

Examination of the Ryedale Plan- Local Plan Sites Document

Hearing Statement – Ryedale District Council

Statement 2 – Matter 2- Duty to Co-operate

General

2.1 What strategic, cross-border matters have arisen through the preparation of the Plan?

The legislation makes it clear that a strategic matter is one which would have a significant impact on:

- at least two planning areas
- a county matter

All of the potential strategic cross boundary matters associated with the Ryedale Plan were identified when the Local Plan Strategy was prepared. (Including for example, housing, employment, commercial development, infrastructure, flooding and landscape issues.) These were identified and addressed as part of the process of preparing the LPS and in the knowledge of the strategic framework for the scale and distribution of development which is established by the LPS.

Site specific choices in the Sites Document have the potential to have cross boundary implications – specifically in relation to housing, commercial development, transport and flooding. However, the proposals in the sites document are consistent with the policies in the local plan strategy. Against this background, no significant cross boundary matters have arisen as part of the scope/ policy choices of the Local Plan Sites Document other than the policy support provided in principle for the expansion of the NAFIC site at Sand Hutton in the south of the District. The site is situated close to the border with the City Of York. However, the proposed policy approach reflects the ambitions of both the Local Enterprise Partnership and the City of York as well as those of the District Council. This has been confirmed by City of York Council.

Ryedale is within a two-tier area and the plan has implications for a number of strategic county matters including, infrastructure (most notably highways and education provision) and minerals. These are discussed in more detail in the matters outlined below.

Housing

2.2 Who has the Council engaged with in terms of the overall scale and distribution of housing and what form has this taken?

The strategic scale and distribution of housing established via the Local Plan Strategy was established following engagement with all of the Duty to Co-Operate bodies and specifically with on-going discussions/meetings with neighbouring planning authorities, the County Council and specific bodies including for example, Highways England, Homes England, the former Primary Care Trusts, the Environment Agency, (the then) English Heritage and Natural England.

The Council has engaged with the same bodies as part of the site selection/assessment process. This has included face-to-face meetings, telephone conversations; updates at the Development Plans Forum (attended by neighbouring Local Planning Authorities and representatives from other groups outlined above) and responses to consultation material.

In terms of keeping the Ryedale Plan under review, in 2015, the Council also jointly commissioned its latest Strategic Housing Market Assessment with the North York Moors National Park Authority, the City of York and Hambleton District Council. This was completed in early 2016.

2.3 Does the scale and distribution of housing have any implications for other authorities? If so, what are they and how are these being addressed?

No implications for neighbouring local planning authorities have been identified as a result of proposals in the plan relating to the scale and distribution of housing and in relation to the operation of housing markets.

As part of the preparation of the plan and the assessment of sites, the North York Moors National Park Authority did raise some concerns about land promoted by landowners at Thornton-Le-Dale (site 109). The authority were concerned about the impact that the development of the site would have on the setting of the National Park. The land is not proposed as an allocation in the LPSD.

Some of the proposed allocations are on land which is proposed as safeguarded land in the emerging Joint Minerals and Waste Local Plan which has been prepared by North Yorkshire County Council, the City of York Council and the North York Moors National Park Authority. The implications of this is discussed under 'other strategic matters' below.

Implications of the scale and distribution of housing have been identified for the following bodies:

North Yorkshire County Council

The implications of the scale and distribution of new housing for the local highway authority are discussed under the 'Transport Infrastructure' section below.

The scale and distribution of housing has implications for school places. This has been known since the preparation of the Local Plan Strategy and the Infrastructure Delivery Plan which was prepared to support it and the introduction of the Community Infrastructure Levy.

The scale and distribution of housing allocations in the proposed plan will require a new primary school to be provided at Norton. The land for this is to be secured from the proposed allocation at Beverley Road and the school will be built primarily through Community Infrastructure Levy funding with some funding from the County Council. Additional school places to cater for recent growth been provided at Norton through the reconfiguration/ expansion of Norton Community Primary School. This will serve to meet immediate need prior to the provision of an additional new school.

The County Council supports the approach and the organisation recognises that a different approach to the scale and distribution of housing would have greater implications for additional provision. For example, if residual housing requirements

were split equally between Malton and Norton, NYCC's position is that new primary schools would be required for both towns, with consequential resource implications.

NYCC have confirmed that the scale of housing proposed at Pickering would not trigger the need for a new primary school; based on commitments and proposed allocations. NYCC have commented on a recent application (17/01536/MFUL) for 161 dwellings at Pickering for a site (Firthland Road (site 387)) which has not been proposed as an allocation. The response identified uncertainty regarding implications for levels of development above the LPS and whether a new school is then required. However, the demand for school places has not reflected previous estimates, having fallen. The allocation of further sites at Pickering has the potential to change this position. Land is proposed by the Developer to be released for a school on site 387, and NYCC understandably support such an identification. However, within the context of limited resources (associated with public sector finances and projected levels of CIL), there is no funding to build a new school. This has influenced decisions relating to the scale of new housing development at Pickering (albeit within the parameters established by the Local Plan Strategy).

2.4 What is the position of neighbouring authorities and elsewhere in terms of the planned scale and distribution of housing in Ryedale?

The position of neighbouring planning authorities is as follows:

City of York – there are no issues of contention between Ryedale District Council and City of York Council in response to the Local Plan Sites document (confirmed after a meeting 26 March 2018)

Scarborough Borough Council – confirmed at publication stage that the authority had no comments to make on the plan and supported it for setting out allocations to meet housing numbers set out in the adopted Strategy.

East Riding of Yorkshire Council – confirmed at publication stage that the authority had no comments to make on the plan and policies map.

Hambleton District Council has confirmed that the document does not raise any significant cross boundary issues and I can confirm that officers do not raise any objections to the Sites Document.

North York Moors National Park Authority – confirmed at publication stage that the plan raised no cross boundary issues for the authority.

North Yorkshire County Council – confirmed at publication that:

- it welcomes and supports the intent of the plan in allocating an appropriate level of sites to meet identified needs
- the inclusion of an additional buffer within the housing allocation is welcomed as this will ensure sufficient flexibility is built into the plan
- The distribution of identified sites is broadly in line with strategic policies of the core strategy and is supported. This will help to ensure a sustainable pattern of growth and enable a positive approach to planning for the delivery of infrastructure and services

Other North Yorkshire Authorities:

Selby District Council – confirmed at publication stage that the authority had no comments to make on the proposals in the plan

Harrogate Borough Council have confirmed for this statement that they have no issues with the Local Plan Sites Document.

Yorkshire Dales National Park Authority have not provided a response to date.

Richmondshire District Council have confirmed for this statement that there are no comments or issues with the Local Plan Sites Document.

Craven District Council have confirmed that there are no outstanding issues from Craven District Council with regard to the Ryedale plan

- 2.5 In overall terms, has the Council engaged constructively, actively and on an ongoing basis in maximising the effectiveness of the preparation of the Plan? What has been the outcome of co-operation and how has this addressed the issue of housing provision?

Yes. The outcome of this process is that there are no strategic cross boundary implications associated with the scale and distribution of housing proposed in the plan/LPSD.

Transport Infrastructure

- 2.6 What are the strategic matters and particular issues?

Proposals in the plan will result in additional traffic in the local highway network. This is a strategic matter in that the operation of the local highway network is a county matter. The main issue which arises is the impact of additional growth on the capacity of junctions in the local networks, particularly at Malton and Norton and Pickering.

Growth in the plan has the potential for strategic cross boundary effects in terms of its effect of the capacity of the A64 trunk road. However, levels of growth in the plan are consistent with the adopted Local Plan Strategy. The impact of planned levels of growth on the capacity/flow of the trunk road was assessed by Highways England as the Local Plan Strategy was prepared and found to be acceptable by the Highway Authority.

- 2.7 Who has the Council engaged with? When did this engagement begin, has it been active and ongoing and what form has it taken?

The Council has engaged with North Yorkshire County Council as the Local Highway Authority and Highways England in the preparation of the plan. The engagement with North Yorkshire County Council has been on an on-going and continual basis since the preparation of the Local Plan Strategy. The authority has been heavily involved in the work to update the Malton and Norton Transport model and the transport modelling work that has been prepared to inform the site selection process. Officers from the County Council have attended all meetings with the consultants commissioned to undertake this work and have influenced the methodology/assumptions used in the work. Engagement with Highways England has been in the form of two face-to-face meetings to discuss the implications of

specific and cumulative site choices on the strategic road network. The body has also been consulted at relevant stages in the process.

- 2.8 What discussions have taken place with Highways England regarding the potential effect of the Plan in terms of the strategic road network? Are there any outstanding concerns and if so, how is it intended to resolve them?

Discussions with Highways England have not focussed on the implications of the plan on the capacity/flow of the trunk road itself and Highways England have not raised this as an issue during the preparation of the Sites Document. (The effects of this were previously considered as part of the Local Plan Strategy).

As part of the site assessment process, the Council has had discussions with Highways England about the specific/ direct impact of sites on the A64, particularly at the settlements which the trunk road runs through. (The service villages on the A64, such as Staxton and Willerby, Sherburn and Rillington). In this respect there are no outstanding concerns.

Highways England has historically asked for the impact of the plan on the main A64 junctions in the District to be assessed as part of the preparation of the sites document. At the last meeting of both organisations, levels of residual growth were discussed. The impact /effect on the A64 junctions was not specifically discussed. It is within this context and the existing evidence base that the Council believed that there was no outstanding requirement assess the impact on the junctions.

Following the publication of the Plan and the representations made by Highways England, the Council commissioned work to specifically assess the impact of the plan on the main A64 junctions in the District. The work has demonstrated significant capacity in the junctions in the am peak but the agency still has outstanding concerns. These relate to a lack of pm peak data, a lack of flow information to allow the assessment to be verified and concerns over the underestimation of flows from the Edenhouse Road development.

- 2.9 In overall terms, has the Council engaged constructively? What has been the outcome of co-operation and how has this addressed the issue?

The Council has engaged constructively. The Council has funded the revalidation of the Malton and Norton Transport Model to allow effects on the junctions in the local highway network to be assessed under different development scenarios. The work has been undertaken in conjunction with officers of the local highway authority. The local highway authority are content that the effect of the proposed development growth on junctions in the network, can be mitigated (ie a junction which currently operates under capacity will continue to do so).

Both authorities are aware that a central junction in the network (Butcher Corner) will continue to operate over capacity and that increased periods of congestion associated with this junction and its relationship with the level crossing will occur as a result of planned additional railway services. The Local Plan Strategy, Infrastructure Delivery Plan and CIL Regulation 123 list recognise the need for improved cycle and pedestrian facilities as one way of seeking to reduce congestion. Following confirmation of the additional rail service the County and District Council's commissioned a report to identify further measures to help address congestion in the central network. Both organisations are now working together to consider how these measures can be taken forward, although the District Council has already taken the

decision to progress work on a car parking strategy which is one of the measures identified in the report.

The Council took on board the issues raised by Highways England and commissioned further data and modelling work. The evidence demonstrates that there are significant levels of available capacity at each of the 3 main A64 junctions in the morning peak. The morning peak has always been the period that the local highway authority has historically always asked to be modelled and the Malton and Norton Transport model is set to the am peak for that reason. Data for the pm peak would require a revalidation of the traffic model which the District Council is simply not in a position to do at this stage.

Whilst the District Council does understand why Highways England has asked for the information, it is the District Council's view that the evidence already provided is proportionate and reasonable. The junctions with the truck road are used in the pm peak primarily by traffic returning to Malton and Norton from York /vice versa or Scarborough/vice versa. From York, traffic can leave the truck road from a choice of three junctions in relatively close proximity to each other. From Scarborough, traffic has a choice of leaving the trunk road using two junctions. From Malton/Norton, 2 junctions provide the ability to access the A64 to Scarborough and 3 of the junctions provide that ability to access the truck road to York. The number of junctions themselves help to disperse flows as well the fact that travel to/from areas outside of the District will happen over greater period of time. These factors are likely to be one reason why am peak flows at the junctions are relatively low and in this respect, the same factors will influence flows in the pm peak.

The am peak results demonstrate that there is significant capacity in each of these junctions. The Local Planning Authority is not aware of any other factor which would lead to an increase in flows in the pm peak so great this would 'consume' the available capacity and diverge significantly from the flows across the am peak.

Other strategic matters

2.10 What are the other strategic matters and particular issues?

Minerals safeguarding is a County Matter and as such a strategic matter. A number of the proposed allocations are on land which is the subject of a proposed minerals safeguarding policy.

2.11 Who has the Council engaged with? When did this engagement begin, has it been active and ongoing and what form has it taken?

The Council has engaged with the County Council (including the Minerals and Waste team) from the outset of the plan process, including from the preparation of the Local Plan Strategy. The production of the Minerals and Waste Plan (JMWP) has coincided with the production of the LPSD and several joint meetings have taken place between officers to discuss the strategic implications of both plans with a key initial meeting in June 2014. The District Council has also participated in workshops held as part of the preparation of the JMWP which have provided the opportunity to discuss links between the plans and both organisations have responded to written consultation material in respect of each other's plans.

2.12 In overall terms has the Council engaged constructively? What has been the outcome of co-operation and how has this addressed the issue?

Yes. Both the Minerals and Waste Team at NYCC and the District Council have been working together to consider the implications of proposals in both the emerging LPSD and Minerals and Waste Plan and continue to do so.

Both organisations are clear in their understanding that the proposed safeguarding policy does not prevent, in principle, land allocations being made in safeguarded areas. The policy and the proposed implementation of the policy have been a matter that has been considered as part of the current, on-going Minerals and Waste Plan examination which has recently helped to clarify the position.

North Yorkshire County Council understand the reasons for the proposed allocation of sites within the proposed safeguarded area and do not consider the LPSD to be unsound on that basis land for housing is proposed to be allocated in the safeguarded area. The County Council have asked that additional text is included in the plan which recognises the presence of the resource and which aims to encourage the developers of such sites to utilise the mineral resource as sites are developed where this is feasible and viable.

Both organisations have agreed a form of words to be included in the plan as a main modification to clarify the position for developers.