

Final Statement of Common Ground between Ryedale District Council (RDC) and North Yorkshire County Council (NYCC) Planning Services

Ryedale Plan: Local Plan Sites Document

Background and Purpose

The Local Plan Sites Document has been prepared to identify the sites required to meet planned levels of growth established by the adopted Local Plan Strategy.

NYCC as organisation has made a long-standing contribution to the preparation of the Local Plan Strategy and as part of the examination of that document, and were accepting of the spatial approach that Ryedale has chosen.

Both Ryedale District Council and NYCC have plans which are at Examination. NYCC is working with the North York Moors National Park Authority and the City of York Council on the preparation of a Minerals and Waste Joint Plan (referred to as the Joint Plan below). This document, once finalised, will provide the planning policies for taking decisions on minerals and waste related development up to 2030. As NYCC is a 'two-tier' authority, consultation and discussion between the District and County Council is recognised by both parties essential in relation to the Duty to Co-operate, particularly in relation to safeguarding of important mineral resources and mineral and waste related infrastructure where there is clear overlap between the respective development plans.

As work on the Joint Plan progresses, constructive discussions have been undertaken between NYCC and the District Council under the Duty to Co-operate regarding in particular the consideration of Safeguarded Land within our emerging respective development plans.

Both organisations are satisfied that a proportionate approach can be implemented and that it is pragmatic. The aim of the proposed wording in the LPSD is to ensure that due consideration is given to the safeguarding of the resource or infrastructure, and that its role /potential is considered when determining future developments at the planning application stage (whilst recognising the designation in the proposed Development Plan).

The Publication response identified that the following proposed site allocations set out in the Ryedale Local Plan Sites Document would have safeguarding implications:

Sites: 148 (SD10); 200 (SD6) 201 (SD8); 265 (SD9); 347 (SD5); 464 (SD11); 489 (SD13 Expansion Land BATA at Amotherby); 608 (an employment commitment); and 649 (SD3). These sites lie within/or partly within an area identified under a Policy or (if applicable, several Policies) of the Minerals and Waste Joint Plan for safeguarding. Therefore, in the event that the Joint Plan is adopted and the site is allocated in the Local Plan adopted by the District Council, the County Council should be consulted on the planning application associated with this development as it not considered currently to meet the exemption criteria in the Joint Plan.

Since Publication, NYCC Planning Services have also sought clarification on the Broad Location of employment land identified at Malton as part of SD12. Only parts of the land in the vicinity of the designation have safeguarding implications. Both organisations are of the view that the Broad Location should be subject to the same appraisal process as the above referenced sites. The scope of the assessment can be established at the pre-application stage, once a site extent is established, in consultation with NYCC Planning Services.

Other sites were considered to be either not within a minerals safeguarding area, or already covered by the exemption criteria of the Joint Plan. Sites SD5 and SD9 have either a permission in principle (SD5) or consent (SD9).

The following sites are either already subject to a planning consent or are constructed over, or surrounded by development, and are likely to fit with the existing exemption criteria: Site 250 and 442 (LMS retail site (SD14)), 450 (SD4), and 371 (SD13- site for expansion land).

The following sites lie outside any safeguarding areas: Sites 156 (SD7) and 259 (SD13 Expansion Land). SD12: (Employment land commitment site 588 (Edenhouse Road Business Park),; and site 650 (Pickering) and an employment land commitment (now completed) (site 657 at Kirkbymoorside) are not considered to be sites where any safeguarding issues are likely to arise.

This statement has been prepared to clarify and confirm the respective position of both parties and has been compiled/agreed by both organisations. The discussions have resulted in an agreed form of words.

A form of words has been formulated by NYCC with input from RDC which will be added to the introduction section of the Plan.

“Housing Allocations SD3, SD6, SD8, SD10 and SD11, business expansion land under SD13 (Land at Amotherby BATA site) and land in proximity to the identified Malton Broad Location for Employment Land (SD12) are in a safeguarding area of mineral resource. Where a development is proposed within a minerals resource, waste management, transport infrastructure or minerals ancillary safeguarding area identified within the Minerals and Waste Joint Plan, potential developers should include as part of the planning application an assessment of the impacts of the proposed development on the safeguarded feature. Where applicable, this would be in the form of a minerals resource assessment, otherwise it would be in the form of an assessment as to whether the proposal would prevent or unduly restrict the use of the safeguarded site or require mitigation as part of the new development to avoid impact on the safeguarded site. NYCC Planning Services will advise on the scope and content of this assessment.”

For the following sites: SD3, SD6, SD8, SD10,SD11, BATA Amotherby Site (SD13) and land in proximity to the identified Malton Broad Location for Employment Land (SD12) the following text is proposed as a Development Principle:

As a Safeguarded Site, the feasibility and viability of the extraction/utilisation of the minerals resource will be demonstrated.

NYCC Planning Services	Name	<i>Rachel Pillar</i>	Date	1 October 2018
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Ryedale District Council	Name	<i>R. Balmer</i>	Date	1 October 2018
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