



COUNCIL

Council Summons and Agenda

You are hereby summoned to attend an **Ordinary Meeting of Ryedale District Council** to be held in the **Council Chamber, Ryedale House, Malton** on **Thursday 1 September 2011 at 6.30pm** in the evening for the transaction of the following business, after Prayers:

Agenda

1 **Emergency Evacuation Procedure**

The Chairman to inform Members of the Public of the emergency evacuation procedure.

2 **Apologies for absence**

3 **Public Question Time**

4 **Minutes**

(Pages 1 - 14)

To approve as a correct record the minutes of the Ordinary Meeting of Council held on 18 July 2011.

5 **Urgent Business**

To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.

6 **Declarations of Interest**

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

7 Announcements

To Receive any announcements from the Chairman and/or the Head of Paid Service.

8 To Receive any Questions submitted by Members Pursuant to Council Procedure Rule 10.2 (Questions on Notice at Full Council)

From Councillor Clark:

To the Chair of Overview and Scrutiny:

“What are his views on the relationship between RDC decision making processes and the Overview and Scrutiny Committee?”

9 To Receive a Statement from the Leader of the Council and to Receive Questions and Give Answers on that Statement

Reports of Officers of the Council

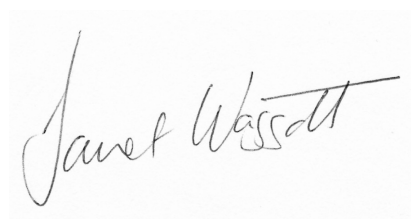
10 Implications of the Draft National Planning Policy Framework (NPPF)
(Pages 15 - 36)

11 Representation on Outside Organisations

To appoint to the following vacant places on outside bodies:

Ryedale Voluntary Action – Northern – one place (following the resignation of Cllr Mrs Frank as the Council’s representative)

12 Any other business that the Chairman decides is urgent



Janet Waggott
Chief Executive

Council

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton on Monday 18 July 2011**

Present

Councillors Acomb
 Andrews
 Arnold
 Bailey
 Mrs Burr MBE
 Clark
 Mrs Cowling
 Cussons
 Ms Denniss
 Mrs Frank
 Fraser
 Ms Goodrick
 Hawkins
 Hicks
 Hope
 Ms Hopkinson
 Ives
 Knaggs
 Mrs Knaggs
 Maud
 Raper
 Richardson
 Ms Sanderson
 Mrs Shields
 Wainwright
 Walker
 Ms Ward
 Windress
 Woodward

In Attendance

Trevor Anderson
Nicki Lishman (Secretary)
Phil Long
Janet Waggott
Anthony Winship

Minutes

24 **Minute's Silence for Honorary Alderman Colin Todd**

The Chairman of the Council requested that all attendees and Members stand for a minute in silence to remember Honorary Alderman Colin Todd who had recently passed away.

25 **Apologies for absence**

Apologies for absence were received from Councillor Legard.

26 **Public Question Time**

The following question was submitted by D D Barber.

"James Murdoch, of News International, in his McTaggart lecture in 2009, argued that "There is an inescapable conclusion that we must reach if we are to have a better society. The only reliable, durable and perpetual guarantor of independence is profit.

Bearing in mind that many councils in this country are contracting our services to "for profit organisations" has or is this council considering doing likewise?. If so which services are likely to be contracted out?"

The Chairman thanked Mr Barber for his question and replied that:

"This Council currently has no plan to contract out services to for profit organisations. The Council is aware of the White Paper, released last week from the Government, on Open Public Services and is considering this accordingly. The White Paper sets out the principles for reforming public services and how they apply to existing policies and outlines a range of wider ambitions which councils will be consulted on."

27 **Minutes**

The minutes of an Ordinary Meeting of the Council held on 19 May 2011 were presented.

Resolved

That the minutes of an Ordinary Meeting of the Council held on 19 May 2011 be approved and signed by the Chairman as a correct record.

28 **Urgent Business**

There were no items of urgent business which the Chairman considered should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972 (as amended).

29 **Declarations of Interest**

The following declarations of interest were received:

Councillor Raper declared a personal interest in Minute No 9 (Capital Proposal regarding Ryedale Pool (Pickering) Gym Facility) as a member of Derwent Gym.

Councillor Mrs Cowling declared a personal interest in Minute No 7 (Review of Civic Budget) as Vice-Chairman of the Council.

Councillor Arnold declared a personal interest in Minute No 7 (Review of Civic Budget) as Chairman of the Council.

Councillor Clark declared a personal interest in Item 11 Motion 1 as he is an agnostic.

30 **Announcements**

The Chairman announced the following;

The Chairman is hosting an Auction of Promises at Helmsley Walled Garden on 10 September 2011 in aid of the Chairman's charity Ryedale Scouts.

31 **To Receive any Questions submitted by members Pursuant to Council Procedure Rule 10.2 (Questions on Notice at Full Council)**

Councillor Acomb submitted the following question:

"Would the Chairman of the Overview and Scrutiny Committee please update Members on the work of that Committee?"

The Chairman of the Overview & Scrutiny Committee, Councillor Wainwright replied:

"At our first meeting on the 7th of July the first part of the meeting was work involving our Audit role and the draft Annual Governance statement with Alastair Lince from Deloitte's in attendance. Their final visit will start on 25th July and last 4-5 weeks.

There will be an additional meeting of the Committee on Monday September 26th to discuss the final report before its presentation at P & R on September 29th. Alastair Lince will also be attending this meeting.

In the second part we discussed past Scrutiny reviews and the progress of present Scrutiny reviews. It is anticipated that the report on the first phase of the Healthy Weight review will be presented in November. The review on the Impact of Post Office closures will be completed before March 2012.

Suggestions were then invited for the next review and two subjects were put forward by members of the Committee.

They are;

- Renewable energy, how can we manage the potential of renewable energy in Ryedale whilst managing its impact on the countryside? And
- Ryedale's allocation of grants.
There is an expectation that the voluntary and community sector will deliver a greater proportion of services. How can we ensure that we are funding the right organisation to deliver the right services to the right people and, at the same time obtaining value for money?

These two subjects are now with officers for scoping work to be completed.

Cllr Raper and I, with the Head of Transformation, attended a Regional Scrutiny network event in Rotherham when the topic was Self Regulation which also covered audit and inspection. Over 60 members and officers attended this informative event."

Councillor Acomb submitted the following question:

"Would the Chairman of the Commissioning Board please update Members on the work of that Board?"

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied that a written update would be emailed to all Members.

Councillor Clark submitted the following question:

To the Chairman of Overview and Scrutiny.

"What are his views on the relationship between RDC decision making processes and the Overview and Scrutiny Committee?"

The Chairman of the Overview & Scrutiny Committee, Councillor Wainwright replied:

"The Overview and Scrutiny Committee have the role within the Council's decision making process to question and challenge any decision before it is implemented.

We have the important role of holding the Council, the Policy Committees, their Chairmen, the Leader of the Council and Officers to account.

We attend the Policy Committees as observers, examine their agendas and minutes and have the "call in" procedure if necessary.

The Committee also provides valuable information and recommendations from their Scrutiny reviews to assist the Policy Committees in their decisions.

I believe that the impartiality of the Committee is paramount and therefore believe that the Members of Policy Committees attending the Scrutiny

Committee as substitutes would be placed in an unenviable position if any Council decision were to be challenged.

Lastly, the Committee has another important role which is to protect the interests of our Community and its Residents.”

Councillor Clark then submitted the following supplementary question:

“Which policies did the Chairman of Overview and Scrutiny hold to account at the last meeting of Overview and Scrutiny?”

The Chairman of the Overview & Scrutiny Committee, Councillor Wainwright replied:

“No policies were held to account at the last meeting of the Overview & Scrutiny Committee.”

32 To Receive a Statement from the Leader of the Council and to Receive Questions and Give Answers on that Statement

Councillor Knaggs, Leader of the Council, submitted the following statement:

“This council has had a quiet start although it may not feel like it to new members who have had a huge amount to absorb. They will welcome the summer lull in August but behind the scenes there is a lot going on to fulfill some of the themes set out in the first leader statement of this Council. I refer in particular to the work on next year’s budget, the further efficiency gains and opportunities to generate income needed as part of that budget, and options for service changes which members will need to consider. I refer also to the final changes, reflecting consultation responses, to the Local Development Framework which will come to Council for final decision on 1 September. Before then we may expect a formidable volume of technical reports which constitute the evidence base behind the LDF.

The last Edwardian-style Prime Minister, Harold Macmillan, famously replied to a question about what was most difficult in government “events, dear boy, events”. We’ve had an “event” – the decision of the Environment Agency not to proceed with the plan for bunds above Pickering, paid for largely by this council. This shocking decision was challenged by Ann McIntosh MP at a Westminster Hall debate and although the ministerial reply stuck closely to the Environment Agency line I am hopeful that after the usual huffing and puffing we will find a way forward. Somehow we seem to have institutionalised a lack of common sense and of genuine practical “know-how” within the over-complex government and administration of this country.

Other things coming up will include the results of the Malton and Norton governance review and the formal contractual commitment to Brambling Fields junction. We’ll have plenty for members to get involved in this autumn. Finally, along with the leaders of some other North Yorkshire councils I have signed the

Armed Forces Covenant which pledges that those who serve or have served in the armed forces will face no disadvantage compared to other citizens in the provision of public and commercial services, and may receive special consideration in some cases.”

33 To consider for Approval the Recommendations in respect of the following Part 'B' Committee Items:

Commissioning Board – 2 June 2011

Minute No. 13 – Private Sector Housing Grants – Revision to Capital Programme Allocations

It was moved by Councillor Mrs Cowling and seconded by Councillor Mrs Sanderson that the following recommendation of the Commissioning Board be approved and adopted:

That Council be recommended to approve the revised Housing Capital Programme as follows:

Type Of Loan/Grant	2011/2012 (Current)	2011/12 (Proposed)
Home Appreciation Loan	0	£20K
Empty Property Grant	£30K	£30K
HMO Grant	£30K	£30K
Decent Home Loans	0	£30K
Home Repair Loans	£165K	£45K
Energy Efficiency Grants	0	£70K

Upon being put to the vote the motion was carried.

Resolved

That the revised Housing Capital Programme as detailed in the report and as set out at pages 9 and 10 of the Council agenda be approved and adopted.

Policy and Resources Committee – 23 June 2011

Minute No. 7 – Review of Civic Budget

It was moved by Councillor Acomb and seconded by Councillor Ives that the following recommendation of the Policy and Resources Committee be approved and adopted:

- a) “That the Civic Budget be reduced to £6,000 to include the Chairman’s Allowance, Chairman’s Travel Allowance and Civic Hospitality.”
- b) “That the Civic Car be disposed of and not replaced.”

An amendment was moved by Councillor Mrs Knaggs and seconded by Councillor Raper that;

“The £10,000 limit for the Chairman’s allowance, travel allowance, Vice-Chairman’s allowance and hospitality be restored but with any surplus at the end of the year returned to the Council’s funds. In future years both the Chairman and Vice-Chairman allowances be included in the scheme of Member’s Allowances at amounts to be decided after this year’s experience of reduced Chairmanship activity.”

Upon being put to the vote the amendment was carried.

Upon being put to the vote, the substantive motion was carried.

Resolved

- a) That the £10,000 limit for the Chairman’s allowance, travel allowance, Vice-Chairman’s allowance and hospitality be restored but with any surplus at the end of the year returned to the Council’s funds. In future years both the Chairman and Vice-Chairman allowances be included in the scheme of Member’s Allowances at amounts to be decided after this year’s experience of reduced Chairmanship activity.
- b) That the Civic Car be disposed of and not replaced.

Members requested that a recorded vote be taken.

Recorded Vote

For the Motion

Councillors Mrs Sanderson, Knaggs, Hope, Mrs Hopkinson, Mrs Goodrick, Mrs Knaggs, Raper, Mrs Cowling, Hicks, Mrs Frank, Hawkins, Windress, Bailey, Fraser and Cussons.

Against the Motion

Councillors Mrs Shields, Ward, Clark, Walker, Andrews, Mrs Denniss, Woodward, Richardson, Ives, Mrs Burr, Maud and Wainwright

Abstained

Councillors Acomb and Arnold

Policy and Resources Committee - 23 June 2011

Minute No. 9 – Capital Proposal Regarding Ryedale Pool (Pickering) Gym Facility

It was moved by Councillor Acomb and seconded by Councillor Ives that the following recommendation of the Policy and Resources Committee be approved:

“That Council be recommended not to include the development of a new gym facility at Ryedale Pool in the capital programme.”

An amendment was moved by Councillor Clark and seconded by Councillor Mrs Burr that;

“Item 9 be referred back to Commissioning Board, followed by Policy and Resources Committee.”

Following debate Members agreed that there was insufficient information for a decision to be made at this point and upon being put to the vote the amendment was carried.

Upon being put to the vote, the substantive motion was carried.

Resolved

That Minute No. 9 (Capital Proposal Regarding Ryedale Pool (Pickering) Gym Facility) be referred back to the Commissioning Board, followed by Policy and Resources Committee.

34 Notices on Motion Submitted Pursuant to Council Procedure Rule 11

1. It was moved by Councillor Woodward and seconded by Councillor Ward

This Council resolves that prayers at Full Council should be moved from the Council Chamber and instead take place prior to the meeting in a separate room.

Upon being put to the vote the motion was lost.

2. It was proposed by Councillor Clark and seconded by Councillor Woodward that this Council decided in certain circumstances to only recognise political groups of four or more members (Full Council decision July 2004).

This Council now resolves to reverse this decision and recognise any group of two or more members in all situations.

Upon being put to the vote the motion was carried.

35 Annual Report - Delivering the Council's Priorities

The Chief Executive submitted a report (previously circulated) which presented the content of the Council's Annual Report of delivery against priorities and sought to reaffirm the Aims and Strategic Objectives of the Council Plan.

A draft of the Annual Report 2010/11 was appended to the Agenda for Members comments and observations.

The Annual Report was a key element of the Council's performance management framework . The intended audience for the annual report was the public.

The report stated the Council's five aims adopted in the Council Plan 2009-13;

- To meet housing need
- To create the conditions for economic success
- To have a high quality clean and sustainable environment
- To have safe and active communities
- To transform the Council

The report outlined the objectives adopted to meet these aims and reminded Members that progress in delivering the Council's priorities was reported quarterly to the Policy and Resources Committee. The Annual Report 2010/11 summarised the Council's delivery against its priorities.

The report went on to outline the challenges to meeting the adopted aims for the year 2011/12.

It was moved by Councillor Raper and seconded by Councillor Cowling that the following recommendation be carried.

- i. That Council endorses the content of the Annual Report 2010/11.
- ii. That Council re-affirms the Aims and Strategic Objectives of the Council Plan.

Upon being put to the vote the recommendation contained in the report was carried.

Resolved

- i. That the content of the Annual Report 2010/11 be endorsed.
- ii. That Council re-affirms the Aims and Strategic Objectives of the Council Plan.

Councillor Andrews requested that his abstention be recorded.

36 Treasury Management Annual Report 2010/11

The Corporate Director (s151) submitted a report (previously circulated).

It was moved by Councillor Wainwright and seconded by Councillor Mrs Shields that the following recommendation be approved.

- i. That the annual treasury management report for 2010/11 be noted
- ii. That the actual 2010/11 prudential and treasury indicators in the report be approved.

Upon being put to the vote, the recommendation contained in the report was unanimously carried.

Resolved

- i. That the report be noted.
- ii. That the actual 2010/11 prudential and treasury indicators in the report be approved.

37 **The Appointment of Members to Committees and Joint Working Group**

The Chief Executive submitted a report (previously circulated) which dealt with the following issues:-

- 1. Members were recommended to appoint a Member to fill a vacant seat on the Planning Committee. Accordingly nominations were invited for the vacant seat on the Planning Committee.

Councillor Cowling nominated Councillor Hicks seconded by Councillor Mrs Knaggs.

Councillor Mrs Burr nominated Councillor Mrs Shields seconded by Councillor Maud.

Councillor Clark nominated Councillor Andrews seconded by Councillor Richardson.

Upon being put to the vote Councillor Hicks was appointed to fill the vacant seat on the Planning Committee.

- 2. It was moved by Councillor Raper and seconded by Councillor Mrs Cowling that the following recommendations be approved.

(a)Accept the resignation of Members of the Liberal Group from Committees to which they were appointed at the Annual Meeting of Council on 19 May 2011.

(b)Make the following appointments of Liberal Group Members to Committees:-

Liberal Positions on Committees

		Substitutes
Policy & Resources	Tommy Woodward	John Clark Sarah Ward
Commissioning Board & Licensing	Luke Richardson John Clark	Tommy Woodward
Planning	Tommy Woodward	John Clark Luke Richardson
Overview & Scrutiny	Sarah Ward	John Clark

Upon being put to the vote the motion was carried.

Councillor Knaggs requested that a report on substitution rules be presented to a future meeting of the Policy and Resources Committee.

3. Members were recommended to appoint a Conservative Member to fill the vacant seat on the Standards Committee. Accordingly nominations were invited for the vacant seat on the Standards Committee.

Councillor Maud nominated Councillor Cussons seconded by Councillor Mrs Cowling.

Upon being put to the vote Councillor Cussons was appointed to fill the vacant seat on the Standards Committee.

4. (a) Members were recommended to approve the establishment of a joint Helmsley Development Plan Member Working Group with the North York Moors National Park Authority (NYMNPA) comprising eight Members with four Members from NYMNPA and four Members from Ryedale District Council. The Working Group would appoint its own Chairman and would make recommendations to each authority on the arrangements for the production of a joint Development Plan Document for the whole of Helmsley.

- (b) Members were recommended to appoint four Members to the Helmsley Development Plan Member Working Group. Accordingly nominations were invited for four seats on the Helmsley Development Plan Member Working Group.

Members were advised that the Helmsley Development Plan Member Working Group with the North York Moors National Park Authority (NYMNPA) had been revised to comprise six Members with three Members from NYMNPA and three Members from Ryedale District Council.

Councillor Knaggs moved and Councillor Raper seconded the revised recommendation that three Members be appointed to the Helmsley Development Plan Member Working Group.

Councillor Mrs Cowling nominated Councillors Arnold, Hawkins and Mrs Frank and this was seconded.

Councillor Clark nominated Councillors Ward, Arnold and Hawkins seconded by Councillor Woodward.

Upon being put the vote Councillors Arnold, Hawkins and Mrs Frank were appointed to the Helmsley Development Plan Member Working Group.

Resolved

1. Councillor Hicks was appointed to fill the vacant seat on the Planning Committee.
2. (a) To accept the resignation of Members of the Liberal Group from Committees to which they were appointed at the Annual Meeting of Council on 19 May 2011.
(b) To make the following appointments of Liberal Group Members to Committees:-

Liberal Positions on Committees

		Substitutes
Policy & Resources	Tommy Woodward	John Clark Sarah Ward
Commissioning Board & Licensing	Luke Richardson John Clark	Tommy Woodward
Planning	Tommy Woodward	John Clark Luke Richardson
Overview & Scrutiny	Sarah Ward	John Clark Tommy Woodward

3. Councillor Cussons was appointed to fill the vacant seat on the Standards Committee.
4. (a) That the establishment of a joint Helmsley Development Plan Member Working Group with the North York Moors National Park Authority (NYMNP) comprising six Members with three Members from NYMNP and three Members from Ryedale District Council be approved. The Working Group would appoint its own Chairman and would make recommendations to each authority on the arrangements for the production of a joint Development Plan Document for the whole of Helmsley.
(b) Councillors Arnold, Hawkins and Mrs Frank were appointed to the Helmsley Development Plan Member Working Group.

Duration of Meeting

The Chairman of Council referred to Part 4 of the Constitution – Rules of Procedure – Rule 8 Duration of Meeting – and it was moved by Councillor Mrs Cowling and seconded by Councillor Raper to suspend standing orders to allow the meeting to continue after 10.00 p.m in order to complete the business on the agenda. Members unanimously agreed to this course of action.

38 Representation on Outside Organisations

Councillor Mrs Cowling nominated Councillor Fraser seconded by Councillor Hicks to represent the Council at Ryedale Sports Executive.

Councillor Mrs Cowling nominated Councillor Mrs Frank seconded by Councillor Hawkins to represent the Council at Ryedale Voluntary Action.

Upon being put to the vote Councillor Fraser was elected to represent the Council at Ryedale Sports Executive and Councillor Mrs Frank to represent the Council at Ryedale Voluntary Action.

Resolved

1. Councillor Fraser to represent the Council at Ryedale Sports Executive.
2. Councillor Mrs Frank to represent the Council at Ryedale Voluntary Action.

39 **Any other business that the Chairman decides is urgent.**

There were no items of urgent business.

The meeting closed at 10.05 p.m.

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PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	COUNCIL
DATE:	1 September 2011
REPORT OF THE:	HEAD OF PLANNING GARY HOUSDEN
TITLE OF REPORT:	IMPLICATIONS OF THE DRAFT NATIONAL PLANNING POLICY FRAMEWORK (NPPF).
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 This report outlines the implications of the draft NPPF for the Ryedale Plan and presents options as to how the District Council could proceed with the plan-making process. The draft NPPF has been released for consultation and a proposed RDC response to the document is included in this report.

2.0 RECOMMENDATION(S)

2.1 It is recommended that:

- (i) Council agree to progress the Ryedale Plan in the light of the Draft NPPF, as proposed in paragraphs 8.14; 8.20; 8.23; 8.33.
- (ii) Council agree the District Council's response to the consultation as outlined at Annex 1 and to submit to DCLG.

3.0 REASON FOR RECOMMENDATION(S)

3.1 The National Planning Policy Framework is set to replace existing Planning Policy Statements and Planning Policy Guidance notes. The draft NPPF reflects many of the legislative and policy changes that the Coalition Government intend to make to the planning system. As national policy the final version of the NPPF will influence the scope and content of Development Plans and on-going development management. However, it should be noted that even in draft form the NPPF has weight in the decision-making process. Against this context it is imperative that the Council considers the implications of the NPPF particularly for the emerging Ryedale Plan and any potential risks to the plan process. It is also appropriate that the Council provides a formal response to the consultation to Central Government.

4.0 SIGNIFICANT RISKS

- 4.1 It is clear that the Ryedale Plan will be examined under a different system to the one under which it was prepared. There is a high risk that the document will be found unsound if it is not consistent with national policy. In addition, there is a significant risk to the smooth running of the examination if the Council does not consider and address the implications of the NPPF prior to the formal publication of the Plan.
- 4.2 The report makes it clear that officers consider the risks of not progressing with the production of the Core Strategy to be significant. The weight to be attached to the NPPF will increase once it is issued and consequently, the weight to be attached to the Regional Spatial Strategy will reduce despite the fact that it will remain the Development Plan until it is finally revoked. Against this context, it is important to progress the adoption of strategic local policies.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 Members are aware that a meeting of Council was scheduled for the 1st September to consider the formal Publication version of the Plan. In view of the risks outlined above, it is appropriate that the implications of the NPPF are fully considered before the Council agrees to formally publish the Plan that is, in effect, the one it seeks to adopt.

6.0 POLICY CONTEXT

- 6.1 The NPPF is one of the key tools which the Government will introduce as part of its commitment to delivering localism through the planning system and to ensure that the planning system promotes and supports the economic growth considered necessary to rebuild the economy. The NPPF streamlines all existing Planning Policy Statements and Planning Policy Guidance Notes into a single statement and in doing so, introduces a limited number of substantive changes to national planning policy.
- 6.2 The Governments commitment to introducing changes to the planning system is not unexpected. Key components of the Localism Bill such as the NPPF, the introduction of Neighbourhood Planning, the abolition of Regional Spatial Strategies and incentive schemes to deliver development have been known since earlier in the year and a number of proposed changes originate from earlier documentation, notably Open Source Planning which formed part of the Conservative Party manifesto in the run up to the general election. Likewise, the new presumption in favour of sustainable development and the need to support economic growth have been previously trailed in the 'Planning for Growth' Ministerial Statement issued on the 23rd March 2011. A Briefing Note designed to summarise these legislative and policy changes was circulated electronically to Members on the 29th July.
- 6.3 One of the most complicated matters in relation to this changing policy context is the weight to be applied to emerging policy both in terms of the content of the Ryedale Plan but also in terms of development management. Whilst the NPPF is a consultation document and subject to potential amendment it does, as advised by the Planning Inspectorate, provide a strong indication of the Government's 'direction of travel' in terms of planning policy. Once issued, the final version will have significant

weight in the development management and plan-making processes. In many instances the final version will carry more weight than policies in existing adopted Development Plans, including in some cases, adopted Core Strategies where they are not consistent with the NPPF.

7.0 CONSULTATION

7.1 The consultation draft of the NPPF was released on the 25th July 2011 and the consultation runs until the 17th October 2011. According to the Communities and Local Government Structural Reform Plan Monthly Update for June 2011, the NPPF will be published in its final version before the end of April 2012. However, recent reports in the planning press have indicated that the final version of the NPPF could be released before the end of the year.

7.2 A suggested response to specific questions posed as part of the consultation on the NPPF are included at Annex 1 of this report.

8.0 REPORT DETAILS

8.1 The draft NPPF was distributed electronically to all Members following its release and key elements of the document were summarised in the briefing note which was distributed at the same time. It is not the intention of this report to repeat at length the content of the draft NPPF but to focus on the implications that it presents in terms of the production of the Ryedale Plan.

8.2 The draft NPPF signals changes to the planning system many of which are designed to:

- Address the complexities and difficulties in implementing the Development Plan system introduced by the previous Government
- Support local decision making, including giving local communities power to plan or guide development in their areas through Neighbourhood Plans
- Ensure plan making and development management are proactive, driven by a search for opportunities to deliver sustainable development rather than barriers. It places increased emphasis on meeting development requirements including facilitating economic growth and increasing the delivery of housing.

Plan Making Issues arising from the Draft NPPF

8.3 Crucially, the NPPF retains the principle that the planning system should be 'plan-led', recognising the certainty that the development plan provides for local communities and investors. The draft document makes it clear that plans should be put into place as soon as practicable.

8.4 The main implications for plan-making relate to:

- The nature and style of Local Plans
- The introduction of Neighbourhood Plans
- Procedural changes
- Substantive policy issues

Nature and Style of Local Plans

- 8.5 It is clear from the draft NPPF that in future the development plans produced by Local Planning Authorities will be known as 'Local Plans'. Given the complexities associated with the implementation of Local Development Frameworks that have led to significant delays in the production of plans, the change in terminology is not surprising. What is less clear however, is the extent to which the Government expects the Local Plan to operate as a suite of documents or as a single document.
- 8.6 The draft NPPF appears to favour a single document local plan containing strategic policies, land allocations, development standards and development management detail, supported by Neighbourhood Plans and Supplementary Planning Documents. It states that "additional development plan documents should only be used where they are clearly justified". This indicates that it is possible that a local plan can comprise more than one document, depending on the circumstances. Indeed, given that the Government continues to urge Local Planning Authorities to continue the production of Plans, it would appear that the Council has a choice in terms of the type of local plan it intends to produce and that the production of one document is not actually mandatory.
- 8.7 Aside from the 'style' of the Plan, the Draft NPPF sets out what a Local Plan should contain. This includes:
- Strategic policies on housing and economic development requirements, retail and leisure, infrastructure and the means of adapting to and mitigating climate change
 - Identification of broad locations for growth
 - Allocation of sites
 - Identification of areas to be protected from growth
 - A strategy for the enhancement of the environment
 - A strategic approach to plan making for at least 15 years
 - A policy/ policies on local standards
 - A framework under which neighbourhood plans can be prepared.
- 8.8 With the exception of providing a framework for the production of neighbourhood plans, there is little in the above list which indicates a dramatic change in emphasis for the content of the development plan. A more subtle change is a move away from LDF style spatial policies designed to articulate how places as a whole are managed, to a return to policies which are more designed to inform the determination of planning applications. The NPPF emphasises that the scope of policies should be focussed on providing a clear indication of how a decision maker should react to a development proposal.

Implications/ proposed way forward

- 8.9 Currently, it is the Council's intention to progress the production of the Core Strategy followed by a Site Allocation document in due course. Policies in the Core Strategy have been prepared in line with this approach and make reference to the Site Allocation document which would provide greater clarity around the location, deliverability, viability and types of sites that will be needed to address development requirements.
- 8.10 Clearly, the production of one document which embodies strategic policies and land allocations has the benefit that it is more easily understood, particularly by members of the public.

- 8.11 However, Officers are of the view that to halt the production of the Core Strategy in favour of the production of one main policy document would lead to further delay in establishing key strategic principles and policies of at least 18 months. It is considered that the risks attached to any move to produce a single document at this stage are as follows:
- The material considerations against which development decisions would be based would comprise: the Ryedale Local Plan; The Regional Spatial Strategy and the Draft and final NPPF. The NPPF itself notes that it will take precedence over out-dated plans or those not in compliance with it. It is highly likely that Ryedale would find itself in a prolonged period of 'planning by appeal' in a national policy context with a presumption in favour of development. This would result in further uncertainty for local communities and is a position which is not advisable in terms of the as yet untested decision making process. There would be significant risk in relying on the existing local plan and RSS policies in an appeal situation, particularly once the NPPF is released in its final form. Such a position is not one which could be resourced or sustained for long.
 - The lack of an up to date Plan will frustrate the Council's ability to negotiate and secure developer contributions and to develop the Community Infrastructure Levy/ Charging Schedule. Unless the Council progresses work on the CIL, the ability to secure developer contributions through Section 106 contributions post 2014 becomes considerably more limited.
 - There is a need to agree the strategic policies of the Ryedale Plan so as to facilitate and support Neighbourhood Planning. In the absence of an up to date local plan, Neighbourhood Plans must be in compliance with the NPPF. The absence of strategic local policies potentially frustrates the Neighbourhood Planning process which the Council will have a duty to support. Conversely it could result in Neighbourhood Plans which have the potential to undermine the strategic approach of the Ryedale Plan.
- 8.12 The production of 'one plan' does allow all development viability issues to be fully considered in the round and this is a clear advantage in favour of that approach. Viability work has been undertaken to support key strategic policy choices in the Core Strategy and this would be complemented by more detailed viability work that will be undertaken as land allocations are selected as part of the production of the Sites Document. On this basis, the approach to the production of the Ryedale Plan would ensure that full account is taken of viability issues.
- 8.13 Clearly there is a risk that the expectation in the NPPF is that all of this detailed work should be undertaken together and that without detailed site viability work the evidence base for the plan is incomplete. The draft NPPF has not been issued with transitional arrangements and it is difficult at this stage to attempt to anticipate how significant a risk this could prove to be. This is only likely to become apparent over time as the Planning Inspectorate considers the emerging NPPF as part of the examination process.
- 8.14 On balance, it is considered however that the risk of not progressing the Core Strategy represents a greater risk. Pursuing its adoption is critical to meet the Governments ambitions for growth, to addressing local development requirements and of establishing certainty over strategic issues which would in turn provide a

framework to support neighbourhood planning. The approach would also enable a greater engagement of local people and neighbourhoods in the site allocations stage of plan making without the complexities of agreeing strategic objectives and policies.

Neighbourhood Plans

8.15 In terms of Neighbourhood Planning, the draft NPPF states that Neighbourhood Plans could be used by parishes or neighbourhood forums to:

- Develop a shared vision for their neighbourhood
- Set planning policies for the development and use of land; and
- Give planning permission through Neighbourhood Development Orders and Community Right to Build Orders.

8.16 The document confirms that Neighbourhood Plans:

- Should be in conformity with the strategic policies of the Local Plan and plan positively to support the strategic policies established for the area which are outlined in the Local Plan
- Can be used to promote more development than is set out in the strategic policies of the Local Plan take precedence over existing policies in a local plan where matters relate to the local area
- Will be subject to an examination followed by a local referendum

8.17 The indication is that Neighbourhood Plans could take a number of forms although this is not expanded upon in any detail. It is assumed that more detailed information relating to the form in which a neighbourhood plan could take will be provided as part of the Localism Act, the final NPPF and the updated Development Plan regulations. The draft NPPF makes it clear that Neighbourhood Plans will need to be in general conformity with the strategic policies in the Local Plan. Given the emphasis in the NPPF on maintaining up to date development plans, it would be reasonable to assume that this 'chain of conformity' relates to an up to date local plan produced by the Local Planning Authority as opposed to an out of date Local Plan although this is not explicit. In any event, a Neighbourhood Plan would need to have regard to the policies in the NPPF. It should be noted that once made, a Neighbourhood Plan will take precedence over the local plan where the two documents are in conflict.

Implications/ proposed way forward

8.18 The introduction of Neighbourhood Planning and Neighbourhood Plans represents more of a challenge in terms of new ways of working to support communities in the preparation of their plans as oppose to introducing significant implications for the content or policy approach of the Ryedale Plan/ Core Strategy. The emerging Ryedale Plan was drafted as a strategic policy document and in that respect its role is unchanged in terms of the NPPF.

8.19 Currently in Ryedale, only Malton and Norton Town Councils are committed to producing a neighbourhood plan. Officers will work with the Town Councils to support this work and to help ensure that the neighbourhood plan is prepared to be in general conformity with the strategic policies of the Core Strategy.

8.20 For the most part, it is considered that textual amendments to the Core Strategy can be used to signal the Council's intent as regards Neighbourhood Planning. This

would be achieved through:

- Amendments to the text at the beginning of the document to explain the relationship of the Ryedale Plan with Neighbourhood Planning
- Clarify the nature of the Ryedale Plan policies as being strategic policies
- References to Neighbourhood Plans as a key means of delivery of Ryedale Plan policies in the implementation tables accompanying each strategic policy.
- Reference to matters which neighbourhoods may wish to address locally in the implementation tables, where appropriate
- Removing/ amending references to specific local issues which could be considered within the remit of neighbourhoods to determine

Procedural Changes

- 8.21 The draft NPPF appears to introduce few procedural changes into the plan-making process. The tests of soundness against which Plans will be assessed - namely that they are justified, effective and consistent with national policy - have been slightly clarified. An additional test has been included to ensure that local plans are 'positively prepared' in order to meet objectively assessed development needs and infrastructure requirements.
- 8.22 Additionally, the draft NPPF makes it clear that public bodies will have a duty to cooperate on planning issues which cross administrative boundaries to ensure strategic priorities are co-ordinated and reflected in local plans. Evidence of this will need to be demonstrated at the Examination in to the Local Plan.

Implications/proposed way forward

- 8.23 It is considered that the proposed procedural changes have limited implications for the production of the Ryedale Plan. In order to demonstrate that cross boundary considerations have been addressed, a mechanism could be that the North Yorkshire Spatial Planning Board consider and agree that cross-boundary issues have been taken into account in the preparation of the Ryedale Plan. In advance of this an officer level meeting of neighbouring authorities has been convened for mid September to consider and discuss how the duty to collaborate will work in practice in an on-going way in the sub region.

Key Policy Issues

- 8.24 The draft NPPF has been prepared for consultation as a stand alone document and whilst new and explicit elements of policy can be easily recognised, more detailed elements of current policy which have changed or are no longer carried forward into the NPPF are less obvious. They are included in a section (Part B) of a separate Impact Assessment document which accompanies the consultation and are also referred to in an advice note, produced by the Planning Inspectorate for use by Inspectors. For the most part, it should be stressed that the draft NPPF introduces few fundamental changes to the substantive direction of current planning policy and is in many areas consistent with existing national planning policies.
- 8.25 Undoubtedly, the the presumption in favour of sustainable development is a fundamental policy principle which is enshrined in the NPPF, although this is not entirely new. A presumption in favour of development is a long standing principle of the planning system.

- 8.26 Consistent with the Plan for Growth agenda, the NPPF makes it clear that in terms of decision making “the default answer to development proposals should be ‘yes’ except where this would compromise the key sustainable development principles set out in the framework” and that this principle is reflected in policies in Local and Neighbourhood Plans. It is this policy, in conjunction with changes which emphasise the protection of high quality landscapes rather than the longstanding national policy of protecting the countryside for its own sake, that have led to concerns being raised by a number of high profile environmental groups. The view has been expressed that the document fails to provide sufficient explicit detail to help provide a sufficient ‘counter balance’ to growth and the emphasis it places on meeting development needs.
- 8.27 It is inevitable that a document which looks to slim down and simplify existing policy will include less detail than the policy documents it is set to replace. Read as a whole, there is nothing in the NPPF to indicate that the pro-growth agenda is one to be pursued at all costs. Clearly this would be at odds with the overarching aspiration of achieving sustainable development. Nevertheless, as written the NPPF does establish a national policy position which challenges longstanding strategies and policies which have restrained development in some areas. Against this context and very little detail, it is unclear as to how authorities are to manage growth and against which circumstances, strategies which seek to manage or indeed restrain growth can be justified.
- 8.28 For an area such as Ryedale which experiences high demand for housing, has a limited number of settlements that can accommodate sustainable housing growth and which is located between two large urban areas which themselves aspire for growth, the ability to manage demand is critical. On this basis, it is considered that the NPPF does need to provide a clear indication of how growth can be managed in high demand rural areas. This is a fundamental point which it is considered that the Authority should make to the Government as part of the current consultation.
- 8.29 Turning to specific policy areas and in terms of economic development there is no fundamental difference in the approach of the NPPF to supporting economic development. Detailed changes include:
- Removing office development from the ‘town centre first’ (sequential test currently in PPS4) policy
 - Extending the time horizons for assessing the impact of unplanned retail and leisure schemes out of town centres from 5 to 10 years
- 8.30 In terms of planning for housing, the need to prepare Strategic Housing Land Availability Assessments and Strategic Housing Market Assessments remain. Critically, however changes to housing policy include:
- The need to increase the supply of housing to meet the requirements of market and affordable housing
 - The need to ensure choice and competition in the market for land by including an additional allowance within housing supply of at least 20%
 - Removal of the brownfield target for housing development
 - Removal of the national minimum site size threshold (15 Units) for affordable for requiring affordable housing to be delivered
 - Removal of the Rural Exception Sites Policy

8.31 The section of the NPPF on the natural environment, as previously outlined, changes from the emphasis of current longstanding policy which has sought to protect the countryside for its own sake and for the benefit of all, to an approach which appears more focussed on protecting only landscapes of high value. Further detailed changes in respect of environmental policies include:

- The introduction of a Local Green Space protection designation
- Clarification of how to treat possible/proposed European Habitats Directive Sites
- Allowing Councils to set decentralised energy targets without requiring authorities to set a council –wide target
- Mapping of opportunity areas for renewable and low carbon energy sources and supporting infrastructure

8.32 Further detailed policy changes that arise from the draft document include:

- Removal of maximum non-residential car parking standards for major developments
- Removal of the requirement for local councils to set criteria for the selection of sites for future peat extraction
- A less prescriptive approach to maintaining landbanks for scarcer/ non-aggregate minerals
- Encouraging a policy approach to protect all community facilities and not just those in defined centres and villages
- Minor amendments to the uses to be considered acceptable in principle in the Green Belt

Implications/ proposed way forward

8.33 It is considered that it is in relation to planning for housing that the draft NPPF has the most significant implications for the emerging Ryedale Plan. In light of the NPPF, Members will need to plan for an increase in the delivery of housing, not least to ensure that the Ryedale Plan makes provision for an additional 20% of housing land supply should this be introduced as national policy in the final version. Changes to the national rural exception site policy also have significant implications for the Plan's strategy for addressing housing needs in the smaller rural areas.

8.34 These issues are substantive and a response requires careful consideration. It is considered that options as to how to proceed in this matter should be the subject of a future meeting. This will provide officers with the opportunity to discuss these issues with neighbouring authorities and to explore how approaches to managing growth in Plans already submitted for examination are being scrutinised by the Planning Inspectorate in the context of the NPPF growth agenda.

9.0 IMPLICATIONS

9.1 The following implications have been identified:

a) Financial
No direct implications.

b) Legal
The draft NPPF is capable of being used as a material consideration in the decision making and plan making processes. The weight to be attached to the NPPF will increase dramatically once it is issued in its final form.

- c) Other
No direct implications

10.0 NEXT STEPS

- 10.1 In order to progress the Core Strategy to publication, officers will consider options as to how to proceed and respond to the NPPF in terms of planning for housing and the implications this will have for the strategy. The aim will be to prepare a report to Members as soon as possible this Autumn. In the meantime and in order to continue to make progress in the period up until the Council is in a position to publish the Core Strategy, consultation on the Site Selection methodology, which was agreed by Members earlier in the year can now be undertaken.
- 10.2 It is also considered imperative that the Council begins work on its CIL charging Schedule. The ability to demonstrate at the Core Strategy examination that this work is undertaken will be important given the additional emphasis the NPPF places on addressing development viability.

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Background Papers:

Draft National Planning Policy Framework, supporting consultation document and Impact Assessment.

Background Papers are available for inspection at:

<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>

**Annex 1.
Consultation Questions**

Q. No.	Section	Consultation Question
1a	Delivering sustainable development	<p>The Framework has the right approach to establishing and defining the presumption in favour of sustainable development.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>RDC Response : Disagree</p>
1b		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>RDC Response: <i>A presumption in favour of sustainable development, which underpins the rationale for a planning system in England is supported in principle. Planners as decision-makers have constantly been faced with the dilemma of balancing the freedom and rights of individuals, industry and organisations with the need to reduce the risk of adverse effects to the environment, human, animal or plant health.</i></p> <p><i>Finding the correct balance so that proportionate, transparent and coherent actions can be taken, requires a structured decision-making process with detailed scientific and other objective information.</i></p> <p><i>Therefore the Draft NPPF should be very clear about the role of the three principles of sustainable development about which it is currently silent: the precautionary principle, environmental limits and sound science. In many cases it will be these principles that planners will rely on to pursue the goals of planning for prosperity, people and place and help determine the sustainability of development proposals.</i></p> <p><i>More specifically, It is unclear in reading the document as a whole how the framework will ensure that social and environmental elements of sustainable development will not be undermined by the emphasis placed on growth. Whilst this Council recognises and supports the need to address development requirements, this does need to be balanced alongside other concerns. The NPPF should provide details of the circumstances under which externally driven demand can be managed or indeed restrained if such an approach is justified in terms of environmental or social issues.</i></p> <p><i>Ryedale is a sparsely populated rural area between two areas of growth. It experiences a high demand for housing and it is essential that the NPPF provides the</i></p>

		<p><i>ability for this to be managed to ensure that the growth aspirations of neighbours are not undermined; to ensure that development patterns are not to the detriment of the environment or further exacerbate population imbalances. It is essential that rural authorities are able to manage demand for development and that this is explicitly recognised in the NPPF. References in the NPPF to Authorities managing growth in terms of sustainability are undermined by the very clear message that housing demand should be provided for in full. This is an inconsistent message and without clarification around the counter balance to meeting development demand, it is difficult to understand how the otherwise laudable principle of a presumption in favour of sustainable development can be interpreted and applied in practice.</i></p>
2a	Plan-making	<p>The Framework has clarified the tests of soundness, and introduces a useful additional test to ensure local plans are positively prepared to meet objectively assessed need and infrastructure requirements.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>RDC Response: Disagree.</p>
		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>RDC Response: <i>Whilst in principle the additional test of soundness reflects the spirit of emerging national policy as a whole, the test will be difficult to implement as there is discrepancy in the language used and lack of consistent definitions. The draft NPPF refers to ‘objectively assessed development needs’ (para 14) whilst paragraph 28 on housing refers to ‘meeting demand’ and paragraph 48 refers to ‘objectively assessed development requirements’. Need, demand and requirements are distinct terms but they appear to be referred to in an inconsistent and interchangeable way in the draft NPPF, the consultation questions and in other material. Clarification and consistency is required if the test is to be met and applied with confidence.</i></p> <p>Notwithstanding the above, this Council considers that the NPPF misses the opportunity to abolish the tests of soundness which have been largely responsible for the slow progress in plan making and for undermining the confidence of Local Authorities and developers in the plan making process. Elements of the tests could still form part of an Examination process which provides for sensible amendments to be made to plans.</p> <p>On a wider point, the Government’s ambitions for streamlined Local Plans are supported but there is considerable value and speed in producing separate</p>

		<i>strategic and allocations documents and there should not be a need to demonstrate special circumstances where local authorities diverge from the one plan model.</i>
2c	Joint working	<p>The policies for planning strategically across local boundaries provide a clear framework and enough flexibility for councils and other bodies to work together effectively.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p><i>RDC Response: Disagree</i></p>
2d		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p><i>RDC Response: The principle of the Duty to Collaborate is supported but the Government must be mindful of the significant additional resource burdens that such a duty brings to Local Authorities. The levels of evidence, expertise and focus that can be brought to such important issues will be, at least initially, significantly lower than in the past.</i></p> <p><i>It is of concern that the draft NPPF appears to provide no flexibility should Council's be unable to successfully co-operate. The Government should provide more detail as to how disputes between Authorities will be treated at examinations.</i></p>
3a	Decision taking	<p>In the policies on development management, the level of detail is appropriate.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p><i>RDC Response : Agree</i></p>
3b		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p><i>RDC Response- The level of detail is consistent with the spirit of the broad and over-arching nature of the NPPF. The framework would not prevent individual local authorities supplementing this with more detailed policy/ guidance documents should these be considered necessary at the local level.</i></p>
4a		<p>Any guidance needed to support the new Framework should be light-touch and could be provided by organisations outside Government.</p> <p>Do you: Strongly Agree/Agree/ Neither Agree or Disagree /Disagree/Strongly Disagree</p> <p><i>RDC Response: Neither</i></p> <p><i>The scope and depth of supporting guidance should reflect the level of detail required to provide clarity and understanding. It should not be assumed that light</i></p>

		<p><i>touch guidance will always be appropriate. Further delays to the plan-making process could be incurred if local authorities have to prepare more detailed Plans in order to address lack of detail resulting from simplified NPPF which is combined with light touch guidance.</i></p> <p><i>It is important that the Government endorse any guidance prepared outside of Government in order that its status is clear and can be used with confidence in the decision making process.</i></p>
4b		<p>What should any separate guidance cover and who is best placed to provide it?</p> <p><i>RDC Response: Best practice guidance relating to any necessary assessments required to support decision/ plan making e.g. SHLAA guidance, Flood Risk Assessment etc</i></p>
5a	Business and economic development	<p>The 'planning for business' policies will encourage economic activity and give business the certainty and confidence to invest.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/ Disagree/Strongly Disagree</p> <p><i>RDC Response: Agree. There is nothing in the policy as written which would undermine this principle.</i></p>
5b		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p><i>RDC Response: Current planning policy supports business and economic activity. The NPPF would benefit from more detail/ emphasis on how the national policy position has changed.</i></p>
5c		<p>What market signals could be most useful in plan making and decisions, and how could such information be best used to inform decisions?</p> <p><i>RDC Response: Land availability, site viability and developer confidence are key elements which would indicate whether land and premises are deliverable.</i></p>
6a		<p>The town centre policies will enable communities to encourage retail, business and leisure development in the right locations and protect the vitality and viability of town centres.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/ Disagree/Strongly Disagree</p> <p><i>RDC Response: Agree. There is nothing in the policy as written which would undermine this principle.</i></p>
6b		<p><i>Do you have comments? (Please begin with relevant paragraph number)</i></p> <p><i>RDC Response: The policy reflects the current planning policy/ national approach which this Council is broadly supportive of. The detail in existing policy and</i></p>

		<p>supporting guidance is helpful in the decision making process and it is considered that the policy as drafted should be supported by detailed guidance to assist the development plan and planning application processes. The Council supports the longer term approach to the consideration of impact. The removal of office development from the 'town centre' first policy is supported. This reflects the practicalities of Town Centres whilst still allowing local policies to guide the location of development which in turn allows local areas to determine how competitive they wish to be.</p>
7a	Transport	<p>The policy on planning for transport takes the right approach. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>RDC Response: Disagree</p>
7b		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>RDC Response: In this area of North Yorkshire transport infrastructure is one of the greatest constraints to sustainable growth. Strategic cross boundary improvements are essential to supporting long-term sustainable growth in this sub-region. The NPPF makes it clear that local authorities should work with neighbouring authorities and transport providers to develop strategies to provide necessary viable infrastructure. This is insufficient. The NPPF needs to acknowledge the role and responsibilities of national Government and LEPs in this process. It should also indicate how local authorities are expected to respond to situations where necessary infrastructure is not viable.</p> <p>The Council supports an approach which would allow car parking standards to be established locally.</p>
8a	Communications infrastructure	<p>Policy on communications infrastructure is adequate to allow effective communications development and technological advances. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>RDC Response: Agree</p>
8b		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>RDC Response: The policy on communications infrastructure is adequate.</p>
9a	Minerals	<p>The policies on minerals planning adopt the right approach. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p>

		RDC Response: Neither Agree or Disagree
9b		Do you have comments? (Please begin with relevant paragraph number) RDC Response: RDC is not the minerals planning authority and is not best placed to respond to this issue.
10a	Housing	The policies on housing will enable communities to deliver a wide choice of high quality homes, in the right location, to meet local demand. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree RDC Response; Agree and Disagree
10b		Do you have comments? (Please begin with relevant paragraph number) RDC Response; The policies on housing need further clarity to enable local authorities to deliver them effectively. The phrase “use an evidence base to ensure that their Local Plan meets the full requirements for market and affordable housing in the market area...” is of particular concern. This implies that both need and demand should be fully met. In a rural authority like Ryedale with a chronic affordability problem, meeting the full need for housing would require delivery of unviable levels of affordable housing and significantly more market housing to deliver the affordable housing than household projections suggests. In reality, there are other factors that determine the appropriate level of housing delivery (as was recognised by PPS3) in the local authority’s area, such as a sustainability appraisal. It should be clarified that the Government does not expect local authorities to fully meet household projections, but that these form the basis of an evidence base for housing provision. Communities and Local Government state that “the projections are trend-based, making assumptions about future levels of fertility, mortality and migration based on levels observed over a five-year reference period. Therefore, they give an indication of what the future population, by age and sex structure, might be if recent trends continue, and take no account of policy or development aims in local authorities”. The NPPF should be clear that local policy aims should have a bearing on the levels of housing provided. The NPPF should make it explicitly clear that local planning authorities have the ability to determine local

		<p>housing targets based on strategic co-operation and local policy aims and that this may require some restraint on demand/ constraint of supply, particularly where this enables neighbouring authorities to deliver growth aspirations. It is important that rural authorities such as Ryedale are able to continue to exercise some restraint on housing demand if patterns of sustainable growth are to be achieved and sustainable development secured.</p> <p>The Authority consider that the identification of a further 20% of housing land supply would be beneficial providing the NPPF makes it explicit that the additional supply is provided to assist a plan, monitor and manage approach and as a supply 'buffer' . This would provide greater certainty for developers and investors.</p> <p>The removal of the national affordable housing threshold is welcomed.</p> <p>The removal of a brownfield land target is welcomed. It is unrealistic to expect rural authorities with few previously developed sites to establish meaningful PDL targets.</p> <p>The draft national policy no longer includes provisions for Rural Exception Sites. The NPPF or supporting guidance should make it clear whether the expectation is that policies which provide for 100% affordable housing are no longer supported in principle or whether there is scope for local policies to support such development according to local circumstances.</p>
11a	Planning for schools	<p>The policy on planning for schools takes the right approach. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>RDC Response: Neither agree or disagree</p>
11b		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>RDC Response: The approach of the policy ensures that this is a development management issue. It should be made clear whether adverse planning impacts may also include the impact on existing school facilities.</p>
12a	Design	<p>The policy on planning and design is appropriate and useful. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>RDC Response: Agree</p>
12b		<p>Do you have comments or suggestions? (Please begin with relevant paragraph number)</p>

		<i>RDC Response: The general approach will need to be supplemented with locally specific or site specific design guidance which is appropriate.</i>
13a	Green Belt	The policy on planning and the Green Belt gives a strong clear message on Green Belt protection. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree <i>RDC Response: Agree</i>
13b		Have you comments to add? (Please begin with relevant paragraph number) <i>RDC Response: The draft NPPF carries forward the green belt protection embodied in current policy.</i>
14a	Climate change flooding and coastal change	The policy relating to climate change takes the right approach. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree <i>RDC Response: Agree</i>
14b		Do you have comments? (Please begin with relevant paragraph number) <i>RDC Response: Overall, in terms of the objectives of the policy, the approach generally reflects key elements of existing policy. Supporting practice guidance in relation to flooding is useful in the plan and decision making process and for areas which experience flood risk. It would be useful if detailed guidance documents on flooding are retained.</i>
14c		The policy on renewable energy will support the delivery of renewable and low carbon energy. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree <i>RDC Response: Agree</i>
14d		Do you have comments? (Please begin with relevant paragraph number) <i>RDC Response: The NPPF provides authorities with the ability to establish their own decentralised energy targets where these can be demonstrated to be viable. This, coupled with the ability to rely on increased building standards, which will be introduced nationally are considered a more pragmatic and realistic approach than a requirement for a blanket district wide decentralised energy target.</i>
14e		The draft Framework sets out clear and workable proposals for plan-making and development management for renewable and low carbon energy,

		<p>including the test for developments proposed outside of opportunity areas identified by local authorities Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>RDC Response: Agree</p>
14f		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>RDC Response: The suggested opportunity areas for renewable energy generation provide a positive framework for supporting different types of renewable energy generation in different areas.</p>
14g		<p>The policy on flooding and coastal change provides the right level of protection. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>RDC Response: Agree</p>
14h		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>RDC Response; The approach is generally reflective of current national policy.</p>
15a	Natural and local environment	<p>Policy relating to the natural and local environment provides the appropriate framework to protect and enhance the environment. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>RDC Response: Disagree</p>
15b		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>RDC Response: The NPPF should align more closely with the provisions in the HM Government recent White Paper: The Natural Choice: securing the value of nature. This paper states that “we must properly value the economic and social benefits of a healthy natural environment while continuing to recognise nature’s intrinsic value. The Government wants this to be the first generation to leave the natural environment of England in a better state than it inherited.” It is considered that this statement is not consistent with the removal (by the draft NPPF) of PPS7’s objective to provide “continued protection of the open countryside for the benefit of all, with the highest level of protection for our most valued landscapes and environmental resources.” Whilst the Council acknowledges that the NPPF provides continued protection to the most valued, already designated, landscapes, it is those areas of the countryside which are not in designated areas where further clarity is needed to fulfil the aims of the White</p>

		Paper and to ensure consistency in national policy.
16a	Historic environment	<p>This policy provides the right level of protection for heritage assets. Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>RDC Response: Agree</p>
16b		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>RDC Response: <i>The draft NPPF carries forward the broad protection embodied in current policy. It would be useful if the Government could confirm whether the English Heritage Enabling Development Guidance will be retained as a supporting document to the NPPF which does make reference to enabling development.</i></p>
17a	Impact Assessment	<p>The Framework is also accompanied by an impact assessment. There are more detailed questions on the assessment that you may wish to answer to help us collect further evidence to inform our final assessment.</p> <p>If you do not wish to answer the detailed questions, you may provide general comments on the assessment in response to the following question: Is the impact assessment a fair and reasonable representation of the costs, benefits and impacts of introducing the Framework?</p> <p>RDC Response:</p> <p><i>Rather than answer the detailed individual questions from the Impact Assessment which in a number of cases repeat subject matter covered by the main consultation questions, the Council is responding in terms of the overall impacts of the NPPF on both the Council's plan making and development management functions.</i></p> <p><i>The following comments are made on the basis that the NPPF is amended to ensure clarity on the points identified in the consultation questions above, particularly around the presumption in favour of sustainable development.</i></p> <p>Plan making</p> <p><i>The production of the draft NPPF, will create a slight delay in the preparation of the Core Strategy which is shortly due to be formally published for consultation. This delay will allow the Council to take into account the implications and be consistent with the draft NPPF in terms of the plan-making process. However this delay allows the Examination process to progress more</i></p>

		<p><i>smoothly and should hopefully enable a speedier outcome. Given this position, it is unlikely that there will be a significant additional cost to the Council in producing the key parts of the Local Plan as a result of the NPPF being published.</i></p> <p><i>However given the limited detail in the NPPF, the responsibility rests with the Council and communities to develop local guidance such as Supplementary Planning Documents and Neighbourhood Plans. These will need to be prepared to ensure that this level of detail is in place to appropriately guide local planning decisions. Whilst this enables policy to be determined locally as envisaged by the Coalition Government's Localism Agenda, this will inevitably involve reasonably significant human and financial resource</i></p> <p><i>A factor which has not been considered through this impact assessment is the cumulative impact of those issues which are set out in current national guidance but which are now not set out in the NPPF. In short, the impact from the absence of national policy on certain issues can have as significant an impact as the presence of national policy. Some examples of this are the protection of all countryside for its own intrinsic character (set out in PPS7) and rural exception sites for 100% affordable housing (set out in PPS3). It is essential that the impact of the loss of these issues is considered and action taken where appropriate. In the case of the protection of all countryside, this is an essential part of creating the balance of social, economic and environmental factors in the attainment of sustainable development, as set out in the response to the consultation questions above.</i></p> <p><i>The impact of certain changes being proposed through the draft NPPF such as the new 'green-space' designation and the suggested additional protection of community facilities are more difficult to quantify due to the lack of detail shown. Greater clarification of how these elements will need to be evidenced is needed to fully assess this.</i></p> <p><i>Development Management</i></p> <p><i>The impacts on development management will depend on a number of factors. Therefore the effect on the number of applications, approval rate and speed of decision making are difficult to precisely quantify. However the implementation of the draft NPPF is likely to lead to an increase in appeals and protracted negotiation with applicants/agents in the short term, until local guidance is in place.</i></p> <p><i>Whilst the draft NPPF equates to substantially shortened</i></p>
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	<p><i>national guidance, it is considered the cost to applicants is unlikely to reduce in the short term. This is due to the fact that applicants will still be reliant on other legislative regimes (e.g. ecology) and guidance such as flood risk. However further changes planned to lower the supporting information required to enable effective decisions to be made on planning applications, may reduce costs over time.</i></p> <p><i>The Council believes that initially extra cost and delay will be incurred through increased appeals, particularly prior to the adoption of the Council's Core Strategy. Given the substantial revisions to national policy, it is also likely to take time for new case law to be established as part of the legal planning process. Therefore it is essential that when the NPPF is finally published, it is clear on the issues identified in the consultation response above, particularly around the interpretation of the presumption of favour of sustainable development. This is also the case for those areas which have not been brought forward in the NPPF, but were previous core principles of existing national guidance (particularly protection of the countryside for its own sake - see plan making section above). If not addressed, this has the potential to have an impact on planning decisions, such as confusion and delay, in the short term prior to the adoption of the Local Plan.</i></p> <p><i>In consideration of the thematic areas listed, the Council considers the changes listed under the economy and environmental sections are not likely to lead to additional resources being required in terms of development management. The issues identified in the society section are also unlikely to require significant additional resources and in some cases will simplify the current requirements (such as dropping the brown field land target)</i></p>
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