



Ryedale District Council

REPORT TO: Policy & Resources Committee

DATE: 6th December 2007

REPORTING OFFICER: Forward Planning & Economic Development
Manager
Julian Rudd

SUBJECT: Ryedale LDF & Local Development Scheme

WARDS AFFECTED: All

1.0 PURPOSE OF REPORT

1.1 For Members to agree a revised approach to the delivery of the Local Development Framework (LDF) and the Local Development Scheme (LDS), the three-year project plan for the delivery of the LDF.

2.0 RECOMMENDATION

That Members agree the revised Local Development Scheme attached to this report at Annex 1.

3.0 REASONS SUPPORTING THE DECISION

3.1 Experiences of the new planning system over the last three years, together with more recent events (outlined in this report), require a fundamental revision of the way in which the Council delivers the LDF. As the LDF must be produced in accordance with an up to date LDS, this will require a new LDS that will need to be agreed with the Government Office (GOYH).

4.0 BACKGROUND AND INTRODUCTION

4.1 At the April 2007 meeting of this Committee, Members agreed key revisions to the existing Local Development Scheme. Central to this was the prioritisation of work to enable the resubmission of the Core Strategy, following the 'unsound' verdict in January 2007. The scheme also scheduled work on three other Development Plan Documents and one Supplementary Planning Document:

- Housing Delivery DPD
 - Employment Land Allocations DPD
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- Malton and Norton Action Area Plan DPD
- Developer Contributions for strategic transport infrastructure SPD.

The LDS also listed a range of development plan and supplementary documents that will be produced in the future.

4.2 The revised Local Development Scheme was submitted to the GOYH earlier in the year although it is currently subject to a holding direction and has not been brought into effect. Concerns were raised that the proposed examinations were scheduled too close together and the Authority was asked to look further at this. The GOYH is itself under pressure to ensure that realistic, revised LDS's are put in place and has requested that Ryedale submits a revised LDS as soon as possible. The GOYH has stated that any revised LDS must represent a definitive programme, which will only be changed in exceptional circumstances.

4.3 It is now three years since the introduction of the new system and Members will be aware that the transition to new LDF's has been far from smooth. The role and content of different documents has been continually shaped through the examination process and, in such a process orientated system, it has proved difficult for Authorities to respond quickly to changing expectations. Nationally, progress in the production of LDF's has been very slow and, in many respects the content of LDF's and the roles of different documents appear to be evolving in a direction that was not originally envisaged when the system was introduced.

4.4 In particular, it is considered that the following more recent issues demand a fundamental rethink of the production of the LDF. These relate to;

- The National Housing Agenda
- Proposed Changes to the Regional Spatial Strategy
- The relationship between the Core Strategy and land allocations
- Increased Examination Costs

National Housing Agenda

4.5 The current national housing agenda is dominating the policy climate at all levels and has implications for the LDF and the work priorities of the Forward Planning team. This Committee recently considered some of these issues in terms of the Housing Green paper.

4.6 Following the verdict on the Core Strategy at the end of last year and a subsequent meeting with GOYH and the Planning Inspectorate, officers were confident that the document could be resubmitted relatively quickly, following the necessary consultation. However, within

the space of the last six months it has become very clear from discussions with GOYH that Core Strategies are now required to contain a level of detail, particularly in relation to housing supply, that was not expected when the strategy was examined last year or when the Council undertook further consultation in the summer.

- 4.7 Coupled with this, the introduction of PPS3 (Housing), in November 2006 requires Authorities to produce Strategic Housing Land Availability Assessments (SHLAA's). These are documents which identify sites with the potential for housing to help inform decisions on future land allocations. Given the emphasis on maintaining and delivering a supply of housing, it is almost certain that these documents will be used to inform the release of land in the interim, before allocations are adopted. At the present time, the Council cannot demonstrate a 5-year land supply for housing as required by PPS3 and it is vulnerable to speculative applications for housing development. Against this, the production of the SHLAA must be a priority for the team. Additionally, the new Housing and Planning Delivery Grant criteria reflect the need to produce the SHLAA.

Proposed Changes to the Regional Spatial Strategy

- 4.8 Members will be aware that this is the subject of another item on this agenda. Many of the proposed changes to the RSS have been in response to the national housing agenda referred to above. The changes are subject to consultation and it is possible that the RSS may be amended again before it emerges in its finalised form. It is anticipated that the Secretary of State will publish the RSS in March 2008. Clearly a revised Core Strategy and the LDF as a whole, will need to take full account of the finalised RSS.

Relationship between the Core Strategy and Land Allocation documents

- 4.9 The most recent consultation on the Core Strategy was held in the summer. It was designed to take stock of the progress made and to undertake the consultation necessary to address the policy gaps in the strategy that were identified by the Inspector, notably the issue of apportioning levels of development to different settlements.
- 4.10 Advice from the GOYH and the Planning Inspectorate has been that the inclusion of proportions should principally be a 'strategy-led' issue, guided by the settlement hierarchy and the availability of land. However, it is evident from the recent consultation (the outcomes of which are detailed in a separate LDF report on this agenda) that a key concern of local people is the more detailed relationship between the level of development and the impact upon infrastructure and local character.

- 4.11 Despite dialogue with GOYH and the Planning Inspectorate the extent to which proportions in a Core Strategy should be evidenced remains unclear and guidance appears to shift. Clearly the Council cannot run the risk of having the document being found unsound again. Equally, it is vital that the Council are sensitive to public concerns. It is considered that these issues can only be addressed if proportions are established in conjunction with more detailed site- specific work.

Examination Costs

- 4.12 There have been significant increases in the examination costs charged by the Planning Inspectorate since the Core Strategy was examined in 2006. In April 2008, charges will increase by 46% from £679 per day to £993 per day.
- 4.13 Most Local Development Schemes were originally prepared to reflect the spirit and purpose of the new planning system and committed to the production of a range documents, assuming that they would be relatively quick to produce. This has not proved to be the case and within the context of increasing costs, it is considered that the LDF should contain the minimum of Development Plan Documents that are required to provide the necessary policy framework for the District.

5.0 REPORT

Proposed Way Forward

- 5.1 The proposed LDS at Annex 1 represents a fundamental review of the previous programme. In essence, it looks to:
- More closely align work on the Core Strategy and site allocations (and the SHLAA).
 - Reduce/rationalise the number of Development Plan Documents to be prepared.
- 5.2 Producing the Core Strategy in closer alignment with allocations work will enable site-specific work to be prioritised. At the same time it will inform the detailed additions that are required for the Core Strategy, notably the inclusion of proportions and broad locations for growth for each settlement. It is proposed that the Core Strategy will not be re-submitted for examination until the Council is ready to consult on Preferred Site Options. The advantages of this are:
- Enhanced public understanding of the relationship between the levels of development and the impact on each of the towns
 - A very detailed evidence base to support the Core Strategy at a future examination that will minimise the risk of the document being found unsound again.
 - The finalised version of the Regional Spatial Strategy would be able to be fully reflected in the Core Strategy

- It is flexible enough to ensure that any further shifts in the role/content of the Core strategy can be addressed
- 5.3 The revised LDS proposes a reduction in the number of Development to:
- **Core Strategy DPD**
 - **Facilitating Development DPD** (to include land allocations for each of the major land uses (including housing and employment), key policies for the supply of new development and actions for each of the main settlements, including that range of developer contributions that will be sought form new development in each locality)
 - **Managing Development DPD** (to include key development control policies and designations)
 - **Proposals Map DPD**
 - **Helmsley DPD** (To be prepared jointly between RDC and the National Park to ensure a co-ordinated/joint approach to the future development of the Town)
- 5.4 The main changes in this approach are that the separate allocations and Action Area issues will be amalgamated into one document. The advantages associated with this are that it:
- Reflects emerging good practise, which expects Action Area documents to be focussed on small, defined areas rather than on a settlement-wide basis
 - Allows for all future land use changes in each area to be more readily apparent
 - Avoids inevitable duplication between land allocation documents and separate Action Plans
 - Reduces the costs involved in preparing a greater number of DPDs particularly in terms of examination costs
 - Production process will be more manageable given the complexities of the new system and sustainability appraisal requirements
- 5.5 The proposed LDS retains the commitment to producing interim SPD for contributions to Strategic Transport Infrastructure in Malton and Norton. Initial consultation on the document has taken place. However, the document demands close joint working with NYCC and their consultants to fine-tune the traffic model. This work is needed before the draft of the SPD can be finalised. Both parties have experienced difficulties resourcing this work, although it is understood that progress will be resumed in the New Year.
- 5.6 The proposed LDS includes a review of the timetable for production to reflect the priority need to prepare the SHLAA and reflecting the fact

that the Forward Planning team will be two team members down (the technician and one policy officer) entering the New Year, with much uncertainty over the ability to recruit replacements.

6.0 OPTIONS

- 6.1 It is considered that within the climate of the current housing agenda, the Council has little choice but to prioritise the production of the SHLAA. Whilst there is a very strong relationship between the SHLAA and the LDF, in a small team this will inevitably mean that the production of LDF documents will be put back. In the current climate, if the Council were to continue to prioritise the Core Strategy ahead of the SHLAA it would run the risk of having the document being found unsound again and the period of time during which the Council would be vulnerable to speculative applications for new housing development would be extended.
- 6.2 It is the Council's decision to decide upon the number and range of documents that it will include in its LDF. However, on the basis of the issues outlined in the report it is considered that the proposed rationalisation of documents is appropriate.

7.0 FINANCIAL IMPLICATIONS

- 7.1 The costs associated with plan making are significant and even the relatively short 2006 Examination incurred costs of around £45K for the District Council, regardless of the printing, consultation and other costs involved with earlier stages of plan production. The significant bulk of Examination costs are the fees of the Planning Inspectorate and these are to almost double in 2008.
- 7.2 In 2005 Members agreed to a three-year programme of contributions to the LDF budget and the current balance is some £26K. In recognition of the ongoing commitment required, this Committee agreed in June 2007 to use funds within the Service Investment Fund to contribute a further £50K to the LDF budget. It is anticipated that this amount will fund the 2008/9 and 2009/10 financial years in terms of the LDF activities planned during that period (should Members accept the approach set out within this report). Members will then be advised further regarding the financial situation and needs.

8.0 LEGAL IMPLICATIONS

- 8.1 The Council must have an up to date Local Development Scheme, agreed with the Government Office in order to progress the LDF.

9.0 RISK ASSESSMENT

- 9.1 The report refers to a range of risks that the Council would be exposed to if it chose not to revise the way in which it approaches the delivery of the LDF.

10.0 CONCLUSION

10.1 The recommendation is appropriate based on the issues outlined in the report.

Background Papers: Policy & Resources Committee 12th April 2007.

OFFICER CONTACT: Please contact Jill Thompson, Planning Policy Manager. If you require any further information on the contents of this report. The officer can be contacted at Ryedale House, 01653 600666 ext 309 or at jill.thompson@ryedale.gov.uk

CORPORATE POLICY APPRAISAL FORM

Annex A

Policy Context	Impact Assessment	Impact +ve -ve Neutral
Community Plan Themes <i>(Identify any/all that apply)</i>	The LDF would help to facilitate the delivery of many Community Plan objectives	+
Corporate Objectives/Priorities <i>(Identify any/all that apply)</i>	The LDF would help to facilitate the delivery of many corporate policies	+
Service Priorities	Forward Planning and Economic Development	+
Financial	Service Unit budget	
Legal Implications	No direct legal implications	
Procurement Policies	N/A	
Asset Management Policies	N/A	
LA21 & Environment Charter	No direct implications	
Community Safety	No direct implications	
Equalities	No direct implications	
E-Government	No direct implications	
Risk Assessment	Failure to revise the LDS would result in a high risk that LDF documents would be found procedurally unsound. Failure to adopt a realistic timetable would risk the loss of Housing and Planning Delivery Grant Revisions proposed are aimed at providing a more flexible LDF/mitigating the risks associated with an evolving system. Failure to prioritise the production of the SHLAA increase the length of time the Council is vulnerable to speculative applications for new housing development.	
Estimated Timescale for achievement	Consultation July/August 2007.	

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