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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.

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Comment

CPRE North Yorkshire (CPRENY) welcomes the opportunity to consider the documents published by Scarborough Borough Council ('SBC' or 'the Council') to inform their Review of the Scarborough Borough Local Plan 2011-2032 which was adopted in 2017. The Council are at the beginning of the review stage therefore, are consulting on the 'Issues and Options' identified in response to significant changes to Government policy first published in July 2018 introducing a formal requirement for Local Plans to be reviewed least once every five years. Plans should then be updated as necessary.

The Council has published three documents for consultation including the Issues and Options document, a Sustainability Appraisal Scoping Report which sets out how the emerging Local Plan will be considered against proposed sustainability objectives and a Housing Assessment Methodology document which sets out the process by which sites are analysed as part of the Local Plan review. Alongside these documents, the Council have also released a 'Call for Sites', not solely for housing but also including employment sites, retail and areas for tree planting amongst other things. However, as CPRENY are not landowners, they have not participated in this call for sites exercise.

It is understood that whilst the Council are considering a full review in light of changes to national Government Planning Policy and the Climate Emergency it is likely that due to the relatively recent date of adoption of the current Local Plan, not all policies will require updating. CPRENY is highly supportive of the fact the Council has declared a Climate Emergency and welcomes its aim of achieving net zero by 2030. As set out in the Issues and Options document, planning is a fundamental tool which can help achieve this ambitious target and CPRENY believe that this requirement should be embedded throughout all aspects of the Local Plan and other SBC management and action plans going forward.

It is also recognised that the Government's recent consultations on planning reforms and changes to the current planning system alongside potential devolution deals may and will have the potential to impact the contents of the Local Plan. However, CPRENY consider that the Council are correct in pursuing a review at this stage as directed by the Government's Chief Planner, in order to ensure policies remain up to date and so as to protect the countryside and ensure development can continue to be delivered where it is most needed.

Furthermore, the principle behind the 'Building a Better Borough' programme is also encouraged by CPRENY.

The remainder of this document discusses the options as set out by the Council as questions within the Issues and Options document.

Question 1

CPRENY believes in the promotion, protection and enhancement of the countryside, it also believes that the country needs to be building the right kind housing in the right places which should be compatible aims. However, the current way that housing targets are determined by the government for local authority areas works against both objectives. The Covid-19 crisis has demonstrated the value of the countryside for health and wealth being purposes, whilst the climate emergency is demonstrating how important open areas are for combating droughts, floods, and rising temperatures and as biodiversity resources.

Each Local Planning Authority should assess the need for different types of affordable home in its area, taking not account both local house prices and local income levels and then demonstrate in their Local Plans how these homes will be delivered. At present, the planning system does too little to deliver genuinely affordable homes including those needed in rural areas. Reliance on negotiations with house builders to include a proportion of affordable homes in their market sector developments has demonstrably failed, leading to less genuinely affordable homes being delivered, a situation the Covid pandemic could exacerbate.

The current standard methodology does not deliver the right types of houses in the right places with no opportunity for local input, from Councils or the wider community and they disregard environmental and planning constraints as the standard methodology for establishing housing targets concentrates on numbers of dwellings.

Paragraph 31 of the NPPF states that local authorities should use up to date evidence when preparing Local Plans, However, the associated Guidelines require that the Office of National Statistics (ONS) 2014-based projections for household growth be used when setting housing targets. In June 2020, the ONS published the 2018 based household projections for England. These indicate that countryside, using the estimated 2018 figures as a base, household growth over the period 2018-2028 will be about 7.1% and over the period 2018-2038 approximately 13.4%. These are significantly less than the projections contained in the 2014 based figures. By 2038, therefore, there would be over 1.5 million fewer households than projected in 2014. There has clearly been a marked downward revision in the ONS's calculations.

The SBC adopted Local Plan (2017) currently sets an annual housing target of 450 new dwellings per annum for the lifetime of the Local Plan. Paragraph 5.2 of the Issues and Options document recognises an under-delivery of 734 dwellings due to the previous recession, however indicates that for the previous 4 years local delivery targets have been surpassed, although following the implications of Covid-19 it is unclear as to what the under-delivery is likely to be at the end of the next reporting figure. By 2022, the current Local Plan will be considered out-of-date and therefore, housing targets will automatically be considered against the 2014-based projections which were 175 dwellings per annum which does not consider affordability requirements and past under-delivery or current housing need. The 2018-based figure based on the new standard methodology for SBC would be 338 which although an increase on the 175, would be significantly less than that required by the current Local Plan. Paragraph 5.7 of the Council's document suggests that this would be equivalent to a circa 60% reduction in the level of housing that should be provided in Scarborough Borough according to local need.

CPRENY consider it difficult to determine the exact housing need without fully understanding the implications of COVID-19 and Brexit, however, at this stage, believe that option 3 would be the most suitable course of action for the Council to progress going forward. This would use the Standard Method as a base figure and apply an uplift to consider population trends, migration and economic projections. However, CPRENY believe that the Council should prioritise the reconditioning of empty homes to ensure their viability as housing stock going forward and to help reduce the footprint of new built development in line with the aim of reducing climate change.

Question 2

CPRENY welcomes the Council's intention to undertake a review of Local Plan housing allocations.

CPRENY understands that 41.5% of completed residential development occurred on brownfield land - an overall figure for 2011-2019 of 47.65%. This is the sixth successive year that the rate of greenfield delivery has been higher than that of brownfield development. Whilst the development of 47.65% brownfield land is applauded, CPRENY believe that much more creative effort must go into building sustainably on previously developed sites, well-designed higher density homes within existing communities where people actually want to live, contrasting with low-density sprawling developments which swallow up large parts of the valued countryside and necessitate higher levels of car usage and do little to facilitate community interaction.

For those who earn their living in rural areas, homes that meet the needs of local people should, where possible, be provided within the boundaries of existing communities.

The Site Assessment Methodology was used to assess sites for inclusion within the 2017 Local Plan and was considered by the Inspector at that time to be fair and thorough. As such the Council are not proposing to radically change the methodology but to update and amend it to reflect the changes to Government legislation and ensure it satisfies the Sustainability Appraisal.

CPRENY, therefore, agree with the Housing Site Assessment Methodology proposed and the proposed criteria. It is considered that this could be strengthened within section 9 by including reference to the requirement to provide measurable net gain for biodiversity. The NPPF is very clear that proposals should demonstrate a measurable net gain in biodiversity (paragraph 175d) and the emerging Environment Bill is expected to set out a requirement for all proposals to achieve a net gain of 10% in biodiversity, which is already being rolled out as good practise across the country. With this in mind, a criterion could be added to consider whether the site would enable the delivery of a minimum biodiversity net gain of 10% - currently the criteria ask whether hedgerows and trees could be retained and whether landscape designations or biodiversity sites will be impacted, whilst it is crucial to know this, it is not the same thing.

Question 3

The July 2018 revision to the NPPF introduced a requirement for planning authorities to meet at least 10% of their housing requirement on sites no larger than 1 hectare, unless there are strong reasons why that target cannot be achieved. The SBC Local Plan allocated 6 sites under 1 hectare in size. These sites have an estimated yield of 170 units, equating to 1.8% of the plan's total housing requirement.

CPRENY believes that the Council's approach to considering smaller sites of a minimum yield of 5 dwellings will provide greater flexibility and allow self-builders and small developers to progress through the planning system. However, to achieve this, CPRENY would hope that the majority of these sites could be incorporated into existing settlements, within development boundaries and on brownfield sites (shown on the register), ideally following the existing settlement hierarchy.

Should the Council be required to consider sites in rural settlements, then only those sites which can be supported by existing infrastructure and services should be encouraged so as to meet the aims of the climate agenda and where they will not impact on the important setting or character of the settlement to its detriment. Furthermore, those sites which are considered isolated or not adjacent to existing settlements should not be considered.

Question 4

CPRE nationally recently co-sponsored research by Herriot Watt University that identifies the need for 145,000 genuinely affordable homes to be built in this country for each of the next 10 years. This would eliminate housing waiting lists and address the needs of others who suffer from the housing affordability crisis, including hidden households. This new housing and its associated infrastructure would help with post-Covid unemployment and stimulate economic activity, although an emergency training programme is almost certainly needed. Consideration should be given to appropriate mechanisms for delivering this house building programme but CPRE would actively encourage a Local Authority to adopt such a programme to address the affordable shortfall in their area. This would have to include a local authority maximising its existing compulsory purchase powers to enable them to assemble previously developed land for building, private sources of finance for this and for constructing public sector housing would be readily available using the future stream of rental income as collateral. Should SBC take this approach forward they would surely be considered innovative and held up as an exemplar authority.

In response to the specific questions raised in the Issues and Options document, CPRENY consider that the Council's stated tenure mix requirements established via existing Policy HC3 of the 2017 Local Plan (70% of affordable units to be rented) is still considered to be a sensible approach. It is acknowledged that altering the

tenure mix more closely towards the NPPF requirement would significantly prejudice the ability to meet identified needs, particularly in the Scarborough and Filey, Hunmanby and Southern Parishes Housing Market Areas (HMA), where the overall affordable housing requirement is currently set at 10% and 15% respectively.

Question 5

The Council's evidence base (2015 SHMA) suggests that there is a difference between the needs / aspirations of those seeking affordable housing compared with those seeking to move within the open market. In terms of the size of 'open market' housing, delivery has broadly matched aspiration over the last 5 years whilst 85% of those in housing need preferred a 1 to 2 bed units were strongly favoured for affordable housing with only 68% of those supplied being smaller units – there is thus, clearly a mismatch between supply and demand.

CPRENY consider that the Council (whilst recognising the need to provide some flexibility in accordance with national planning guidance) should plan to deliver the housing that is actually needed. Therefore, it is considered appropriate for the Council to be more prescriptive within development briefs in terms of size and mix of proposed dwellings on site having assessed the particulars of each proposed allocation and the constraints and capabilities associated with each location. It is clear that some sites would be capable of achieving a range of development types, whereas others may only be appropriate for single storey units in order to protect landscape or heritage interests and these should be taken on board at the plan-making stage.

This approach would give both the developer and interested communities a clear steer as to what would be acceptable for each location prior to the submission of planning applications and would further help development management processes.

Question 6

CPRENY are incredibly supportive of the inclusion of this matter within the Issues and Option document.

The Government recently consulted on proposed revisions to Part L, which, as shown in the table below, would see improved efficiency standards established in 2020 as a step towards even higher standards in 2025 (Future Homes Standard). Once established, these standards (or any variation thereof) would be mandatory for all newly constructed dwellings. Paragraph 5.47 indicates that once the new standards are brought in they could be regarded as a ceiling and that Local Plans will not be permitted to require standards over and above those set levels. CPRE will fight to avoid this as they believe that whilst much better than current energy efficiency requirements, such a matter should not have a ceiling but a 'minimum' requirement.

Therefore, to answer the Council's question, should the implementation of the improved Building Regulation standards not prevent Local Planning Authorities from doing so, the Council should absolutely look to set its own energy efficiency target for new homes that goes above the mandatory requirements – which should be a minimum requirement. This would enable SBC to go towards achieving its climate goal of being net zero by 2030 amongst other measures that will be required to be introduced.

Questions 7 and 8

Planning Authorities are required to consider the needs of current and future occupiers. With that in mind, the Local Plan should seek to address broad accessibility needs, ensuring that, as far as possible within the control of the planning process, both internal and external environments are safe and accessible for people with disabilities in all new developments and retrospectively wherever possible.

The Government has introduced optional standards for the provision of accessible and adaptable homes which can be adopted locally if they are shown to be necessary and viable. Evidence presented by the Guide to Available Disability Data (MCHLG) suggests that 37.86% of all households in Scarborough are likely to contain at least 1 person with a long-term health problem or disability, while 3.3% of all households in the UK are likely to contain one or more wheelchair users. SBC has committed to the collation of local data through

the production of a new Strategic Housing Market Assessment (SHMA), commissioned through the Local Plan Review process. CPRENY believe that this data should form the evidence base for this Local Plan policy. However, if there is indeed such a need, the Council should justifiably require higher standards for accessibility and wheelchair users within their Local Plan.

Question 9

The Government's Nationally Described Space Standard sets minimum expectations for the Gross Internal Area (GIA) of all new dwellings, across all tenures. It also sets associated minimum thresholds for bedroom sizes and internal storage requirements. Given the evidence presented by SBC that 62% of units failed to meet the basic standard, 44 (40%) were significantly (more than 10m²) below the minimum standard, CPRENY consider that there is sufficient and demonstrable need for the Council to adopt these standards through planning policy.

Question 10

CPRENY believe that the statutory consultees (Yorkshire Water and the Environment Agency) are best placed to answer this question, however, agree with the Council's synopsis that should the Water Management Plan (2019) be adhered to by Yorkshire Water, there should be no requirement to adopt higher standards than building regulations at this present time. However, in the interest of environmental protection, it is paramount that all natural resources are used efficiently and whilst it is not 'necessary' to adopt the higher level of protection providing the activities stated within the Water Management Plan are effective and able to be initiated in the current climate, it would seem sensible to adopt higher standards as soon as practically possible to mitigate against any future problems and ensure efficient water usage throughout the borough.

Question 11

The Government support self-build sites in national planning policy and as such the Council consider that they deliver a significant number of self-build schemes. Paragraph 5.68 states, whilst such developments may not have been officially termed as "self-build" there have been many permissions granted for single build plots and conversions taking place on windfall sites. CPRENY believe that the Council could adopt a combined approach in the revised Local Plan. A combination of continuing the status quo via option 1 and allocation of plots on larger allocations via option 3 would seem to compliment each other and has been successfully achieved in other areas of North Yorkshire. These self-build plots on allocations could be detailed within development briefs specific to certain sites.

Question 12

As set out above, CPRENY fully recognise the need to address climate change and in particular the need to reduce carbon and greenhouse gas emissions. The Council's recognition of the requirement within paragraph 174b and also to 175d of the NPPF is thus welcomed. Biodiversity net gain, not only seeks to promote habitats for flora and fauna but also provides welcome greenspace for communities who benefit from it both in terms of mental and physical health, but also and importantly will help combat climate change by sequestering carbon amongst other things.

As such the Council should absolutely seek to require a *minimum* of 10% biodiversity net gain across all developments in line with the emerging Environment Bill even if the requirement does not become mandatory. This is now emerging as best practise across the country currently. The fact that SBC has declared a climate emergency and has set itself an ambitious target of net-zero by 2030, adds weight to the argument that the Council could and should require 10% as a minimum and that developers should be seeking to provide much more. 10% should not be seen as a ceiling.

In order to achieve more than the minimum required, the Council could require developers to justify why they cannot provide more than the minimum 10% requirement for any given site and should enter into a legal

agreement with the developer to ensure the final amount agreed upon is actually delivered.

Question 13

As set out in the response to question 12, CPRENY fully support the need to reduce and minimise climate change and therefore the notion of carbon offsetting where appropriate. Thus, the charity concurs with the Council that this can be achieved at both the local and district level. CPRENY are encouraged by the call for sites exercise which has been extended to include land for tree planting and really hope this is taken up by astute and willing landowners.

Furthermore, support is given for the requirement in the Local Plan for developers to deliver tree planting where appropriate across developments, not only does this help in terms of carbon offsetting but is considered will also go some way to creating pleasant living environments and building a better borough. It is further thought that the Local Plan should require developers to contribute towards the delivery of tree planting initiatives within the Borough, presumably via legal agreement to ensure this occurs. CPRENY believe that an equation would be useful here to determine the amount contributed linked to the size of plot developed. Windfall developments of a certain size should also be included in this, for example to include 'small sized plots' i.e. those of 5 dwellings or more.

Question 14

CPRENY are a branch of the national charity who represent members living in all districts of the county including the National Parks and coastal areas, as such CPRENY do not 'reside' in one area as requested by this question. However, CPRENY fully agree with the Council's description of the typical characteristics of each of the different towns and village groups identified in the design section.

In terms of the final question posted within question 14 – CPRENY believe that each application should be assessed on its own merits. Characteristics of the environs surrounding a proposed development site should be considered at the design stage by a developer and proposals should ensure appropriate levels of sympathy with those characteristics to ensure no detrimental harm results from any new development. However, CPRENY are not averse to contemporary designs in particular circumstances and recognise the need for flexibility within the planning system in this regard. Contemporary design can often compliment traditional design styles when done well and this should be encouraged and welcomed in appropriate locations where it is considered a modern structure would not be incongruous within the setting, either in terms of landscape or historical value.

Question 15

Local Plans play a significant role in helping to secure town centre long-term vitality and viability. CPRENY welcomes the acknowledgement by the Council that the role of the traditional high street is changing. Whilst there will always be a role for high street retail, CPRENY believe that the Council is correct in its assertion that alternative policy approaches to those traditionally associated with town centre planning may need to be adopted.

The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into effect on 1st September 2020. The new regulations make changes to the 1987 Use Classes Order which sit alongside the recent additions to Permitted Development Rights. With this in mind, the Council should consider policies which will enable the vitality of traditional town centre areas. Paragraph 1 of the Town Centre and Retail PPG sets out that '*A wide range of complementary uses can, if suitably located, help to support the vitality of town centres, including residential, employment, office, commercial, leisure/entertainment, healthcare and educational development. The same is true of temporary activities such as 'pop ups', which will often benefit from permitted development rights. Residential development in particular can play an important role in ensuring the vitality of town centres, giving communities easier access to a range of services.*' (ID: 2b-001-

20190722) – The Council, should therefore consider these options in draft planning policies certainly for the larger centres of Scarborough and Whitby. Such allocations could help bring previously developed land into active use and, provide additional footfall to support existing businesses. Redevelopment of redundant retail space and surplus car parks could be utilised for homes, workplaces and community hubs or social spaces.

Question 16

The housing target set within the 2017 Local Plan was derived from, amongst other things, the anticipated 5,000 full-time jobs that were forecast to be created by the end of the plan period (2032). As such the Local Plan made provision for the delivery of 37.2 hectares (net) of land at Scarborough Business Park for the development of employment (B-Class) uses. The Local Plan Review will explore whether this is still appropriate, therefore, at this stage there is no evidence to suggest whether this figure and associated land requirement has altered, ergo, it is impossible for CPRNEY to comment at this stage. Furthermore, it is acknowledged that the impact of Covid and Brexit is unknown but may well impact the final target promoted via the Local Plan review.

With respect to whether additional land should be allocated at Hunmanby Industrial Estate, again, this will require reviewing evidence to be assessed prior to comment. However, CPRENY, would not want the estate to grow in size so as to be too large for the size of settlement and become unsustainable, especially in terms of increased vehicular movements on the surrounding infrastructure of narrow country lanes.

Question 17

The current Local Plan (2017) sets out in Policy EG2 and the supporting text that *'The Borough Council will encourage all local employers to participate in skills & employment training initiatives to increase access to employment for those who live within the area. Where development proposals would generate a significant number of construction and operational phase jobs, the Borough Council will seek to enter into a S106 Agreement to secure appropriate commitments & targets for employment skills and training, including apprenticeships appropriate to the development proposed.'* To ensure improvements to local and rural employment in the district, CPRENY would support an opportunity for the Local Plan to formally require developers to secure a percentage of the associated construction and operational phase jobs locally where appropriate, although without evidence, is not clear at this stage what the percentage should be.

Question 18

The Council's recognition of the 'Building Better, Building Beautiful Commission's' published report is welcomed. The Living with Beauty report recognises the positive impact that greenery in the urban environment can have on mental and physical health which ties in with the CPRENY response to question 13 above. One of the key recommendations of the report is "re-greening" our towns and cities. SBC have confirmed within the Issues and Options document that 'securing high-quality landscaping schemes, including the provision of 'street trees', within new development will be a point of emphasis in the Plan' and this approach is encouraged. According to Natural England 'The presence of greenery in the urban environment normally has a positive impact on our mental and our physical health [...]They are associated with cleaner air, slower cars, fewer accidents and they provide shade in hot summers'.

CPRENY also consider that expansion to, or allocation of new allotments within parts of the district would be appropriate and likely to be a popular policy as it will allow communities to benefit in terms of both mental and physical health.

Community gardens, where flower beds are replaced with vegetable and herb produce which people can effectively help grow and then harvest would also be an option for the Council to consider and have been hugely popular in areas like York where, traditional bedding plants in raised beds have been replaced with salad crops and herbs such as rosemary and mint, for example, outside the Barbican Theatre.

CPRENY would also advocate the provision of biodiversity stepping stones and links to green corridors where possible to enable access to the countryside and the sowing of typical grass verges at the sides of the road with wild flower seeds all of which are beneficial to wildlife and carbon reduction but also provide vital green space, especially in urban areas, which can help improve wellbeing.

Question 19

CPRENY are not raising any other matters at this stage and welcome the attention afforded to the climate emergency as part of this plan review.

Question 20

The Issues and Options document asks respondents to rank the following list in order of importance, having already put aside the provision of usual requirements in terms of contributions to open space, education, and health providers etc. It should be noted that CPRENY believe all these elements are required to be a truly sustainable development and achieve a 'Better Borough'. However, it is noted that these elements will compete for a finite pot of funding, therefore, external and innovative funding sources should be considered where appropriate.

Given the importance of the climate emergency CPRENY believe that the protection of the planet and its natural resources must be a key focus for the planning system and if that is correct, the rest should follow. With that in mind, please see the below list with a number ranking which has considered local circumstances as discussed in our response to the Issues and Options document above (with the caveat acknowledgement set out above that all elements are important and desired):

- 2 the delivery of affordable housing;
- 3 the provision of homes that are of a specific space standard and generally with larger room sizes than has recently been delivered (in accordance with nationally described space standards);
- 4 the provision of accessible, adaptable and wheelchair accessible homes;
- 1= the need to be more energy efficient in terms of future energy requirements and construction;
- 5 the need to be more water efficient;
- 1= implementing carbon offsetting measures such as tree planting and natural habitat creation;
- 6 providing construction jobs to local people

CPRENY welcomes the opportunity to comment on this initial stage in the plan making process and is encouraged by SBC's attention to the climate crisis. The charity looks forward to considering forthcoming consultations and a more in-depth and up to date evidence base to progress the Local Plan review.