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**Authority:** Redcar and Cleveland Borough Council

**Type of consultation:** Policy consultation

**Full details of application/consultation:** Redcar and Cleveland Developer Contributions Supplementary Planning Document Consultation Draft

**At land at:** N/A

**Type of response:** Comment

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All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

All CPRE North Yorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

External planning consultant used in this response:



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## **Comment**

CPRE North Yorkshire ('CPRENY') welcomes the opportunity to comment on the Developer Contributions Supplementary Planning Document ('SPD') Consultation Draft document. The proposed Developer Contributions SPD Consultation Draft seeks to update the guidance given in the previous version of the SPD in order to reflect the adoption of the Redcar & Cleveland Local Plan in 2018 and recent changes to national planning policy. The adopted SPD will provide guidance on securing developer contributions in accordance with the requirements of Local Plan Policy SD5.

CPRENY welcomes the clarification given to all potential stakeholders in section 1.5 of the SPD that developer contributions will only be sought from development where there is a need to mitigate any negative impact or secure additional benefits necessary as a result of development and that there may be more types of contribution than those covered in the SPD.

Paragraph 3.25 sets out that "For the Council to take account of a planning obligation in granting planning permission, it needs to be convinced that without the obligation, permission should be refused. In other words, the Council will need to ensure that planning obligations are genuinely necessary and directly related to the development, if it is to avoid potential legal challenge." This is in conformity with national policy and is welcomed.

CPRENY is fully supportive of the adopted the Redcar & Cleveland Social Value Charter and the five critical areas listed within it which are areas to be maximised through opportunities presented as a result of new development. All five are themes that CPRE both locally and nationally campaign on and are very encouraged to see the Council embrace and acknowledge these important factors in the survival of rural communities:

- "Employ Local: Creating a Fairer Economy through Employment and Training.
- Buy Local: Creating Local Jobs and Opportunity for Local Supply Chains.
- Think Local: Enabling Communities and Citizens to Thrive.
- Good Employers: Wellbeing and Welfare of Employees and the Supply Chain.
- A great place to live: Cleaner, Greener, Sustainable."

Further, CPRENY believe that the 20-year maintenance contribution suggested by the Council in paragraph 3.30 is entirely appropriate. It is recommended that the Council ensure that in such cases where the applicant retains responsibility for maintenance or passes this to a management company, the s106 agreement lasts for a significant period of time and that successive ownership is considered that would tie in any future owners to the agreement, and that provisions are made for the infrastructure maintenance to be passed to the Council in certain circumstances within the original agreement.

It is agreed that paragraph 3.40 is an appropriate route for the Council to take in order to ensure sustainable development even in areas of low value. It is considered appropriate for the Council to enter into negotiations with an applicant in exceptional circumstances for example, if the economic viability of a new development is such that it is not reasonably possible to make payments to fund all or part of the infrastructure required to support it. CPRENY would encourage the Council to ensure that the applicants provide robust evidence of the viability of the to demonstrate this. CPRENY believe that the Council's approach to phased payments throughout the development may be a viable option in order to encourage development of a site which would otherwise be economically unviable to an applicant. The open book approach to viability assessment is considered appropriate and the use of a third party where parties cannot agree is sensible. Whilst this third party may be instructed by the Council, it is considered that the applicant should pay for this option.

CPRENY welcomes the findings of the Open Space Assessment undertaken as part of the background evidence base for the Local Plan. Open space is vital for health reasons alongside providing opportunities for

biodiversity. It is considered appropriate that the Council seek to preserve and enhance open space for residents and visitors in the area and encourage the provision of new spaces within new developments. The findings that everyone should have access to at least one of the following needs to be actioned through robust planning agreements and conditions:

- “Within 400m (approximately 5 minutes’ walk) of a local space of at least 0.4 hectares as defined in the Redcar & Cleveland Open Space Assessment (2016), or an equipped play area; or
- Within 800m (10 minutes’ walk) of a neighbourhood space as defined in the Open Space Assessment; or
- Within 1.6km (20 minutes’ walk) of a strategic green space as defined in the Open Space Assessment.”

CPRENY also welcome the recognition within the SPD that formal open space provision is required for all ages of children, not just young children and regular play equipment. Once the provision is met, the Council will seek contributions surrounding improvements and maintenance of existing spaces and this is considered an appropriate approach.

The Local Plan sets out a number of situations where off-site contributions will be sought and the formulas for the calculations for these scenarios seem appropriate.

In conclusion, CPRENY believe that the SPD is compliant with national policy and will deliver Local Plan policy.