



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	4 FEBRUARY 2020
REPORT OF THE:	PLANNING AND DEVELOPMENT MANAGER JILL THOMPSON
TITLE OF REPORT:	THE RYEDALE PLAN - LOCAL PLAN REVIEW
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 For the members to consider the implications of proposed changes to the planning system and Local Government reorganisation (LGR) on the scope and timing of the Local Plan review and to agree a way forward.

2.0 RECOMMENDATION

- 2.1 It is recommended that:

- (i) In principle, the scope of the Local Plan review is limited to a partial review to ensure that development land supply is maintained and specific matters of policy conformity with national policy are addressed as a priority.
- (ii) The draft Local Development Scheme at Appendix 1 is agreed to cover the broad timetable and scope of the review.

3.0 REASON FOR RECOMMENDATION

- 3.1 To support the maintenance of an up to date development plan for Ryedale and to support progress on the review of the development plan during a period of significant uncertainty. The approach proposed would ensure that progress in identifying new development sites/growth areas is made. This is work that would:

- be required in the event that proposed reforms to the system are introduced
- support decision-taking in the event of local government re-organisation (irrespective of administrative geography of any new unitary area/s)
- help to provide additional certainty for Ryedale's communities in the event of re-organisation and the transition to the local plans which would be produced by any new unitary authority

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant risks associated with the recommendations although the decision not to review specific policies in the existing development plan will need to be fully justified as part of the review process. The proposed approach is proposed as a pragmatic response in the face of current uncertainty. It is designed to maximise substantive progress whilst mitigating risks to the use and deployment of resources at this time.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The Ryedale Plan (Local Plan Strategy and Local Plan Sites Document) runs to 2027. The Local Plan Strategy was adopted in 2013 and the Sites Document was adopted in 2019. The Plan requires review. This report considers the approach to the review in response to an uncertain strategic policy and administrative context.

6.0 REPORT

Background

- 6.1 The review of the Ryedale Plan is a priority for the Council. An indicative timetable for the review of the Plan was presented and considered by the members of the Local Plan Working Party at a meeting on the 18 June 2020. The timetable covered a five-six year period from the start of the process to the adoption of a new plan. It was based on the current statutory plan-making process and this Council's experience of the Plan-making process to date. The timetable was based on a full review of the plan which included:

- Establishing future development requirements (Housing, employment land, retail space)
- The location and distribution of development requirements
- The identification of a future supply of land to meet requirements
- Updating policies to ensure conformity with national policy
- Review of Community Infrastructure Levy Charging Schedule
- Review of development standards and targets
- The preparation of one document and the review/ standardisation of the style of all policies and supporting text

- 6.2 The indicative timetable was to be included in a new Local Development Scheme (the formal public project plan) which Officers had intended to take to the November 2020 meeting of the Policy and Resources Committee. However, the Planning White Paper was issued in August 2020 and the implications of the proposed reforms need to be considered before a public timetable is agreed. More recently, following the Government's invitation for proposals for unitary government on the 9 October 2020, the potential for local government re-organisation will have implications for plan-making across North Yorkshire. It is appropriate that these are considered before the broad scope and timetable for the plan review is agreed.

Implications of the Planning White Paper

- 6.3 Members are aware that fundamental reforms to plan making are proposed in the White Paper. The Government has indicated that it would look to introduce its proposed reforms within this parliamentary term. At this point, it is not clear if all of the proposals

will be introduced or when this may happen.

- 6.4 Whilst plan making procedures will change dramatically under the new proposals, the need for local plans to identify land for growth and development sufficient to meet identified requirements will remain. The work required to identify a new supply of development land will remain an important part of the plan making process. To this end, it is considered that progress can continue to be made on this element of the plan review and that this would not be unnecessary work if and when some or all of the proposals are introduced. It is highly likely however that significant changes will be introduced before the Ryedale Plan can be fully reviewed and a new plan adopted.

Implications of Local Government Re-Organisation

- 6.5 Notwithstanding the proposed national planning reforms, Local Government re-organisation across North Yorkshire will also have implications for the review. Any new unitary authorities/y would have planning and plan making responsibilities for the area. The housing requirements of a new unitary authority would be established at the point at which it produces the development plan for its area. In the meantime, existing adopted development plans would remain in place and extant until they are replaced by the plan/plans produced under any new unitary structure.
- 6.6 Whilst this does ensure that a policy vacuum does not exist, the timing of re-organisation has more specific implications for those existing areas with plans which are currently due for review. The new plans to be produced under any unitary structure would not be in place in time to establish any new authorities housing requirement and to ensure a continuity of planned housing land supply. It is unlikely that any new unitary body would have a new plan/s in place before 2027 at the earliest. Existing plans would be considered out of date and this could lead to a situation whereby some areas are vulnerable to unplanned development and speculative proposals, particularly for housing development. For example, whilst Ryedale can currently demonstrate a healthy supply of housing land, this is unlikely to be sustained across the medium (5 year) term.
- 6.7 Experience from elsewhere suggests that some new unitary authorities have taken the decision to progress plans that have been in preparation in the run up to re-organisation to adoption post re-organisation. The approach is aimed at ensuring a plan-led approach and in particular a planned housing land supply in advance of the creation of a new plan/s for any new unitary area as a whole. Clearly, this is a decision for any new authority to take as service delivery strategies are compiled or as commitments are made in the transitional period.
- 6.8 A new unitary authority will want to progress plans for its area in whichever form this may take. (As it currently stands the legislation provides for development plans to be produced in a variety of ways. For example, a new unitary authority could prepare a unitary wide local plan or a strategic spatial plan with area-based allocation/local plans.). It likely that a new authority would need to make progress within five years of coming into being as even recently adopted plans will be due for review within this timeframe. Experience from recent new unitary authorities also suggests that Government expects new authorities to prioritise the production of new plans within five years. The extent to which a new organisation is prepared to commit to progressing existing plans in preparation is likely to depend on the stage at which emerging plans are at and the extent to which they would be overtaken by the preparation of the plans of a unitary authority.

Potential Way Forward

- 6.9 A full review of the Ryedale Plan is anticipated to take between 5-6 years from start to adoption. In view of the timelines proposed under the unitary proposals for North Yorkshire, the review as currently planned would not see the publication of a new plan until after a new authority is established. Unless the plan review is close to submission for examination, it is considered that it would be optimistic to think that any new authority would continue to commit to progressing emerging plans.
- 6.10 In the face of significant uncertainty, it is considered that the Council has three broad options as follows:
- Option 1: Do nothing
 - Option 2: Continue work towards a full review of the plan
 - Option 3: Undertake a partial review of the existing plan to address key matters of conformity with national policy and to ensure development requirements and land supply, in particular housing land supply remains up to date
- 6.11 In terms of Option 1, it is not considered to be in the interests of local communities for the Council to cease work on the review of development plans in the interim. In the face of changes to the planning system and LGR, Option 2 risks work being overtaken by events and resources being deployed to review policies which are not a priority within this context. Against the context of changes to the planning system and LGR, officers are of the view that there is merit in limiting the scope of the plan review to a more targeted, partial review with a focus on the identification of a future land supply to meet development requirements. In particular, the identification of a further housing land supply in advance of any new authority preparing a plan for a unitary area will help to provide some certainty and continuity for local communities. The approach will also assist any new authority by providing time for a new unitary-wide plan to be prepared.
- 6.12 Under this approach, existing policies that are currently functioning as intended or that are in less urgent need of review would not fall in the scope of the review. This is likely to include most of the suite of thematic development management policies; existing policy targets and standards which can be evidenced as remaining relevant and working would not be reviewed. Additionally, Community Infrastructure Levy charges would not be reviewed. Key elements of the plan that will be included in the review will be updated development requirements; review of the settlement hierarchy and distribution of development beyond 2027 and the identification of new land allocations for development and necessary revisions to housing policies to reflect national policy requirements. It should be noted that this approach would align with the work that would need to be taken forward in the event that the White Paper reforms are introduced.
- 6.13 A partial review of a plan is a realistic proposition. It allows the Council to progress key areas of policy that need to be addressed while leaving those parts of the existing Local Plan that continue to be relevant in place, to give certainty to local communities and developers. The guidance on local plans is clear that any decision to not to update policies in an adopted plan should be justified on the basis of proportionate, relevant and up to date evidence. Option 3 is an approach which is a response to prevailing external factors that are extraordinary and will be key justifications for the Councils proposed course of action. At this stage, this report seeks to agree to the principle of

a partial review of the Ryedale Plan. As work on the review evolves, the extent to which specific policies fall within the detailed scope of the review will be documented and the subject of future reports to this committee.

- 6.14 A partial review along the lines suggested would reduce the time in which it would take for a future land supply to be identified and agreed. Whilst the time required to review this element of the plan will be influenced by distributional choices (significant additional development at the towns for example will require relatively more technical evidence in terms of highway modelling and infrastructure requirements/delivery) it is considered that meaningful progress can be made within a two year period. This would start with initial consultation and a call for sites in the spring of 2021, followed by on-going consultation and site assessment to inform preferred site options with the aim of publication and submission of the revisions before the end of 2022.
- 6.15 In the event that either of the LGR proposals are taken forward in advanced of 2023, this would mean that a new authority would take the decision on whether to submit revisions to the plan for examination. This further highlights the need to establish commitment to progressing plans as part of any agreed transitional arrangements. In the event that the Government decides against reorganisation of local government in North Yorkshire, there would be nothing to prevent the Council from revisiting the scope of its plan review.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
A partial review of the plan would reduce the need for a full suite of technical evidence and consequently would reduce some of the costs associated with the review.
- b) Legal
The legislation does not prevent partial reviews of plans from being undertaken although proportionate, relevant and up to date evidence is required to justify a decision not to update policies. The review process will need to be undertaken in accordance with existing statutory procedures covering the plan-making process.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)
The plan process is subject to Equalities Impact Assessment; Health Impact Assessment and Sustainability Appraisal

8.0 NEXT STEPS

- 8.1 This will be followed by a report to the March meeting of the Policy and Resources Committee meeting to agree initial public consultation (call for sites) material.

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Background Papers:

Local Plan Working Party 18 June 2020
Policy and Resources Committee