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| PART B: | RECOMMENDATIONS TO COUNCIL |
| REPORT TO: | POLICY AND RESOURCES COMMITTEE |
| DATE: | 9 FEBRUARY 2022 |
| REPORT OF THE: | PLANNING SERVICE MANAGER JILL THOMPSON |
| TITLE OF REPORT: | NORTH YORKSHIRE COUNCIL- AFFORDABLE HOUSING SITES |
| WARDS AFFECTED: | MALTON |

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 This report is brought before Members in response to a request from Cllr. Potter, Leader of the Liberal Group, requested that the following recommendations are made to this meeting of the Policy and Resources Committee. To give Ryedale District Council (RDC) members the opportunity to present a proposal to North Yorkshire Council (NYC) regarding the delivery of affordable housing/extra care scheme(s) on:

- RDC/NYC owned Ryedale House site;
- RDC/NYC owned Wentworth Street car park upper tier site and the land shaded in Green;
- Privately owned land and building next to the car park (as identified on the accompanying plan in pale pink identified as 'Works').

2.0 RECOMMENDATIONS

2.1 It is proposed to Council that:

- (i) Members seek to advise and prepare a submission for North Yorkshire Council to consider regarding the following assets to be submitted as sites to the Local Plan process:
 - The Ryedale House Site (full area) for a 100% affordable housing scheme and/or an extra care facility; and
 - Upper section Wentworth Street Car Park for an extra care facility (C2 use class) and/or 100% affordable housing provision (C3 use class) and to

explore uses in the Green coloured land (Appendix 1)

- (ii) Prepare a submission that North Yorkshire Council explore the acquisition of the parcel of land adjacent to Wentworth Street Car Park, shaded in pale pink as part of the above proposed scheme for area shaded in green (Appendix 1).

3.0 REASONS FOR RECOMMENDATION

- 3.1 To provide the opportunity to ensure that the North Yorkshire Council explores fully the opportunity to deliver key affordable housing and/or extra care scheme(s) on Council-owned land in Ryedale. To explore the ability to acquire additional land to support that endeavour. The report recognises that this decision rests with the new council, but it represents an important opportunity to ensure that North Yorkshire Council do consider the opportunity to deliver projects.

4.0 SIGNIFICANT RISKS

- 4.1 The most significant risk to this proposal is the decision of North Yorkshire Council to decline to progress such proposals. The assets (the Ryedale House site and the Wentworth Street car park site) will pass to North Yorkshire Council from 1st April 2023 and so it will be for them to decide whether such assets are to be retained, or if not when might it be possible for them to be released.
- 4.2 There is the implication for any loss of Ryedale House, which provides accommodation for partners, including NYC social care services, the police and the DWP, alongside the current base for a significant proportion of the RDC cohort of staff, and a current, principal point of contact for Ryedale residents. No consultations have taken place with any parties concerning the redevelopment of Ryedale House. With a key objective of providing local service delivery through the new council, there will need to be consideration given to where these existing services will be provided from, and ensuring that they are suitable to meet the needs of the local community. This will require timely consideration to ensure that there is no loss of service, and there is also a need to ensure that there is full communications around any timescales and alternative provisions.
- 4.3 Such a proposal will take years to come forward, if at all. But, it is also to be acknowledged that with impending Local Government Reorganisation, that the timing of communications around the potential release of the Ryedale House building will need sensitive management as staff are already under strain due to the collective uncertainties around Local Government Reorganisation.
- 4.4 It is considered that early work will also need to establish which sites will provide, functionally, the best form of development for the context of that site, to avoid ultimately abortive work on the potential proposals.
- 4.5 This report represents an early starting point on what would be a very significant project, and there would need to be considerable work undertaken to establish the nature of any housing development scheme, particularly an extra-care scheme. There will also be consideration around the delivery mechanisms and whether the Council (NYC) are a Registered Provider and retain control and ownership of the

sites and development on them, or whether they seek to have a delivery partner.

- 4.6 There are considerable risks concerning the land which is not within Council ownership. No discussions have taken place with the landowner. It represents a very significant uncertainty, and may be complex and challenging to acquire. It is believed that the land is subject to a right of access through the Council-owned land which is shaded green. The funds to acquire the site have not been identified.
- 4.7 It may also be necessary to undertake work on the capacity of the Wentworth Street Car Park, both in terms of lost spaces resulting from any development scheme, and implications for the retained car park concerning impacts on the movement of vehicles to and from the proposed development, including, for example, Ambulances to the Extra Care site. Also, regarding the land shaded in green there are users and tenants of the site which have not been consulted upon regarding this intent to seek to redevelop the site.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 Affordable Housing delivery is a key arm of the existing Council Plan. It is also recognised as a key area of focus by the emerging North Yorkshire Council. Evidence from a range of evidence sources is showing that Ryedale, alongside many parts of North Yorkshire, has a generally aging population, which requires a range of actions to help best meet the needs of that aging population.
- 5.2 Ryedale House is a site allocated for housing (tenure unspecified) in the adopted Ryedale Plan- Local Plan Strategy. This the extant Development Plan and will be so until such time it is superseded either by review or by a new local plan, as the development plan cannot be amended. It is, however, a site which has not been identified as being deliverable in the last two annual Strategic Housing Land Availability Assessments, because the Council has given no further indication of its release from when it was considered as part of the contingent of site submissions for the Local Plan Sites Document in 2019 when the plan was adopted. With LGR taking place, any decisions would now be made by North Yorkshire Council regarding whether that allocation is retained, or deleted, based on the review of the Ryedale Plan and preparation of the new local plan, and the consideration of its assets.
- 5.3 The entirety of Wentworth Street Car Park is within the adopted Development Limits, and within an area identified in the Ryedale Plan Local Plan Strategy as being within the 'Malton Arc' a broad sweep of land which is recognised as being an important space within the town of Malton for the provision of a range of town-centre appropriate uses, which could include residential uses (C2 and C3). The land shaded in pink and green is outside of that designation, but it is still within Development Limits.
- 5.4 No internal or external consultation has taken place on these proposals. Housing Services, as the Local Housing Authority, are, as principle, keen to support affordable homes in sustainable locations. The extra-care proposals would be considered by adult health and social care services provided by North Yorkshire Council. It is proposed that the outcome from this recommendation could result in further reports to the new North Yorkshire Council.

REPORT

6.0 REPORT DETAILS

Background Context

- 6.1 On 13th January 2023 Cllr. Potter, Leader of the Liberal Group, requested that the following recommendations are made to this meeting of the Policy and Resources Committee. He states:

“The housing market has been a broken one for many years, out of reach for most people not fortunate enough to already be in a position of house ownership. Given the recent significant increase in mortgage rates, many existing homeowners will also now be in a parlous financial position. There is also a major shortage of housing available for affordable rent, whether social or privately owned.

When the local affordability ratio reaches 10 or more, house prices are generally beyond the means of most local people, particularly our young people. Based on the most recent November figures of average annual income in Ryedale of £23,340 and average house prices of £320,550, the current affordability ratio is 13.7. On that basis, affordable housing provision in the district is of the utmost importance.”

- 6.2 This report represents a first, tentative, step and is to raise awareness of the issues and opportunities for North Yorkshire Council to explore regarding its assets in Ryedale and to look at ways to deliver affordable housing, which is already identified as a key issue for the new council, and to explore Extra Care provision with these sites located in Malton, on of Ryedale’s key settlements.

The planning process

- 6.3 There will need to be a range of considerations and decisions to be made by the new council before it can make any formal decisions on these sites. It is considered that the Local Planning Authority, with officers that are familiar with Ryedale, will be best-placed to advise NYC on the process it will be expected to undertake regarding the submission of any sites through the Local Plan process, should that be the chosen route to be taken.
- 6.4 The alternative route to the Local Plan process is to make planning applications. This is at the point the Council has secured the ownership and agreement of the Members to release the sites for their proposed uses, and all the necessary evidence is ready to support the planning application. Whilst speculative applications are often made, this would, however, be pre-empting the preparation of the new Local Plan. Whilst there are no means to prevent applications being made, it will be in advance of the NYC’s key strategic spatial delivery strategy being in place, and could be viewed as undermining the government’s desire to see delivery of development through a planned planning system.

The current planning context of the assets

- 6.5 As reported earlier in the report, the Ryedale House building, its car park and surrounding land is land which in principle already has significant planning status as an allocation (SD4) in the Development Plan for the provision of housing (C3 use class). It has already been recognised that this site represents a sustainable and appropriate location for the delivery of residential development. The site is subject to a series of Development Principles, which would be expected to be followed in relation to the submission of any planning application. These are:

Policy SD4 Housing Allocation -Land to the west of Old Maltongate (Ryedale House), Malton: Development Principles

Detailed proposals for the development of the site shall include:

- *An indicative yield of 60 dwellings*
- *larger scale development in block form to middle and front of the site (with potential for flatted development)*
- *smaller scale housing development to the rear of the site*
- *landscaped and tree lined setting to Old Maltongate to be retained*
- *design to a high specification, drawing on the architectural character and detailing of high status buildings on along Old Maltongate*
- *use of the existing access off Old Maltongate*
- *Capability for electric vehicle charging for each property with a dedicated car parking space within its curtilage*
- *Lighting scheme to minimise glare, reduce energy usage, and protect amenity*

- 6.6 The yield from the site is indicative, and the development principles do not prescribe, nor does the development plan, the tenure of the dwellings proposed. Therefore, under the current allocation, a scheme which promoted 100% affordable housing would not be contrary to principles which underpinned its allocation. It would be to establish, what, if any, wider plan compliance issues were raised as part of the proposal. Whether that is as result of the proposed tenure or indeed any other material planning issues raised.

- 6.7 It is to be acknowledged that depending on the length of time taken to agree the alternative locations for existing operations at Ryedale House, any conveyancing necessary to secure ownership of the land, and consultation on reducing the extent of the existing car park provision at Wentworth Street Car Park could affect the timescales for the submission of the site or a planning application being made. Any planning application would be considered in accordance with the adopted Development Plan unless material considerations indicated otherwise.

- 6.8 All sites adjacent to or part of Wentworth Street Car Park are within the Development Limits, and the established built up area of Malton, part of the Principal Town in the settlement hierarchy of the Ryedale Plan. The location is therefore one which would be recognised as being in accordance with our spatial development strategy principles. In terms of its access to facilities and services, it is viewable as a sustainably sited location for residential development such as Extra Care, and the

delivery of affordable housing. The land which makes up the upper tier of Wentworth Street Car Park is identified in the current Development Plan as part of the Malton Northern Arc. But the land in green/pink is not included, but is adjacent.

Matters to address prior to the submission of the site(s) to the Local Planning Authority

- 6.9 Land ownership, availability and timeline for the release of the land, and alternative locations for the current uses, alongside site submission information will be crucial early factors to establish prior to submission to the Local Planning Authority (NYC). This is to confirm the deliverability of the site as realistic prospect of coming forward within the timeline of the plan's delivery period. Developability is also key, and below are some of the key site-specific considerations identified. They do not represent a full list of considerations which would be considered as part of assessing proposals in accordance with the Development Plan.
- 6.10 Both parcels of land are in Flood Zone 1, which is the least risk of flooding designation. For The Ryedale House site there are some heritage sensitivities, and the presence of a group of trees subject to a Tree Preservation Order, the site is likely to also need a proportional Habitats Regulations Assessment due to its proximity to the River Derwent Special Area of Conservation.
- 6.11 For the Wentworth Street Car Park site, there are some site contextual sensitivities and these relate to the Malton Conservation Area, and the listed buildings on the site of the Malton Cemetery which are nationally designated heritage assets. The Local Planning Authority would need to consider the significance of these assets, and the impacts the proposals could bring to those aspects of heritage significance.
- 6.12 The Local Planning Authority cannot decline to accept site submissions, but if sites are not backed up in terms of their evidence of being developable, and deliverable during the plan period of the emerging Development Plan, then they will not perform well through the site assessment process, and are unlikely then to be taken forward. This work will need to be evidenced by other parts of North Yorkshire Council, such as the Local Housing Authority, Economic Development, Public Health and Social care, and external commissioning of consultancy support to prepare technical evidence, as well as the full suite of corporate services.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- (i) Financial

Budgetary provision for the feasibility work has not been identified, and would need to be in place to ultimately prepare the site submissions for consideration by the Local Planning Authority.

- (ii) Legal

Aside from the established conveyancing process for the acquisition of the land in recommendation ii, there are covenants on the Ryedale House Site. In order for the sites to be able to progress through any site assessment process the Local Planning Authority would need to have a council resolution to release the site for housing.

(iii) Environmental, Ecological, Climate Change and Carbon

These aspects will need to be considered in greater detail through the implementation of any project brief, and the submissions made to the Local Planning Authority as part of seeking to include any sites as part of the review of the Ryedale Plan/preparation of the new Local Plan for North Yorkshire.

(iv) Equalities

EqlA will need to be undertaken as part of the consideration of the proposals, particularly in relation to the implications for the relocation of services from Ryedale House and the proposed uses.

(v) Staffing

It is not considered that additional staff resources will be required directly, but additional consultancy support would be required.

(vi) Planning

The Local Planning Authority would be tasked with assessing any site submissions or planning applications in accordance with established procedures.

(vii) Health and Safety

There are no Health and Safety implications.

(viii) Crime & Disorder

There are no crime and disorder implications, but the potential relocation of the current community policing team is a consideration.

(ix) Data Privacy

There are no data protection issues at this stage, as the recommendation does not involve the storage/use of personal data.

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Appendix 1: Site Location Plan of the additional, privately owned land shaded in pink, and additional land shaded in green which is owned by the Council.

Background Papers:

Malton and Norton Policies Map

https://www.ryedale.gov.uk/content/uploads/2021/06/Malton_Norton_Central_Area_Policies_Map_Nov_2018-1.pdf

Local Plan Sites Document

<https://www.ryedale.gov.uk/content/uploads/2021/06/The-Ryedale-Plan-Local-Plan-Sites-Document-Final.pdf>