

Review of the Ryedale Plan- options in the reality of LGR

Prior to 2020 Ryedale has been gearing up to commence a full review of its Development Plan. With LGR and the implications for the planning system in general, that became a focused, pragmatic review focusing on land supply, distribution strategy and responding to climate change. During the autumn of 2022 Ryedale District Council sought Counsel Advice on the merits of an effective roll-on of the Ryedale Plan, with some specific policy changes and extension of the land supply. This was to provide a pragmatic response to the need to commit to the preparation of a new Local Plan for North Yorkshire, and if not to complete it within 5 years, to have made substantive progress such that it would be close to adoption.

This advice concluded two key matters:

- There are significant risks to soundness if a plan is rolled-on for an additional 5 years beyond its original end date. It is without precedent, and that strategic policies should be prepared to meeting objectively assessed needs at least over a 15 year plan period; and
- It will be challenging for a new Local Plan for North Yorkshire to be adopted within 5 years.

This was followed up by advice from the Planning Advisory Service who advised that they concurred, in their experience, with the legal advice received.

This resulted in Officers advising Members that it would not be possible to formally publish the review of the Ryedale Plan before vesting date. Furthermore, that the review of the Ryedale cannot be considered as advanced as previously thought and that a full review, including a review of the Community Infrastructure Levy charge was also necessary.

North Yorkshire Council, in its emerging decision making forums had previously considered that the review of the Ryedale Plan should be progressed.

It is right that well advanced plans should be continued, where there is a clear strategic benefit to their implementation.

It is important that the decision to review/not review plans is based on the implications for places. It is clear that the review of the Ryedale Plan, as one of the older Development Plans in North Yorkshire, it is in need of being reviewed, and with a consequentially more fragile land supply post 2025, than some of the other districts, this is due to the Standard Method for Housing Delivery in Ryedale District LPA area being only 14 units per annum less than the Plan's current housing requirement of 200 homes. Some of the other authorities can rely on a marked distinction between their plan requirement and their housing requirement based on the Standard Method. Ryedale will not be able to do this.

The review of the Ryedale Plan must continue, it is required by national planning policy, is sought by Members of the former District Council and will be sought by Members of North Yorkshire Council. But North Yorkshire Council need to decide which format that review should take. Officers consider that there are three routes the review format could take, but which essentially all lead to one outcome.

1. Review the Ryedale Plan (RLP) as a standalone development plan alongside the new Plan for North Yorkshire (NYP) – a twin tracking- which would be ultimately superseded by the new Local Plan for North Yorkshire on its adoption; or
2. Fully subsume the review of the Ryedale Plan in to the work stream for the new Local Plan for North Yorkshire; or
3. Commit to the review of the Ryedale Plan through the new Local Plan for North Yorkshire, and alongside continue with site-specific locally-focused evidence base work with that work is subsumed into the new Local Plan in due course at the relevant points.

Officers have compiled a matrix of the issues and opportunities raised by these three scenarios.

Option	Pros	Cons	Conclusions
<p>1. A twin Tracking approach to undertaking both Local Plans at the same time- Reviewing the Ryedale Plan- in full and preparing the new Local Plan for North Yorkshire (with a view to the NYP superseding the RLP in time</p>	<ul style="list-style-type: none"> • In event of any delays to the NYP, would help to ensure up to date plan coverage for the Ryedale area of North Yorkshire can be progressed, which • If it is adopted, it will provide the Ryedale area with the continued land supply • There will be synergies between the two plans (but this can be an issue too) 	<ul style="list-style-type: none"> • Resource commitments in terms of staff and funding to progress effectively two Local Plans – alongside the minerals and waste joint plan and Selby’s Plan Review • Confusing for the public and other stakeholders • Complicated context which would not assist those seeking to prepare Neighbourhood Plans • It will be challenging- and could be subject to challenge in terms of the ability of two plans to have concurrent, aligned spatial development strategies. If the NYP falters, then the RLP would falter too. If the approaches are looking as being divergent, this will raise issues for the RLP in terms of soundness • Evidence base technical documents could be challenged in terms of their coverage/messages/overlap 	<p>Not recommended.</p> <ul style="list-style-type: none"> • The resource and complexity implications in the short term raise issues for the new council. • Risk that two concurrent plans for the same geography could undermine each other and leave either plan vulnerable during examination. This is particularly pertinent in relation to spatial development strategies, not just for housing, but retail, economic development and renewable energy and infrastructure delivery • If adopted, it would be superseded by the new plan for North Yorkshire in any event

		<ul style="list-style-type: none"> • Plan-making is already complex and procedurally- this will only be exacerbated by the preparation of two local plans covering the same area. There is the risk of disenfranchisement due to confusion • Even if adopted it will be superseded by the new North Yorkshire Plan when it is adopted • There is an organisational cultural of one council to be promoted- this approach would undermine that. 	
<p>2. Halt RLP review. Cease work and devote resources to new NYP preparation.</p>	<ul style="list-style-type: none"> • Allows comprehensive alignment of visioning objectives • Allows the ability to produce a singular development strategy • Aligning of evidence base work • Provides clarity on the way forward for stakeholders 	<ul style="list-style-type: none"> • Will take longer than the Ryedale Plan's land supply will be able to be maintained, without the release of additional land being approved or granted on appeal. This creates additional uncertainty. 	<p>Is a realistic option but with consequences.</p> <ul style="list-style-type: none"> • This will have an impact on planning decisions for housing in the Ryedale LPA area until the new local plan is adopted from 2025/6 onwards. There is an acknowledgement that the land supply is likely to falter, and this will be a material planning consideration in detailing with planning applications. • Less complicated strategy than trying to twin-track two plans. • Local evidence on housing supply will need to be kept up to date and evidence on site availability • Crucial aspect is the ability to deliver a singular development strategy and aligned evidence base.

<p>3. Commit to the review by subsuming the review of the Ryedale Plan into the preparation of the new Local Plan for North Yorkshire. Continue with site-specific locally-focused evidence base work with that work is subsumed into the new Local Plan in due course at the relevant points.</p>	<ul style="list-style-type: none"> • The main thrust of work is on shaping the key themes and spatial development strategy for the new authority area • Ensures that site-specific evidence base work is kept up to date- which assists with monitoring work, and sustainability appraisal work and the determination of planning applications. • Ensures that the work done over the last 2 years continues to inform the plan making process. It helps to deliver key technical evidence base documents Strategic Housing Employment Land Supply which can inform plan-making and decision taking • May assist in speeding up plan-making 	<ul style="list-style-type: none"> • Some additional resource implications, but limited- as the main thrust of work would be on the new Local Plan, with some site specific evidence work done alongside, which is necessary for general planning policy development, and as site –specific will be informing the new local plan, and will be worked on in collaboration with the wider policy team 	<p>Recommended.</p> <ul style="list-style-type: none"> • It brings all the identified pros of subsuming the review into the Local Plan for North Yorkshire. • There is an acknowledgement that the land supply is likely to falter, and this will be a material planning consideration in detailing with planning applications. • Site specific evidence base work and site assessment may be useful to help inform the assessment of planning applications. It would not be policy, and have no statutory weight, but it may be of support to the authority when responding to speculative applications.
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