

**From:**  
**To:**  
**Subject:** RE: Minerals and Waste Joint Plan - Matter arising from Examination in Public  
**Date:** 03 April 2018 10:41:31  
**Importance:** High

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Dear Rachel,

Thank you for sending these proposed changes through to me.

### **Site MJP21**

Historic England was consulted by NYCC on the original Application No. NY/2010/0356/ENV in October 2010. We were reconsulted about proposed changes to the scheme in October 2014 and, again, in December 2016. On each occasion we responded that we did not wish to offer any comments at that particular occasion and advised that the proposal be determined in accordance with national and local Policy guidance and on the basis of your specialist conservation advice. At no time did we ever state that we had 'no objections' to this proposal.

As you will be aware, in our response to the Publication Draft of the Minerals and Waste plan in November 2016, we expressed our concerns about the impact which mineral development in this location might have upon the Grade II Listed stable block to Killerby Hall. In January 2011 there was a joint visit with NYCC, Tarmac's Heritage Consultant and Historic England. The site visit confirmed our concerns about the harm which mineral development in this location might have upon the setting of the Grade II building and, in order to remove this harm, we suggested that the boundary of the site should be amended to remove the field to the south-east of the Listed Stable block. This was incorporated in PC102.

Consequently, the Inspector's approach towards this site seems, in part, to be based upon a misinterpretation of Historic England's position. However, since NYCC has already resolved to approve Application NY/2010/0356/ENV (and presumably is only awaiting the signing of the S106 Agreement) reluctantly we would agree to the approach being suggested by the Inspector.

### **MJP17**

We do not support the suggested amendments to this site and we do not consider that the position regarding MJP21 should be used as precedent for amending the boundaries to include the land you have indicated.

Rudd Hall occupies a prominent hill-top site and has clearly been designed to command views across the surrounding landscape. The Heritage Impact Assessment, which accompanied the Sustainability Appraisal, considered that this site "*forms an important part of the agricultural landscape context*" of this building. We would concur with this evaluation.

In a similar manner, the principal elevation of Gyll Hall commands views in a southerly direction across the land which falls away from the house towards Lords Lane. Once again, the Assessment considered that this area formed part of "*the*



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**From:** Rachel Pillar @northyorks.gov.uk]  
**Sent:** 23 March 2018 15:45  
**To:** Smith, Ian  
**Cc:** @amecfw.com; @tarmac.com)  
**Subject:** Minerals and Waste Joint Plan - Matter arising from Examination in Public

Dear Ian,

The Examination in Public into the Minerals and Waste Joint Plan opened on 27 February 2018 and has been taking place during the past few weeks and is reconvening for a further day on 13<sup>th</sup> April to address some outstanding matters relating to a few topics arising from the earlier hearing days.

One of the matters we have been asked by the Inspector to address was the proposed allocation of the MJP17 site (Land to the south of Catterick).

To point this in context: when Killerby MJP21 was discussed at the EIP on 27 February, one of matters considered was that no objections were raised by Historic England to the site boundary as proposed within the planning application and therefore the Inspector considers that the whole of the MJP21 submission should be included, i.e. retain the site boundary as in the Publication Draft. The Inspector considers it may be appropriate for a wider area to be identified at MJP17, as a Preferred Area of Search, in order to give some flexibility given that there was, unlike at Killerby MJP21, no current planning application that could inform the matter with more detailed information on the site design, potential impacts on historic assets, restoration proposals, etc.

She requested that the revised area and some additional text highlighting the Historic England concerns be inserted into the key sensitivities and development requirements for the site be discussed with the company and Historic England.

I have briefly discussed the matter with the company and now attach for your comments a draft plan showing the MJP17 site allocation (which is as per the Publication Draft) and the proposed Preferred Area (which equates to the remainder of the site that was proposed as Preferred Options).

With regards to the wording of the Key Sensitivities and Development Requirements, the draft text is :

#### MJP17

Draft proposed Main Modification      Revise 3<sup>rd</sup> bullet point of Key sensitivities on page 37 of Appendix 1 (CD18) as following:

Heritage asset issues [as identified by Historic England](#), including proximity to and

impact on: Scheduled Monuments including Bainesse settlement, WWII fighter pens and round barrow, archaeological remains, Listed Buildings including Rudd Hall and Ghyll Hall, Registered and unregistered park and gardens, including Hornby Castle Park.

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Draft proposed Main Modification      Revise 3<sup>rd</sup> bullet point of Development requirements on page 33 of Appendix 1 (CD18) as following:

Appropriate site design and landscaping to mitigate impact on: heritage assets [as identified by Historic England](#) (Scheduled Monuments including Bainesse settlement, WWII fighter pens and round barrow, archaeological remains, Listed Buildings including Rudd Hall and Ghyll Hall, Registered and unregistered park and gardens including Hornby Castle Park), Hackforth and East Appleton villages, landscape features and their respective settings and users of the A1.

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#### MJP21

Draft proposed Main Modification      Revise 3<sup>rd</sup> bullet point of Key sensitivities on page 33 of Appendix 1 (CD18) as following:

Heritage asset issues [as identified by Historic England](#), including proximity to and impact on: Scheduled Monuments including: World War II fighter pens at Catterick, Castle Hills Motte & Bailey Castle, Bainesse settlement, archaeological remains, Listed Buildings including at: Oran House, Killerby Hall, Hook Car Farmhouse, Kirkby Hall, Friars Garth, Kiplin Hall, Kirkby Fleetham Conservation Area, Hornby Park Registered park and garden and Killerby Hall unregistered park and gardens.

Draft proposed Main Modification      Revise 3<sup>rd</sup> bullet point of Development requirements on page 33 of Appendix 1 (CD18) as following:

Appropriate site design and landscaping of site to mitigate impact on: heritage assets [as identified by Historic England](#) (Scheduled Monuments including: World War II fighter pens at Catterick, Castle Hills Motte & Bailey Castle, Bainesse settlement, archaeological remains, Listed Buildings including at: Oran House, Killerby Hall, Hook Car Farmhouse, Kirkby Hall, Friars Garth, Kiplin Hall, Kirkby Fleetham Conservation Area, Hornby Park Registered park and garden and the unregistered park and gardens at Killerby Hall), local landscape features and their respective settings.

I would be grateful if you could send any comments on this matter to us by 10<sup>th</sup> April. In the meantime if you have any queries please do not hesitate to contact me on my return from leave on 3<sup>rd</sup> April.

Yours sincerely

Rachel Pillar

Senior Planning Policy Officer

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