



LOCAL PLAN WORKING PARTY

Thursday 18 June 2020 at 6.00 pm

Agenda

- 1 **Item 1 LP Process_LPWP_June20** (Pages 3 - 10)
- 2 **Local Plan Review**
- 3 **Item 2 LPWP Agenda 18.6.20** (Pages 11 - 12)
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- 5 **Item 4 Appendix 1. Indicative Timeline** (Pages 15 - 20)

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REPORT TO:	LOCAL PLAN WORKING PARTY
DATE:	18 JUNE 2020
REPORT OF THE:	HEAD OF PLANNING AND REGULATORY SERVICES GARY HOUSDEN
TITLE OF REPORT:	THE RYEDALE PLAN REVIEW
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To provide an overview of the process for the preparation of a new Local Plan for Ryedale and to provide an update on progress since the initial meeting of the Working Party in October 2019.

2.0 RECOMMENDATION

2.1 It is recommended the Working Party:

- (i) Note the progress of the Review to date
- (ii) Note the plan review process and the indicative timetable (at Appendix 1)
- (ii) Agree the process as outlined in paragraphs 6.18-6.20

3.0 REASON FOR RECOMMENDATION

3.1 To progress the review of the Local Plan.

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks associated with the recommendation. The risks to the plan process are outlined in the report.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 The Local Plan is the statutory development plan covering the area of Ryedale outside of the North York Moors National Park. The plan is a key policy document which is produced by the Council. In particular it:

- Delivers economic, social and environmental priorities
- Provides the justification for securing developer contributions and the operation of the Community Infrastructure Levy and helps to secure New Homes Bonus
- Delivers strategic priorities including those in the Strategic Economic Plan and

- emerging Local Industrial Strategy.
- Informs the investment programmes of service providers
- Provides a framework for the preparation of Neighbourhood Plans by Town and Parish Councils.

5.2 On-going consultation is integral to the plan-making process. This is outlined in further detail in the main body of this report.

6.0 REPORT

The Ryedale Plan

6.1 The Council's Local Plan is comprised of:

- The Ryedale Plan (Local Plan Strategy) (Adopted 2013)
- The Ryedale Plan (Local Plan Sites Document) (Adopted 2019)
- Policies Map (2019)
- The Helmsley Plan is a development plan document that has been prepared jointly by the Council and the North York Moors National Park Authority. It was adopted in 2015.

6.3 The current plan covers the period 2012-2027.

The need for a review

6.4 It is a statutory requirement that the Plan is kept under review and up to date. Once a plan becomes out of date, the weight that can be given to it in the decision-making process is reduced and Ryedale can become vulnerable to speculative and unplanned development proposals.

6.5 Although the Sites Document has only recently been adopted, plans take several years to produce. Starting a review of the plan at this stage should ensure that an up to date development plan (and specifically a deliverable 5 year supply of housing land) is maintained to the point at which the Council is in a position to adopt a new plan.

6.6 The Local Plan Strategy has been in use for over five years. The review will enable the Council to consider the way in which current policies have operated and to agree changes to ensure that the plan continues to reflect local aspirations and priorities. The review will also ensure that the plan can be revised to take account of any changes to national policy; updated evidence and the emerging Local Industrial Strategy.

6.7 The Council will be undertaking a 'whole plan' review as opposed to a selective review of any particular policy. The review will progress on the basis that one plan will be produced and that it will cover a minimum fifteen year period from its intended date of adoption. The review will also provide the opportunity to review the Council's Community Infrastructure Levy charging schedule if this is considered to be appropriate.

The process

6.8 The process of preparing a development plan is covered by legislation and guided by national policy which establishes a series of 'soundness tests' that must also be satisfied in before a plan can be formally adopted. It is a formal process which is informed by technical evidence, options testing and sustainability appraisal, together with public consultation and on-going co-operation and engagement with partners.

6.9 Legal requirements establish:

- formal stages and scope of consultation and publicity
- requirements for the formal scrutiny of a plan through an examination in public
- a duty to co-operate with specific bodies throughout the plan-making process
- the need to produce a Local Development Scheme - a project plan covering the process
- the need to produce a Statement of Community Involvement (SCI) , which covers the way in which interested parties can be expected to be engaged in the process or informed of progress at different stages. The SCI will be one of the first documents produced as part of the plan review and the Council's communications team will contribute to its production.

6.10 The soundness tests established in national policy are that plans are:

- Positively prepared – the plan meets needs
- Justified – it is an appropriate strategy, taking into account reasonable alternatives and based on proportionate evidence
- Effective - it is deliverable and based on effective joint working on cross-boundary strategic matters
- Consistent with national policy – it enables the delivery of sustainable development in accordance with national policy

6.11 The process breaks down into three broad stages:

- Issues/Options – production of technical evidence and studies; ‘call for sites’; Sustainability Scoping and Appraisal; on-going engagement to inform policy options and choices; public consultation
- Publication - the detailed plan is drafted and formally published for consultation before submission to the Secretary of State for examination.
- Examination/Adoption – the plan is scrutinised and necessary modifications made before formal adoption.

Indicative Timeline

6.12 An indicative timetable for the plan review was presented to the Local Plan Working Party in October 2019. The timetable was as follows:

Issues/Options: Q1 2020-Q4 2022
Draft Plan/Publication: Q1 2023-Q4 2023
Examination: Q1 2024-Q2 2025

6.13 To date, some initial progress has been made in reviewing the plan. This includes:

- Working with neighbouring councils in particular Scarborough Borough Council to establish whether there is an appetite to jointly commission the technical studies needed to support a review
- Updating some of our ‘in house’ evidence including housing completion and land supply information
- Drafting a new Statement of Community Involvement to outline consultation and engagement in the review.

- 6.14 Building on this, Appendix 1 provides an indicative timeline based on a starting point on month one. Month one being the point at which the team is in place to make a substantive start on the review and sufficient capacity exists to cover development management/ planning application workload. It includes reference to main groups of tasks that will be undertaken within each of the three broad stages of plan production and the timing of key decisions. It is representative of the stages in the process and generally, of the time required for each. However, at this stage it remains indicative and the actual timeline will be influenced by a number of factors, not least, emerging policy choices and the nature and extent of work required to support these.
- 6.14 The formal project plan – the Local Development Scheme (LDS) will be prepared and published before the end of this year (2020). It will be the subject of a report to the November meeting of the Policy and Resources Committee. A more detailed work programme will be prepared to sit alongside the LDS to be used internally to manage and review the process and financial expenditure.
- 6.15 There are a wide range of risks to the plan-making process. These all need to be documented in the LDS. The main risks to progress that were experienced during the preparation of the current plan included: the timely engagement of partners; changes to national policy and legislation and; the consequential impact that delays have on maintaining an up to date evidence base. The ability to recruit necessary staff is also a potential risk to the process moving forward.

Internal Procedures

Council and/or Policy and Resources Committee

- 6.17 Over the course of the plan process a number of formal decisions will need to be made by the Policy and Resources Committee and/or Council. Aligned to the three broad stages in the plan-making process these include:

Issues/Options:

Policy and Resources Committee:

- Local Development Scheme
- Statement of Community Involvement
- Sustainability Appraisal Scoping Report
- any public consultation material
- any necessary key decisions

Publication

Policy and Resources Committee and Council:

- The plan for formal publication and submission
- Formal request to the Planning Inspector to recommend modifications

Examination/Adoption

Council:

- Formal adoption of the plan

Local Plan Working Party (LPWP)

- 6.18 The Local Plan Working Party (LPWP) has an advisory role which will provide advice on priorities and help to shape emerging policies. The consideration/development of policy and other key documents (the Local Development Scheme and Statement of

Community Involvement) within the working group would then be followed by reports to Policy and Resources Committee and, if required, Council. Provisional dates for the Working Party have been identified to ensure the time is made available in the schedule of meetings. A draft schedule of the issues, tasks and activities that the Working Party will need to cover is included within Appendix 2. The schedule is broadly aligned to the main stages in the plan process to reflect the largely sequential nature of a plan review

- 6.19 The technical evidence that is necessary to support the plan is not required to be the subject of any formal decision. The LPWP and Member Briefings will be used to ensure Members are kept informed of emerging technical evidence and the outcomes of on-going consultation and Duty to Co-Operate meetings with partners.
- 6.20 Members of the LPWP are aware that they will be instrumental in ensuring that the work of the group is shared with other members. On-going meetings between Officers and each of the political groups has previously proved an invaluable way in which to progress the current plan. It will be important that member briefings and meetings with members in their political groups are used to help to develop the plan in addition to the LPWP.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:
 - a) Financial

The Local Plan review was approved by Full Council in February 2020 as a growth item as part of the budget setting process and medium term financial plan. A revenue resource of £500k is to cover additional staffing resources (x2 Planning Officers) and the costs of producing the plan – most notably the costs of required technical studies and the costs charged by the Planning Inspectorate for conducting the formal examination of the plan while noting that additional support from reserves would be required. The revenue funding has been allocated to the budget as a broadly profiled increase to the base of £125k per annum over four years.

The staffing costs identified for the plan will remain relatively constant. (£79k pa), although these will start to be incurred part way through 2020/21. The other costs associated with the production of the plan have a different profile and, as above, some will be funded from reserves. Higher costs will be incurred in the first two years as technical studies are commissioned and in the final year when examination costs are met at the end of the process. In view of the complexity and inherent risk in the plan making process and the financial commitment to the review, it is important that there is a firm financial grip over the committed resources. However, it is important that this is balanced with the need to spend money in a timely way to avoid delaying or constraining the process. This will require some re-profiling of revenue expenditure in order to ensure that all the necessary technical evidence can be commissioned in the first two years of the process. All of the 2020/21 budget that is available to commission technical work will be committed well in advance of the end of the 2020 calendar year. A re-profiling of years 2 and 3 will be required to ensure that additional resources are available in year 2 to address the costs of technical work. Assuming that the posts are required for three years, then an indicative profile would be:

2020/21: £108k
2021/22: £189k
2022/23: £129k
2023/24: £81k

However this will be reviewed and reported on as part of the normal budget monitoring process.

Over the next six months, a detailed timetable for producing the plan and the procurement of evidence will be prepared. This work will consider the impact the current COVID crisis may have on the ability to commission technical studies (although initial indications are that a number of consultancy firms will be looking to secure work as soon as possible). The detailed project plan will inform detailed costs and will allow the spend profile and funding requirements to be reviewed and fed into the 2021-2022 budget process. Once a more detailed schedule of the costs of technical work has been prepared, this will help to inform the required budget/budget profile in more detail.

- b) Legal
The plan-making process will need to be undertaken in accordance with planning legislation.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)

The two additional planning officer posts that have been agreed will help to ensure that the resources required to deliver the plan are improved. There will also be a need to ensure that sufficient capacity exists to deal with the development management caseload currently undertaken by the current Senior Officer who will need to take a lead role in the plan review.

The plan process is subject to Equalities Impact Assessment; Health Impact Assessment and Sustainability Appraisal. Policies in the plan will contribute to economic, environmental and social objectives.

8.0 NEXT STEPS

- 8.1 The Local Development Scheme and Statement of Community Involvement will be prepared to be agreed in the Autumn.
- 8.2 A programme of work/matters to be considered by the Local Plan Working Party will be drafted for discussion.

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Background Papers are available for inspection at:
<https://www.ryedale.gov.uk/planning/planning-policy.html>

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Local Plan Working Party
18 June 2020

Agenda

1. Introduction

- Reminder of matters discussed at inception LPWP meeting held on 31 October 2020
- COVID; the potential impact on plan making
- Key RDC decisions (P&R and Council)

2. Update on Local Plan review progress.

3. Local Plan – Vision, Aims, Objectives

- How are these arrived at?
- What has /should change?
- How should they link with emerging Council Plan priorities?
- External influences

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Appendix 2

Local Plan Working Party

Stage 1 Months 1-36

This initial period covers all of the work which is necessary to write the plan. Over this period, policy choices (particularly policies that relate to the distribution of quantum of development) are identified and then refined using evidence, consultation and sustainability appraisal.

Over this period the LPWP will:

Draft the Vision, Aims, Objectives of the plan – aligned to the emerging Council Plan and emerging sub-regional plans eg Local Industrial Strategy and aligned to plans and strategies of other Duty to Co-operate bodies

Review the Local Plan Sustainability Appraisal Framework

Identify broad spatial options for the distribution of development and identifying the ‘pros and cons’ (drawing on evidence). Draft/ input into initial public consultation material and consider subsequent responses to consultation

Consider emerging evidence and understand the Districts’ development needs and requirements into the future (level of housing required; town centre development, employment land requirements)

Consider Housing policy and distribution options (requirements of national policy; approach to development limits policies and specific housing distribution options)

Visit two local estates in the summer of 2020 to help to frame/consider policy responses to rural housing issues; the land-based economy; heritage and landscape management

Understand/consider the infrastructure improvements required to support levels/ distribution of development

Understand the viability of development and the implications for policy targets and standards. Explore the implications of revisions to Community Levy Infrastructure charges

Agree set of key policy decisions for consultation (Development Strategy – distribution of levels and types of development; Policy Targets – affordable housing target; sustainable build standards). Consider subsequent consultation responses

It is anticipated that the LPWP will meet at least every 2 months over this period with additional meetings to be scheduled once the detailed work programme for the plan is drafted.

Stage 2 Months 37-48

This is the period over which the detailed plan is drafted. The plan is to be completed by the end of the year so that it can be formally published.

Over this period the LPWP will focus on:

The selection of development sites (land allocations) and any detailed changes to development limits

Detailed drafting of the main sections of the Plan, including:

- Visions, Aims, Strategy
- Land allocation policies and criteria based policies to meet development requirements for housing, town centre uses, employment land, leisure and open space

It is anticipated that the Working Party will need to meet on a monthly basis over the course of this year

Stage 3 Months 49-66

Once the plan is published it is then submitted for examination. The Planning Inspectorate oversees and manages the process and there is no opportunity for RDC to revisit policies/ proposals. A list of modifications to the Plan that the Inspector considers to be necessary will be compiled over the course of the examination hearing sessions and these will be consulted on before the examination is closed.

Over this period the Working Party will meet to be updated on examination preparation; the progress of the hearing sessions; the schedule of proposed changes to the plan and arrangements for the formal adoption of the plan .

Stage 1: Issues/Options/Evidence	Month 1-3	Month 4-6	Month 7-9	Month 10-12
Consultation/Contact Database				
Commission Evidence				
Sustainability Appraisal (SA) Scoping Report - Draft				
Consult on SA Scope				
P&R Committee to agree SA & Habitat Regulation Assessment (HRA) Framework				
Call for Sites				
Collate/Review existing site information				
Draft Statement of Community Involvement (SCI)				
Consult on SCI				
P&R Committee to agree SCI				
Duty to Co-Operate Meetings				
Draft Local Development Scheme (LDS)				
P&R Committee to agree LDS				
Draft Issue and Options				
P&R Committee to agree Issues and Options consultation material				
	Month 13-15	Month 16-18	Month 19-21	Month 22-24

Public Consultation – Issues/Options				
Collate and analyse responses				
Evidence gathering/testing				
	Month 25-27	Month 28-30	Month 31-33	Month 34-36
Duty to Co-Operate Meetings				
Evidence gathering/testing				
SA/HRA				
Mapping				
P&R Committee – agree preferred policies/key decisions				

Stage 2: Refine Options/Draft Plan	Month 37-39	Month 40-42	Month 43-45	Month 46-48
Consult on key decisions				
Consider response				
Draft Plan and Map				
P&R Committee /Council agree to publish the plan & submit for examination				
Formal Publication Consultation				

Stage 3: Examination	Month 49-51	Month 52-54	Month 55-57	Month 58-60
Collate responses				
Prepare supporting statements				
Submit for examination				

RDC response to Inspectors Matters For Examination				
Examination hearings				
Modifications consultation				
	Month 60-62	Month 63-65		
Inspectors Report				
Council -Adoption				

Stage 1: Issues/ Options

Key Tasks

Draft Statement of Community Involvement (SCI)

Draft Local Development Scheme (LDS)

Decision (P&R) to agree SCI and LDS

Draft Sustainability Appraisal Scoping Report

Consult SA bodies on SA Scope

Decision (P&R) SA Scoping Report and Appraisal Framework

Initial Duty to Co-Operate contact and meetings

Commission/collate initial evidence: (*prepared in-house)

- Strategic Flood Risk Assessment
- Econometric Modelling
- Employment Land Review
- Strategic Housing Market Assessment
- Gypsy and Travellers Needs Assessment
- Town Centre capacity/needs assessment
- Open Space Review

- Renewable Energy Capacity Study
- Call for Sites*
- Collate existing site information*
- Plan-Wide Viability Assessment
- Initial work – Infrastructure Delivery Plan*
- Site Selection Methodology*
- Landscape character assessment/ Special Qualities Study*

Issues/options public consultation

Issues/options Duty to Co-Operate meetings

Collate and analyse responses

Refined Evidence :

- Highways Modelling (A64 and Local Networks)
- Air Quality Assessment
- Infrastructure Requirements/Delivery Plan
- Site Specific Viability
- Sustainability Appraisal

Mapping

Agree preferred policies/ key decisions

Stage 2: Draft Plan

Key Tasks

Public consultation – preferred options/ key decisions

Summarise responses and agree to progress

Undertake any additional evidence gathering

Duty to Co-Operate meetings to confirm way forward

Draft Plan/ Policies/ finalise site selection/ complete Policies Map

Complete Sustainability Appraisal and supporting assessments

Complete Consultation Statement

Decision (P&R and Council) to publish and adopt

Follow formal Publication procedure and legal requirements (notification, availability of documents)

Stage 3: Examination

Key Tasks:

Representations received when the plan is formally published are collated

Examination supporting material is compiled and submitted along with the Plan and Policies Map. This includes:

- Topic Papers
- Statement of Consultation
- Duty to Co-Operate Statement & Evidence
- Self- Assessment of Soundness
- Supporting assessments (Sustainability Appraisal; Habitat Regulation Assessment; Equality Impact Assessment; Health Impact Assessment)
- Supporting evidence documents
- Schedule of Additional Modifications

Response to Inspectors Initial Matters for Examination

Responses to Inspectors detailed Matters for Examination

Compile schedule of Main Modifications

Consult on Main Modifications, collate responses and RDC to provide response

Fact check Inspectors Report

Publish Inspectors Report

Formal Adoption and notice of adoption