

Examination of The Ryedale Plan – Local Plan Sites Document

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## Hearing Statement

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## **1.0 Introduction**

- 1.1 This Hearing Statement has been prepared for Matter 3 which covers housing including existing residential commitments, the site selection process and residential land allocations in the local service centres. It also covers Matter 4 which relates to housing supply and delivery. This Hearing Statement is focused on the market town of Pickering, an identified local service centre.
- 1.2 Ryedale District Council adopted the Ryedale Plan – Local Plan Strategy (the ‘RP-LPS’) in September 2013. This document outlines strategic policies and development management policies for the district, while reserving allocations for a separate development plan document (DPD).
- 1.3 Where an authority follows the route of preparing separate core strategy and sites allocations plans, the policies in a site allocations plan must be consistent with the adopted development plan, unless a policy in the sites allocations plan is intended to supersede another policy. This is a legal requirement set out at Section 8(4) of *The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)* (‘the Regulations’).
- 1.4 Further to this, there must be a reasoned justification of the policies contained within a development plan document, and this is a legal requirement as set out at Section 8(2) of the Regulations.
- 1.5 This Hearing Statement provides commentary on the extent to which the legal requirements above have been met, along with the tests of soundness outlined in the National Planning Policy Framework (NPPF). It focuses on the conformity of the Ryedale Local Plan – Local Plan Sites Document with the adopted development plan (the RP-LPS). It also provides commentary regarding the under-delivery of affordable housing in the district and the acute shortage of affordable homes in Pickering.

## **2.0 RP-LPS Plan Objectives and Strategy**

- 2.1 The RP-LPS outlines a series of key objectives which are to be achieved in the plan period. Objective 1 outlines the Council’s intention to plan for growth... which is compatible with the principles of sustainable development which address local sustainability issues and which specifically helps to support a more balanced population structure in the longer term’.
- 2.2 Objective 2 seeks to ensure that a range of homes are offered in the market towns, while Objective 5 seeks to ensure that necessary community infrastructure is delivered alongside new development.
- 2.3 Objective 6 seeks to ‘support the delivery of new homes and to substantially increase the delivery of affordable housing, encouraging an appropriate mix and type of housing that will meet local housing needs and requirements of all in the community.’
- 2.4 The Council’s strategy involves distributing 25% of the identified housing requirement of 3,000 homes to Pickering as a local service centre (policies SP1 and SP2). This equates to a minimum delivery of 750 homes over the plan period. It is noted in the plan that the ‘full objectively assessed needs for affordable housing can be addressed through the Plan, which does not seek to cap the amount of affordable homes built and which supports the provision of affordable homes through a range of measures’ (see page 45).
- 2.5 Crucially, it is noted in the plan that ‘the lack of affordable housing is undoubtedly the main imbalance in Ryedale’s housing market’ (page 43) and the plan continues to highlight that ‘this has a range of social and economic implications and presents serious consequences if allowed to continue’. It notes implications for the under-

supply of affordable housing including over-crowding and younger people being forced to leave the district to more affordable areas. The latter would result in skills shortages and would undermine the local economy.

2.6 The plan outlines a set of principles for allocating sites to meet the need for housing at policy SP1. It notes that development will be guided to areas with lowest flood risk, and that as part of the site selection process the Council will have regard:

- to the deliverability and developability of sites and their ability to deliver against the objectives and policies of the plan, and policy standards including Community Infrastructure Levy (CIL) requirements;
- support access on foot to shops, services and facilities;
- be compatible with neighbouring land uses;
- avoid adverse impacts on assets of acknowledged importance;
- be accommodated without detriment to the character and setting of the settlement; and,
- satisfactorily address highway capacity and safety.

2.7 In a section titled Guiding Development at the Towns, the RP-LPS outlines several principles for the allocation of sites in Pickering, and these are:

- Retaining the compact and accessible Market Town feel;
- Preservation of surrounding historic strip field patterns;
- Safeguarding of views towards and across the town and into the Moors;
- Ensure development is sensitive and responsive to the historic character and form of the town and its setting in the wider landscape;
- Avoid coalescence with Middleton; and,
- Controlling pressure for incremental urbanisation of the approach into Pickering along the Malton Road.

### 3.0 Affordable Housing Delivery

3.1 Despite the assertion in the RP-LPS that affordable housing needs could be met in the plan period, there is a significant under-supply of affordable homes in the district of Ryedale and particularly within Pickering.

3.2 Within Pickering, the under-delivery of affordable homes has been further compounded because many of the affordable homes delivered have been age-restricted to occupants of 60 years and over. This has resulted in a lack of affordable homes people under the age of 60 and particularly younger families.

3.3 The SHMA identifies a minimum need for 79 additional affordable homes to be delivered each year within Ryedale. The SHMA base date is 2014. Since 2014, there have been 206 affordable housing completions in Pickering. When measured against the need for 79 per annum, which results in a need for the delivery of 316 affordable homes in their period, the Council has delivered less than two thirds of the required number of homes (65.2%).

Year	Affordable Home Delivery	
	Ryedale	Pickering
2014/15	47	0 (0.0%)
2015/16	66	7 (10.6%)
2016/17	47	12 (25.5%)
2017/18	46	12 (26.0%)
Total	206	31 (15.0%)

Table 1: Affordable housing delivery in the district of Ryedale and the town of Pickering

3.4 Within Pickering, just 15% of new homes in this four year period have been delivered as affordable homes, despite an affordable housing requirement for 35%. The settlement is also due to receive at least 25% of the total growth within Ryedale.

3.5 The Council notes the existing delivery and commitments in Pickering and the following table provides a comparison between the number of homes delivered in the town and the quantum of these provided as affordable homes.

Year	Market and Affordable Home Delivery Comparison in Pickering	
	Total Homes	Affordable
2014/15	54	0 (0.0%)
2015/16	40	7 (17.5%)
2016/17	93	12 (12.9%)
2017/18	51	12 (23.5%)
Total	238	31 (13.0%)

Table 2: Comparison between total home delivery and quantum of affordable homes in Pickering

3.6 Comparing the total number of new homes delivered in Pickering with the actual delivery of affordable homes demonstrates that there is a significant under-supply. Just 13% of completions in the town since the SHMA base date have been affordable homes.

3.7 Despite a sharp increase in delivery in the 2016/17 monitoring year, less than 13% of completions were affordable homes. This is as a result of delivery from two age restricted schemes in the town, and points to a shortfall in delivery of family homes.

#### 4.0 **Conformity of the Ryedale Local Plan – Local Plan Sites Document with the Ryedale Plan – Local Plan Strategy**

4.1 The Publication Plan states, at paragraph 2.12, that: ‘the ability of sites to address the objectives of the Ryedale Plan has also informed the selection of sites’ and this is continued at paragraph 2.15 (page 9), which adds: “The combination of sites identified at Pickering reflect objectives of the Ryedale Plan, to minimise the impact of development on historic medieval field patterns which are a characteristic feature of Ryedale’s northern Market Towns (and Pickering in particular) and a significant heritage asset’.

4.2 It continues: ‘The sites at Whitby Road and Malton Road will ensure that further residential development can be accommodate at the Town without impacting upon the medieval strip field system. Both sites provide existing access to the existing road network’.

4.3 It is contended that the plan is not legally compliant. The first reason is that the policies in the Publication Plan are not consistent with the RP-LPS which form the adopted development plan.

4.4 The second is that a reasoned justification has not been provided for the policies in the Publication Plan. The selection of the two sites for residential allocations at Pickering does not conform to the principles outlined for the selection of sites which were set in the RP-LPS. Only one of these principles is referred to in the reasoned justification.

4.5 However, for Pickering, a series of key principles for the allocation of sites were set at Policy SP1 (General Location of Development and Settlement Hierarchy) and in the supporting text (the reasoned justification) for this policy.

4.6 Policy SP1 states that in allocating sites in the locations identified (which includes Pickering which is recognised as a Local Service Centre) development will be guided to brownfield land first (though the plan acknowledges that there is insufficient supply

of brownfield land to meet the need for housing), and that development will be guided to the areas with lowest flood risk.

- 4.7 The policy goes on to state that in the site selection process regard will be had to the ability of sites to deliver against the objectives, policies and standards set in the RP-LPS; and, Community Infrastructure Levy (CIL) requirements. Sites will also need to be compatible with neighbouring land uses; avoid adverse impacts of interests of acknowledged importance; be accommodated without detriment to the character of the settlements and its setting; and, satisfactorily address highway capacity and safety.
- 4.8 Following this policy, the supporting text includes a section titled 'Guiding Development at the Towns' and this sets six principles for growth in Pickering:
- Retaining the compact and accessible Market Town feel;
  - Preservation of surrounding historic strip field patterns;
  - Safeguarding of views towards and across the town and into the Moors ;
  - Ensure development is sensitive and responsive to the historic character and form of the town and its setting in the wider landscape;
  - Avoid coalescence with Middleton; and,
  - Controlling pressure for incremental urbanisation of the approach into Pickering along the Malton Road.
- 4.9 The justification provided in the Publication Plan at paragraph 2.15 refers to only one of these six principles and omits the remaining five principles. The justification is therefore not sufficiently reasoned in the selection of the proposed sites because it does not refer to all of the relevant considerations necessary to make a reasoned judgment formed logically.
- 4.10 The Publication Plan is not consistent with the adopted development plan as it is required to be because Policy SD2 (Residential Land Allocations) selects sites (referenced previously as Site 200 and Site 347) which do not accord with the principles outlined in the RP-LPS.
- 4.11 Site 347 is located to the north east of Pickering. This site affects a historic strip field pattern which is shown on the OS County Series map of Yorkshire from 1854 and on maps produced since this date. At this location, the patterns runs in an east-to-west direction, though the site affects part of a north-south running field at the north-eastern extent of the site. The development of this site therefore affects strip field patterns to the north of Pickering, which the regression of maps indicates has seen very little change.
- 4.12 When considered against the criteria listed above it is clear that the site will affect historic strip field patterns, which run east to west through the site and, in part, a north to south running field. The site is located within an area identified as an 'Area of High Landscape Value' (AHLV), designated under Policy SP13 of the RP-LPS.
- 4.13 This therefore conflicts with a further two objectives which seek to ensure that development is sensitive to the landscape setting of the town and the safeguarding of the setting and views of the North York Moors National Park.
- 4.14 The RP-LPS notes that there are longstanding local landscape designations in the district including the AHLV covering the 'Fringe of the Moors'. This designation was made in recognition of the natural beauty and scenic qualities of the area. In designating sites through Policy 13, the Council seeks to ensure the retention of areas with high landscape value and to reinforce local landscape quality and recognise the local value attached to these landscapes.
- 4.15 The policy seeks also to protect the setting of the North York Moors National Park. The Fringe of the Moors is identified as a locally valued landscape. The fringe has a

particular visual sensitivity given the topography of the moors and the resulting long distance skyline views within Ryedale and the area has a particular landscape character which is sensitive to change.

- 4.16 Site 200 is located directly to the east, and accessed from, Malton Road. The plan states that in allocating sites the Council will avoid the incremental urbanisation of Malton Road, yet this site is proposed for allocation which would urbanise this road in a southerly direction. The proposed allocation of this site is therefore directly incompatible with a key principle outlined in the RP-LPS.
- 4.17 This would affect views towards the town which currently benefits from relatively open aspects on this approach. Part of this site is located within Flood Zone 2 and 3. The deliverability of site 200 is unclear and it is not known if there is a clear commitment from a developer to build out the site.
- 4.18 The Council discounted an alternative site located south of Firthland Road and west of Greenlands Road (referenced Site 205/387). The merits of allocating this site are discussed further below, and this section provides commentary of the allocation criteria. The site complies with the criteria that the Council have outlined for site releases in the town.
- 4.19 It is in an area at low risk of flooding, the scale of the site is such that it will retain the compact and accessible market town feel, and the site does not affect views across the town and into the North York Moors National Park. The site is enveloped by existing development to the north, south and east and would not extend Pickering further west towards Middleton, therefore avoiding coalescence. The site is also not located in a position where it would result in the encroachment of the town along Malton Road (unlike site 200).
- 4.20 The last criterion regards the preservation of surrounding historic strip field patterns. The site features a strip field pattern though these have been altered over the years and therefore their significance has declined as a result of this. Map regression shows that the strip field system remained almost intact from that shown on early maps (such as the 1839 Township of Pickering map) until at least the 1930s.
- 4.21 Following this date, mapping has indicated that strip field boundaries have been lost as fields have been amalgamated through the removal of a north-south running strip field and several east-west running strip fields. The Council's emerging sites allocations document proposed a number of 'visually important undeveloped areas' (VIUA) in which some strip field patterns around Pickering have been identified for allocation. The strip field pattern in the location of this proposed development has not been identified for designation as a VIUA.

#### **5.0 Benefits of Site 205/387 – Land south of Firthland Road and west of Greelands Road, Pickering**

- 5.1 Site 205/387 should be allocated for development in the plan. The site is available for development and is under the control of Persimmon Homes via an option agreement. There is a clear commitment to delivery on the site which includes the provision of affordable homes.
- 5.2 A live planning application (reference 17/01536/MFUL) is under consideration by Ryedale District Council and through this process it has been demonstrated through the submission of a full suite of technical information that the site can be developed. There are no technical issues to prevent development of the site.
- 5.3 The submitted proposal would provide 161 homes comprising one, two, three and four bedroom homes. It provides 58 affordable homes (which at 36% exceeds the Council's policy requirements) and 9 bungalows (5.6%).

- 5.4 The site should be selected for allocation because it accords with the objectives and policies of the RP-LPS. The site will provide the opportunity to bring additional benefits to the town of Pickering. At 161 homes, the site would release a Community Infrastructure Levy (CIL) payment in excess of £750,000. The proposal would also bring off-site highways improvements works.
- 5.5 Land in the north west of the site has been reserved for a primary school to meet future educational needs in the town. North Yorkshire County Council has confirmed their support in principle for this location. Both Ryedale District Council and North Yorkshire County Council acknowledge that there is limited land availability for new schools. This site can therefore contribute to wider plan objectives and help to secure the delivery of key infrastructure. The need for a new school is noted in the RP-LPS and the Council's CIL list.
- 5.6 The proposal will also over-provide publicly accessible open space and will provide a wildlife area including permanent provision for barn owls and amphibians. The scheme incorporates a landscape buffer to the southern boundary to integrate the scheme into the landscape, and this will have the added benefit of softening the existing hard edge which exists on this side of Pickering.

## **6.0 Conclusions**

- 6.1 The plan is not sufficiently justified because it does not present the most appropriate allocations strategy to best meet the needs of the town of Pickering, and the plan therefore fails a test of soundness outlined at paragraph 182 of the National Planning Policy Framework (NPPF).
- 6.2 The plan is not legally compliant because the policies are not consistent with the adopted development plan, and the proposed allocation policy is not supported by a reasoned justification. The site selections do not accord with the key principles outlined in the RP-LPS and an alternative sites exists (Site 205/387) which can meet these principles and it has been demonstrated can comply with local plan policies. Site 205/387 should be allocated in the Ryedale Local Plan – Local Plan Sites Document.