



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	PLANNING COMMITTEE
DATE:	23 JUNE 2015
REPORT OF THE:	HEAD OF PLANNING AND HOUSING GARY HOUSDEN
TITLE OF REPORT:	ADOPTION OF THE HELMSLEY PLAN
WARDS AFFECTED:	HELMSLEY

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To present the Inspector's report on the examination into the Helmsley Plan and to recommend that the Plan is adopted as part of the Development Plan for the District.

2.0 RECOMMENDATION

- 2.1 That Council is recommended to:

(i) Adopt the Helmsley Plan as part of the Development Plan for the District

3.0 REASON FOR RECOMMENDATION

- 3.1 To provide certainty in the planning/ decision making process.

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant risks associated with the adoption of the Plan. The Plan has progressed through a formal examination and has been found sound and capable of adoption by a Planning Inspector.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 On adoption, the Helmsley Plan would be the formal development plan for the Town. The Plan is aligned to strategic policies in the Ryedale Plan Local Plan Strategy as well as strategic policies in the North York Moors National Park Core Strategy and National Park Management Plan. On-going consultation and involvement has informed the preparation and examination of the Plan.

REPORT

6.0 REPORT DETAILS

Members will be aware that work commenced on the preparation of the Helmsley Plan in July 2011 and that the plan has been produced jointly with the North York Moors National Park Authority. The Helmsley Plan allocates sufficient land to accommodate approximately 190 new dwellings (in addition to existing commitments) and up to 1.9ha of employment land to meet requirements for the town up to 2027. It also contains a suite of policies to guide various forms of development and to manage change at the town.

6.1 The various stages of preparation and consultation on the Helmsley Plan have included:

- Discussion Paper for consultation, January 2012
- Draft Version, June to August 2013
- Publication Version, January to March 2014
- Submission to the Secretary of State, May 2014
- Examination, March 2015
- Consultation on Proposed Modifications, March and April 2015
- Inspector's Report 28 May 2015

6.2 The formal consultation on the Publication version of the Helmsley Plan took place between 24th January and 7th March 2014. In total 20 responses were received to the consultation which were broken down into 165 individual comments. The examination of the Plan was delayed to allow time to deal with issues relating to deliverability of sites to the south east corner of the Town. Members will be aware that in this respect, this Council is taking action to compulsory purchase two sites in the south-east corner of the Town to ensure their deliverability for the uses intended by the Helmsley Plan. Following a 6 month suspension of the examination a hearing session was held on 3 March 2015 at the National Park offices in Helmsley.

6.3 At the hearing session the Inspector asked the Authorities to consult on a number of proposed modifications which were considered necessary to make the Plan sound. A schedule of the proposed modifications was prepared and was subject to public consultation from 18 March to 29 April 2015. Following the Ministerial Statement 'Planning update March 2015' and subsequent enactment of the Deregulation Act 2015 further amendments were made to the published schedule of main modifications to take into account the implications of these changes in Government Policy. The modifications are attached as an Appendix to the Inspector's letter which is reproduced at Appendix 1 to this report and in summary are:

- Amendments to the housing policies which removes information on phasing and the provision of bungalows;
- Amendments to the requirement for affordable housing obligations to bring into line with recent changes to Government Policy;
- Amendment to the policy on employment to clarify appropriate use classes;
- Amendments to the policies on community facilities, retail and green infrastructure to provide further clarification;
- Amendments to the policy on renewable energy to reflect changes to government policy guidance;

- Amendments to the policy on telecommunications to provide further clarification; and
- Removal of the design briefs from the main document to an appendix.

6.4 The Inspector's report was received on 28 May 2015. The Inspector has concluded that the CPO action taken by the Council has allayed his concerns about the deliverability of two of the proposed land allocations. He has confirmed that with the recommended main modifications put forward by the Authorities the Helmsley Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework. The revised version of the Plan proposed for adoption with the modifications incorporated is attached at Appendix 2.

6.5 It is understood that the North York Moors National Park Authority's Planning Committee will consider the adoption of the Plan at a meeting on the 23 July 2015.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

The costs associated with the production of the Helmsley Plan are accounted for in the service budget.

b) Legal

Under the Town and Country Planning Act Regulations any person aggrieved by the local plan may make an application to the High Court within 6 weeks of the formal adoption date. High Court challenges may be made on the grounds that the document is not within the appropriate power or a procedural requirement has not been complied with.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)

The Helmsley Plan has been prepared in line with the Town and Country Planning (Local Planning) (England) Regulations 2012. Once formally adopted the Helmsley Plan will become part of the Authority's Development Plan and planning applications in Helmsley must be determined in accordance with its policies unless material considerations indicate otherwise.

8.0 NEXT STEPS

8.1 If Council is minded to adopt the Helmsley Plan the necessary legal notification will be made.

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Background Papers:

Helmsley Plan consultation material and examination documentation

Background Papers are available for inspection at:

www.ryedale.gov.uk www.northyorkmoors.org.uk