3a. It also clarifies that the exception test is not required for such land uses in zone 3a.</p>	<p>U -</p>

Appendix 5c: Assessment of the Regulation 15 version of NP Policy CF1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p>The NPPF 2021 clarifies that a Flood Risk Assessment should be provided for all development in Flood Zones 2 and 3 and that <i>“Development should only be allowed in areas at risk of flooding where, in light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</i></p> <p><i>(a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</i></p> <p><i>(b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;</i></p> <p><i>(c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</i></p> <p><i>(d) any residual risk can be safely managed; and</i></p> <p><i>(e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”</i></p> <p>2. National planning practice guidance relating to flood risk was last updated in August 2022.</p> <p>Depending on the scale and location of any development coming forward under Policy CF1, national policy may require the proposal to be accompanied by a flood risk assessment. If completed in line with national policy and guidance, this will avoid any adverse impacts on flood risk to property and people. A neutral impact is therefore registered.</p>	<p>=</p>

Appendix 5c: Assessment of the Regulation 15 version of NP Policy CF1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<b>SEA 13:</b> To conserve and where appropriate enhance the significance <sup>22</sup> of the historical and cultural environment.	<p>1. Does the policy conserve or enhance the significance of the designated heritage asset?</p> <p>2. Does the policy conserve or enhance the significance non-designated heritage assets?</p>	<p>1. Policy CF2 applies to the existing site of the Derwent Swimming Pool which is in the Norton on Derwent Conservation Area and located on Church Street close to where it changes to Commercial Street. The conservation area itself is a heritage asset. There are no other heritage assets in this location. The building is single storey and is set back from the road. There is no reason why a replacement facility or refurbishment would not conserve or enhance the conservation area, given other planning policies that would apply. There is a therefore a neutral impact registered here.</p> <p>2. There are no known non-designated heritage assets in this area.</p>	<p>=</p> <p>0</p>
<b>SEA 14:</b> To encourage the use of renewable resources and the development of renewable energy sources within Malton and Norton	Does the policy facilitate the delivery of renewable energy schemes?	There is no relationship between this policy and this SEA objective. The policy neither encourages or discourages the use of renewable resources and the development of renewable energy sources.	0
<b>SEA 15:</b> To make the most efficient use of land	<p>1. Does the policy focus development towards previously developed land.</p> <p>Does the policy focus on</p>	1. The extent of CF1 is all previously developed land. A positive impact is registered here as it directs development to previously developed land.	+

<sup>22</sup> Significance being defined as “the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting” (NPPF Glossary)



Appendix 5c: Assessment of the Regulation 15 version of NP Policy CF1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	maximising efficient uses of land?		
<b>SEA 16:</b> To maintain a high quality environment in terms of air quality	1. Does the policy have an adverse impact on the Malton Air Quality Management area?	1. The Malton Air Quality Management area is located on the northern side of the River Derwent. Increased community facilities at this town centre location could result in increased traffic movements to the town. This could in turn impact negatively on the air quality management area. The impact however is uncertain given the policy is aspirational and depending on a scheme to come forward.	U-



Proposed scoring system for the SEA of the NP

Symbol	Score	Definition
++	Strongly positive impact	Positively influencing change in accordance with the objective
+	Positive impact	The policy is consistent with meeting the objective
=	Neutral impact	The policy will have neither and positive nor a negative impact upon this objective
-	Negative impact	This policy may hinder achievement of this objective
--	Negative impact	This policy would hinder achievement of this objective
U	Uncertain impact	The policy may hinder achievement of this objective, but may have no negative impact. This will depend on implementation.
O	No direct link	There is no direct link between the nature of the policy and the nature of this objective.
U -	Uncertain and negative impact	Uncertain, but the policy may hinder achievement of the objective
U +	Uncertain impact but possibly positive impact.	Uncertain, but the policy may be positively consistent with meeting the objective

Appendix 5d: Assessment of the Regulation 15 version of NP Policy N1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<p><b>SEA 1:</b> To ensure the Malton and Norton local population have access to health, education, leisure and recreation services that are required.</p>	<p>1. Does the policy result in the loss of a community facility or poorer access to a community facility?</p> <p>2. Does the policy result in improved access to community facility</p>	<p>1. No.</p> <p>2. This policy highlights the site shown as N1 on the NP proposals map as an opportunity for regeneration including the development of a public car park. The NP identifies shortage of car parking spaces as presenting an issue for people visiting the town centre. On the basis that improved car parking provision will increase access to shops and services including community facilities (e.g. the swimming pool), a positive impact is registered.</p> <p>The impact is uncertain since the policy itself won't deliver the improvements, instead it would facilitate it if a proposal comes forward.</p>	<p>=</p> <p>U +</p>
<p><b>SEA 2:</b> To provide the opportunity for all people to meet their housing needs.</p>	<p>1. Does the policy deliver homes which will address an identified local need such as affordable homes?</p>	<p>1. There is no link registered between this draft NP policy and this SEA objective</p>	<p>0</p>
<p><b>SEA 3:</b> To maintain and promote the distinctiveness of communities within Malton and Norton</p>	<p>1. Would the policy lead to loss of an existing use which contributes to the social character and distinctiveness of Malton and Norton?</p> <p>2. Would the policy involve new public realm or enhancements to the public realm?</p>	<p>1. No.</p> <p>2. It is possible any development taking place here could create or enhance public realm but there is nothing in the policy referring to this. A neutral impact is registered here.</p>	<p>=</p> <p>=</p>

Appendix 5d: Assessment of the Regulation 15 version of NP Policy N1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
<b>SEA 4:</b> To reduce crime and the fear of crime in Malton and Norton	1. Would the policy deliver development that would incorporate the principles of Secure by Design, reducing the potential for crime and discouraging anti-social behaviour.	1. There is nothing to indicate in this policy alone that development would incorporate the principles of Secure by Design. A neutral impact is therefore registered.  This is not to assert that the Local Plan and Neighbourhood Plan as a whole would not do this.	=
<b>SEA 5:</b> to maintain and enhance employment opportunities in the NP area.	1. Will this policy deliver or help to deliver improved employment opportunities?	1. The policy identifies this site as suitable for regeneration which could include new commercial uses which could help to deliver improved employment opportunities. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain.	U+
<b>SEA 6:</b> To maintain and enhance the vitality of the countryside and town centres.	1. Will the policy protect or enhance the viability and vitality of the town centres?  2. Will the policy protect or enhance open areas outside the town centre?	1. By encouraging development that would deliver enhanced access to shops, services and community facilities in a town centre location. Yes. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain  2. No direct link.	U+  0
<b>SEA 7:</b> To retain and enhance the factors which are conducive to	1. Does the policy protect, employment	1. The policy does not protect employment opportunities.  2. The policy identifies this site as suitable for regeneration which could include new commercial uses which could help to deliver improved employment opportunities in this	=  U +

Appendix 5d: Assessment of the Regulation 15 version of NP Policy N1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
wealth creation, including personal creativity and attractiveness to investors	opportunities in plan area? 2. Does the policy encourage or deliver more employment opportunities in accessible locations?	town centre location. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain	
<b>SEA 8:</b> To diversify the local economy	1. Does the policy assist in diversifying the local economy in Malton and Norton?	1. The policy identifies a central location in the NP area as an opportunity for regeneration. This, if implemented, would deliver employment opportunities in the short and medium term (construction) and the long term (occupation). This facilitates opportunities for diversifying the local economy. Since the policy is an aspirational one and is dependent on a proposal for the actual delivery, this impact is uncertain	U+
<b>SEA 9:</b> To protect and enhance biodiversity in the River Derwent SAC and SSSI	1. Does the policy protect or enhance the River Derwent SAC and SSSI?	1. The land identified as NI is located south of the River Derwent SAC and SSSI and the railway line separates the building from the river. There is no access from this site to the river. This would indicate there is little relationship between Policy N1 and the ecological sensitivity of the River Derwent SAC and SSSI.  The HRA screening <sup>23</sup> however concludes: <i>"There is a credible risk that disturbance and pollution from construction from Policy N1 could undermine the conservation objectives of the River Derwent SAC and that a likely significant effect cannot be ruled out (alone). Consequently, and an appropriate assessment is required."</i>  At the more detailed assessment stage (the appropriate assessment) the HRA assessment <sup>24</sup> found that <i>"The Council will be able to ascertain beyond reasonable doubt that Policy N1 will have no adverse effect on the integrity of the River Derwent SAC alone. There</i>	=

<sup>23</sup> See screening section of Habitats Regulations Assessment of the Malton and Norton 2<sup>nd</sup> Pre-submission Neighbourhood Plan December 2022, Fleming Ecology Limited

<sup>24</sup> See HRA assessment in the Habitats Regulations Assessment of the Malton and Norton 2<sup>nd</sup> Pre Submission Neighbourhood Plan December 2022, Fleming Ecology Limited

Appendix 5d: Assessment of the Regulation 15 version of NP Policy N1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p><i>would be no need for mitigation, no residual effects, and no need for an in-combination assessment.</i></p> <p>Policy N1 does not allow for residential development and also clarifies that any development supported by this policy is subject to there being no adverse effects on the integrity of the River Derwent SAC.</p> <p>A neutral impact is therefore registered.</p>	
	2. Does the policy protect or enhance protected flora and fauna?	2. There is existing vegetation and mature trees on the site. Assuming existing national, Local Plan and emerging NP relating to biodiversity impacts and development are applied, potential impacts during construction and on completion of any potential development would be appropriately managed. Due to largely undeveloped and vegetated nature of the current site an uncertain negative impact is registered. The impacts are uncertain since the policy is an aspirational one and is dependent on a development scheme coming forward. There is no indication in the NP that such a scheme is in the pipeline.	U –
	3.Does the policy provide opportunities for provision of green infrastructure including linking in with existing green infrastructure?	The site is largely undeveloped and vegetated. It already links with the green corridor along the railway line. It is difficult to see how development could provide increased opportunities. There is therefore a neutral impact registered.	=
SEA 10: To maintain and enhance the quality and character of the landscape	1. What impact would this policy have on the Visually Important Undeveloped Areas in the plan area?	1. The site is located on the opposite side of the River Derwent to a large area designated in the Ryedale Local Plan as Visually Important Undeveloped Area. Paragraph 6.1 of the Ryedale Local Sites Plan states that <i>“In general, the VIUA's on the edges of the Market Towns are aimed at protecting areas which, by virtue of their open nature make a significant contribution to the setting of a Town and the role of the setting in influencing and framing the traditional form and character of the settlement. To this end, these sites tend to be larger in scale than VIUA's within settlements.”</i>	U + U -

Appendix 5d: Assessment of the Regulation 15 version of NP Policy N1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		There is potential for a new scheme on this site to have either a negative or positive impact on the VIUA. However, delivery information is not sufficiently advanced for any conclusions to be drawn on this. An uncertain impact is registered	
<b>SEA 11:</b> Reduce long distance commuting and congestion by reducing the need to travel.	<p>1. Would this policy encourage people to walk and cycle rather than travel by car?</p> <p>2. Would this policy lead to highway impacts that would require highway mitigation measures?</p> <p>3. Will the policy protect or enhance access to public rights of way?</p>	<p>1. The policy presents an aspiration for regeneration including a town centre car parking facility in this accessible town centre location. Alone, the policy potentially would discourage walking and cycling to the town centre. A negative impact is registered to reflect the potential mixed impacts in this regard. The impacts are uncertain since the policy is an aspirational one and is dependent on a development scheme coming forward. There is no indication in the NP that such a scheme is in the pipeline</p> <p>2. It is not known what the highway impacts of any scheme would be. The policy lacks sufficient detail for any conclusion to be drawn on this. There is however existing access to this site from the highway. A neutral impact is registered.</p> <p>3. There are no public rights of way in this location.</p>	U-  = =
<b>SEA 12:</b> To ensure future development is resilient to climate change such as development is not vulnerable to flooding, or will increase the risk of flooding elsewhere	1. Does the policy lead to development in areas at risk of flooding e.g. within the Flood Zone 3 or b or within the rapid inundation zone?	<p>The Scarborough Borough and Ryedale Level 1 Strategic Flood Risk Assessment (2021) provides detail on the areas of flood risk. An interactive map focusing on Malton and Norton is available to view here <a href="https://www.ryedale.gov.uk/resources/strategic-flood-risk-assessment-2021-map-for-malton-and-norton/">https://www.ryedale.gov.uk/resources/strategic-flood-risk-assessment-2021-map-for-malton-and-norton/</a></p> <p>According to this map, the site is partly located in flood zone 3a (High probability: greater or equal to a 1% chance of river flooding in any given year or greater than a 0.5% chance of sea flooding in any given year.) In terms of the EA's risk of flooding from rivers and sea, the interactive map for Malton and Norton shows that site N1 falls within the medium zone (Medium risk: each year there is a chance of flooding of between 1 in 100 (1%) and 1</p>	U-



Appendix 5d: Assessment of the Regulation 15 version of NP Policy N1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
	<p>2. Does the policy lead to increases in flood risk to people and property in the plan area?</p>	<p>in 30 (3.3%.) In terms of risk of flooding from surface water, the policy extents for Policy N1, falls within areas at risk of 1 in 1000 chance of flooding each year.</p> <p>The site is currently developed with employment related uses. Policy N1 supports proposals that could regenerate the sites through new retail or light industrial uses and the development of a public car park.</p> <p>It is possible this policy will lead to development within the Flood Zone 3a. An uncertain negative impact is therefore registered.</p> <p>2. Annex 3 to the NPPF 2021 places buildings used for offices, shops and general industry in the less vulnerable category in terms of flood risk. According to Table 2: Flood risk vulnerability and flood zone 'incompatibility' in paragraph 079 reference ID: 7-079-20220825 of national planning practice guidance, less vulnerable uses are compatible in Flood Zone 3a. It also clarifies that the exception test is not required for such land uses in zone 3a. A neutral impact is therefore registered.</p> <p>The NPPF 2021 clarifies that a Flood Risk Assessment should be provided for all development in Flood Zones 2 and 3 and that <i>"Development should only be allowed in areas at risk of flooding where, in light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</i></p> <p><i>(a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</i></p> <p><i>(b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;</i></p> <p><i>(c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</i></p> <p><i>(d) any residual risk can be safely managed; and</i></p>	<p>=</p>

Appendix 5d: Assessment of the Regulation 15 version of NP Policy N1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
		<p><i>(e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan."</i></p> <p>National planning practice guidance relating to flood risk was last updated in August 2022. Depending on the scale and location of any development coming forward under Policy N1, national policy may require the proposal to be accompanied by a flood risk assessment. If completed in line with national policy and guidance, this will avoid any adverse impacts on flood risk to property and people. A neutral impact is therefore registered.</p>	
<p><b>SEA 13:</b> To conserve and where appropriate enhance the significance<sup>25</sup> of the historical and cultural environment.</p>	<p>1. Does the policy conserve or enhance the significance of the designated heritage asset?</p> <p>2. Does the policy conserve or enhance the significance of the non-designated heritage assets?</p>	<p>1. The site covered by Policy N1 lies in the Norton on Derwent conservation area. However there are no statutorily listed buildings in this area. The conservation area itself is a heritage asset. The current site includes vegetated open land and an area of hardcore. There is no reason why a regeneration scheme envisaged under this policy would not conserve or enhance the conservation area, given other planning policies that would apply. There is a therefore a neutral impact registered here</p> <p>2. There are no known non-designated heritage assets in this area.</p>	<p>=</p> <p>0</p>
<p><b>SEA 14:</b> To encourage the use of renewable resources and the development of renewable energy</p>	<p>Does the policy facilitate the delivery of renewable energy schemes?</p>	<p>There is no relationship between this policy and this SEA objective. The policy neither encourages or discourages the use of renewable resources and the development of renewable energy sources.</p>	<p>0</p>

<sup>25</sup> Significance being defined as "the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting" (NPPF Glossary)

Appendix 5d: Assessment of the Regulation 15 version of NP Policy N1 against the SEA objectives June 2023

Proposed SEA objective	Appraisal prompts	Impact - Description	Impact - Symbol
sources within Malton and Norton			
<b>SEA 15:</b> To make the most efficient use of land	<p>1. Does the policy focus development towards previously developed land.</p> <p>Does the policy focus on maximising efficient uses of land?</p>	<p>1. N1 is partly previously developed land. A positive impact is registered here as it directs development to previously developed land.</p>	+
<b>SEA 16:</b> To maintain a high quality environment in terms of air quality	<p>1. Does the policy have an adverse impact on the Malton Air Quality Management area?</p>	<p>1. The Malton Air Quality Management area is located on the northern side of the River Derwent. Increased car parking or commercial uses at this town centre location could result in increased traffic movements to the town. This could in turn impact negatively on the air quality management area. The impact however is uncertain given the policy is aspirational and depending on a scheme to come forward.</p>	U-

**Appendix 6: Recommended amendments to Policies RC1, RC2, CF1 and N1, made in SEA environmental report accompanying the 2<sup>nd</sup> Pre-submission Neighbourhood Plan (January 2023)**

**Policy RC1: Malton and Norton River Corridor Development**

Annex 3 to the NPPF 2021 classifies amenity open space as water-compatible development and cafes and hot food takeaways as less vulnerable uses. Any proposal to locate a café/refreshment facility would need to be accompanied by a Flood Risk Assessment that satisfies national flood risk requirements following the undertaking of the sequential test. According to Table 2: Flood risk vulnerability and flood zone 'incompatibility' in paragraph 079 reference ID: 7-079-20220825 of national planning practice guidance, the exception

s test is not required for less vulnerable uses in the zone 3a.

2. The NPPF 2021 clarifies that a Flood Risk Assessment should be provided for all development in Flood Zones 2 and 3 and paragraph 167 states that *"Development should only be allowed in areas at risk of flooding where, in light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*

*(a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*

*(b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*

*(c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*

*(d) any residual risk can be safely managed; and*

*(e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan."*

National planning practice guidance relating to flood risk was last updated in August 2022.

It is recommended Policy RC1 is amended to reflect up to date national policy set out in the NPPF 2021 and national practice guidance available at <https://www.gov.uk/guidance/flood-risk-and-coastal-change> relating to flood risk. Development proposals should also be informed by the Scarborough Borough and Ryedale Level 1 Strategic Flood Risk Assessment (November 2021) when considering potential future flood risks to development and land use.

Suggestion is to amend the first bullet in the fourth paragraph to reflect up to date policy and guidance and latest available SFRA. For example, as follows:

*The preparation of a flood risk assessment (FRA), where the development (e.g. a café/refreshment facility) that is proposed requires it. The FRA should be informed by flood risk modelling set out in the latest available published Strategic Flood Risk Assessment applicable to the plan area and should demonstrate the proposal meets the requirements (including the undertaking of the sequential test) and up to date guidance set out in the NPPF and national planning practice guidance. The satisfaction of flood risk requirements, including sequential testing, as directed by the Environment Agency*

**Policy RC2: Regeneration of Land North and South of County Bridge**

The policy states that no residential or other vulnerable use (in terms of flood risk) can come forward on this land. Annex 3 to the NPPF 2021 categorises development into five categories for flood risk purposes: essential infrastructure, highly vulnerable, more vulnerable, less vulnerable and water compatible development. It is assumed the intention of Policy RC2 is to allow for uses falling into the less vulnerable category. This includes *Buildings used for shops; financial, professional and other*

## Appendix 6: Recommended amendments to Policies RC1, RC2, CF1 and N1, made in SEA environmental report accompanying the 2<sup>nd</sup> Pre-submission Neighbourhood Plan (January 2023)

*services; restaurants, cafes and hot food takeaways; offices; general industry, storage and distribution; non-residential institutions not included in the 'more vulnerable' class; and assembly and leisure.*

Policy RC2 supports, in principle, development (albeit less vulnerable types of development) in Flood Zone 3. An uncertain negative impact is therefore registered here.

According to Table 2: Flood risk vulnerability and flood zone 'incompatibility' in paragraph 079 reference ID: 7-079-20220825 of national planning practice guidance, less vulnerable uses are compatible in Flood Zone 3a. It also clarifies that the exception test is not required for such land uses in zone 3a.

The NPPF 2021 clarifies that a Flood Risk Assessment should be provided for all development in Flood Zones 2 and 3 and paragraph 167 (provided above against RC1) how decisions should be made in light of that assessment.

National planning practice guidance relating to flood risk was last updated in August 2022.

Policy RC2 excludes the possibility of residential and other vulnerable uses from coming forward under this policy. The policy also requires the sequential test and where applicable the exceptions test should be applied. A neutral impact is therefore registered.

However, it is recommended Policy RC2 is amended to reflect up to date national policy set out in the NPPF 2021 and national practice guidance available at <https://www.gov.uk/guidance/flood-risk-and-coastal-change> relating to flood risk. Development proposals should also be informed by the Scarborough Borough and Ryedale Level 1 Strategic Flood Risk Assessment (November 2021) when considering potential future flood risks to development and land use.

Suggested alternative wording is to amend the first bullet in the third paragraph to reflect up to date policy and guidance and latest available SFRA. For example, as follows

*Residential development or other highly or more vulnerable uses (in terms of flood risk) will not be supported in this location. The preparation of a flood risk assessment (FRA), where the development (e.g. employment related development such as offices, general industry) that is proposed requires it. The FRA should be informed by flood risk modelling set out in the latest available published Strategic Flood Risk Assessment applicable to the plan area and should demonstrate the proposal meets the requirements (including the undertaking of the sequential test) and up to date guidance set out in the NPPF and national planning practice guidance. No residential or other vulnerable use (in terms of flood risk) coming forward on this land and subject to development meeting the sequential test and where applicable the exceptions test in line with national policy*

### Policy CF1: Norton's Swimming Pool

The Scarborough Borough and Ryedale Level 1 Strategic Flood Risk Assessment (2021) provides detail on the areas of flood risk. An interactive map focusing on Malton and Norton is available to view here <https://www.ryedale.gov.uk/resources/strategic-flood-risk-assessment-2021-map-for-malton-and-norton/>

According to this map, the extent for Policy CF1 is located on the edge of flood zone 3a (High probability: greater or equal to a 1% chance of river flooding in any given year or greater than a 0.5% chance of sea flooding in any given year) and on the edge of flood zone 2 (Medium probability: between a 1% and 0.1% chance of river flooding in any given year or 0.5% and 0.1% chance of sea flooding in any given year.) In terms of the EA's risk of flooding from rivers and sea, the interactive

## Appendix 6: Recommended amendments to Policies RC1, RC2, CF1 and N1, made in SEA environmental report accompanying the 2<sup>nd</sup> Pre-submission Neighbourhood Plan (January 2023)

map for Malton and Norton shows that site CF1 falls within the medium risk zone (Medium risk: each year there is a chance of flooding of between 1 in 100 (1%) and 1 in 30 (3.3%).) In terms of risk of flooding from surface water, the policy extents for Policy CF1 does not appear to fall in any of the zones.

There is an existing swimming pool/leisure facility on the site. Policy CF1 supports proposals which provide additional capacity/improved leisure facilities and requires proposals to give consideration to the need for any additional off-road parking provision.

It is possible this policy will lead to development within the Flood Zone 3a. An uncertain negative impact is therefore registered.

2. Annex 3 to the NPPF 2021 places buildings used for leisure in the less vulnerable category in terms of flood risk.

According to Table 2: Flood risk vulnerability and flood zone 'incompatibility' in paragraph 079 reference ID: 7-079-20220825 of national planning practice guidance, less vulnerable uses are compatible in Flood Zone 3a. It also clarifies that the exception test is not required for such land uses in zone 3a.

The NPPF 2021 clarifies that a Flood Risk Assessment should be provided for all development in Flood Zones 2 and 3 and paragraph 167 (provided above against RC1) how decisions should be made in light of that assessment.

2. National planning practice guidance relating to flood risk was last updated in August 2022. Depending on the scale and location of any development coming forward under Policy CF1, national policy may require the proposal to be accompanied by a flood risk assessment. If completed in line with national policy and guidance, this will avoid any adverse impacts on flood risk to property and people. A neutral impact is therefore registered.

However, to reflect national policy requirements, it is recommended Policy CF1 is amended to reflect up to date national policy set out in the NPPF 2021 and national practice guidance available at <https://www.gov.uk/guidance/flood-risk-and-coastal-change> relating to flood risk. Development proposals should also be informed by the Scarborough Borough and Ryedale Level 1 Strategic Flood Risk Assessment (November 2021) when considering potential future flood risks to development and land use. Suggested additional wording to include in the policy is to provide text to reflect up to date policy and guidance on flooding and latest available SFRA. For example, the following paragraph:

*Depending on the scale and location of the development in relation to the flood risk zones, a flood risk assessment (FRA), may be required. The FRA should be informed by flood risk modelling set out in the latest available published Strategic Flood Risk Assessment applicable to the plan area and should demonstrate the proposal meets the requirements (including the undertaking of the sequential test) and up to date guidance set out in the NPPF and national planning practice guidance*

### **Policy N1: Land to the Rear of Commercial Street:**

The Scarborough Borough and Ryedale Level 1 Strategic Flood Risk Assessment (2021) provides detail on the areas of flood risk. An interactive map focusing on Malton and Norton is available to view here <https://www.ryedale.gov.uk/resources/strategic-flood-risk-assessment-2021-map-for-malton-and-norton/>

## Appendix 6: Recommended amendments to Policies RC1, RC2, CF1 and N1, made in SEA environmental report accompanying the 2<sup>nd</sup> Pre-submission Neighbourhood Plan (January 2023)

According to this map, the site is partly located in flood zone 3a (High probability: greater or equal to a 1% chance of river flooding in any given year or greater than a 0.5% chance of sea flooding in any given year.) In terms of the EA's risk of flooding from rivers and sea, the interactive map for Malton and Norton shows that site N1 falls within the medium zone (Medium risk: each year there is a chance of flooding of between 1 in 100 (1%) and 1 in 30 (3.3%).) In terms of risk of flooding from surface water, the policy extents for Policy N1, falls within areas at risk of 1 in 1000 chance of flooding each year.

The site is currently developed with employment related uses. Policy N1 supports proposals that could regenerate the sites through new retail or light industrial uses and the development of a public car park.

It is possible this policy will lead to development within the Flood Zone 3a. An uncertain negative impact is therefore registered.

2. Annex 3 to the NPPF 2021 places buildings used for offices, shops and general industry in the less vulnerable category in terms of flood risk.

According to Table 2: Flood risk vulnerability and flood zone 'incompatibility' in paragraph 079 reference ID: 7-079-20220825 of national planning practice guidance, less vulnerable uses are compatible in Flood Zone 3a. It also clarifies that the exception test is not required for such land uses in zone 3a. A neutral impact is therefore registered.

The NPPF 2021 clarifies that a Flood Risk Assessment should be provided for all development in Flood Zones 2 and 3 and paragraph 167 (provided above against RC1) how decisions should be made in light of that assessment.

National planning practice guidance relating to flood risk was last updated in August 2022. Depending on the scale and location of any development coming forward under Policy N1, national policy may require the proposal to be accompanied by a flood risk assessment. If completed in line with national policy and guidance, this will avoid any adverse impacts on flood risk to property and people. A neutral impact is therefore registered.

However, to reflect national policy requirements, it is recommended Policy N1 is amended to reflect up to date national policy set out in the NPPF 2021 and national practice guidance available at <https://www.gov.uk/guidance/flood-risk-and-coastal-change> relating to flood risk. Development proposals should also be informed by the Scarborough Borough and Ryedale Level 1 Strategic Flood Risk Assessment (November 2021) when considering potential future flood risks to development and land use.

Suggested additional wording to include in the policy is to amend the second paragraph to reflect to up to date policy and guidance on flooding and latest available SFRA. For example as follows:  
*Residential development or other highly or more vulnerable uses will not be supported in this location. Depending on the scale and location of the development in relation to the flood risk zones, a flood risk assessment (FRA), may be required. The FRA should be informed by flood risk modelling set out in the latest available published Strategic Flood Risk Assessment applicable to the plan area and should demonstrate the proposal meets the requirements (including the undertaking of the sequential test) and up to date guidance set out in the NPPF and national planning practice guidance*