



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	LOCAL PLAN WORKING PARTY
DATE:	13 OCTOBER 2022
REPORT OF THE:	PLANNING SERVICES MANAGER
TITLE OF REPORT:	LOCAL PLAN REVIEW- KEY DECISIONS
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 For the members of the Local Plan Working Party to give their recommendations on the content on the Key Decisions Consultation Document on the review of the Ryedale Plan which is due to be published in late November. The Consultation document will give consultees the opportunity to comment on the scope of the plan review in relation to some key principles, and to comment on the potential approaches we are considering pursuing in the review of the Ryedale Plan- which will then be finalised in the Publication Draft in the Spring of 2023. There has been recent developments in the matter of the preparation of the new Local Plan for North Yorkshire, and Officers consider this meeting represents an opportunity to revisit and potentially refine the scope of the plan further. The report sets out the pros and cons of doing this.

2.0 RECOMMENDATION

- 2.1 It is recommended that the Working Party consider the report and recommend to the 10 November Policy and Resources Committee:
- (i) Agree the components of the criteria-based policy for small windfall sites at the villages as considered in paragraph 6.5 and the summary recommendation in paragraph 6.6
 - (ii) Agree the position on the application of occupancy conditions as considered in summary recommendation at paragraph 6.10
 - (iii) Agree the potential scope of revisions to Policy SP18 as considered in summary recommendations in paragraphs 6.14 and 6.22
 - (iv) Agree the potential scope of revisions to Policy SP4 in relation to housing space standards and accessibility in the summary recommendation in

paragraph 6.30

- (v) Agree the 'plan for figure' in the summary recommendation of paragraph 6.34 and to give views on the plan period in response to LGR in the summary recommendation in paragraph 6.40
- (vi) Agree principles around the spatial approach proposed summary recommendation in paragraph 6.56
- (vii) Agree the principles around the settlement hierarchy, and choose the proposed approach to designation of Service Villages as considered in summary recommendation in paragraph 6.66.

3.0 REASON FOR RECOMMENDATION

- 3.1 To confirm the way forward regarding scope and policy approach of the review of the Ryedale Plan. This is necessary to support timely decision making concerning policy approaches and timescales that Officers are working to on the review of the Ryedale Plan, in conjunction with the recently emerging circumstances concerning production of the new Local Plan for North Yorkshire.

4.0 SIGNIFICANT RISKS

- 4.1 The meetings of the Local Plan Working Party have been to date primarily around discussion, and this report seeks to present the outcomes of those discussions and propose ways forward. This report seeks members of the Local Plan Working Party to give a steer to both Officers and Members of Policy and Resources committee in relation to the direction of the review of the Local Plan. There is a very significant risk that if some steer is not provided by Members, then it will be difficult to make the necessary progress in relation to key decisions consultation for the review and the review of the plan will slip further- to the point where, based on committee schedules and timescales, it will no longer be possible for the District Council to make a decision on the publication of the Review prior to the vesting date of the North Yorkshire Council in April 2023.
- 4.2 Officers are seeking to get approval for an extraordinary meeting of Policy and Resources in early March 2023 to help provide mitigation for this event.
- 4.3 The nature of the proposed elements of the review can be split into two areas. The first part of the report identifies key elements of the review and through discussion and debate we have come to make recommendations on, these are around specific policy issues. This Key Decisions consultation paper will be signposting to a series of evidence base documents, including Sustainability Appraisal, as all decisions made by the Council are choices which need to be justified and grounded in evidence. The evidence base is close to being compiled, and the sustainability appraisal work will be accompanying the consultation document at Policy and Resources in November.
- 4.4 The report also identifies that there is a more fundamental decision to make around

the review of the Ryedale Plan, and this has come from the recent legal advice given in relation to plan-making for the new Local Plan for North Yorkshire, and in light of this advice whether or not the plan period for the review should be refined. There are pros and cons to making such a refinement, and Members will need to decide in which direction they wish to go with the plan period.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 Prior to 2020 and the impending Local Government Reorganisation (LGR) of North Yorkshire, Ryedale District Council had expected to undertake a full review of the Ryedale Plan, its Development Plan. However, with LGR being an increasingly reality, the decision was taken in early 2021 to commence a partial and pragmatic review of the Ryedale Plan- concerning some key areas around land supply, spatial approach and responding to climate change. This is set out in the adopted Local Development Scheme. The key areas Members sought to review were:
- a) to provide an additional land supply to ensure the plan had full weight in decision making; and
 - b) to review policies which they considered were no longer relevant or appropriate.
- 5.2 The review continues to be focused on housing policies and embedding a broader response to climate change in Policy SP18. There are also factual changes to make in light of the updates to the NPPF. The review was scoped in this way given the natural time limitations and strategic decision making role which would come from the formation of the new Council for North Yorkshire.
- 5.3 The work commissioned to date on the formation of a new local plan for North Yorkshire has confirmed through Counsel that the new authority will need to commence work on its new local plan in earnest, and is expected to have adopted its new Local Plan within or close to 5 years of vesting date (2028). It therefore cannot invest in reviewing multiple existing plans- although the Ryedale Plan Review is not one of the plans which is not to be reviewed. Preliminary work has already started in relation to the preparation of an interim Local Development Scheme, and resources and capacity investigations are underway. Members and officers will need to be able to input into this emerging work, and influence the development of that new Local Plan.
- 5.4 Given this impetus with the production of the new Local Plan, regarding the review of the Ryedale Plan, it is considered that the Council needs to consider whether or not it needs to refine the scope of the review still further. In relation to key areas of housing requirement, spatial approach and allocations to ensure that the two plan-making arenas are able to continue in a collaborative and essentially compatible way. This is discussed in the later sections of the report, and the report seeks Member's views and way forward on this area.
- 5.5 On-going consultation is taking place on the sites, and this started in November 2021. As Members are aware, the Castle Howard Estate site submissions were received in late March and were published on the website in April. This has generated a significant amount of public interest which is welcomed.
- 5.6 At the end of 2021 and running until March 2022 Members may recall the Council undertook a consultation which principally explored the different approaches we could take to the distribution of development. Members have previously been provided with compiled details of the distribution of development consultation. They

are part of the LPWP agenda 29 March 2022:

<https://democracy.ryedale.gov.uk/documents/s61404/Appendix%20to%20Report%20-%20All%20Consultation%20Responses.pdf>

- 5.7 Prior to publication, it is considered necessary to undertake a further 'Key Decisions' consultation which will consult on what is effectively the Council's preferred approach, or some key options concerning the review. It will not give the precise policy wording but will certainly need to express key principles and ask questions about the proposed approach. This will inform the Publication of the Ryedale Plan review. The key decisions consultation will not establish the chosen sites, but it will nevertheless give an indication of the settlements in principle which could be considered for allocations- but it does not mean that the sites submitted in those settlements will come forward as allocations. There is on-going site assessment work to establish which are the most appropriate sites to bring forward.

6.0 REPORT

- 6.1 The report is structured into a series of themes which the Review Key decisions Paper would need to cover. These are split into two areas:

The areas of:

- Criteria-based policy for windfall sites;
- Responding to climate change; and
- Accessibility in new dwellings.

Alongside the overarching matters of:

- To plan-for figure;
- Spatial principles and settlement hierarchy;

Development of a criteria-based policy on small-scale windfall sites

- 6.2 Members of the Local Plan Working Party were supportive of the principle of establishing a criteria-based policy for small-scale windfall housing developments at the villages. There are various ways of achieving such a policy and Officers are keen to get Members' views on the wording of the policy. This policy would be part of the reviewed Policy SP2. Policy SP2 is already supportive of the principle of small-scale developments within Development Limits of the Market and Towns and Service Villages.
- 6.3 It is important for Members to note that this type of policy is very likely to result in a significant uplift in small scale housing delivery, but such housing delivery cannot be relied upon as forming part of the housing land supply, and so allocations will need to be made.
- 6.4 Officers have drafted a provisional policy as a starting point for debate:

Small-scale windfall housing schemes

- *The policy applies to sites adjacent to Development Limits at all settlements. Proposals will not be supported if they are not contiguous with part of the existing Development Limits of a settlement or are attached to an earlier scheme previously considered under this policy.*
 - *This policy applies to housing proposals of 5 dwellings or less.*
 - *Sites which form part of a larger, identified allocation will only be supported if they do not prejudice the development of the wider site, i.e. they do not stymie the wider site from being built out.*
 - *Schemes will have demonstrated a sequential approach to their development by development of any deliverable and developable Brownfield sites at the settlement first.*
 - *Schemes will be expected to maximise the use of land and provide efficient use of the site by a density of development which also reflects the general density of development within the settlement.*
 - *The scheme will be expected to contribute to the delivery of a range of housing types, including self-build, and proposals which support accessible/adaptable homes and propose the application of renewable/low carbon technologies within the development will be supported in principle.*
 - *Individually, or cumulatively, proposals will be supported where they deliver incremental growth, which responds to and reflects the form and character of the existing settlement.*
 - *Proposals will be supported in principle where they do not result in the loss of spaces of acknowledged value, such as Visually Important Undeveloped Areas, or result in harm to other policy designations such as Conservation Areas and other designated heritage assets Listed Buildings and will be considered in accordance with Policy SP12.*
 - *Schemes will be expected to comply with wider plan policies: Policy SP16 (Design) Policy SP17 (Flood Risk) and Policy SP18 (Climate Change – currently Renewable and Low Carbon Energy) and concerning the General Development Management Issues- such as amenity and access (Policy SP20)*
- 6.5 It is proposed that the above policy wording is consulted upon as an approach to relaxing the operation of the Development Limits, are there any changes to make or any additional policy considerations which should be taken into consideration?
- 6.6 By referring to development outside of the Development Limits, there is also then an ability to continue to apply the existing wording of SP2 in relation to the treatment of infill development, and development within development limits (subject to any changes regarding occupancy conditions).

Summary of recommendation

To consult on a form of words (as amended by this meeting) in relation to a

policy approach for small-scale windfall housing schemes.

Consideration of occupancy conditions

- 6.7 Members at the most recent Local Plan Working Party considered the treatment of occupancy conditions both within our existing Ryedale Plan and whether to impose a primary residence condition. The outcome of the meeting was that whilst there was general support to not continue with the local needs occupancy condition in the format of the Ryedale Plan- there was a concern, however, about having no occupancy condition and the rise in second homes, and holiday lets. Officers had raised concerns about a blanket implementation of a primary residence condition due to the implications for wider housing delivery in relation to the proposed allocations.
- 6.8 It is therefore being considered that the Key decisions Paper would cover the following:
- Propose to not continue with the Local Needs Occupancy Condition.
 - Explain that the condition cannot be modified whereby it can be considered to meet a local need. It is not in the spirit of national policy, and there are implications for implementation, and it does not deliver affordable housing, it also does stymie the ability of small-scale builders to build smaller housing schemes.
 - Propose that a primary residence condition (PRC) is not imposed in the review of the Ryedale Plan.
- 6.9 The PRC will not deliver affordable housing (as per the planning definition of affordable housing) nor housing which meets a specific locally derived need, nor will it make properties affordable in a broader sense, depreciating values by about 5%. There are no planning merits to taking this forward as an approach in the Ryedale Plan review.
- 6.10 There was no support indicated by the LPWP for a blanket use of the PRC, but, there was some support for the use of a PRC in the villages. There is insufficient evidence across the District to propose the application of a PRC in a broad spectrum way. Based on currently available data, the Ryedale Plan area has a lower incidence of second home ownership than the settlements in Ryedale which form part of the National Park and also AONB- reflecting the desirability of such places in which to visit or to eventually retire to. With the need to look a policy making across a much wider geography as part of the new Local Plan for North Yorkshire it is considered this will be the most appropriate place to consider this as a policy approach if it is to be applied across a broader area. Nevertheless, it is also very much a settlement-specific sustainability issue, and so this is an area which could be explored and implemented through the Neighbourhood Plan process by any settlement in any part of the Ryedale district including the National Park, should they wish to do that.

Summary of recommendations;

- **As part of the review of the plan propose to delete the Local Needs Occupancy condition.**
- **To not propose the application of a Primary Residence Condition**

Embedding Climate Change Mitigation and Adaptation

- 6.11 Responding to climate change is already embedded in the Ryedale Plan, across a suite of policies which have the potential to a) reduce the impacts of new development on Ryedale's natural environment, and b) also to promote the use of sustainable technologies and c) support delivery of schemes which will help Ryedale adapt to the challenges of climate change. Nevertheless, it is considered that the policy on renewable and low carbon technologies (SP18) needs to be updated expanded to provide:
- a) an updated framework for the consideration of renewable/low carbon energy schemes which better reflects national planning policy;
 - b) overtly seeks to ensure new development is reducing its energy (by explicit application of the Energy Hierarchy) and water usage;
 - c) promote the use of complementary micro generation on new developments, but to not set specific standards.

Renewable and Low Carbon Energy generation

- 6.12 Paragraph 155 of the NPPF its states:
“ To help increase the use and supply of renewable and low carbon energy and heat, plans should:
- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);*
 - b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and in line with the objectives and provisions of the Climate Change Act 2008.*
 - c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.”*

Looking at the current wording of SP18 in relation to the NPPF:

SP18 Renewable and Low Carbon Energy Developments that generate renewable and/or low carbon sources of energy will be supported providing that individually and cumulatively proposals:

- Can be satisfactorily assimilated into the landscape or built environment, especially in respect of the setting of the North York Moors National Park, the Howardian Hills Area of Outstanding Natural Beauty (and its setting), the Wolds and the Vale of Pickering;*
- Would not impact adversely on the local community, economy, or historical interests, unless their impact can be acceptably mitigated;*
- Would not have an adverse impact on nature conservation, in particular in relation to any sites of international biodiversity importance, unless their impact can be acceptably mitigated;*
- Would not have an adverse impact on air quality, soil and water resources in Policy SP17, unless their impact can be acceptably mitigated.*

- 6.13 It has not been possible as part of this pragmatic, partial review to assess Ryedale District in relation to its capacity for renewable energy generation to identify sites of

opportunity and areas of restraint. This will be a cross-cutting theme which will be explored as part of the work on the new Local Plan for North Yorkshire, to identify areas of opportunity in relation to renewable energy- particularly in relation to on-shore wind, and ultimately for the planning application process to assess the merits of proposals. The industry is in rapid advancement, the industry will also need to identify areas of opportunity, the plan-making process will identify areas of constraint, and sensitivities, and the proposals will be subject to extensive consultation undertaken firstly at the plan-making stage and at pre-application stage by the applicant and during the consideration of the application by the local planning authority.

- 6.14 Concerning wind turbines, the NPPF is accompanied by the Planning Practice Guidance which outlines that Local Planning Authorities should identify suitable areas for renewable and low carbon technology, and specifically so in relation to on-shore wind turbines. Policy SP18 however, does not provide any 'suitable areas'. These need to be defined in relation to wind technologies, and allocated in a Local Plan or Neighbourhood Plan in order for them to be supported as a principle. When we did the call for sites we did not specify the use of the land, and we did receive some proposals which would involve renewable technologies, but none for wind turbines. This means it is difficult for the Local Planning Authority in a pragmatic review to identify suitable areas, as the industry has not provided any areas to consider. It does mean that there is currently significant policy limitation on the ability to consider particular types of renewable energy technologies (such as new wind turbines), until such areas are identified in the new North Yorkshire Local Plan.

Summary of recommendation

This arm of SP18 remains broadly relevant and appropriate for majority of renewable and low carbon technologies, and so no changes are proposed to this part of SP18. It is not possible to identify suitable areas within this review of the plan.

Sustainable Build Standards

- 6.15 Paragraph 154 of the NPPF states: *"New development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards."*
- 6.16 Setting planning policy at this time in relation to sustainable build standards needs to take into account the recent and proposed changes to building regulations. Planning Policy should not replicate building regulations, nor advance them without evidence to justify such an approach. Building Regs Part L 'conservation of fuel and power' required from 15 June 2022 requires that all new homes must provide 30% lower carbon dioxide emissions than current standards. This is a 'stepping stone' to the Future Homes Standard which is to be brought into operation in 2025 those developments in the pipe line will be considered against current building regulations until 15 June 2023. From 2025, the Future Homes Standard will require CO2 emissions

produced by new homes to be 75-80% lower than those built to current standards. Homes will need to be 'zero carbon ready', with no retrofit work required to benefit from the decarbonisation of the electricity grid and the electrification of heating. There is also new regulations in place concerning limiting excess solar gain- in both new and existing homes (Part O), and provision of future proofing for EV charging (Part S).

6.17 In terms of proposed changes to Policy SP18, the current wording of the policy (which is set out below in italics) will need to be updated to reflect the factual updates regarding references to the former Code for Sustainable Homes and the Local Plan Sites Document:

• All new development will demonstrate that all levels of the Energy Hierarchy have been considered, taking into account the nature, scale and location of the development. The Local Planning Authority will take into account the feasibility and viability issues associated with the delivery of decentralised renewable and low carbon energy. Where it is not feasible or viable to provide on-site renewable/low carbon energy, or within the locality, consideration will be given to Allowable Solutions in line with agreed national definitions.

• For all new build residential development, the proposal demonstrates that it meets the highest 'Code for Sustainable Homes' standard (or its successor) that is feasible and viable on the site.

• For major (1000 sq metres or more of floor space) non-residential development, the proposal demonstrates that it meets the highest BREEAM standard (or its successor) that is feasible and viable for that type of development on the site proposed.

• The Local Plan Sites Document will seek to establish site-specific targets using sustainable building standards and identify opportunities for the use of particular technologies (such as combined heat and power (CHP) and district heating schemes) for sites allocated, subject to feasibility and viability.

6.18 Officers consider that we remain unable to set specific sustainable build standards within this review of the Ryedale Plan. Setting specific proportions of renewable energy use requires viability testing and an evidence base to demonstrate that it is a standard which will not undermine the financial viability of sites, and ultimately planned growth. It is considered that greater emphasis needs to be made on application on the energy hierarchy to reduce energy usage, and to employ a fabric-first approach- this is alongside matters around properties' orientation and siting and the use of trees and water (in the form of sustainable drainage systems) to provide shading and cooling. This was the most popular element of looking at building sustainably in the consultation we undertook in 2021-22. We have proposed that in relation to non-residential development BREEAM standards continue to be recognised. We will continue to support decentralised energy generation schemes. It is also considered that the implementation of sustainable energy generation should be driven at the site specific level- this will be explored in the site assessment work and implemented through the chosen new allocations. It will not be possible to consider existing allocations in this manner.

6.19 Water as a resource is essential for life, but it is ultimately finite and vulnerable to pollution. Concerning water efficiency, current building regulations already require a

water efficiency standard of 125 litres of water per person per day, so there is no need to replicate established building regulations in the plan review. However, building regulations has also required an optional requirement of 110 Litres of water per person per day which is already implemented in 'water stressed areas'. However, in a recent letter from DEFRA (1 September 2022), it seeks to

“encourage Local Authorities to apply the tighter standard of 110 litres per person per day (l/p/d) set out in the ‘Housing: optional technical standards’ guidance and prescribed by regulation 36(2)(b) of the Building Regulations 2010”.

6.20 It goes onto state that in areas of 'serious water stress' (as defined by the Environment Agency) is sufficient justification for the application of the higher technical standard. The north of England is described in the 2021 final classification of water stressed areas as being "not seriously water stressed". However, it is noted that in the summer of 2022 Yorkshire Water were very concerned about water levels and implemented a hosepipe ban in the late summer, which, at the time of writing this report, still remains in place, as reservoirs levels are currently at about one third full. Water is being moved round the region, and Drought Permits and Drought Orders are being submitted, and it is anticipated that this will include the River Derwent. Officers have written to Yorkshire Water to seek their views on such an approach. They provided the following response to DEFRA on a consultation in 2019: in which they advocate a single nationwide target of 100lt per person per day, which should not be used in isolation- looking at measures on the ground in terms of water appliances and utilities, smart metering, behavioural change.

6.21 Water stress may not be as acute in northern England but, as pressure increases on its resources to support water stressed areas which cover the rest of England, except for the south west, and to be able to cope with the increased prevalence of heatwaves (which also increase water usage), combined with increased numbers of households, our ageing population, and general population increase means that there is a greater need now to ensure that developments which may be coming forward up to 2038 employ the 110 Litres of water as standard to ensure that resources can be used in a more sustainable way into the future.

This water efficiency standard has not been tested within a Ryedale context for the viability implications, this is because:

- a) Ryedale is not an area of low housing demand and low house prices
- b) The 110Lt standard is employed across much of England already and so for economies of scale and efficiency it would not be detrimental to require this higher standard.
- c) This would only relate to new dwellings, and not to existing dwellings or extended dwellings.

6.22 The key decisions paper will provide an opportunity to gain views and feedback on the implementation of this as a policy approach, and part of Ryedale's response to the climate emergency.

Summary of recommendation:

- **Do not set specific targets for compliance regarding a proportion of renewable energy usage but:**
- **Propose a standard of 110 lt/p/day for water use in new housing in Policy SP18.**
- **Retain the BREEAM Standards for commercial development**

- **Require the implementation of the energy hierarchy across all development sites and the submission of a sustainability statement**
- **Propose that new allocations made as part of the review will be expected to have some form of decentralised renewable/low carbon energy generation employed on their schemes.**

Accessibility and space standards

- 6.23 It is a serious equalities issue that the SHMA identifies that over 50% of the housing need in terms of units in Ryedale is for dedicated older person housing. If current rates of provision were to continue, a further 425 specialist older person dwellings would be required. It is considered that given the evidence base of the SHMA, and its findings there is a need to provide a greater range of accommodation types for an aging population, to reflect that buildings will be adaptable and capable of allowing people to live for longer in their own home. There is a need to ensure that the plan review takes account of in the number of dwellings that are accessible and adaptable, which will also be taken through Building Regulations, and through the provision of extra care facilities.
- 6.24 Lifetime Homes is a long-standing standard which incorporates 16 design criteria to ensure that properties can be adapted to the changing needs of individuals and families at different stages of their lives. The Ryedale Plan Local Plan Strategy, in Policy SP4, is supportive of the delivery of Lifetime Homes, but it is not a mandatory requirement to apply the standards. Although it has been primarily applied in affordable housing schemes, and the Council did not apply this as an a policy indicator and so it has not been monitored.
- 6.25 A Government consultation paper in 2020 sought to raise accessibility standards, and it proposed a range of scenarios, including making M4(2) accessible and adaptable dwellings to become mandatory. The consultation identified that this would be preferable to making some changes to the current mandatory M4(1). But that to make all dwellings fully wheelchair accessible would have viability implications. Government proposes that the most appropriate way forward is to mandate the current M4(2) (Category 2: Accessible and adaptable dwellings) requirement in Building Regulations as a minimum standard for all new homes – option 2 in the consultation. M4(1) will apply by exception only, where M4(2) is impractical and unachievable (as detailed below). Subject to a further consultation on the draft technical details, we will implement this change in due course with a change to building regulations.
- 6.26 This will be subject to transitory provisions, and it is not clear yet when this will be implemented, but it is not considered to be necessary within the review of the Ryedale plan to require a proportion of dwellings to be M4(2) given that it is to be brought forward through Building Regulations.
- 6.27 The Ryedale Plan is already supportive of the principle of housing meeting a wide range of different needs, for example, if small-scale windfall schemes come forward with enhanced accessibility this will be a benefit of the application's approval, providing it is generally plan compliant, such as in relation to spatial principles and any harm identified is satisfactorily mitigated. Specifically, Policy SP4 of the Ryedale Plan- Local Plan Strategy also requires that: *At least 5% of all new homes built on schemes of 50 dwellings or more shall be built as bungalows providing this is viable in conjunction*

with other requirements or where there are overriding reasons why this cannot be achieved in terms of urban design.

- 6.28 It is considered that this policy has been reasonably well-received by developers, but it is now considered whether or not these properties should now be designed to be wheelchair-user accessible M4(3) standard. Bungalows a form of build which is conducive to being able to take into account the additional features of a fully wheelchair accessible dwelling.
- 6.29 The reason for revisiting this 5% bungalow requirement is that the inclusion of 5% of bungalows alone does not address the crucial aspects of needing accommodation which is wheelchair accessible, for example, a two storey dwelling with lift but wider doors and circulation space could be much more accessible than a bungalow with standard doors and limited circulation spaces. If the council is to continue to implement its 5% bungalows requirement, they need to 'work harder' but without fundamentally affecting the viability. The key decisions paper will be an opportunity to explore with the development industry whether this is a viable approach, and if not- why given that it is only 5% of the build- and the provision of bungalows in the first place is the biggest viability consideration and has been an established policy in Ryedale for close to 10 years.
- 6.30 The Council has also experienced issues with the delivery of homes which cannot be taken on by Registered Providers at the anticipated occupancy level due to bedrooms being unable to have double occupancy and living spaces in three storey accommodation not being large enough to take the expected bedroom occupancy. In dealing with planning applications, we have been able to redress this in relation to affordable housing and ensure that living spaces are commensurate with bedrooms. But this is less possible in market housing.

Summary of recommendation:

To explore requiring the 5% of bungalows to be built to M4 (3) wheelchair-user accessible standard.

Gypsies and travellers

- 6.31 We have commissioned a Gypsy and Traveller Accommodation Assessment, and whilst this is not a finalised document this has identified a shortfall of pitches. It is likely that the plan review will potentially need to identify additional sites.
- 6.32 This will be considered further once the accommodation assessment is completed. There are also under consideration planning applications lodged with the Local Planning Authority which the potential to impact on the need figure.

The plan-for figure

Quantum

- 6.33 The current plan-for figure in the Ryedale Plan is 200 homes per year. The Strategic Housing Market Assessment (September 2022) has identified that Ryedale should look to deliver at least the 186 dwellings target of the Standard Method, but not to

exceed this. It is suggested by Officers that by continuing with the current plan figure this would be delivering modestly in excess of the Government's housing delivery figure for the District, and support housing delivery, and in particular affordable housing delivery through allocations, and it is not considered necessary to refine down the figure.

- 6.34 The Ryedale Plan employed an additional 20% land supply buffer within the housing land supply, and this was delivered through the commitments and allocations. It is not proposed that this 20% land supply buffer will be continued if the plan review becomes a roll-forward.

Summary recommendation:

- **Sustain the plan for figure of 200 homes per year**

Local Government Reform and the Scope of the review

- 6.35 There is now a clear commitment and impetus to prepare a new local plan for North Yorkshire which would have a plan period of at least 15 years from when it is adopted. Work on that plan has now effectively begun with work has commenced on an interim Local Development Scheme. Officers want to explore with Members of the LPWP whether the Ryedale Plan review could be reduced in its timeline of operation, from currently a 15 year plan period from adoption (as set out in the Local Development Scheme), and allowing it to be a limited roll forward in light of this position.
- 6.36 The commitment of new plan preparation means that once adopted the Ryedale Plan's lifespan will only be a matter of a handful of years- at the most. It will be effectively subsumed/superseded by the new North Yorkshire Plan, accepting that its allocations will be rolled forward. There is a need to ensure that the review does not present areas of incompatibility to the emerging new North Yorkshire Local Plan, such as around the consideration and treatment of growth points and investment in aligned infrastructure to deliver those growth aspirations- particularly in light of the Devolution deal with North Yorkshire and York.
- 6.37 There is going to be additional consultation on both the new Local Plan for North Yorkshire and the review of the Ryedale Plan and the presence of the two plans, and their similar timelines could cause confusion for local communities, and also potential conflicts depending on the chosen approach. There is no need to plan out a 15 year land supply from 2023/4 from adoption to 2038. Instead the review can provide additional sites to modestly extend the land supply.
- 6.38 The development of the additional land supply is very much influenced by the existing land supply. The housing land supply position will be calculated in more detail for the consultation paper, and it is hoped that there will be an indication of the supply at the meeting of the Local Plan Working Party. But given the ability to factor in allocations and commitments, at the point of writing this Key Decisions Paper we have over approximately 1/3 of our housing land already 'accounted for' on the basis of a 15 year plan period. In 2021 we had 1341 dwellings in the deliverable supply, which based on the Plan requirement over 6 and half years of supply based on 200 dwellings per year.

- 6.39 Officers are keen to explore with Members a limited roll forward of the plan review period of 2027- 2032, which would mean an additional housing land supply of 600-1000 dwellings to allocate. Officers are therefore keen to seek a view from Members as to whether this is an approach which Members would welcome. We will also take wider advice from Planning Advisory Service (PAS) and legal advice in undertaking such an approach which is hoped will be available to be provided to Members of Policy and Resources Committee in November, as this is not an established route for a plan review to normally take, although the NPPF does not require full detailed allocations in years 11-15 of a plan. Officers consider that there are exceptional circumstances with the current land supply of the Ryedale Plan coupled with the clear mandate to prepare a new local plan for North Yorkshire, and the evidence base and land supply will be key determinants in the approach ultimately taken. Ryedale's land supply which was ultimately defined in the Local Plan Sites Document with the formal identification of allocations and commitments provided an extremely robust land supply, and this is helpful in relation to the review of the plan, as most of these can be relied upon to come forward.
- 6.40 It is important for Members and indeed wider stakeholders to note that the site assessment work, and site submissions, and evidence base commissioned as part of the review of the plan will need to be incorporated and subsumed into the plan making work for the new Local Plan for North Yorkshire.

Summary recommendation:

Member agreement to, as part of the review, reduce the plan period end date from 2038 to 2032 by only rolling forward the plan period from 2027 to 2032 (5 years) subject to legal advice.

Spatial principles and Settlement Hierarchy

Spatial principles

- 6.41 Consideration of the principle of the approach to the distribution of a development represents a key position for then discussing the approach to the settlement hierarchy, and then site choices.
- 6.42 The Ryedale Plan Examination identified that either a fully dispersed approach, or a very concentrated approach, would raise sustainability issues for different reasons, and would not be the right approach to deliver growth in Ryedale. Also, it was agreed that the review would not create a new village/settlement- this is because:
- a) It would represent concentration of development in a single location;
 - b) No proposals have been submitted which would create a new village in terms of both their scale and location;
 - c) The scale of development to lever in the necessary infrastructure to deliver a new village with a range of facilities and services is insufficient based on the housing land requirement;
 - d) We have had submissions next to existing settlements of a range of scales, and

some of those are sizable.

- 6.43 It was agreed in the consultation document that for the review of Ryedale Plan, that there are essentially two options available to consider for the principles around distribution going forward into the review:

Option 1: Continue the existing approach of the Ryedale Plan- a more explicit growth strategy which focussed on the towns and the Principal Town in particular- concentrate new housing at the Market Towns and key 'Service Villages' with meeting local needs elsewhere.

Option 2: A less concentrated, more dispersed approach to distributing growth - with development focussed at the Market Towns and specific villages, including existing 'Service Villages' and selected additional villages.

- 6.44 In the distribution of development consultation both options have been supported for various reasons and perspectives, with no clear 'winner' in terms of an approach. This is perhaps not surprising: what both options 1 and 2 seek to achieve is a distribution strategy which in principle focuses neither all development at the towns nor disperses it across all settlements. It also reflects that the approach to distribution of development is very much about evidenced choices. Nevertheless, it is important for ongoing plan-making work that Officers have a steer from Members about the direction of travel regarding which option choice is to be pursued in the review.
- 6.45 We consulted on these two options because Option 1 represents the plan's current approach, and so it needs to be consulted upon as part of the review to obtain views on its current operation and future operation, if it is sustained.
- 6.46 Option 1 has to date resulted in strong housing delivery, with aligned and planned infrastructure. Discussions with statutory consultees and infrastructure providers and our emerging evidence base would indicate that continuing with Option 1 will present particular challenges to be delivered in a pragmatic review of the Ryedale Plan. This was expected: the evidence base for the delivery of the Ryedale Plan Local Plan Strategy identified that whilst the amount of housing attributed to the two settlements was very much capable of being delivered, and crucially would bring additional infrastructure, it also showed that this was an optimal level. Going beyond this would bring a range of concerns if it was not matched with commensurate infrastructure. A study in 2018 (Infrastructure and Connectivity Improvements Study) found that some small-scale improvements could be made with softer interventions and improving connectivity and some works to junctions within the towns, but that whilst significant junction improvements to bring access to the A64, would come with significant cost and there is the matter of the rail/river crossing considerations in Malton and Norton.
- 6.47 The report to the LPWP in February of this year identified that sustaining Option 1 requires a further degree of infrastructure investment at Malton and Norton which if it was to be effective in its operation, is well beyond the scope of being matched/driven by the currently expected additional housing requirement of even c.2500 dwellings to find in this review- if the plan period extends to 15 years.
- 6.48 Pursuing Option 1 into the future is a step-change in how the settlements of Malton and Norton could now grow, and in the view of Officers, it needs to be considered/explored in the development of the new North Yorkshire Council's spatial

plan as part of its Local Plan and requires a significant step up in housing delivery over a full plan period- and perhaps longer- at these settlements. It also needs to consider the emerging Neighbourhood Plan at Malton and Norton. Option 1 is therefore not considered to remain realistic for the pragmatic review of the Ryedale Plan, but that allocations or the review should not undermine such an approach being capable of being considered in the future.

- 6.49 There is, Members will have noted, strong support for the rolling forward of the approach of the current Ryedale Plan- and it is seen by many consultation responses as being an approach which capitalises on the relative sustainability of places such as the Market Towns in what is a rural and dispersed district, particularly in relation to access to services and employment opportunities.
- 6.50 However, without the aligned investment in infrastructure which demonstrably responds to providing better connectivity and active travel; the distances of additional development to the town centre of Malton, in particular, are increasing and resulting in potentially more vehicular travel which raises further air quality and traffic flow concerns. There are also implications for expanded housing delivery on the south western of side of Norton, due to the need to access the Welham Road, Church Street County Bridge junction. It has also been identified that Pickering may have traffic flow concerns at Vivis Lane/Ropery Lane and the A170/A169 junctions.
- 6.51 Option 2 still reflects the Ryedale Plan's overall approach, as the market towns of Malton and Norton would remain a focus for growth, given the current allocations and commitments, but with a change in emphasis by seeking to not replicate the 50% of any further supply, but to allocate additional land to meet the housing requirement also at the other Market Towns and the Service Villages.
- 6.52 Option 2 gives also the flexibility to consider the scope of the Service Villages. The expanding roll out of fibre broadband and many people choosing to remain working from home for part or all of their working week, post the Covid-19 lockdowns, means that commuting patterns and driving to access some services and facilities is reduced, and allows the ability to consider more development in our more rural areas and existing villages. This has the potential to deliver wider benefits in terms of meeting housing needs more locally including affordable and market housing, supporting existing rural-based services and facilities, and could present opportunities to expand the delivery of rural-based services, as part of a wider programme of rural regeneration exploring the ability to enhance connections between villages around shopping/employment/education.
- 6.53 Some of the substantive allocations of the current Ryedale Plan are still to roll out and so there will still be new housing delivery at all the Market Towns, and in particular at Malton and Norton with the planning application under consideration for the close to 700 dwellings of the Norton Lodge scheme. Development at Malton and Norton becomes more about consolidation of the existing sites and allocations. But it would not preclude the making of allocations which were considered, as part of the site assessment process, to be capable of being delivered without significant adverse impacts. In this regard, Option 2 would still have a maintained measured degree of focus at Malton and Norton. In pursuing Option 2, there is a need to explore what this means in terms of the quantum of development for Kirkbymoorside and Pickering, and what additional capacity if any exists in Malton/Norton. This is to be the subject of additional technical advice which is being sought.

- 6.54 It is considered that Option 2 does present the more flexible of the two approaches and would allow development at the Towns to be sustained, but to also explore housing delivery at the Service Villages, and explore the inclusion of additional Service Villages, but it also requires significantly more evidence to justify this approach. However, if the plan review period is instead to run until 2032, then there is significantly less housing allocations to find to deliver the additional 3 years' worth of supply. This means that the inclusion of additional service villages is potentially not necessary to undertake in this pragmatic review of the plan.
- 6.55 It is also proposed that as the review will allocate sites, it is no longer necessary to identify in the policy on housing delivery and distribution the proportions of housing as a notional percentage figure to be attributed to settlements. This was done in the Ryedale Plan Strategy as allocations were to be made later. The current and proposed allocations, and their anticipated, indicative yield will demonstrate the relative proportions of growth being attributed to settlements in the Settlement Hierarchy. This will remove the 50% allocation to Malton and Norton, 25% to Pickering 10% Kirkbymoorside 5% Helmsley and 10% to the service villages. It will be about ensuring the most suitable sites are allocated, and recognising and acknowledging the levels of development already allocated to these settlements.
- 6.56 Helmsley remains to be considered under its existing Development Plan Document and is subject of a light touch review given the presence of extant allocations. The National Park Authority have already reviewed the plan, and have agreed to its continued implementation until it is superseded by either by a review of the recently North York Moors National Park Local Plan and/or the new plan for the new Council for North Yorkshire.

Summary of recommendation:

- **No specific proportions attributed to settlements**
- **Members recommendation on the application of Option 2 as a principle**
- **Helmsley Plan continues to operate without revision**

Treatment of the Settlement Hierarchy

- 6.57 Under either of the consulted Options 1 or 2 the upper tiers of the settlement hierarchy as set out in Policy SP1 would remain unchanged:

Malton and Norton as Principal Town- Primary Focus for Growth
 Pickering, Kirkbymoorside and Helmsley - Local Service Centres- secondary focus for growth.

It is considered that these tiers of settlement hierarchy remain unchanged with either option 1 or Option 2, given the existing allocations at Malton and Norton and it is about the identification of the most suitable additional sites for allocation.

- 6.58 Option 2 identifies the existing Service Villages and gives the opportunity to explore additional villages. In the consultation we explored the criteria around how these are chosen in and in doing so what are the key factors which are justifying their inclusion

as settlements which merit formal allocation of housing land in principle.

6.59 The Service Villages are Local Service Centres- and identified as a Tertiary Focus for growth, which were demonstrated either as stand-alone settlements or as paired villages, they had the following key facilities:

- a) Regular bus service to higher order settlements to permit commuting; and
- b) Grocery shop with the means to make a meal; and
- c) School (primary and/or secondary)

This resulted in ten Service Villages (some of which were paired settlements).

Ampleforth
 Amotherby/Swinton
 Nawton/Beadlam
 Hovingham
 Rillington
 Slingsby
 Sherburn
 Sheriff Hutton
 Staxton and Willerby
 Thornton le Dale

In a rural district with close to 100 settlements, it is important that a group of criteria is established to select those settlements which it is considered in principle could have a housing allocation attributed to them. Some of the existing Service Villages, such as Slingsby, have lost their shop, although no schools or bus services have been lost. Whilst allocations are retained, keeping the existing Service Village Designation as it is currently prescribed would result in a reduced number of villages eligible for allocations in principle.

6.60 A number of the consultation responses stressed that in order for villages to be identified as settlements identified in principle for allocation, they would need to have key facilities, and that villages without commensurate facilities should not be considered suitable for allocation, as to do so would promote greater vehicular travel to settlements with key facilities. Other community facilities which promote congregation and community cohesion, are certainly not unimportant for the vibrancy of rural communities, as recognised by national planning policy, and our own local plan, but they are not considered to be a basis on which to build a framework for delivery of new housing in rural areas.

6.61 In discussions with Members over the spring and summer, and the outcomes of the public consultation, it is considered that the most important facility is access to a daily bus service. It may not be a service with multiple daily stops, but nevertheless allow daily access to our market towns. This would mean that the bus activity may not permit commuting, but it permits access to services and facilities without the need for a private car. Whilst commuting will still occur, there has been a sustained continuation of many people working from home for at least part of their working week. With online shopping the presence of a shop is welcome, but it is not necessarily a key feature. Schools are not necessarily required for each household, but remain a key facility for the community as a whole. Presence of a school provides the opportunity for families in the village to have the opportunity to access those key facilities as needed.

- 6.62 If Members are supportive of an Option 2 spatial approach, which gives the opportunity to identify additional villages, there is a recognition that in order to consider a larger spectrum of villages, or even to retain the existing service villages, that the current, precise definition of Service Villages may not be as relevant. But for the purposes of ensuring that there is a need for a clear framework for identifying settlements for the purposes of directing housing to settlements, and it is considered these facilities of:
- a daily bus service,
 - school, and
 - grocery shop
- remain the most critical.

- 6.63 The threshold cannot be set so low as to group too many settlements together. To do so would result in a very dispersed pattern of development which would be at odds with the spatial approach of the Ryedale Plan. What did take place is the grouping of some settlements where their facilities and services could be shared, this resulted in, for example, Amotherby and Swinton being defined as a 'Service Village' although only one settlement (Amotherby) saw an allocation. This approach can be replicated again, as principle, if necessary, to capitalise on the close connections some settlements have. It is considered that access on foot/wheelchair/ with a pushchair should be achievable, as this would inherently allow an individual to cycle, but to allow cycling as a principle could group settlements too far apart to be grouped.

- 6.64 Officers consider that there are two approaches members could choose from to broaden the criteria for 'Service Villages', without losing the essential sustainable access to facilities.

1) In order to be a Service Village two out of three of the following facilities would be expected to be present in the village or must be within an accessible distance via walking/wheelchair to these facilities:

- A daily bus service (not school only)
- A primary/secondary school
- A grocery shop

Or

2) The following facilities must be present in the village or must be within an accessible distance via walking/wheelchair to these facilities:

- A daily bus service; and
- Either a primary/secondary school and/or a grocery shop

- 6.65 This would result on that basis the following existing Service village settlements being retained, and the following village as these would have two of the three facilities, including the daily bus service:

Welburn
West Heslerton
Sand Hutton
Settrington

Terrington does not have a daily bus service, but has a school bus service, a community transport facility. It also has a range of services including a school and a shop, and a GP surgery.

- 6.66 It is important to stress that the spatial approach of designation as Service Village provides the principle of identifying settlements which could be subject to housing allocation(s). But does not mean in absolute terms they *would* be subject to an allocation. There could be site specific constraints which rule-out some or all of the sites submitted to the Council in specific settlements. Also, as part of this review the Council will also take into account the scale of previous allocations at the villages, and any approved planning applications, as commitments.

Summary of recommendations:

Alongside the existing, upper tiers of the Settlement Hierarchy being retained recommendation to give a view on the designation of Service Villages:

Keep the Service Village Designation criteria as it is (not recommended)

Or

1) In order to be a Service Village two out of three of the following facilities would be expected to be present in the village or must be within an accessible distance via walking/wheelchair to these facilities:

- **A daily bus service (not school only)**
- **A primary/secondary school**
- **A grocery shop**

Or

2) The following facilities must be present in the village or must be within an accessible distance via walking/wheelchair to these facilities:

- **A daily bus service; and**
- **Either a primary/secondary school and/or a grocery shop**

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

A budget has been allocated to the review of the Plan, and these recommendations do not change that.

b) Legal

The legislation does not prevent partial reviews of plans from being undertaken. Counsel has been sought in relation to the content of the new spatial/local plan for the new authority and provided. Counsel will be sought on the potential of a roll forward of the plan to 2032 instead of 15 years from adoption. The key decisions consultation will be subject to interim Sustainability Appraisal and Equalities Impact Assessment.

- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)

There are no Crime and Disorder, Health and Safety implications. The proposals are the subject of equalities impact assessment, and sustainability appraisal. The proposals directly relate to the work of the planning service, and to the implementation of the Climate Change Action Plan.

8.0 NEXT STEPS

- 8.1 Officers will seek legal advice on the proposed approach of rolling forward the plan period.
- 8.2 Following decisions made by the Local Plan Working Party, Officers are working towards a Key Decisions Consultation Document with Sustainability Appraisal and summary of the consultation responses and covering report being presented to Members of the Policy and Resources Committee on the 10th November.
- 8.3 Officers will also be taking reports on the review of the Helmsley Plan, and an updated Local Development Scheme (LDS) to the above Policies and Resources Committee. We have updates on our website in the interim as the currently adopted LDS is now out of date.
- 8.4 Members are aware that consultation on the site submissions will continue until we formally publish the plan review (Regulation 19), which will set out the proposed allocations. At which point it will be subject to that formal stage of public consultation. Site notices for the proposed site allocations will be put up, as required by the Council's Statement of Community Involvement. Prior to this taking place, the proposed potential allocations will be subject of a future meeting of the LPWP once consultation on the Key Decisions has commenced, as this will set out the proposed Settlement Hierarchy and be the principal opportunity to present the site assessment work.
- 8.5 Officers will be continuing to work on the review alongside our existing statutory monitoring of planning policy, housing delivery and s.106/CIL monitoring, and inputting into the emerging work on the new North Yorkshire Local Plan.

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Background Papers:

Distribution of Development Consultation document

https://www.ryedale.gov.uk/content/uploads/2021/11/Distribution-of-Development-consultation-Nov-consultation-FINAL_.pdf

Summary of responses is Appendix 1.

