

SCARBOROUGH BOROUGH COUNCIL
PLANNING & DEVELOPMENT COMMITTEE

At a meeting to be held at **13.00** on **Thursday 08/12/2022**
The Council Chamber, The Town Hall, Scarborough

AGENDA

Please note that this meeting may be filmed for live or subsequent broadcast via the Borough Council's website on the internet. At the start of the meeting the Chair will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council. Generally the public gallery is not filmed. However, by entering the Council Chamber and using the public seating area you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this please contact the Monitoring Officer

- 1. DECLARATIONS OF INTERESTS** (Pages 1 - 2)
Members are reminded of the need to consider whether they have a disclosable pecuniary, prejudicial or other (personal) interest to declare in any items on this agenda. Details of any interest must be declared at the start of the meeting or as soon as any interest becomes apparent during the meeting. The attached form must also be completed. Any advice required should ideally be sought before the day of the meeting.
- 2. MINUTES** (Pages 3 - 6)
To approve as a correct record and sign the minutes of the meeting held on Thursday 10/11/2022 (minutes attached).
- 3. PUBLIC QUESTION TIME**
Public questions of which due notice has been given and which are relevant to the business of the Committee.
- 4. PLANNING APPLICATION - (21/01397/FL) FORMER SITE OF 79 CROSS LANE, NEWBY 22/247** (Pages 7 - 20)
To consider:-
 - i. a planning application for the construction of six three bedroom semi-detached dwellings with communal off street parking/courtyard and landscaping for InHaus Group.
 - ii. a report of the Head of Planning (reference 22/247 attached).

[View Plans and Documents](#)

5. PLANNING APPLICATION - (22/01787/HS) THE OLD MILL LODGE, MILL LANE, CLOUGHTON 22/245 (Pages 21 - 28)

To consider:-

- i. a planning application for the erection of two storey and single storey side extensions for Andrew & Georgina Crossley.
- ii. a report of the Head of Planning (reference 22/245 attached).

[View Plans and Documents](#)

6. PLANNING APPLICATION - (22/01151/OL) SQUIRE OF SCARBOROUGH LTD. 135-137 VICTORIA ROAD, SCARBOROUGH 22/246 (Pages 29 - 40)

To consider:-

- i. an outline planning application for the proposed development of houses and flats with all matters served for Squires of Scarborough Ltd.
- ii. a report of the Head of Planning (reference 22/246 attached).

[View Plans and Documents](#)

7. REVIEW OF THE SCARBOROUGH BOROUGH LOCAL PLAN - DRAFT FOR CONSULTATION 22/244 (Pages 41 - 306)

To consider:-

- i. a report on the review of the Local Plan and proposals for the Plan's subsequent release for consultation.
- ii. a report of the Head of Planning Services Manager (reference 22/244 attached).

(N.B. If you have any questions, need further information about the meeting or require special facilities in order to attend, please contact James Mowbray, Electoral & Democratic Services Officer, Town Hall, St. Nicholas Street, Scarborough – 01723 232307 or e-mail james.mowbray@scarborough.gov.uk. (If you wish to register for public speaking please e-mail planning.services@scarborough.gov.uk or telephone 01723 384314.)

MEMBERS' DECLARATIONS OF INTERESTS

Name:	
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Meeting:	
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Date:	
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Agenda No & Item	
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Nature of Interest:	
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If you are uncertain whether you have an interest, please seek officer advice before the meeting.

Is the interest:

a disclosable pecuniary interest?

personal and non-prejudicial?

personal and prejudicial?

(Please put an X against the appropriate interest and email to the Clerk for the meeting)

NOTES

PLANNING & DEVELOPMENT COMMITTEE

At a meeting held on Thursday 10/11/2022

Present:-

Councillor J.E. Mortimer, Chair;

Councillors P.H. Trumper, C. Pearson, R. Swiers, P. Riley, G.W.L. Smith,
W. Forbes, W. Chatt, R. Maw, S. Cross, J. Nock and M.J. Cockerill

1. **DECLARATIONS OF INTERESTS**

Councillor Paul Riley declared that agenda item four (22/01604/FL) had been discussed by Reighton & Speeton Parish Council (of which he is also a member) but that he had taken no part in those discussions.

2. **MINUTES**

RESOLVED that the minutes of the meeting held on Thursday 06/10/2022 be **APPROVED** and signed by the Vice-Chair.

3. **PUBLIC QUESTION TIME**

There were no public questions.

4. **PLANNING APPLICATION - (22/01604/FL) CHURCH FARM, SPEETON 22/228**

The Committee considered:-

- i. a planning application for the erection of nine dwellings with associated access and infrastructure following the demolition of existing agricultural buildings at Church Farm, Main Street, Speeton, YO14 9TD for T., J. and P. Coleman.
- ii. a report of the Head of Planning (reference 22/228).

Updating the report, the Planning Officer explained that agricultural operations at the site would cease if planning permission was to be granted. The Planning Officer went on to confirm that spare capacity for carrying out such work was available locally at an alternative site.

Following the Planning Officer's report, the Chair invited the agent, Carl Stott, to speak on behalf of the application.

Members welcomed the proposal and were of the opinion that the plans were amongst the best seen for a small development for some time. Members also praised the retention of existing buildings on site as part of the overall development. However, the Committee did request a condition to set out how trees adjacent to the site could be preserved during the construction phase.

RESOLVED that planning permission be **GRANTED** subject to the conditions set out in the report and with the additional condition detailing the projection of the trees.

5. **PLANNING APPLICATION - (22/01701/FL) 12 CARLTON ROAD, FILEY 22/227**

The Committee considered:-

- i. a planning application for the demolition of commercial properties (B1) and the erection of six dwellings (C3).
- ii. a report of the Head of Planning (reference 22/227).

Members felt that the site was amongst the worst locations in Filey for a development of this sort. The Committee also wanted to abandon the idea of using the access track altogether, however the Planning Officer explained that the Council encourages pre-application discussions, which had not happened in this case, but suggested that they would return to the applicant and suggest this before the resubmission of another application in the future.

RESOLVED that planning permission be **REFUSED** due to concerns relating to design and residential amenity.

6. PLANNING APPLICATION - (18/00470/FL) LAND NORTH OF BOTANY WAY & DISCOVERY WAY, WHITBY 18/140

The Committee considered:-

- i. a planning application for fifteen industrial/warehouse units with associated roads, parking and landscaping.
- ii. a report of the Head of Planning (reference 18/140).

Updating the report the Planning Officer confirmed that comments had now been received by the LLFA who had raised no objections. The Planning Officer also relayed to the Committee that a comment had been received from a member of the public in Whitby claiming that the site did not lend itself to cycling and suggesting that the plan be reconfigured to allow for better cycling while also reducing speed limits in the area to 20mph. The Planning Officer added that these suggestions were not being recommended by the Highways Authority. The Planning Officer acknowledged that a condition could be added to facilitate bicycle parking. The Planning Officer went on to add that some final, minor, revisions to the layout plan were still being awaited which would rearrange some of the parking to the front of the units, include electric vehicle charging points and amend the curvature of the bend in the approach road to better accommodate HGVs. The Planning Officer stated that the agent had already signalled approval of these amendments and that delegated authority was sought to confirm the finalised plans.

The Committee questioned the potential impact of development at the site in relation to the beck adjoining the site and the saltmarsh further downstream. The Planning Officer confirmed that the site had been looked at by an ecologist but went on to confirm that they would double-check and potentially impose a condition to install petrol interceptors on site to address the issue. The Committee also sought to understand if the plan area was the last remaining site in that semi-industrial part of Whitby that could accommodate a development of this sort. The Planning Officer confirmed that essentially this was the case in the area outside the National Park, minus some small parcels of land.

RESOLVED that planning permission be **GRANTED** subject to the conditions set out at the report and the additional conditions of cycle storage details, compliance with the flood risk assessment, the inclusion of petrol interceptors and Officers being granted delegated authority to confirm the final plans for the site.

7. PLANNING APPLICATION - (21/02303/RG3) NORTH BAY, SCARBOROUGH 22/8

The Committee considered:-

- i. a planning application for the demolition of a footbridge over the North Bay miniature railway for Scarborough Borough Council.
- ii. a report of the Head of Planning (reference 22/8).

Following the presentation by the Planning Officer the Head of Planning added that any improvements to the level-crossing would require separate authority from the Office of Rail & Road (ORR; a non-ministerial department that governs mainline railways as well as heritage and miniature lines). The Head of Planning went on to explain that if Members saw the improvements to the level-crossing as fundamental to the proposal, and wanted assurances that the improvements would take place, it would strengthen the requirement for making those improvements prior to the demolition of the bridge. The Head of Planning further stated that if the ORR were resistant to the level-crossing changes it may necessitate a rethink of the project by the applicant.

Updating the report the Planning Officer provided comments that had been received by Councillor John Atkinson (ward member for Northstead) who felt that the loss of the bridge would make the area dangerous for young children and would result in decreased trade for neighbouring businesses that have come to rely on footfall that the bridge enabled.

Following the Planning Officer's report the Vice-Chair invited John Sissens to speak against the application.

Overall there was considerable support from the Committee for maintaining the bridge with a preference for repair over demolition. Members queried the omission from the report of the impact of demolition of the bridge on ponds in the local area which were reputedly home to newts. While Members understood that the bridge did not form part of a designated right-of-way they questioned whether any attempt had been made to register the route as such and went on to ask if any such registration attempt was made whether that would secure the future of the bridge. Members sought to know the reasoning for building the bridge in the first place and the routes it was intended to carry. The Committee were of the opinion that the amount required to repair the bridge was not substantial.

RESOLVED that planning permission be **REFUSED** due to concerns that the loss of the route across the footbridge would increase use of the level crossing, adversely affecting the safety of children, animals and pedestrians.

Chairman

NOTES

 <p style="font-size: 1.2em; margin: 0;">SCARBOROUGH BOROUGH COUNCIL</p>	<p>REPORT TO PLANNING & DEVELOPMENT COMMITTEE</p> <p>TO BE HELD ON THURSDAY, 8 December 2022</p>	
<p>APPLICATION REFERENCE NO:</p> <p>21/01397/FL</p> <p>Corporate Aims Better Lives, Better Homes, Better Places, Brighter Futures, Better Council</p>	<p>TARGET DATE:</p> <p>2 August 2022</p>	<p>GRID REF:</p> <p>502590-489941</p>

REPORT OF THE HEAD OF PLANNING – HOP/22/247

SUBJECT: Construction of 6 no. three bedroom semi-detached dwellings with communal off street parking/courtyard and landscaping at Former Site Of 79 Cross Lane Newby Scarborough North Yorkshire for Mark Dunwell

1.0 THE PROPOSAL

1.1 This application relates to a roughly rectangular plot of land on the southern side of Cross Lane in a residential area opposite one the road frontages of the North Bay Golf Course. The plot was formerly occupied by a single detached dwelling and garage, which have now been demolished down to foundation level. The site measures 45m from east-west giving it a wider frontage than other nearby properties; the measurement north to south varies between 34 metres and 41 metres. It is bounded to the east (Cross Lane) and south (Newlands Park Crescent) by two storey, mainly semi-detached housing. To the west the site fronts onto a cul-de-sac of modern 2 storey flats (nos. 81-103 Cross Lane). Although the main body of the site is largely level, the existing residential development to the south and east, as well as the bottom end of the cul-de-sac and dwellings to the west, are set at a lower level. The existing gated access from Cross Lane is 11 metres east of a zebra crossing. The site was overgrown but during the consideration of this application has been substantially cleared.

1.2 The proposed development comprises 3 pairs of semi-detached dwellings. Each pair will measure 11.4 metres in width and 9.9 metres in depth with an eaves height of 5.2 metres and a ridge height of 8.2 metres. The properties will each have a 4 metre deep front garden and a 9 metre long rear garden containing a shed in each garden. To both the outer sides (abutting No. 77 Cross Lane and the existing cul-de-sac) there is proposed to be a private path and a 1.2 meter wide planting area. There is approximately 2 metres between the blocks of buildings with these areas comprising private pathways.

1.3 A shared pedestrian path is proposed centrally from Cross Lane, with vehicular access taken from the adopted cul-de-sac to the south western side. To the rear of the

proposed dwellings is a shared parking area proposed to be finished in tarmac containing 2 no. spaces and an electric charging point for each dwelling. Discrete low energy lighting is proposed within the parking areas. 1.8 metre high privacy fencing is proposed around the rear gardens, with a 1 metre high metal fence around the front gardens.

1.4 One pair of semi-detached dwellings is to be constructed wholly in red brick; one pair with render at first floor level on the front elevation; and, one pair with render on the whole front elevation. The render is proposed to be a smooth cream render. The roofs are proposed to be under a flat rustic red clay tile, with UPVc windows and doors in an anthracite colour.

1.5 The site is underlain by boulder clay and percolation tests have been submitted that demonstrate soakaways are not suitable on the site. Both surface water and foul water is proposed to be conveyed to the mains.

1.6 The application is accompanied by a Design & Access Statement, Tree Survey, and Ecology reports.

1.7 Members are advised that there have been substantial delays in the processing and consideration of this application. The application was originally validated in autumn 2021, however, following third party comments it became clear the ownership certificates were inaccurate and the application was made invalid in December 2021. The applicant did not at that time own part of the land within the red line. In addition, protected species were discovered on the site in December 2021, resulting in further complications and the need for monitoring and evaluation. The applicant subsequently acquired the whole site area and the correct certificate was signed, after which the application was made valid again in June 2022 and consultations were started again.

2.0 SCREENING OPINION REQUIRED?

2.1 No.

3.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

3.1 None.

4.0 CONSULTATIONS AND COMMENTS

4.1 The following is a summary of the key and relevant comments received from consultees and interested parties. Their full comments and any accompanying documentation are available to view on the Council's website.

4.2 Newby & Scalby Town Council - No objection

4.3 Highway Authority - "This is an application for a development of six, three bedroom semi-detached dwellings with parking provided within the site. The existing vehicle entrance will be retained although reduced to a pedestrian link to Cross Lane. This will improve the current situation as the existing vehicle access onto Cross Lane is

immediately adjacent to a pedestrian zebra crossing. Intensification of this access in such close proximity to a zebra crossing could create vehicle conflicts and lead to conditions which are prejudicial to highway safety. The existing vehicle crossing onto Cross Lane should be permanently closed to vehicles and reinstated to highway verge and footway. The new vehicle access to the parking area has already been constructed from an existing publicly maintained highway, Cross Lane cul-de-sac to the east of the site. There is another access in the cul-de-sac and this should also be permanently closed." Recommended conditions from the Highway Authority relate to the closing of the existing access to the site from Cross Lane, parking for each dwelling, and a Construction Management Plan.

4.4 SBC Engineer - No comments received.

4.5 Yorkshire Water - No objection in principle, conditions recommended regarding surface water drainage details.

4.6 SBC Tree Officer - No comments received.

4.7 Environmental Health (Private Sector Housing) - No objection in principle. At 9.6 sq. m the smallest double bedroom is below the size requirement for a double room.

4.8 Police Architectural Liaison Officer - No comments to make on the scheme as it is below the threshold for their comments.

4.9 SBC Ecologist. - The revised mitigation proposal and location of artificial sett is far more workable than the original proposition, both in the construction phase and the longer term after build out, than the previous iteration. The site layout has been adjusted to provide more contiguous space for the animals and a safer location for the artificial sett. There are appropriate radii for construction activities with various types of machinery i.e. tracked plant or pneumatic tyres without committing an offence under the badger legislation. I am satisfied this demonstrates that a licence is possible: the artificial sett could be constructed prior to work on the rest of the site commencing. Then, once demonstrated that the animals have discovered the new artificial sett, the licenced closure of the existing setts could go ahead. After this, in line with the licence, the old setts would be filled in and the construction phase of the development can begin, again with appropriate working radii from the new location. As per standard procedures, the licence application will be informed by further survey checks immediately beforehand (and any final refinement to the mitigation as appropriate). The North Riding Badger group were involved in the previous and these revised proposals and suggest that in their view the new arrangement is a more sustainable outcome for badger on this site in the longer term. The present active setts are in a vulnerable location, lying close to the perimeter of the site and very possibly extend under the pavement and the road. My previous comments on other matters besides badgers still apply, namely:

A detailed landscaping and ecological enhancements plan can be conditioned, using native/wildlife friendly shrubs in landscaping proposals. To include 'hedgehog holes' in fencing, 1 no. bat roost box - preferably an integral bat brick and 1 no. Swift brick or Sparrow terrace box;

A lighting strategy guided by the recommendations in the Preliminary Ecological Assessment to minimise light spill onto retained trees and hedges, both during construction and post construction; and,

A method statement setting out further mitigation measures for site clearance.

4.10 Natural England - No views received.

4.11 Publicity - There has been public consultation on each occasion the application became valid with the latest consultation period expiring on 7 July 2022. In total, 6 representations have been received. Five of these comments made objections and raised concerns about the following issues:

- Disruption to wildlife
- Highway safety regarding the intensive use of the access road into the cul-de-sac, and the proximity of the pedestrian crossing
- Site clearance works;
- Loss of trees and landscaping during the consideration of the application;
- Disturbance to elderly and vulnerable residents.

The other third party comments have been made in regard to the mitigation for protected species on the site as part of a wider dialogue with the agent, and the agent's ecologist.

5.0 RELEVANT SITE HISTORY

5.1 2006 - demolition of house and erection of 8 dwellings in 3 storey block - refused due to overdevelopment and impact on neighbours.

5.2 2007 - demolition of house and erection of four 2 storey semi-detached dwellings - approved with conditions.

5.3 2009 - variation of condition on above permission relating to retention of trees - approved subject to new tree planting.

5.4 2010 - extension of time period for implementing 2007 planning permission for a further 3 years.

5.5 2018 - Planning permission granted for the construction of 8 no. two bedroom apartments with on-site parking.

5.6 2019 - Planning permission granted for variation of condition 1 relating to 16/01140/FL dated 01.02.2018 for the addition of a flat at second floor level, increasing the number of proposed flats to 9 no. flats.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise (in the case of advertisement applications the Advertisement Regulations 2007 are applicable). Attention is drawn to the following Development Plan and other planning policies and guidance which are considered to be particularly relevant to the consideration of this application:-

Scarborough Borough Local Plan 2017

- DEC 1** - Principles of Good Design
- DEC 3** - The Efficient Use of Land and Buildings
- DEC 4** - Protection of Amenity
- HC 2** - New Housing Delivery
- ENV 5** - The Natural Environment
- ENV 3** - Environmental Risk

National Planning Policy Framework

- NPPF12** - Achieving well-designed places
- NPPF5** - Delivering a sufficient supply of homes
- NPPF15** - Conserving and enhancing the natural environment

Scarborough Borough Supplementary Planning Documents

Residential Design Guide - SPD

Local Planning Policy and Guidance

None relevant

7.0 ASSESSMENT

7.1 The main considerations with this application are:

- (a) The principle of the proposed development;
- (b) The appearance of the proposed development;
- (c) Amenity impacts;
- (d) Highway safety;
- (e) Drainage;
- (f) Landscaping;
- (g) Impact upon protected species.

(a) The principle of the proposed development

7.2 The principle of redevelopment of this site for residential use is considered to be acceptable. The site is within the Development Limits and where Local Plan policies HC1 and HC2 generally encourage new housing. Planning permission was also previously granted for residential development on the site (separate permissions for housing and apartments).

(b) The appearance of the proposed development

7.3 Policy DEC1 requires that new development is of good design. Policy DEC3 encourages efficient use of land, assuming the development is in keeping with the character of the local area. Previously 9 no. flats have been approved on this site; arguably this scheme is a less intensive use of the site. The pattern of existing development in the immediately locality is dominated by semi-detached dwellings of a

similar scale to the proposed dwellings. Whilst the spaces between the proposed dwellings are narrower, in view of the earlier approval this is considered to be acceptable.

7.4 The proposed siting is also considered to be acceptable and whilst forward of the building line on No. 77 & 75 Cross Lane, given the position of the site and its relationship with the adjoining flats, the siting is not considered to be out of place or harmful to the character and appearance of the area.

7.5 The layout of the dwellings with front and rear gardens, a central pedestrian access from Cross Lane together with a private parking court to the rear is considered to be consistent with the wider area and not visually harmful.

7.6 The scale of the development proposed; 5.2 metres at eaves height and 8.2 metres at ridge height is considered to be relate well to the character and form of the surrounding residential development.

7.7 The design approach for the proposed dwellings picks up some of the distinctive local detail, such as the render, plain roof tiles, hipped roofs and the proportions of the semi-detached dwellings. The design approach is considered to be entirely appropriate in the locality and consistent with the local vernacular.

7.8 Regarding the external materials (red brick, cream render and red rustic flat clay tiles) these are again considered to be consistent with the locality. There is also no objection to the anthracite coloured grey UPVc windows and doors in this architecturally diverse setting.

7.9 Consequently, the proposed development is considered to be consistent with Policy DEC1 of the Scarborough Local Plan and the Residential Design SPD.

(c) Amenity impacts

7.10 Policy DEC4 of the Scarborough Borough Local Plan requires existing and proposed occupiers have a good standard of amenity.

7.11 The Environmental Health Officer has noted that the second bedroom is below the Nationally Described Space Standard for a double bedroom. However, that room should not necessarily be regarded as a double bedroom. The proposed houses have an adequately sized main double bedroom and the other two rooms can be regarded as adequate single bedrooms, i.e. the overall level of accommodation proposed is acceptable for a 3 bedroomed dwelling.

7.12 At 9 metres in depth, the rear gardens of the dwellings fall slightly below the minimum depth of 10 metres recommended within the Council's Residential Design Guide. This indicates a slight overdevelopment of the site; a reduced number of wider, less deep houses could have achieved that standard. However, a 10m rear garden is a recommendation, not a mandate within the Guide. In other respects the rear gardens are acceptable, being rectangular in shape and relatively level, with wholly useable space. They look onto their own private rear access and parking spaces and the back to back separation with the existing houses to the rear exceeds 20m. Therefore, taking these factors into account, it is considered that, in this case, the proposed rear gardens will offer an acceptable standard of amenity.

7.13 The separation distances between and juxtaposition of the proposed and existing houses will not result in unacceptable levels of overlooking or have any overbearing effects.

7.14 Therefore, this proposal is considered to comply with the requirements of policy DEC 4 for both existing and future residents.

(d) Highway safety

7.15 The Local Highway Authority has considered the scheme in detail. It considers that the access from the cul-de-sac onto Cross Lane is safe and can accommodate the additional traffic generated by the proposed development. The response also confirms the access into the site as proposed is safe in highway terms, and that the parking and turning facilities proposed are adequate. Subject to conditions regarding the closing off the existing access onto Cross Lane for vehicles, the improvements to the access onto the adopted cul-de-sac, and a Construction Management Plan there are no highway safety objections to the application.

7.16 Apart from the Construction Management Plan condition, these conditions are considered to meet all the tests for conditions and would be recommended on any approval. Regarding the Construction Management Plan condition, the Local Planning Authority does not impose such conditions given that, should vehicles park on the highway, the enforcement of the condition would not be possible. Government advice is not to impose conditions that duplicate other regimes of control, such as those powers that exist under the Highway Act.

(e) Drainage

7.17 Policy ENV3 of the Scarborough Borough Local Plan requires development to be drained in a sustainable manner where possible. It has been demonstrated that the site is unsuitable for soakaways and there are no suitable watercourses nearby to discharge into. Yorkshire Water has confirmed that there are no objections to the drainage of foul and surface water to the mains.

(f) Landscaping

7.18 During the consideration of this application the site has largely been cleared, for which there was no protections afforded to any of that landscaping. There is some planting that has been retained, however, this is not high quality or necessarily compatible with the proposed development. If the application were to be approved a condition could be imposed to ensure a suitable planting scheme across the frontage and sides of the development to soften the impact of the proposed development upon the visual amenity of the area and to support ecology. For similar reasons and in the interests of amenity, details of boundary treatment should also be required.

(g) Ecology

7.19 The site provides habitat for badgers and contains badger setts. There are currently 4 badgers on the site, 2 adult and 2 offspring. There was another badger offspring until recently. The offspring were born on site during the last winter. The site has 3 - 4 setts which are understood to be the home for these badgers with no other outlying setts. Two of the setts are understood to be actively used one by the female and an offspring and the other by the male and an offspring. The urban area in which they live offers limited prospect for new sett creation if these are lost. The badgers are known to use the site as habitat, to feed in nearby gardens and to use tracks through each side of the site and across Cross Lane. The Badgers were identified on site immediately after site clearance works by the developer in December 2021 and have been closely monitored by North Riding Badger Group since, with CCTV in conjunction with the applicant and the applicant's Ecologist.

7.20 Policy ENV5 of the Scarborough Borough Local Plan states that new development should respond positively and seek opportunities for enhancement of species, habitats and other assets thereby resulting in a biodiversity net gain. In particular, the policy states that adverse impacts upon species and habitats should be successfully mitigated.

7.21 A revised scheme of mitigation has been put forward in association with the development of the site. In brief terms this involves the construction of an artificial sett on the south-eastern side of the site (between the proposed parking area and the rear garden boundaries of the Newlands Park Crescent properties) on an area of approximately 15m². It is then proposed to close the existing setts on site to exclude the badgers, monitor the closed setts to ensure they do not enter before they are destroyed, with the expectation that the Badgers use the new artificial sett. Narrow corridors along the eastern and western site boundaries would provide routes into and out of the site.

7.22 Planning Officers had concerns about the adequacy of the proposed mitigation in a number of respects. The existing site offers the Badgers a large green space with vegetation and a foraging area away from direct human contact. The site is large and the development of the site in the intensive form proposed will remove any habitat value from the vast majority of the site and significantly increase the risk of human interaction and conflict. The location of the proposed artificial sett is located immediately adjacent to the vehicular access and parking area, with moving vehicles in very close proximity to the sett. Exhaust fumes, noise, vibration, lighting etc. may affect whether the sett is used. Construction works on the 6 no. properties, ground surfacing, landscaping etc. are all likely to be cause disturbance to the Badgers. It is also noted that the Badgers currently use two different setts for unknown reasons and the proposal only seeks to provide one new sett; this may also cause problems within the population on the site.

7.23 However, the revised mitigation proposals have been considered in detail by the Council's Ecologist who is satisfied that they are adequate and appropriate (para 4.9 above). As the Council's acknowledged expert, it is considered that his views on this matter should carry greater weight than the concerns of planning officers.

7.24 Although policy ENV 5 encourages the enhancement of habitat and net gains in biodiversity, the actual policy test is that any adverse impact on species and habitats be "successfully mitigated" rather than necessarily enhanced. Based on the advice of the

ecologist, that requirement will be met and, therefore, the proposal with the mitigation is considered to comply with ENV 5.

7.25 Both the Protection of Badgers Act 1992 and the Wildlife & Countryside Act 1981 provide strong protection for Badgers and their setts. The proposals to close the sett require a Protected Species Licence from Natural England. Although not a statutory consultee in this case, Natural England has been consulted to ascertain their views on the proposed mitigation and whether such a Licence would likely be granted but, unfortunately, no response has been received.

7.26 With regard to biodiversity in general, given the loss of vegetation from the site, it is considered that the developers should be required to submit a scheme of measures to improve the overall ecological value of the site.

(h) Other issues

7.27 Regarding land ownership, the applicant has provided title to the land within the red line area. A copy of a local search has provided proof that the cul-de-sac up to the point of the proposed access to the site and the verge between the site and cul-de-sac is highway land and not owned by a third party. Land registry search undertaken by Officers also confirm that there are no issues with the submitted ownership certificates.

8.0 PRE-COMMENCEMENT CONDITIONS

8.1 The applicant's agreement is required to the recommended pre-commencement conditions.

POSITIVE AND PROACTIVE STATEMENT

The development as originally submitted was not acceptable, so the Local Planning Authority acted positively and proactively by allowing the applicants to amend the layout and design of the scheme, establish the position regarding land ownership and explore the issues surrounding protected species and possible mitigation.

RECOMMENDATION

PERMISSION BE GRANTED, subject to the following condition(s)

- 1 Unless superseded by other planning conditions, the development hereby approved shall be carried out in accordance with the following plans:

Location Plan. CL/001A. Received by the Local Planning Authority on 10 August 2021.

Proposed Site Sections. CL/201. Received by the Local Planning Authority on 12 November 2021.

Site Layout. CL/101D. Received by the Local Planning Authority on 9 December 2021.

House Elevations. CL/310D. Received by the Local Planning Authority on 9 December 2021.

House Front Elevation Styles. CL/311. Received by the Local Planning Authority on 9 December 2021.

Reason: To avoid doubt.

- 2 The development hereby approved shall be undertaken in accordance with the proposals and recommendations contained within the following documents unless otherwise required or specified by other planning conditions:

Preliminary Ecological Appraisal. Received by the Local Planning Authority on 28 October 2021.

Badger Mitigation Strategy. Received by the Local Planning Authority on 29 November 2022.

Reason: To avoid doubt.

- 3 Prior to their erection full elevational details of the proposed rear garden sheds shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid doubt and in the interests of the appearance of the area and residential amenity in accordance with policies DEC 1 and DEC 4 of the Scarborough Borough Local Plan.

- 4 Prior to their use in the construction of the development, samples of the brick, render and roofing tiles to be used for the construction of the exterior of buildings shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the appearance of the building to accord with Policy DEC 1 of the Scarborough Borough Local Plan.

Note - Samples that are required should be delivered direct to site for inspection by the planning officer.

- 5 Before the development is commenced, the written approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of twelve months beginning with the date on which the development is commenced. All trees, shrubs and bushes shall be maintained by the owner of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good.

Reason: In the interests of the appearance of the area and ecology in accordance with policies DEC 1 and ENV 5 of the Scarborough Borough Local Plan.

- 6 Prior to the commencement of the development, full details of all boundary treatments and other means of enclosure to be used in and around the site shall be submitted to and approved in writing by the Local Planning Authority. The

approved details shall be implemented in full prior to the first occupation of the buildings.

Reason: In the interests of the appearance of the area, the amenities of existing and future residents and protected species in accordance with policies DEC 1, DEC 4, and ENV 5 of the Scarborough Borough Local Plan.

- 7 Prior to the commencement of the development, details of a scheme to enhance biodiversity within the development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the dwellings.

Reason: To respond positively to biodiversity in accordance with policy ENV 5 of the Scarborough Local Plan.

- 8 Prior to the commencement of the development, full details of existing and proposed ground levels and finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The levels on the development shall accord with the approved details.

Reason: In the interests of the appearance of the development within the streetscene and to protect the amenities of existing nearby residents in accordance with policies DEC 1 and DEC 4 of the Scarborough Borough Local Plan.

- 9 Before installation and use, details of all external lighting to be used in the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid unnecessary light spillage and pollution in the interests of and wildlife protection in accordance with policy ENV 5 of the Scarborough Borough Local Plan.

- 10 Prior to the commencement of the development, full details of the foul and surface water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully operational before first occupation of the dwellings.

Reason: In the interests of satisfactory and sustainable drainage in accordance with policy ENV 3 of the Scarborough Borough Local Plan.

- 11 The development must not be brought into use until the existing access onto Cross Lane has been permanently closed off in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety

Note - These works shall include, where appropriate, replacing kerbs, footways and verges to the proper line and level.

- 12 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the details approved by the Local Planning Authority.

Reason: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

- 13 Each dwelling shall be provided with an electrical socket capable of charging electric vehicles within a dedicated car parking space. It shall be provided before the dwelling is first occupied.

Reason: In the interests of sustainable development and to comply with policy DEC 2 of the Scarborough Borough Local Plan.

- 14 All window and door frames shall be set in a reveal of minimum depth of 50mm from the outer face of the wall.

Reason: In the interests of the appearance of and achieving high quality design on this development in accordance with policy DEC 1 of the Scarborough Borough Local Plan.

- 15 Prior to the commencement of the development a method statement for the clearance of the site shall be submitted to and approved in writing by the Local Planning Authority. The submitted statement shall include provision for the following:

- Staged site clearance to allow any small mammals, amphibians, reptiles which could be on the site to vacate. The sward should be strimmed initially down to 15cm. After 24 hours it may be strimmed further to 5cm and the following day full site clearance may take place as required along with any tree and shrub works;
- Soft-fell approach for any trees to be removed and work should halt and ecological advice obtained if any bat is discovered;
- Site cleared outside nesting season (nesting season March to Aug inclusive) or subject to a nest survey if carried out in nesting period;
- Invasive species, e.g. cotoneaster and buddleia mechanically removed and burnt on site or else disposed as controlled waste in a licensed landfill;
- Any excavations or voids to be covered overnight to prevent any mammals falling in, including hedgehogs, or a ramp provided to allow the animal to safely escape.

The further clearance of the site shall strictly accord with the approved method statement.

Reason: In order to protect wildlife in accordance with policy ENV 5 of the Scarborough Borough Local Plan.

David Walker

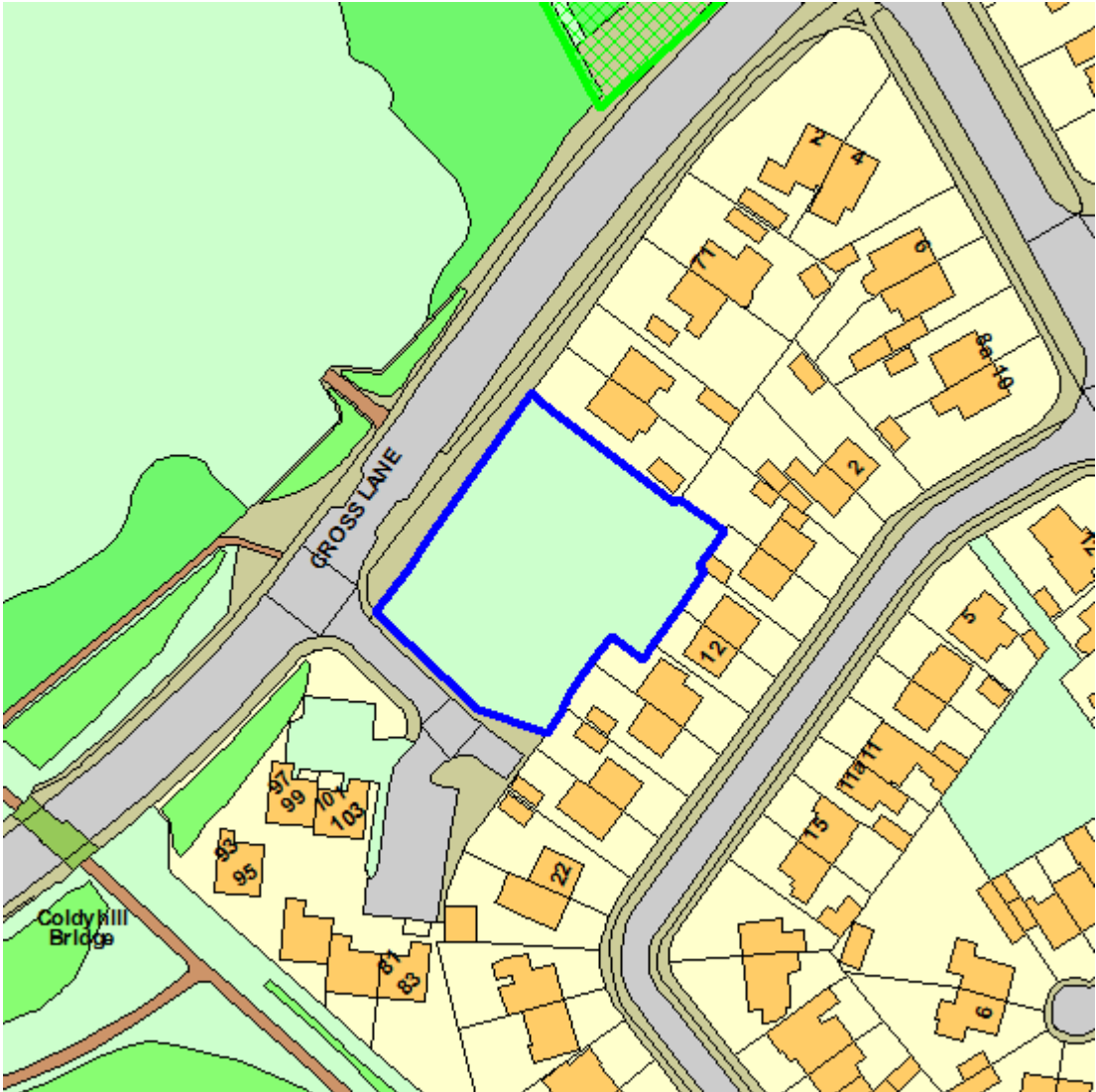
Background Papers:

Those documents referred to in this report.

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NOTES

 SCARBOROUGH BOROUGH COUNCIL	REPORT TO PLANNING & DEVELOPMENT COMMITTEE TO BE HELD ON THURSDAY, 8 December 2022	
APPLICATION REFERENCE NO: 22/01787/HS Corporate Aims Better Lives, Better Homes, Better Places, Brighter Futures, Better Council	TARGET DATE: 27 October 2022 Extended date: 12 December 2022	GRID REF: 500927-493720

REPORT OF THE HEAD OF PLANNING – HOP/22/245

SUBJECT: Erection of two storey and single storey side extensions at The Old Mill Lodge Mill Lane Cloughton Scarborough North Yorkshire YO13 0AB for Mr And Mrs Crossley

1.0 THE PROPOSAL

1.1 The application is to be considered by Members as the applicant is an employee of the Council.

1.2 The application site comprises of a two storey detached dwelling, known as The Old Mill Lodge, Mill Lane, Cloughton and has an extensive domestic curtilage with some mature trees along the boundary fronting onto Mill Lane. The dwelling faces onto Mill Lane but is served by a narrow single width road providing vehicular access to the side of the property and driveway.

1.3 The dwelling has a pitched roof and projecting gable to one side on the front elevation. There is a small lean to on the side elevation of the dwelling and another larger lean-to across the rear elevation. The house is constructed of stone with a pantile roof. There is a single detached garage with a pitched roof adjacent to the rear elevation.

1.4 The proposal seeks the erection of a two storey side extension measuring 4.7m wide x 8.4m long to create a living room and utility room/WC at ground floor level. At first floor level are proposed two additional bedrooms, one being en-suite. The windows proposed on the two storey extension on the front elevation facing the road will mirror the size and proportions of the existing windows on the front elevation of the main house.

1.5 There is also proposed a single storey lean-to extension measuring 3.2m wide x 9.6m long on the other side of the dwelling, with a lean-to roof which will adjoin the existing lean-to on the rear elevation, which will in effect create a wrap-around element to the dwelling. This will create a larger dining room and sunroom to the side/rear. There will be standard velux windows in the roof line of the dining room/sunroom extension.

1.6 The proposed materials of construction are proposed to be matching natural stone, with cill and lintel features to match the existing detailing on the main dwelling and a natural red pantile roof. The ridge line of the proposed two storey element will be level with the existing ridgeline and there will be matching stone tabling and corbel features reflecting the existing features on the main dwelling.

1.7 It is also intended to replace the dormer window on the front elevation with a flat roofed dormer of a larger size than existing which will sit between the two projecting gable on the front elevation.

1.8 The application property is one of a cluster of dwellings which are served by the narrow single width road, which runs along the southern edge of the site off Mill Lane. The adjacent properties include No.2 Mill Court (the nearest neighbouring property to the east), and No.3 Mill Court (further to the east) both surrounding a vehicular turning area. Also adjacent to the turning area is The Old Mill and The Old Mill House.

1.9 The nearest neighbouring property, No.2 Mill Court, is a large detached dwelling located in an extensive plot and is linear in nature with the gable facing the access road.

1.10 The application property is in close proximity to Cloughton Bridge in front of the site on the main road (directly west) which spans a stream/river (also known as Quarry Beck) which runs along the northern edge of the application site.

1.11 The application site is located within a Drainage Sensitive Area as identified within the North East and Yorkshire Strategic Flood Risk Assessment.

1.12 Along the edge of the stream/river (Quarry Beck) is an area of land designated as flood zone 2 and zone 3 which borders the application site, however the application site itself is located outside the flood zone but in a Drainage Sensitive Area.

2.0 SCREENING OPINION REQUIRED?

2.1 No

3.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

3.1 None undertaken

4.0 CONSULTATIONS AND COMMENTS

The following is a summary of the key and relevant comments received from consultees and interested parties. Their full comments and any accompanying documentation are available to view on the Council's website.

4.1 Cloughton Parish Council - no objection.

4.2 Flood and Drainage Engineer (SBC) - the Drainage Statement is in order and I have no objections to Planning Application

4.3 Publicity - consultation period expired on 27th October 2021.
No responses have been received at the time of writing the report

5.0 RELEVANT SITE HISTORY

5.1 There is no relevant site history.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise (in the case of advertisement applications the Advertisement Regulations 2007 are applicable). Attention is drawn to the following Development Plan and other planning policies and guidance which are considered to be particularly relevant to the consideration of this application:-

Scarborough Borough Local Plan 2017

DEC 1 - Principles of Good Design

DEC 4 - Protection of Amenity

ENV 3 - Environmental Risk

National Planning Policy Framework

NPPF12 - Achieving well-designed places

NPPF14 - Meeting the challenge of climate change, flooding and coastal change

Scarborough Borough Supplementary Planning Documents

Residential Design Guide - SPD

Local Planning Policy and Guidance

None relevant

7.0 ASSESSMENT

7.1 The primary considerations relating to this planning application are the effect the scheme would have on the character and appearance of the host property and wider area, the impact the development would have on neighbour amenity, drainage and the adjacent flood zones.

Character and appearance of the host property and wider area

7.2 Local Plan Policy DEC1 seeks to ensure that design responds positively to the local context, in terms of its scale, form, height, layout, materials, colouring, fenestration and architectural detailing.

7.3 In terms of the two storey and single storey side extensions the design and proportions, detailing, and proposed materials are considered an appropriate design response.

7.4 While it is noted that the two storey extension is not set down from the ridge of the main roof but runs at the same height, which is not strictly in compliance with the Residential Extensions SPD it is considered that in this instance the extension re-orders the property and is acceptable in this case.

7.5 The design with a second projecting gable to the front elevation in effect mirrors what is already there and in terms of scale, the proposed extension would be of an appropriate height and projection and therefore is considered an appropriate design response.

7.6 The proposed single storey lean-to is set back from the front elevation of the main dwelling and appears as a subservient addition and ties in with existing lean-to on the rear elevation. The design of the extension exhibits a simple domestic appearance that is considered to sit comfortably with the character of the host dwelling and garage.

7.7 The extensions are substantial when compared to the size of the existing dwelling but given the size of the plot is large would not constitute overdevelopment.

7.8 The property is set back from the main road and screened by mature trees and other shrubs and therefore even with significant extensions does not appear unduly prominent at this location when viewed from Mill Lane.

7.9 When viewed from the other road frontage (ie the single vehicular access) adjacent properties all have an of individual style, design and character so the additions do not appear out of character in the context of the neighbouring dwellings.

7.10 In light of the above considerations, it is considered that the development would accord with Local Plan Policy DEC1, Section 12 of the National Planning Policy Framework and the Council's Residential Extensions Guidance document.

Residential amenity

7.11 Local Plan Policy DEC4 does not allow development that would have a serious effect on residential amenity and requires that proposals should not give rise to unacceptable impacts by means of overbearing, overlooking and loss of privacy, disturbance from noise, emissions and overshadowing.

7.12 The only neighbouring property is No.2 Mill Court which is a detached dwelling located on a large plot located some considerable distance away from the application property. The neighbouring property has a substantial Leylandii hedge around the perimeter of the plot approx. 2m high which already provides privacy and screening to both properties and their individual garden areas being located on the shared boundary.

7.13 It should be noted that the majority of the garden area at the application property is to the front of the site to the west of the dwelling, with a shorter rear garden to the east.

7.14 In addition the applicants existing single garage is also situated along the shared eastern boundary and acts as a buffer between the properties at ground floor level.

7.15 At ground floor level the windows are therefore adequately screened and no overlooking is possible either from the proposed two storey extension or the single storey extension.

7.16 The two storey extension is located approx. 8.6m from the joint boundary but the proposed first floor windows will be visible above the Leylandii hedge. However the neighbours facing elevation is off set from the proposed location of the two storey extension (ie not back to back) and the first floor windows will look down on the roof line of a single storey element attached to the neighbours property. Some views into the neighbours garden may be possible but oblique. Given the relationship and the distances between the two dwellings overlooking is not a concern.

7.17 The application property is coming no closer to the boundary with the neighbour and privacy will not be detrimentally affected. Given the significant separation distances and generous plots at this location neither of the two extensions would be overbearing to No.2 Mill Court.

7.18 Given the orientation of the plot the two storey extension may cause overshadowing in the latter part of the day but this will only affect a very small part of the neighbours large garden especially taking into account the overshadowing impact on the existing tall hedge line and therefore this is not enough to warrant refusal.

7.19 There is still adequate parking for at least 2 cars on the remaining driveway.

7.20 In conclusion due to the positioning of the proposed extensions, the existing boundary treatments and positioning of the windows, it is considered that there would be no significant privacy issues created from the proposed extensions and they would not result in a materially harmful impact upon residential amenity and therefore accords with the requirements of Local Plan Policy DEC4.

Drainage

7.21 Local Plan Policy ENV3 (Environmental Risk) seeks to ensure that proposals mitigate against the implications of environmental risk and the effects of climate change.

7.22 The site is located within a Drainage Sensitive Area, however a drainage strategy has been submitted with the application and the Area Engineer raises no objection.

7.23 On this basis, it is considered that the surface water-run off will be adequately managed by these measures and accords with the requirements of Local Plan Policy ENV3 and Section 14 of the National Planning Policy Framework.

Flood zone

7.24 The dwelling is located next to a stream/river known as Quarry Beck along the northern edge of the site which curves towards the east behind the site beyond the cluster of dwelling in this immediate area.

7.25 The area immediately surrounding the stream/river banks is designated as flood zone 2 and 3. Flood Risk zone 3 is classified as a functional floodplain and are deemed to be the most risk land of flooding from rivers.

7.26 Policy ENV 3 of the Scarborough Local Plan seeks opportunities to reduce the causes and impacts of flooding from new development. With regards to this development no flood risk assessment has been submitted with the application, as this is not required with the site being located outside of the designated flood zones.

7.27 However, the site is located in close proximity to a flood zone 2 and 3 and as way of safeguarding the development conditions should be attached to any subsequent planning permission to protect the extended property, including making sure the floor levels are either no lower than existing floor levels or 300 millimetres (mm) above the estimated flood level. Any extension will also need to use flood resistant materials up to at least 300mm above the estimated flood level.

7.28 It is also advised that flood water can put pressure on buildings, causing structural issues. If the design aims to keep out a depth of more than 600mm of water, the applicant should get advice from a structural engineer. With these safeguards the extension is considered acceptable.

POSITIVE AND PROACTIVE STATEMENT

The proposed development as submitted is in principle acceptable, but there are certain aspects where additional details need to be agreed and implemented and/or specific safeguards need to be put into place. The Local Planning Authority acted proactively by attaching planning conditions which can adequately address such matters.

RECOMMENDATION

PERMISSION BE GRANTED, subject to the following condition(s)

- 1 The development hereby granted shall be carried out in strict accordance with the submitted plans, reference numbers:
 - Site Location Plan/Block Plan received by the Council on 31st August 2022
 - Proposed side elevations (Drawing No. 590/R/3) and front and rear elevations/ floor plans (Drawing No. 590/R/2) received by the Council on 31st August 2022
 - Drainage Statement received by the Council on the 7th November 2022

Reason: For the avoidance of doubt

- 2 The external materials to be used on the extension/s hereby approved shall match the existing stone and roof pantiles on the main dwelling to the satisfaction of the Local Planning Authority

Reason: In order to ensure a satisfactory external appearance to satisfy then requirements of Policy DEC1 of the Scarborough

- 3 The floor levels of the development hereby approved should be no lower than existing floor levels or 300 millimetres (mm) above the estimated flood level and flood resistant materials up to at least 300mm above the estimated flood level.

Reason: In the interests of safeguarding against flood risk and to comply with Policy ENV3 of the Scarborough Local Plan

Notes

- 1 Advice Note:
Flood water can put pressure on buildings, causing structural issues. If your design aims to keep out a depth of more than 600mm of water, you should get advice from a structural engineer.

David Walker

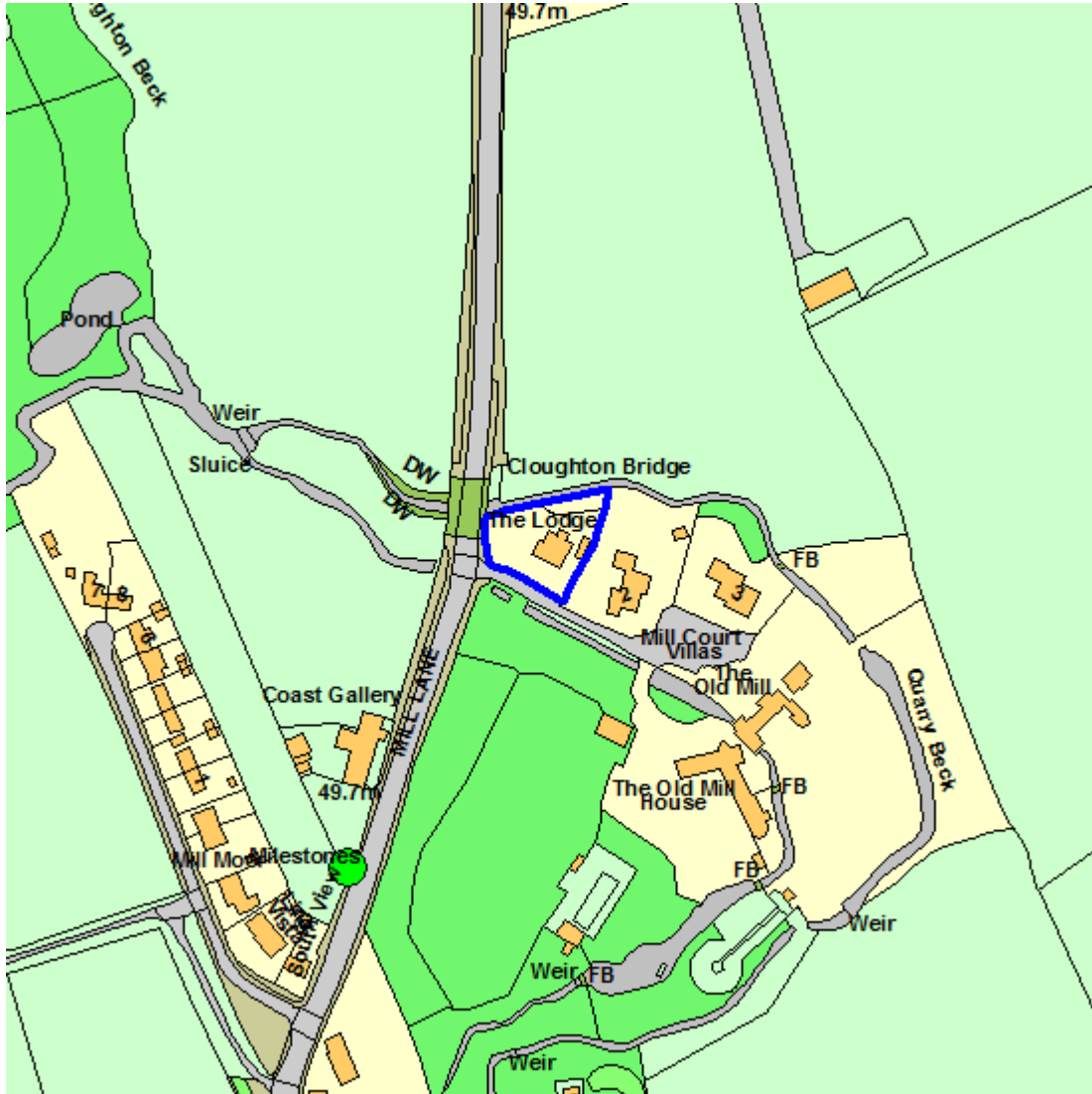
Background Papers:

Those documents referred to in this report.

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 SCARBOROUGH BOROUGH COUNCIL	REPORT TO PLANNING & DEVELOPMENT COMMITTEE TO BE HELD ON THURSDAY, 8 December 2022	
APPLICATION REFERENCE NO: 22/01151/OL Corporate Aims Better Lives, Better Homes, Better Places, Brighter Futures, Better Council	TARGET DATE: 27 December 2022	GRID REF: 503693-488285

REPORT OF THE HEAD OF PLANNING – HOP/22/246

SUBJECT: Outline application for proposed development of houses and flats with all matters reserved at Squire Of Scarborough Ltd 135 - 137 Victoria Road Scarborough North Yorkshire YO11 1SD for Squires Of Scarborough Ltd

1.0 THE PROPOSAL

1.1 This application seeks outline consent for 29 open market dwellings (9 x 3-bed houses, 9 x 1-bed flats and 11 x 2-bed flats) on a 0.185ha hectare site adjacent to Victoria Road between Mill Street and Belle Vue Street currently occupied by C19 and C20 buildings of varying scale used for dwellings and (principally) retail, storage and distribution, mostly for the Squire of Scarborough carpet and flooring retailer.

1.2 All matters (access, appearance, landscaping, layout and scale) are for later consideration at the reserved matters stage; this application seeks to establish the principle of developing the land with 29 open market dwellings only.

1.3 At present the site constitutes a group of buildings of varying form, scale and massing. The major part of the Belle Vue and Victoria Street frontages are characterised by the distinctive early C20 former hall building (now forming the major part of the Squire retail offering) and the adjacent villa. That part of the site adjacent to Mill Street is mainly comprised of C20 low-slung brick-built storage buildings, with a form typical of their age.

1.4 With respect to the site's context, this is mainly characterised by C19 and early C20 residential and commercial buildings up to 3 storeys high in the distinctive late Victorian architectural style which is a defining feature of this area of the town. Many buildings are in the locally typical light buff coloured brick.

1.5 In terms of the site's planning designations and constraints, part of the site (the south-western corner) forms site BR-075 on the Council's 'Brownfield Register'. The site falls outside the Scarborough Town Centre Boundary and the Scarborough Primary Shopping Area, as defined by the Local Plan Policies Map. The site is within the

Environment Agency Flood Zone 1 (land assessed as being at the least risk of flooding). All of the land is located within the Development Limits of Scarborough as defined by the Scarborough Borough Local Plan. Further, the site is outside the Scarborough Conservation Area.

1.6 In addition to the submitted plans, the application is accompanied by a Design and Access Statement (available to view on the Council's website), which sets out the applicant's case.

1.7 A draft Section 106 agreement has been supplied with the application, although this appears to offer no firm commitments and is in fact an un-modified copy of the Council's own template document. No Heads of Terms have been supplied. Such a document would normally set out the applicant's broad commitments with respect to planning obligations.

2.0 SCREENING OPINION REQUIRED?

2.1 No.

3.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

3.1 None undertaken.

4.0 CONSULTATIONS AND COMMENTS

4.1 The following is a summary of the key and relevant comments received from consultees and interested parties. Their full comments and any accompanying documentation are available to view on the Council's website.

4.2 Highway Authority: Awaited.

4.3 Lead Local Flood Authority: Awaited.

4.4 NHS Clinical Commissioning Group: Awaited.

4.5 Local Education Authority: Awaited.

4.6 Yorkshire Water: Awaited.

4.7 SBC Environmental Health: No comment to make.

Publicity - consultation period expired 10 November 2022

4.8 1 letter of objection to the proposals has been received by the Council. This is from a local resident and business owner and makes the following points:

- The development will lead to the loss of on-street parking on Mill Street, which is already an area of very high parking pressure for businesses and residents (including HMO occupants);
- The proposal is for 29 units with only 22 parking spaces, which is insufficient;
- The loss of the historic building facades will detract from the character of the area;
- I am concerned that the development will not be completed and the site will be left vacant;
- The development is of an excessive scale.

4.9 The Victorian Society has submitted a letter of objection to the proposal, which makes the following points:

- Although this is a non-designated heritage asset, we believe it holds a strong place among the historic setting of Scarborough;
- Demolishing buildings with no structural problems seems a harsh outcome;
- Demolition is incompatible with the Council's commitment to lower carbon emissions;
- We encourage the applicant to investigate repurposing of the buildings to allow them to remain in keeping with their setting and to reduce carbon emissions.

5.0 RELEVANT SITE HISTORY

5.1 There are no entries in the planning history relevant to the determination of this application.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise (in the case of advertisement applications the Advertisement Regulations 2007 are applicable). Attention is drawn to the following Development Plan and other planning policies and guidance which are considered to be particularly relevant to the consideration of this application:-

Scarborough Borough Local Plan 2017

- SH 1** - Settlement Hierarchy
- DEC 1** - Principles of Good Design
- DEC 4** - Protection of Amenity
- HC 1** - Supporting Housing Development
- HC 2** - New Housing Delivery
- HC 3** - Affordable Housing
- HC 10** - Health Care and Education Facilities
- HC 14** - Open Space and Sports Facilities

National Planning Policy Framework

- NPPF2** - Achieving Sustainable Development
- NPPF5** - Delivering a sufficient supply of homes
- NPPF12** - Achieving well-designed places

NPPF16 - Conserving and enhancing the historic environment

Scarborough Borough Supplementary Planning Documents

SD 1 - Presumption in Favour of Sustainable Development

Affordable Housing

Residential Design Guide - SPD

Education Payments

Green Space (Adopted November 2014)

Local Planning Policy and Guidance

None relevant

7.0 ASSESSMENT

7.1 Taking into account the relevant planning policy, representations, consultation responses and all other material planning considerations, your Officers consider the key issues in the determination of this application to be:

- A) The principle of developing this site for 29 dwellings
- B) Conservation issues - potential for and desirability of reuse
- C) Affordable housing
- D) Public open space considerations
- E) Impact on amenity
- F) Education
- G) Highways
- H) Surface water and flood risk
- I) Primary health care infrastructure

A) The principle of developing this site for 29 dwellings

7.2 Policies SD1, SH1, HC1 and HC2 of the Local Plan are the starting point for consideration. These policies set out the Borough's spatial housing objectives, and they provide for the delivery of sites allocated for housing development and support for the development of appropriate sites inside the Development Limits (as they are shown on the Local Plan Policies Map).

7.3 These policies are clear in that where the proposal is for housing within the Development Limits (as in this case) the principle of development will only be supported where the proposal is otherwise in accordance with other policies in the Local Plan.

7.4 In this regard, policy DEC1 is of critical importance in this case. In general terms it requires that new development is of a high standard of design responds positively to its context.

7.5 Whilst it is important to hold in mind that the applicant's submitted drawings (which entail a site plan and elevations) are indicative only, their purpose is to demonstrate to the Committee that the site can accommodate 29 units (9 x 3-bed houses, 9 x 1-bed

flats and 11 x 2-bed flats) on the 0.185ha hectare whilst being in compliance with the Local Plan.

7.6 Your Officers would suggest that the drawings do the opposite. In the view of your Officers the drawings serve to demonstrate that the proposal amounts to significant overdevelopment of the site.

7.7 Members will note that the indicative drawings do not show all of the required parking spaces (in accordance with Highway Authority Parking Guide 30 parking spaces are required whereas 23 are shown) and the necessary 0.03 area of public open space is missing from the in design. Even with these 'spatial omissions', whilst the dwellings fronting Mill Street are shown as being an appropriate 2-storeys high, to accommodate the proposed mix of units the frontage flat buildings are 4 storeys, which is already a storey greater than the buildings in the immediate vicinity of the site.

7.8 To accommodate the 29 units the applicant is seeking on the site together with the necessary parking and open space, it is likely that the building on the Victoria Road frontage would need to be conspicuously taller than the existing buildings on the site and those in the vicinity, which would harm the character and appearance of the area in your Officers' view.

7.9 One option the applicant has sought to informally advance as a potential solution to the lack of space for on-site parking is a 'racked' parking of type Members have considered on development sites elsewhere in the town, albeit above ground rather than partially subterranean arrangement Members considered recently for another scheme. It is not evident how these could be accommodated within the site without the mechanisms forming incongruous features in their own right.

7.10 In summary, by virtue of the site's shape, size and context, the development of the site with 9 x 3-bed houses, 9 x 1-bed flats and 11 x 2-bed flats would constitute over-development of the site; to conceivably accommodate the proposed mix, including the required 0.03ha on-site open space and the necessary vehicle parking, the residential buildings would need to be of such a height that they would be conspicuously tall, and the arrangement of the site so cramped, that the development would harm the character and appearance of the area. As such, the development the development fails to constitute good design contrary to policy DEC1 of the Local Plan.

B) Conservation issues - potential for and desirability of reuse

7.11 Some of the existing buildings on the site, notably those on the Victoria Road frontage, originate from the early C20 and their facades are of significant architectural merit. Whilst not Listed and outside of the Scarborough Conservation Area, they are 'non-designated heritage assets' as defined by the National Planning Policy Framework.

7.12 Members will have noted that the Victorian Society has objected to the principle of removing these buildings and recommends instead that opportunities for re-use are explored.

7.13 Importantly, the re-use of this site for housing accords with the Local Plan in principle (albeit not for the number of units the applicant is hoping for), so it would not

be possible to withhold consent for the proposed use and require that the site be put to an alternative use with its current built form intact.

7.14 With this in mind, the issue at hand for the Committee is therefore whether re-use of the site for housing is appropriate and whether there are sufficient grounds in planning policy terms to insist on their retention and conversion rather than replacement.

7.15 . Whilst the Victoria Road facades of these buildings have a 'regular' appearance, which might indicate discrete and well-ordered buildings 'ripe' for conversion, as Members will be aware the site is a conglomeration of large, open-plan buildings and warehouses of the sort which unfortunately do not inherently lend themselves to residential conversion; this is not readily apparent from available street scene photographs which may have informed the comments of the consultee in question.

7.16 Had these buildings been the subject of formal designation it may have been that the Council could insist on their retention at least in part, but as it is your Officers would suggest that requiring retention for a residential scheme (at any cost) would not be feasible or reasonable in the context of local and national planning policy.

7.17 In short, your Local Plan policies allow for re-use of the site for residential purposes and Officers would advise that there is no policy device which could be employed to insist upon retention and conversion of the frontage buildings. That is not to suggest that should Members be minded to grant consent that an exceptionally high standard of design and some element of re-use of reclaimed features could not be insisted upon; given the architectural quality of what is being lost your Officers would suggest that such requirements would be wholly justified.

7.18 Beyond the retention of the buildings for their contribution to the street scene, the Victorian Society also suggest that the buildings ought to be retained for climate change reasons, the argument being that existing buildings are a significant store of embodied energy/ emissions and their re-use rather than new-build would be more efficient in terms of carbon emissions.

7.19 In this respect, your Officers would advise that the Council's planning policies do not directly require a 're-use before replacement' approach. In any case, for residential development your Officers would suggest that the proposition that re-use has less of a climate impact than replacement is not necessarily self-evident; it is possible that new-build units would be considerably more energy efficient over their lifetime than a conversion scheme (with its inherent design compromises from thermal and energy use perspectives), thereby offsetting their initial cost in carbon terms. The Victorian Society has not provided evidence to substantiate its position.

7.20 There is also the issue of living conditions for new residents to hold in mind. Again, it is possible that new-build units could provide more comfortable and cost-efficient living conditions for new residents versus a conversion scheme.

C) Affordable housing

7.21 Policy HC3 of the Scarborough Borough Local Plan together with the Council's Affordable Housing Supplementary Planning Document are clear in that the provision of affordable housing on eligible developments will be expected. In accordance with policy HC3 of the Scarborough Borough Local Plan, 10% of the units (3 properties) are required to be affordable dwellings in this case.

7.22 The applicant has proposed (section 9 of the submitted application form) that none of the 29 units are affordable homes, i.e. it is made clear that this is a 100% market housing scheme. That, in its own right, clearly represents a sustainable reason for refusing planning permission.

7.23 As such, approval of the application would be contrary to policy HC3 of the Scarborough Borough Local Plan and the provisions of the Council's Affordable Housing Supplementary Planning Document, as the development fails to provide sufficient affordable housing provision. With this in mind, the proposal will not achieve 'sustainable development' in line with the overarching objectives set out in Section 2 of the National Planning Policy Framework.

D) Public open space considerations

7.24 Policy HC14 of the Scarborough Borough Local Plan and the Council's Green Space Supplementary Planning Document (2014) together with the associated Scarborough Borough Playing Pitch Strategy (2013) are clear in that the provision of sufficient high quality open space, sports and recreation (including play) space is key to new residential development being 'sustainable development'. This stance is supported by the Government's planning policies as set out in paragraph 92 of the NPPF. It states that planning decisions should aim to achieve healthy, inclusive and safe places including through the provision of 'high quality public space'.

7.25 The relevant policies and associated documents provides an evidence based assessment of what provision is required in any given locality in the four areas below:

- Parks and gardens;
- Sports facilities;
- Children's play; and
- Amenity open space.

7.26 Based on a development of 29 dwellings of the size proposed, there would be a need for an off-site contribution towards children's play facilities of £15,856, an off-site sports contribution of £10,625 and a parks and gardens contribution of £9,017.26. This is in addition to an on-site area of amenity open space of 0.03 ha.

7.27 Although with the submission of a draft Section 106 agreement (which is simply a copy of the Council's own template agreement) there is some suggestion that the applicant may be willing to make a financial contribution to the various aspects of public open space, in the absence of a completed legal obligation means to secure contributions are not in place.

7.28 As such, approval of the development would be contrary to policy HC14 of the Scarborough Borough Local Plan, the Council's Green Space Supplementary Planning Document (2014), the associated Scarborough Borough Playing Pitch Strategy (2013)

and paragraph 92 of the NPPF as the development fails to provide sufficient high quality open space together with sports and recreation (including play) space. With this in mind, the proposal will not achieve 'sustainable development' in line with the overarching objectives set out in Section 2 of the National Planning Policy Framework.

E) Impact on amenity

7.29 Policy DEC4 of the Local Plan deals specifically with the protection of amenity. It states:

Proposals should ensure that existing and future occupants of land and buildings are provided with a good standard of amenity. Proposals for development should not give rise to unacceptable impacts by means of:

- a. Overbearing impact;
- b. Overlooking and loss of privacy;
- c. Disturbance arising from such things as noise, light pollution and other activities;
- d. Emissions including smells and other pollutants; or
- e. Overshadowing or loss of natural light.

7.30 Considering points a, b and e (overbearing, overlooking and overshadowing), issues relating to appearance, landscaping, layout and scale are all issues for consideration at the (later) reserved matters stage. However, without prejudice to Officers' concerns with the proposals as set out in this report, it is the view of your Officers that, with careful consideration, a design could be achieved (at least notionally) for consideration at the reserved matters stage which would prevent the unacceptable overbearing, overshadowing and overlooking impacts to neighbouring dwellings. Residential development, by its character and nature, even of the density proposed here, is unlikely to have undue impacts in terms of points c. and d.

7.31 However, notwithstanding these views, if Members were minded to grant consent and the scheme presented to them at the reserved matters stage raised concerns with respect to neighbourliness, then it would be within the gift of the Committee to withhold consent at that point.

F) Education

7.32 Policy HC10 of the Scarborough Borough Local Plan together with the Council's Education Payments Supplementary Planning Document are clear in that the provision of education places for the children living in new dwellings is key to the development being 'sustainable development'.

7.33 This stance is supported by the Government's planning policies as set out in paragraph 95 of the NPPF. It states that great weight should be attached to the need to create, expand or alter schools (to cater for new development), and that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.

7.34 The Education Authority has been consulted on the application but has not yet provided its response. It is likely that the Education Authority will request a sum be

provided by the developer to pay the cost of providing additional school places for the children likely to be living on the new development in line with the Council's Education Payments Supplementary Planning Document.

7.35 Members will be updated on the position of the Education Authority at the meeting of the Committee.

G) Highways

7.36 The Local Highway Authority is a statutory consultee in the planning process on matters relating to highway safety.

7.37 The Highway Authority has not yet submitted its formal response to the application. Should the Highway Authority wish to comment on the application then its observations will be reported verbally to Members at the meeting of the Committee.

7.38 Notwithstanding the lack of response from the Highway Authority, taking highway safety as an issue in isolation, it is the view of your Officers that, with careful consideration, a design could be achieved (at least notionally) for consideration at the reserved matters stage which provides for safe pedestrian and vehicular access to the site and adequate parking (albeit potentially at the expense of the development's appearance, which is covered by recommended refusal reason 1). Any scheme put forward at the reserved matters stage found to be unacceptable could be refused by the Committee at that stage.

7.39 In summary, Officers do not recommend that a discrete 'highways based' reason for refusal is necessary.

H) Surface water and flood risk

7.40 Policy ENV3 of the Local Plan states that development will only be permitted where adequate provision for foul and surface water disposal exists or can be provided. Section 14 of the NPPF requires Local Planning Authorities to ensure flood risk is not increased elsewhere as a result of new development.

7.41 The County Council as the Lead Local Flood Authority is the statutory consultee on matters related to surface water drainage and Yorkshire Water has a role as the statutory undertaker. Neither body has yet provided a response to the application.

7.42 However, as the site is already covered in buildings and hard surfaces as it stands the development will not increase flood risk in the locality and it is very likely that a suitable solution for the drainage of the new development could be found. Importantly, the site is drained without issue as it stands. Conditions requiring the submission of a drainage scheme as part of the reserved matters could be required by planning condition should Members be minded to grant consent, notwithstanding the advice in this report.

I) Primary health care infrastructure

7.43 The NHS Clinical Commissioning Group has been formally consulted on the application. It has not yet provided its response but Members will be updated on this point at the meeting of the Committee.

POSITIVE AND PROACTIVE STATEMENT

For the reasons set out, the application has been found to be fundamentally unacceptable. It is not considered that the proposal could have been amended to the extent necessary such that Officers would have been able to recommend approval; wholesale re-working of the scheme is necessary. It is open to the applicant to make a second application without having to pay a fee, subject to time limits and restrictions. The applicant is encouraged to engage in further pre-application discussions with the Local Planning Authority before doing so.

RECOMMENDATION

Grant your Officers delegated authority to REFUSE planning permission for the reasons set out, plus with the agreement of the Chairman of the Planning and Development Committee any further reasons as may be deemed necessary following receipt of any outstanding consultation responses from 1) the Local Education Authority; 2) and, 2) the NHS Clinical Commissioning Group.

- 1 Policy DEC1 of the Scarborough Borough Local Plan requires that new development is of a good standard of design. Paragraph 126 of the Framework states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve' and that 'good design is a key aspect of sustainable development...'.

By virtue of the site's shape, size and context, the development of the site with 9 x 3-bed houses, 9 x 1-bed flats and 11 x 2-bed flats would constitute over-development of the site; to conceivably accommodate the proposed housing mix, including the necessary 0.03ha on-site open space (as required by the Council's Green Space Supplementary Planning Document) and the required vehicle parking, the residential buildings would need to be of such a height that they would be conspicuously tall, and the arrangement of the site so cramped, that the development would harm the character and appearance of the area.

As such, the development the development fails to constitute good design or sustainable development contrary to policy DEC1 of the Local Plan and Section 12 of the Framework, notably paragraph 126.

- 2 Policy HC3 of the Scarborough Borough Local Plan together with the Council's Affordable Housing Supplementary Planning Document are clear in that the provision of affordable housing on eligible developments will be expected. In accordance with policy HC3 of the Scarborough Borough Local Plan, 10% of the units are expected to be affordable dwellings in this case.

The applicant has proposed (section 9 of the submitted application form) that none of the 29 are affordable homes (i.e. this is a 100% market housing scheme).

As such, the proposal is contrary to policy HC3 of the Scarborough Borough Local Plan, the provisions of the Council's Affordable Housing Supplementary Planning Document, as the development fails to provide sufficient affordable housing provision. With this in mind, the proposal will not achieve 'sustainable development' in line with the overarching objectives set out in Section 2 of the Framework.

- 3 Policy HC14 of the Scarborough Borough Local Plan and the Council's Green Space Supplementary Planning Document (2014) together with the associated Scarborough Borough Playing Pitch Strategy (2013) are clear in that the provision of sufficient high quality open space, sports and recreation (including play) space is key to new residential development being 'sustainable development'. This stance is supported by the Government's planning policies as set out in paragraph 92 of the NPPF. It states that planning decisions should aim to achieve healthy, inclusive and safe places including through the provision of 'high quality public space'.

Based on a development of 29 dwellings of the size proposed, there would be a need for an off-site contribution towards children's play facilities of £15,856, an off-site sports contribution of £10,625 and a parks and gardens contribution of £9,017.26. This is in addition to an on-site area of amenity open space of 0.03 ha.

In the absence of a completed legal obligation means to secure contributions are not in place. As such, approval of the development would be contrary to policy HC14 of the Scarborough Borough Local Plan, the Council's Green Space Supplementary Planning Document (2014), the associated Scarborough Borough Playing Pitch Strategy (2013) and paragraph 92 of the Framework as the development fails to provide sufficient high quality open space, sports and recreation (including play) space. With this in mind, the proposal will not achieve 'sustainable development' in line with the overarching objectives set out in Section 2 of the Framework.

David Walker

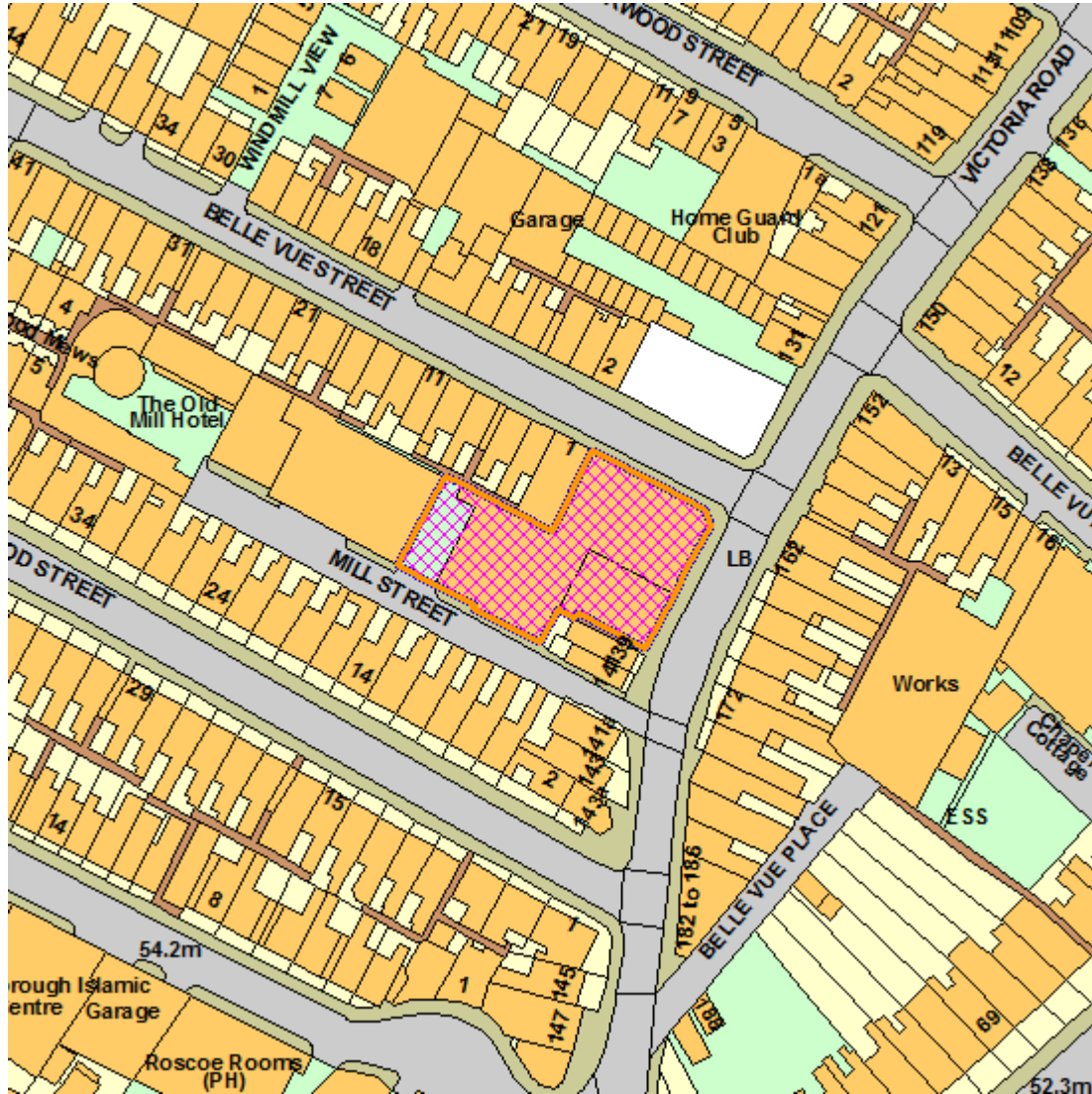
Background Papers:


Those documents referred to in this report.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT MR DANIEL METCALFE ON 01723 383538 email daniel.metcalfe@scarborough.gov.uk



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 SCARBOROUGH BOROUGH COUNCIL	REPORT TO PLANNING & DEVELOPMENT COMMITTEE TO BE HELD ON 8 DECEMBER 2022 AND CABINET ON 13 DECEMBER 2022
	Key Decision NO Forward Plan Ref No IG3
Corporate Aims: Better Lives, Better Homes, Better Places, Brighter Futures	Cabinet Portfolio Cllr Liz Colling Holder

REPORT OF THE DIRECTOR –22/244

WARDS AFFECTED: ALL WARDS.

**SUBJECT: REVIEW OF THE SCARBOROUGH BOROUGH LOCAL
PLAN – DRAFT FOR CONSULTATION**

RECOMMENDATION (S):

That members:

1. agree to the publication of the Draft Scarborough Borough Local Plan for public consultation; and
2. that any substantive changes to the documents arising from Members discussions be subsequently cleared with Chair of Planning and Development Committee and the Portfolio Holder prior to publication; and
3. note that the review of the Scarborough Borough Local Plan is likely to be halted and work to date (up to and including the Draft Local Plan consultation process) will be used to inform the preparation of the North Yorkshire Council Local Plan.

REASON FOR RECOMMENDATION (S):

The Planning and Compulsory Purchase Act (2004) and the National Planning Policy Framework (NPPF) require local planning authorities to prepare local plan documents that form part of the statutory development plan and are the basis for land use decisions, allocations and the determination of planning applications.

Government guidance requires that Local Plans must be kept up to date and determine if a review is required at least every five years; making plans for such reviews where appropriate. It was agreed (Report ref: 19/119) that a review of the Local Plan should progress and the first stage of this was the Issues and Options Consultation in late 2020 (PSM/20/120).

A fundamental requirement of the local plan preparation process is widespread community and stakeholder engagement. This decision will allow the Plan to be published for consultation for a minimum period of 6 weeks, the results of which will be compiled and reported back to Members in due course¹.

Noting that the Scarborough Borough Local Plan review may be halted at or before vesting day, the responses to the consultation and work carried out to date will form the basis of informing the new North Yorkshire Council Local Plan for the geographical areas covered by the current Scarborough Borough Local Plan.

HIGHLIGHTED RISKS:

The risks of not progressing the review and carrying out consultation as set out in this report are:

Although the Scarborough Borough Local Plan review is likely to be halted the review and information gathered from it will be important to ensure the issues facing this area are taken into account when preparing the North Yorkshire Council Local Plan, post-vesting day. Failure to consult on the Draft Local Plan, which has been based on community and organisational engagement, will result in important issues for this area not being factored into the new Local Plan from Day 1.

The Plan (whether that be Scarborough Borough or North Yorkshire Council Local Plan) requires meaningful and continuous engagement and the publication of this draft will allow the emerging thinking on planning policy and land allocations to be examined and discussed with the community, adjacent authorities and other statutory bodies and groups. Without this involvement, the Plan would be subject to criticism by the Planning Inspectorate who would question the soundness of the Plan (or any Plan that this work subsequently affects) and the manner in which it has been prepared.

¹ Reporting is likely to be to NYC members as part of the future process of preparing a new Local Plan for NYC
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With Local Government Reorganisation coming in 2023, it remains important to progress plans as far as possible until such time the Plan is adopted or a formal decision is taken to focus on a Local Plan for the new authority area. It appears increasingly likely that this latter option of preparing a new Local Plan for North Yorkshire will be the way forward. If this is the case then any work carried out on the Scarborough Borough Local Plan review will give the area an excellent head start and better understanding of the issues facing the area that need to be addressed in a wider Local Plan.

1. INTRODUCTION

1.1 Members will be aware of the Scarborough Borough Local Plan. It is the main planning document of the Borough Council that sets out where development is planned to go over at least a 15-year period from adoption and sets out the policies and strategies that will be used when determining planning proposals.

1.2 The Local Plan must be kept up to date. This requirement is embedded within legislation (Regulation 10A of the Town and Country Planning [Local Planning] [England] Regulations 2012 [as amended]) and also within the National Planning Policy Framework (NPPF) 2019, which states at Para 33 that:

‘Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.’

1.3 It is clear that a review of the Local Plan will not be completed within five years, however, the current Local Plan will remain in place until such time it is reviewed or replaced by a North Yorkshire Council Local Plan and will remain the basis for decision making on planning applications.

1.4 Following the adoption of the Local Plan in July 2017, it was agreed in 2019 to start the review of the plan to consider emerging national guidance, climate change, demands for high quality design and other local issues. An Issues and Options consultation took place in late 2020.

1.5 The Local Plan remains central to delivering sustainable growth in the Borough. It has enabled the increased speed of delivery of housing (including affordable housing), encouraged investment into the business parks across the Borough and been supportive in delivering infrastructure improvements; most recently being the critical supporting factor in achieving a circa £3.6m investment in highways improvements in Scarborough from the Local Enterprise Partnership. This scheme of improvements to four junctions has recently been completed.

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Local Government Reorganisation

- 1.6 While the Borough Council is continuing to make progress on its review of the Local Plan, Local Government Reorganisation has complicated this process. Given that the new North Yorkshire Council must prepare and publish its own Local Plan, if possible, within five years of vesting day, consideration must be given to whether ongoing Local Plan reviews should continue or be halted.
- 1.7 The district councils are all at different stages of Local Plan preparation with Selby about to submit their plan to the Government and Hambleton adopting their plan very recently. Scarborough is about to publish its Draft Local Plan (review) and is therefore not as progressed as Selby or Ryedale. Work is ongoing with officers across the County area and final decisions on which plans will continue/be halted will be made shortly.
- 1.8 The current proposal is that the Scarborough Borough Local Plan review should be halted upon completion of the consultation on the draft document. Whilst this remains a decision locally up to the date of investiture, there needs to be a recognition of the likely implications post-vesting day.
- 1.9 As stated above, the emerging proposal would potentially see the Scarborough Borough Local Plan halted following completion of the consultation on the Draft Local Plan. This decision is yet to be formally made but has been based on the regulatory need to prepare a new plan for North Yorkshire (within five years), the staff and financial resources available to accomplish this and the economies of scale that can be delivered by preparing a single plan. On this latter point, the evidence required to support a local plan is significant and preparing this across the North Yorkshire area as a whole will deliver economies of scale compared to preparing seven or eight individual pieces of work.
- 1.10 This also eliminates the current problem of eight separate plans at various stages of completion and will, in due course, make decision making much more streamlined as a single local plan will cover the whole authority area (excluding the National Park areas). It will be the basis for all decision making on planning applications across North Yorkshire.
- 1.11 Halting the current review after the draft stage will allow officers from SBC to be fully invested in the early preparation of the new NYC Local Plan, thus ensuring that important local issues are captured at the earliest stage of (NYC) plan production. Given present resourcing (staff) levels within the policy team, and owing to the commitments associated with progressing the Local Plan review through to adoption, it is unclear how these two workstreams (SBC and NYC plans) could be progressed concurrently. Therefore, whilst the decision to halt the SBC Plan review is disappointing, it is not wholly unexpected.
- 1.12 We have ensured that should this happen then at least the Draft Local Plan will have been consulted upon. This will provide an excellent understanding of the views of the community and developers in respect of the new and amended policies proposed as well as potential housing allocations. It will therefore be

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an important piece of evidence that will feed into the new NYC Local Plan when considering the former area of Scarborough Borough.

- 1.13 It is therefore important that Members fully understand that the policies that we propose for the review may be adopted in the future but it is most likely that this will be within the North Yorkshire Council Local Plan, and at least 5 years post vesting day. This will be disappointing to Members who would wish to see certain requirements adopted sooner than this – examples include Nationally Described Space Standards for new housing.
- 1.14 It is also important to make it clear for consultees that the work carried out here will contribute to the wider NYC Local Plan. Likewise, landowners and site promoters need to understand that the Scarborough Local Plan review is likely to be halted and their sites considered further through the NYC Local Plan.

2. CORPORATE OBJECTIVES AND THE COMMUNITY PLAN

- 2.1 Ensuring the Local Plan is reviewed and up to date will align with the Council's aims and ambitions as highlighted in the Corporate Plan:
 - People - to have a safe, happy, healthy population with people who feel valued and included
 - Place - to protect and improve our environment, now and for the future
 - Prosperity - to develop a prosperous and innovative borough, with a highly skilled and aspirational workforce

3. BACKGROUND AND ISSUES

- 3.1 The issue for Members consideration is the draft Local Plan and the consultation on the policies and allocations contained therein.
- 3.2 The other issue of note is the information relating to the future of the review and what is likely to happen with the Local Plan post-Local Government Reorganisation.

4. CONSULTATION

- 4.1 The document has been prepared in light of stakeholder consultation through the Issues and Options Document consultation in late 2020.
- 4.2 Prior to and following the Issues and Options consultation there has been continuous Member involvement in policy formulation through the Local Plan Members Working Group which meets regularly to discuss evolving policy, allocations and the overall context of the plan. A briefing session to which all Members are/were invited was held on 24 November 2022.

- 4.3 Subject to the document being approved for consultation purposes it will undergo an extended period of consultation. This will involve a small number of drop-in sessions held across the Borough (details will be released on the Council's website, through twitter and through a formal press release), presentations to fora and groups and officers attendance at Town and Parish meetings when requested.

5. ASSESSMENT

Plan Area

- 5.1 The area covered by the Local Plan review is that of Scarborough Borough excluding the North York Moors National Park (NYMNP). The NYMNP Authority prepares its own Local Plan covering the park area.

The Stage of the Process (Consultation on a Draft Local Plan)

- 5.2 The preparation of a Local Plan and any subsequent review must be in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This sets out specific stages of production that a plan must progress through to ensure it fulfils the legal procedures.
- 5.3 This stage is covered under Regulation 18: Preparation of a Local Plan. This stage does not have a formal requirement to consult on a 'Draft Local Plan' but does require notification to interested parties that a plan is being prepared and to ask what it ought to contain. This was the focus of the Issues and Options consultation carried out in late 2020.
- 5.4 Whilst it is acceptable to proceed straight to a Publication Local Plan (Regulation 19), consultation, and subsequently submit the Local Plan to Government, it was decided following discussion with the Members Working Group to produce a Draft Local Plan; reflecting the approach adopted during the preparation of the existing Plan.
- 5.5 This is considered to be the better option in the round, as it not only allows the community and interested parties the opportunity to view and comment on draft policies and allocations, but also allows for necessary revisions to be made to the Plan prior to publishing what would effectively be our 'finalised' (Regulation 19) document.
- 5.6 Progressing straight to publication (Regulation 19) stage would mean that revisions could only be made through the Examination in Public (EiP). Dealing with as many of these matters up front (at draft stage) should assist in keeping the duration of the EiP as concise as possible, which in turn should save on the costs of examination.
- 5.7 Once the draft stage is completed we would then seek to consider the comments and objections, make any final amendments to the plan then publish

the Publication Local Plan prior to submitting it to Government (Planning Inspectorate) for examination.

- 5.8 As outlined at paragraphs 1.5 -1.11 of this report, there is a likelihood that the Local Plan will not progress beyond draft stage due to decisions that will be made over the coming months on the future of the individual district Local Plan reviews and the requirement for a new Local Plan for North Yorkshire Council.
- 5.9 If this is the outcome and the review is halted, it is the aim of officers to still fully consider the comments submitted and compile a 'wrap-up' document setting out the work carried out to date. This would set out the main issues and concerns and recommendations on policies we would wish to see taken forward for the Scarborough Borough area. This will be an important piece of work to ensure that this part of the new authority has an excellent head start when preparing the new Local Plan.

Evidencing the Plan

- 5.10 Preparing and/or reviewing a Local Plan or review is a complex process and requires a wide array of evidence. The evidence that has been gathered and prepared to date is shown below though this is not an exhaustive list. The purpose of the evidence is also explained.
- Strategic Housing Market Assessment (this sets out the overall housing requirement, affordable housing needs and other housing requirements)
 - Strategic Flood Risk Assessment (this plots areas that are vulnerable from a variety of flooding and surface water incidents and is used primarily to determine whether site allocations are at risk of flooding)
 - Viability Assessment of the Local Plan (this assesses the financial impact of policies proposed in the Local Plan to ensure that the plan as a whole is viable and deliverable. It assists in setting the affordable housing policy requirements)
 - Employment Land Review [ongoing] (this sets out the current position of employment land in the area and assists in determining whether additional land needs to be allocated for employment purposes)
 - An Assessment of Second Homes and Holiday Lets in the Borough (this assesses trends in this form of housing tenure over a 20 year period and considers the likely impacts of different policy interventions)
 - Strategic Housing and Employment Land Availability Assessment (this sets out the areas of land that have been made available for housing or employment purposes and categorises the likelihood they could come forward in the short, medium or long term, following an assessment of availability and deliverability)
 - Gypsy and Traveller Accommodation Assessment (sets out any local requirements for pitches)
 - Playing Pitch Strategy (provides an assessment of current and future needs for outdoor playing pitches, and a strategy to help meet those needs)

- Other evidence documents to be produced between draft and publication stage include a new Green Space Audit and Retail Study.
- 5.11 Other supporting documents have been prepared including the Sustainability Appraisal of the Local Plan that critically assesses the sustainability (economic, environmental and social) of objectives and policies contained within the Local Plan.
- 5.12 A Habitats Regulation Assessment has not been prepared for this stage of the process. This would be prepared if the review was to proceed and will be required for the North Yorkshire Council Local Plan.

Whole Local Plan Viability

- 5.13 Prior to detailing the proposed changes to the Local Plan it is important to understand that viability is the golden thread that runs through the decision making process as to whether policies (individually or cumulatively) are financially viable and therefore able to be included within the Local Plan.
- 5.14 The Local Plan has to be shown to be deliverable when considered in its entirety and one of the main factors for determining this is being able to demonstrate that the policies proposed do not make development unviable. Some policies have an obvious cost to development. As an example, a policy that requires all new housing to be constructed to Nationally Described Space Standards will have a cost to the developer by requiring that homes be built to a minimum standard – a developer may have to reduce the number of homes on a site to meet this requirement. Likewise a policy that requires homes to be carbon-zero will have a significant impact on the costs of construction due to the installation of heat pumps, photovoltaics and higher levels of insulation.
- 5.15 Ideally, we would support the adoption of all policies for the betterment of construction practices and the living standards of future occupants, including the implementation of higher standards for sustainable construction, biodiversity net gain, space standards and accessible homes. However, all policies that require a developer to do something ‘extra’ have an associated cost. This cost has to be factored in to the determination of whether development remains viable when also factoring in reasonable developer profit. Profit margins are set by Government as a range between 15-20% of the value of the development.
- 5.16 To consider fully the impact of policies on viability, a ‘Whole Local Plan Viability Assessment’ was undertaken. The full report prepared on viability can be found at:

<https://www.scarborough.gov.uk/planning/planning-policy/local-plan/local-plan-background-information/whole-local-plan-viability>

- 5.17 The following paragraphs provide a precis of the findings of that report, focusing on the recommendations about what policies can viably be taken forward and the implications on affordable housing targets, which is covered later in this report in para 5.49.
- 5.18 The Whole Local Plan Viability Assessment tested the implications of national mandatory requirements and proposed local policies on a range of development types, including large and small-scale greenfield and brownfield developments.
- 5.19 It is important to note that the Viability Report adopts a 'Residual Value' approach, which measures the full costs of development (construction costs, fees, profit, developer contributions) against its gross value. The result of this calculation indicates a land value, the Residual Value. This is the top limit of what a developer could offer for a site and still make a satisfactory return. In order for development to come forward, this value must also be sufficient for the landowner to sell. For modelling purposes, national planning guidance states that this figure should be based on the 'Existing Use Value' of the land and allow for a premium to the landowner. The uplifted land value is known as the 'Benchmark Land Value' (BLV). As shown in the table below, the BLV utilised in the Viability Report across the Borough ranges from £425k to £450k per hectare.

Use	Existing Use Value Prices	Benchmark Land Value 'uplift'	Final Benchmark Land Value
Previously Developed Land	£370k / ha	+20%	£444k / ha
Agricultural ²	£35k / ha	+£400k / ha	£425k / ha
Paddock ³	£50k / ha	+£400k / ha	£450k / ha

- 5.20 The following table shows the cumulative costs of various policy options, in this case for the Scarborough area.

Cumulative Requirements of Additional Policies over and above national requirements (£ per hectare)			
	Greenfield	Brownfield	All
Scarborough			
National Requirements ⁴	£144,359	£201,734	£171,799
+ 20%BNG	£3,549	£15,451	£9,241
+ 50% M4(2)	£12,353	£15,613	£13,912
+100% M4(2)	£22,627	£28,591	£25,479
+ 92% M4(2) & 8% M4(3)	£54,949	£69,425	£61,872
+ 0 Regulated CO2	£116,565	£149,983	£132,548
+ 0 Unregulated CO2	£233,668	£300,653	£265,704

² Greenfield sites of 0.5ha or more

³ Greenfield sites of less than 0.5ha

⁴ National requirements are 10% Biodiversity Net Gain, NDSS, 31% CO2 (Part L Building Regs) and EV Charging

+ 0 Regulated CO2 ASHP ⁵	£147,731	£190,162	£168,024
+ 0 Unregulated CO2 ASHP	£272,938	£350,876	£310,213

- 5.21 This table shows the assumed financial cost of implementing mandatory requirements and optional requirements on developments in Scarborough.
- 5.22 The national requirements are set as the base and include 10% Biodiversity Net Gain, Nationally Described Space Standards, 31% CO2 uplift in building construction, EV charging infrastructure and water efficiency improvements. To deliver these minimum requirements costs on average (all) is £171,799 per hectare.
- 5.23 The table then adds in further optional requirements and provides an indicative cost for doing so. Therefore, to increase BNG to 20% this would be £9,241. 50% of homes built to M4(2) standards would lift this cost to £13,912 (or an additional £4671 for that individual element).
- 5.24 The cost of seeking all optional policy requirements in this scenario is in the region of £310,213 per hectare over and above the national requirements set out in para 5.20. Within the context of a 'Benchmark Land Value' of £425k-£450k, this is significant and affects viability and the ability to deliver affordable housing.
- 5.25 In addition to these optional requirements, we also tested the impacts of implementing a zero carbon homes policy and a Primary Residence policy, with the latter being in response to concerns over the level of second homes and holiday lets in certain parts of the Borough.
- 5.26 Aiming for zero carbon homes in the borough at this time is shown to be difficult. Whilst this may be achievable on a limited number of the larger greenfield sites in the more viable areas, this would have an impact on affordable delivery across the borough.
- 5.27 Likewise, the implementation of a Primary Residence policy (see paragraphs 5.65 onwards) has ramifications from a viability perspective. It would result in a slight fall in property values of circa 5%; this has been evidenced in other areas in the country. A fall in property value to the rate of 5% would result in a reduction in land value of £200,000 per hectare, a significant reduction given the described Baseline Land Values. If the fall in property values were greater, the land value would likewise see greater falls.
- 5.28 The consultant who carried out the Viability work concluded that:

'If the Council were to pursue the option of requiring new homes to be restricted to being a primary residence, little development would be viable and a zero

⁵ Air Source Heat Pumps

*affordable housing target would be appropriate. Similarly, a policy requiring zero carbon would render most development unviable and a zero affordable housing target would be appropriate.*⁶

- 5.29 The results of this viability work should be borne in mind and seen as context to the remainder of this chapter as it will have implications on most of the policy areas discussed and decisions made.

Local Plan Content (The Review)

- 5.30 The review is not a wholesale change to policy and allocations. It should be viewed as an update or the next iteration of the Local Plan adopted in 2017. The vast majority of the content of the Plan will remain unchanged with only minor amendments to reflect how the policies have worked in practice since adoption.
- 5.31 To provide clarity on the amendments and to limit representations on existing (adopted) policy, the Draft Plan itself includes summary boxes above each policy to briefly explain what changes (if any) have been made and why.
- 5.32 The main aims of the review is to reflect the main changes nationally and locally and to determine if and how these should be addressed through Local Plan policy. These include, but are not limited to:
- Updated housing targets;
 - New and reviewed housing allocations;
 - Updated policies on the design of new development;
 - Consideration of Nationally Described Space Standards, accessible housing standards and water efficiency standards;
 - Second homes and holiday lets and the impact on local housing markets;
 - Self-build housing options;
 - Affordable housing targets and thresholds;
 - Coastal change management areas.

Vision, Aims and Objectives

- 5.33 The Local Plan sets out a Vision for the area along with main aims and objectives. While these have not changed significantly, the Plan acknowledges that certain issues have emerged and/or evolved since the 2017 Plan was adopted. For example, following the declaration of a climate change emergency locally the opening section of the Vision reflects the increased importance of dealing with this matter:

“Addressing climate change and its implications will be at the heart of all decisions. New development will have seen an uplift in terms of its design

⁶Para 10.45 (b) page 150 - <https://www.scarborough.gov.uk/sites/scarborough.gov.uk/files/files/Scarborough%20Viability%209%20June%202022%20-%20Final%20Report%20Only.pdf>

quality; both in terms of its aesthetics and its sustainability. Providing well connected and accessible green environments and increasing opportunities for biodiversity to flourish through developments will be the norm.”

- 5.34 Likewise, the aims and objectives will bring in a greater focus on sustainability and dealing with climate change and biodiversity by seeking to uplift the design quality of buildings. The aims also recognise the need to facilitate net gains in biodiversity through development.
- 5.35 The Draft Plan has also been amended to ensure alignment with new Council policies, strategies and investment priorities, including the Corporate Plan (“Better Borough, Brighter Futures”) and the Blueprints / Masterplans for Scarborough, Whitby and Filey.

Design and Construction

Principles of Design

- 5.36 Local Plan policy DEC1 (Principles of Good Design) and its supporting text have been revised to reflect the increased emphasis placed on design matters by recent government publications, including the revised National Planning Policy Framework (NPPF), National Design Guide (NDG) and National Model Design Code (NMDC). Notably, the supporting text now includes an overarching ‘Design Vision’ and associated set of ‘Design Objectives’, which were developed collaboratively with local stakeholders as part of the Council’s Residential Design Guide Supplementary Planning Document.
- 5.37 Further changes to the policy itself include: reference to the role of on-site landscaping in delivering the national 10% biodiversity net gain requirement; requiring new streets to be tree-lined; requiring applicable new retail developments to achieve a BREEAM rating of ‘Excellent’; and, requiring applicants to demonstrate how internal layouts of non-residential buildings meet varying accessibility needs.

Electric Vehicle Charging

- 5.38 Electric Vehicle charging was in its infancy at the time of the previous Local Plan. The policy was a simple requirement to allow the slow charging of vehicles from a traditional 3-pin socket. In the time since adoption of the 2017 Local Plan the take-up of EVs has increased significantly and Government policy has overtaken local requirements.
- 5.39 With the recent introduction of mandatory EV charging points on new residential developments through the Building Regulations, there is no longer a requirement for local policy to address residential installations. There is however, a need to set requirements for EV charging points in commercial developments as well as set out a policy stance on the future of refuelling stations. Petrol filling stations will see a gradual transition from petrol and diesel provision to electric charging and potentially hydrogen refuelling. As these new

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technologies are not (currently) as rapid as petrol filling there will also be a need to consider ancillary works such as small waiting areas, rest rooms and small scale retail opportunities to serve patrons whilst refuelling/recharging.

Homes and Communities

The Level of Housing

- 5.40 The overall ambition for housing delivery is set out in the Local Plan. The current Local Plan set a target of achieving the delivery of 450 dwellings per annum (dpa) which was a step up from the previous plan target of 366 dpa. This target was derived from an Objective Assessment of Housing Need, which took into account population growth, household size, employment projections and other matters.
- 5.41 Since the previous Local Plan was adopted, the Government has released the 'Standard Method' for calculating a Local Authorities Local Housing Number. The formula that has been set out results in a figure of circa 175 dpa for Scarborough Borough. This is a sizeable reduction from the current 450 dpa and would have significant implications on the delivery of affordable dwellings, however this is a minimum requirement and Local Plans can go above this number if supported by evidence.
- 5.42 To evidence the level of housing the reviewed Local Plan should aim to deliver, an updated Strategic Housing Market Assessment (SHMA) was commissioned. The full SHMA report can be viewed here:
- <https://www.scarborough.gov.uk/planning/planning-policy/local-plan/local-plan-background-information/shma>
- 5.43 To establish the latest position in terms of housing need both for affordable housing and overall need, the SHMA considers the local housing market, future jobs growth and demographic projections to establish the outcomes.
- 5.44 The SHMA concludes that there is a need for 354 dwellings to be delivered annually over the period 2022-38. This equates to 5664 dwellings over the period 2022-2038. For the purposes of calculating a figure for the Local Plan the period is 2023-2040, which when factoring in a further two additional years, results in a target of 6018 dwellings.

What does this mean for identifying and allocating sites?

- 5.45 The number established above of 6018 homes over the new plan period needs to be viewed in the context of remaining allocations, extant permissions and other known sources of housing. By establishing the current level of homes available this will inform the number of sites that need to be allocated to make up any perceived shortfall or to provide flexibility in the housing market.

- 5.46 The majority of allocations from the 2017 Local Plan have progressed, many to full or partial completion and others to either planning application or pre-application stage. A small number have shown little or no progress and need to be re-assessed to determine if they should remain as allocations.
- 5.47 These are primarily limited to small brownfield sites located within the development limits of the towns of Scarborough, Whitby and Filey. Cumulatively they only make up circa 80 dwellings. Removing these as allocations would have a very limited effect on overall numbers and would not prevent these sites coming forward in due course with them being within development limits. Taking this into account the current number of dwellings available and predicted to be deliverable by 2040 can be broken down as follows:
- Existing Allocations⁷: 6312 dwellings);
 - Current Planning Consents⁸: 1370 dwellings; and
 - Known Sources of Housing⁹: 447 dwellings
- 5.48 In addition to the above sources of housing, the previous Local Plan assumed, and the Planning Inspector accepted that, windfall sites could deliver in the region of 150 homes per annum from Year 4 onwards¹⁰. This equates to 2100 dwellings and there is no evidence to suggest windfall development will not continue to deliver over the longer term. Over the past 10 years, we have seen the delivery of 207 windfall dwellings per annum with delivery since adoption (the past 5 years) increasing to 231 dwellings per annum.
- 5.49 When factoring in all of the above sources of housing this results in a potential 10,229 dwellings being available and deliverable over the Local Plan period to 2040.
- 5.50 Although these are high-level figures, this highlights that there is a sufficient supply of housing identified and available to meet the 6018 dwelling housing target. This level of dwellings equates to 170% of the proposed housing target.
- 5.51 This suggests that there is no actual requirement and therefore no immediate pressure to allocate further sites within the Local Plan review. This does not mean that sites should not be allocated; it is recommend that a small number of sites that 'score' highly in the assessments be allocated, as this will provide additional flexibility in the housing land available.
- 5.52 Information on sites proposed for dismissal from consideration will be included in a supporting background paper that will also set out the assessment criteria and scoring.

⁷ Some of these allocations have not yet received planning consent but may have a planning application under consideration. For example there is a planning application in for 1400 dwellings at South of Cayton

⁸ This excludes Local Plan allocations that have received consent.

⁹ These are sites that the LPA is aware of but are not allocated nor current planning applications.

¹⁰ No windfall included for Years 1-3 as this would result in double counting of existing consents.

Affordable Housing Provision

- 5.53 The SHMA identifies need for 219 affordable dwellings per annum. This figure represents households who are unable to afford to rent or aspire to own market housing but who cannot afford to buy (but have a realistic prospect of being able to afford to purchase an affordable homeownership product). This is referred to as effective demand; those that will be able to afford the various affordable products that will be available. The reason it is expressed as above is that some households aspire to home ownership but even if the homes were provided to meet this demand, they would be unable to attain such housing due to insufficient income or savings.
- 5.54 Delivering sufficient homes to meet this level of need is extremely unlikely. To deliver 219 homes per annum based on recent delivery rates of circa 20% of homes being affordable (and that has been reliant on RPs bringing forward 100% affordable schemes) the Local Plan would have to allocate in the region of 1095 homes per annum for the plan period. This is a level significantly above previous targets, delivery and actual likely demand for market housing. It would be unrealistic and undeliverable. It is therefore important to ensure that the level of affordable homes is as high as viably possible whilst accepting that other means of delivering affordable homes will need exploring. The 'Better Homes' project is one such vehicle that the Borough Council has explored to assist in meeting this demand.
- 5.55 In setting these affordable housing targets (percentage requirements), it is not possible to consider this in isolation. It is reliant on the decision of other policy matters that have a direct financial impact on development and therefore the viability of schemes.
- 5.56 The level of affordable housing proposed in this review is shown alongside the previous requirements in the following table.

		Housing Market Area			
		Scarborough (and the Parishes of Eastfield and Osgodby)	Filey, Hunmanby and the Southern Parishes	Whitby	Northern and Western Parishes
Proposed	Brownfield	10%	10%	10%	25%
	Greenfield	10%	10%	25%	25%
Existing	All Sites	10%	15%	30%	30%

- 5.57 What this shows is that with all other policy matters factored in there is an impact on the ability to deliver affordable housing. The areas of Scarborough, Eastfield and Osgodby remain at 10% as it is considered that is the minimum we should aim to achieve anywhere in the Borough. The southern parishes see a fall from 15% to 10%. In Whitby the viability assessments have concluded a difference in viability between the greenfield and brownfield sites – the requirement reduces to 25% on greenfield sites, however this is a more marked

decrease to 10% on brownfield sites. Finally, in the remaining parishes the reduction is from 30% to 25%.

- 5.58 More information on how these requirements were arrived at are set out under the sub-heading 'Whole Local Plan Viability'¹¹. The revised policy also refers to the new requirement to provide a proportion of First Homes; affordable homes to buy at a 30% discount from market value.

Self-Build Homes

- 5.59 Self-build homes are another way to deliver additional homes in the Borough. The Borough has had a healthy self-build market for many years with the delivery of a significant number of new build properties and flats converted from other uses including hotels and guesthouses.
- 5.60 The issue to be considered through the review is how to address self-build in policy terms. There is a requirement for a Council to hold a self-build register (we have one) and to seek to provide sufficient sites to meet the needs of that list. The Borough's self-build register is split into two parts; Part 1 and Part 2. The former is for persons who meet the locational criteria, the financial criteria (ability to purchase a plot) and pay the small fee to join the list. Part 2 is for the other persons who either do not meet the criteria or do not wish to pay the fee.
- 5.61 To date no person has opted to join Part 1 of the register with the 45 entrants all being on Part 2. This means that the Council does not have a duty to provide sites to meet this demand. Notwithstanding this the Local Planning Authority do assist in identifying sites and regularly (on a 6 month basis) write to all persons with an up to date list of sites that have planning consent and may represent an opportunity for a self-build project.
- 5.62 The question is whether the Local Plan should go further. The Issues and Options paper from 2020 set out a number of alternative policy options including options that have been adopted elsewhere. These are:
- No intervention and allow market to deliver self-build plots through windfall sites;
 - Allocate sites for self-build plots;
 - Proportion of self-build plots on large allocated sites;
 - An exception type policy that allows self-build near to development limits where a need is demonstrated.
- 5.63 Due to the relative low number of persons seeking self-build plots in the Borough and the fact that a number of sites have already been identified and approved, significant intervention is not considered an effective and commensurate approach to tackle this issue. Sites have been approved in Sleights (Briggswath) and Whitby that could deliver in the region of 70 plots for self-build homes.

¹¹ Para 5.13 onwards

- 5.64 Furthermore, the delivery of self-build plots on larger allocated sites is not supported by the majority of self-builders who often wish to deliver homes on stand-alone plots. This policy intervention is not generally supported by the housebuilding industry as it leaves them with uncertainty and impacts on layouts. If such plots are not bought up within a set period (say 12 months), the house builder has to reconfigure the site to amend any remaining plots to market housing. Other authorities have adopted a policy of 5% of plots on large developments to be self-build. The low numbers of persons on the register suggest that this would also result in an over-supply of plots.
- 5.65 For the reasons cited above it is not proposed to adopt a bespoke self-build policy and alternatively set out the support of the Council for self-builders bringing forward plots as well as encouraging house builders to include self-build plots within the Housing Mix policy which states:

The Council will encourage and support the delivery of custom and self-build housing in appropriate locations. The Council will monitor the demand for this type of housing through the Self-Build Register and will assist in the delivery of sites. Where possible and without adversely affecting viability and the delivery of affordable housing, residential development sites, including those allocated under Policy HC 2, should include provision for self and custom build development.

Second Homes and Holiday Lets (Primary Residence)

- 5.66 One topic that has raised more debate than any other within the Borough over the past 18 months has been that of escalating second home ownership and the number of holiday lets currently available in certain parts of the Borough. The issue has also made national headlines and there are active Government work streams considering the options to address this issue nationally. Locally, there have been calls for the Local Planning Authority to consider bringing in a planning policy to limit the number of homes that can be used as second homes and/or holiday lets.
- 5.67 Such policies have been used sparingly across the country and have most often been introduced through Neighbourhood Plans (ie driven by town and parish councils at the very local level) as opposed to Local Plans, with St Ives being the most high profile example. The number of Neighbourhood Plans that have brought in a similar policy has been increasing of late and on a wider scale, the Welsh Government has brought in changes to their planning legislation (changing the Use Classes Order) and significantly increased Council Tax liabilities for certain owners.
- 5.68 A comprehensive assessment has been carried out for the Borough using Census (2001 and 2011) and up to date Council Tax data (2021)¹² to establish

¹² It is expected that Census 2021 data will be released in due course that will allow a sense check of the Council Tax data used for this work stream on second homes and holiday lets.

the current levels of second home ownership and the number of holiday lets. This was subject to a comprehensive report to Members earlier in 2022 and it is not proposed to repeat all of the information in this report, though a precis will be provided. The full comprehensive report is available to view (22/51) here:

<https://democracy.scarborough.gov.uk/ieListDocuments.aspx?CId=113&MId=14011&Ver=4>

- 5.69 Following the recent local referendum vote in Whitby, where the overwhelming majority of respondents supported the introduction of a primary residence, a further update was carried out for the Whitby area to determine further trends over the past 12 months.
- 5.70 Additionally, officers have sought to identify the different means by which this issue could be addressed and understand their potential implications (both positive and negative).
- 5.71 Crucially, this has included testing the viability implications of introducing such a policy and specifically looking at what this may mean to affordable housing delivery. The Local Planning Authority employed a specialist Viability Consultant (SDH Planning) to consider the overall viability of the Local Plan (this is covered in the section ‘Whole Local Plan Viability’¹³) and requested additional work to be carried out to examine the implications of both carbon-zero housing delivery and a primary residence housing policy.
- 5.72 Early work carried out by officers looking at the impacts of a policy were stark, with even a small reduction in house prices of 5% having potentially large implications for the delivery of affordable homes. Using real examples of schemes that have been approved in the area, it demonstrated a potential reduction of affordable housing from 30% to 13.5% with a 5% house price reduction. The consultant echoed this concern, stating:

This analysis shows that a policy that results in a 5% fall in values would result in a fall in land values of £200,000 (per hectare). Likewise a policy that results in a 10% fall in values would result in a fall in land values of £400,000. To set this in context the Benchmark Land Value is taken to be £425,000/ha on greenfield sites.¹⁴

And that:

The Council should be cautious in introducing such a policy, as it is likely to render most development unviable¹⁵

¹³ Para 5.13 onwards

¹⁴ Para 10.35 pg 145 of the Local Plan Viability Assessment – Link:

<https://www.scarborough.gov.uk/sites/scarborough.gov.uk/files/files/Scarborough%20Viability%209%20June%202022%20-%20Final%20Report%20Only.pdf>

¹⁵ Para 10.36 pg 145 of the Local plan Viability Assessment (link on previous footnote)

- 5.73 It should also be noted that such a policy can only protect new housing from being used for second homes or holiday letting purposes. Existing properties are unable to be covered by such a policy, so in its first year and based on the delivery of 354 homes per annum (the likely new housing target), out of a housing stock of circa 54,000 homes the policy would relate to only 0.65% of that stock, though this would increase incrementally and marginally each year.
- 5.74 It is therefore a high risk policy that could protect only a limited number of properties a year from being occupied as second homes or holiday lets at the significant expense of losing affordable homes which are by definition for 'local people'. For example, in Whitby over 99% of affordable homes in recent years have gone to residents with a local connection.
- 5.75 Such a policy has also been shown in other areas to then focus pressure on existing properties and further increase their desirability and therefore values.
- 5.76 There are already significant pressures on the viability of housing development which are covered in this report and for this reason your officers recommendation is that a 'primary residence policy' is not pursued within the local plan at this time. This does not prevent any Town or Parish Council from seeking to address such matters through a Neighbourhood Plan, which taking into account the impact of Local Government Reorganisation will likely be a much quicker route.
- 5.77 Alternative options, some outwith the local planning process, should also be considered to seek to address this issue. Whilst these are not necessarily part of this Local Plan review they are important context when considering whether or not to bring in a 'primary residence' policy. These options include but are not limited to the following.
- Allocate more housing;
 - Change the Use Classes Order;
 - Council Tax Intervention;
 - Licensing of holiday lets; and
 - Collective agreement of local property owners.
- 5.78 For further information on the options for intervention, please see Appendix A.

Housing Technical Standards

- 5.79 A new policy has been introduced to require compliance with the government's Optional Technical Housing Standards. In accordance with national guidance, clear local need for the introduction of these standards has been identified and the potential impact on the viability of development (when taken together with other policies in the Plan) has been assessed. A background paper to summarise the evidence that supports the policy will be prepared.

- 5.80 Notably, the policy requires that all new dwellings be constructed to comply with the Nationally Described Space Standards (NDSS), which sets minimum expectations for internal floor area, bedroom dimensions and internal storage space. The introduction of this policy should reverse the recent trend of homes failing to meet the recognised national (non-mandatory) standard; our own analysis almost 70% of homes granted planning permission in the 5-year period between 2015 and 2020 failed to meet the relevant standard.
- 5.81 The policy also seeks to raise accessibility standards within new homes, requiring all dwellings to be constructed to at least M4(2) building regulation standard¹⁶ (“Accessible and Adaptable”) with 2% of homes to be M4(3)(a) standard (“Wheelchair Adaptable”)¹⁷. The level of M4(3)(a) takes into account that 91% of need is shown to arise from people in the 75 plus age bracket, who are significantly more likely to live in specialist older accommodation. Under this assumption and providing that specialist accommodation is built to correct standards, the majority of demand will be met outside traditional market housing.
- 5.82 Again, the viability implications of these requirements have been assessed and the applicable thresholds have been drawn to meet the level of need identified in the Strategic Housing Market Assessment. While these matters are rightly being pursued through the Local Plan Review, it should also be noted that the Government has recently announced its intention to require all new homes nationally to meet the M4(2) standard; no timeframe for this has been announced, but officers intend to progress this issue potentially in advance of its introduction nationally.
- 5.83 Finally, the policy also requires homes to meet higher standards of water efficiency (110 litres per person per day), as promoted through building regulations. The viability implications of this are marginal and as such, even in the absence of evidence demonstrating that access to water is an issue, its introduction would not place undue financial burden on developers and would contribute towards meeting broader climate change goals.

Gypsy and Traveller Sites

- 5.84 An updated Gypsy and Traveller Accommodation Assessment was commissioned and completed. This found that there was no identified need to deliver a gypsy and traveller site in the Borough at this time. The current policy on gypsy and travellers will be retained and the criteria contained therein would be used to assess any future proposals for a site if the need was to arise.

¹⁶ Building Regulations Part M (Volume 1)

¹⁷ For schemes of 50 or more dwellings

Cemeteries

- 5.85 Additional cemetery provision is required in the main towns of the Borough and a means of ensuring the appropriate sites protection and delivery is through allocating them formally within the Local Plan.
- 5.86 Sites for Scarborough and Filey have been put forward and these result in the expansion of the existing cemeteries at the respective towns. In respect of Whitby, a site is yet to be agreed corporately. Subject to a site being found and agreed upon this will be added to the Local Plan (Scarborough Borough or North Yorkshire Council) at a later date.

Healthy and Active Communities

- 5.87 The title of policy HC15 (formerly policy HC14) has been amended (from Open Space and Sports Facilities to Health and Active Communities) to reflect a change in emphasis and slightly broader scope. Explicit support for elements of local food growing (e.g. community orchards, community gardens and allotments) within major housing developments is provided within part A of the policy. Part B of the policy has also been amended, removing the criteria that protected green spaces that made a positive contribution to the character and appearance of an area from redevelopment. On reflection, this element of the policy is considered overly restrictive, as it would not allow for developments that would improve local character. As referred to in the draft plan, protection of spaces of significance (e.g. those in conservation areas) is still afforded by other policies.

Employment

- 5.88 Employment policies remain largely unchanged at this time. Officers are in the process of carrying out an Employment Land Review, the findings of which will ultimately feed in to the next stage (publication) of the Local Plan or the North Yorkshire Council Local Plan.

Retail / Town and District Centres

- 5.89 The majority of policies remain unchanged at this stage though there is a need to commission an updated retail study in due course.
- 5.90 The main alteration to this chapter is the update to Policy TC2 (Regeneration of Commercial Centres). There has been a significant amount of work carried out by the Borough Council in respect of seeking to plan for the regeneration of centres.
- 5.91 A number of projects for Scarborough and Whitby have been identified within the respective 'Blueprints' for those towns and it is important that there is an alignment between the Local Plan and other Council strategies. It should be noted however, that the inclusion of sites identified in the 'Blueprints' is not an endorsement by the Local Plan; simply an acknowledgement that these sites

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are available for regeneration purposes and proposals that come forward may replicate or differ from those identified to date.

Tourism

- 5.92 Few amendments are proposed to the Tourism policies and those that are, are minor in nature. The North Bay Leisure Parks policy adds text to refer to the now adopted Scarborough North Bay Masterplan.

Environment

Coastal Change Management Areas

- 5.93 The Resources and Environment Chapter sees the introduction of a new policy on climate adaption. This policy is proposed to ensure that the predicted levels of erosion of the coast are acknowledged and a planning policy stance is established for development within those zones. This matter was previously included within the Environmental Risk policy but has now been separated to provide more detail on areas termed Coastal Change Management Areas (CCMAs).
- 5.94 Coastal Change Management Areas are zones identified in the Local Plan that will subject development proposals to additional specific criteria to ensure such development will not have an unacceptable impact on coastal erosion and land stability.
- 5.95 These CCMAs have been identified on the maps that support the Local Plan and are those areas identified in the Shoreline Management Plan 2 for 'no active intervention'. These are areas at most risk from physical changes to the coast and cover the following areas:
- Northernmost boundary of SBC planning area to Sandsend;
 - Sandsend South to Whitby West;
 - Whitby East (Abbey) to Scalby Mills (this area includes the National Park and the policy will not apply there);
 - Scarborough South (south of Holbeck Hill) to Filey (Coble Landing);
 - Filey South (Royal Parade) to southern extent of Scarborough Borough.
- 5.96 There are also defined coastal erosion lines for 25, 50 and 100 years that show the expected extent of coastal erosion over those periods.
- 5.97 Within the CCMAs, the policy will set the criteria against how development will be judged and set out the types of development that may be considered appropriate within each of the zones of erosion. These development types are yet to be determined and the consultation document asks the question of what types of development may be acceptable in these defined zones. Advice from

coastal engineers, the Environment Agency, neighbouring authorities and other interested parties will be critical in setting any future policy.

Biodiversity Net Gain

- 5.98 The policy relating to the natural environment has been amended to reference the need to ensure the mandatory 10% Biodiversity Net Gain in developments. This requirement comes into force in November 2023.

Transport and Infrastructure

- 5.99 The chapter sees minor changes with references to support the transition to EVs in Policies INF1 and INF3, the deletion of references to the now completed junction mitigation schemes and an acknowledgement of the Cinder Track Restoration Plan and recently completed works.

South of Cayton Strategic Growth Area

- 5.100 No amendments are proposed to this policy. The site is progressing currently and a planning application has been lodged. Following protracted discussions on several matters the proposal is now moving forward and a decision is likely on the first phase in 2023.

Next Steps

- 5.101 The first matter to note is that this Plan and the revisions proposed to date have no weight in decision-making.
- 5.102 Subject to approval of this report, the Draft Local Plan (review) will be published for consultation in early 2023 for a period of six weeks. Subject to the Plan being halted and moving to a new North Yorkshire Council Local Plan, this will be the final stage of the current review of the Scarborough Borough Local Plan.
- 5.103 The responses provided to this consultation will be valuable and form the basis of evolving policy for these parts of the new North Yorkshire Council.

6. IMPLICATIONS

a) Policy

- 6.1 The issues in this report provide a mechanism for updating the Borough Councils' planning policies, strategies and development allocations.

b) Legal

6.2 The Town & Country Planning Act and the National Planning Policy Framework places a duty on local planning authorities to produce and adopt a Local Plan and to keep it under review.

c) Financial

6.3 No significant impacts at this stage, however, it should be noted that the costs of holding the Examination in Public of the plan will have to be borne by the borough council.

6.2 The Forward Planning budget takes into account the production of and consultation on the Local Plan. There are, however, resource implications for the Examination in Public to be held in most likely in 2024. The examination process is presided over by the Planning Inspectorate and the cost of this will depend on the duration of the Examination in Public and the allocated time for the Inspector to make his reasoned decision on the soundness of the Plan. There is also the requirement to employ a Programme Officer for the duration of the plan examination. The Local Plan Examination in Public is likely to take up to 2 weeks. The previous Local Plan examination took place over a 2-3 week period with a reconvening for a further day and cost circa £50-60k.

d) Staffing

6.6 The majority of work carried out and planned for is to be carried out within existing staffing budgets

e) Planning

6.7 As per (a) this will, on adoption, update the Borough Council's planning policy framework which is the basis for determining planning applications across the Borough (excluding the National Park area).

f) Equality and Diversity

6.8 The Local Plan covers matters of equality in respect of accessibility and promoting homes for all. The Local Plan will also be supported by an Equality Impact Assessment.

g) Environmental

6.9 The Local Plan is subject to sustainability appraisal, strategic environment assessment and habitats regulations assessment to ensure the plan is both environmentally, socially and economically sustainable. The Plan is also couched on the principle enshrined within the National Planning Policy Framework of the 'general presumption in favour of sustainable development'.

h) Communication

6.10 The publication of the previous stage, the Issues and Options document, was publicised on the Council's website, on the Planning Services Twitter feed and on the Council's wider Social Network platforms and via press releases.

6.11 This stage will be subject to a minimum six-week consultation.

i) Local Government Reorganisation

6.12 The new Local Authority will have to deliver a new Local Plan for the whole of the North Yorkshire area. The form and timetable for this has not yet been agreed, however, it is increasingly likely that the review of the Scarborough Borough Local Plan will not reach adoption. This does not diminish the importance of this work. Progressing local issues as far as possible is important as the work carried out to date will feed into the wider NYC Local Plan covering all of North Yorkshire and give the Scarborough Borough area a good head start in terms of planning policy formulation.

7. ACTION PLAN

7.1 The Plan will be published for consultation in early 2023.

Richard Bradley
Director

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E-mail address: steve.wilson@scarborough.gov.uk

Background Papers:

Please give details of all publicly accessible (non private) background papers applicable to the report.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT STEVE WILSON ON 01723 232480 e-mail steve.wilson@scarborough.gov.uk

RISK MATRIX

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/Responsible Officer	Action Plan
1	Dec 2022	Council does not agree to publish Draft Local Plan	The work carried out to date will not be aired publicly nor comments received. The views of the local population will therefore not be factored in to the early production of the new North Yorkshire Council Local Plan	Agree to consult on the Draft Local Plan	D3	B2	Mr D Walker / Mr S Wilson	None

Glossary of Terms

Risk	An event which may prevent the Council achieving its objectives
Consequences	The outcome if the risk materialised
Mitigation	The processes and procedures that are in place to reduce the risk
Current Risk Score	The likelihood and impact score with the current mitigation measures in place
Corporate Objectives	An assessment of the Corporate Objectives that are affected by the risk identified.
Target Risk Score	The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager	The Service Unit or Officer responsible for managing the risk
Action Plan	The proposed actions to be implemented in order to reduce the risk to the target score

Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
	Likelihood					

Likelihood:

- A = Very Low
- B = Not Likely
- C = Likely
- D = Very Likely
- E = Almost Certain

Impact

- 1 = Low
- 2 = Minor
- 3 = Medium
- 4 = Major
- 5 = Disaster

Appendix A –Options for Addressing Second Home / Holiday Lets

Allocate more housing sites:

- A1 One means of making sure more housing is available for local people is to allocate more housing sites. Analysis has shown that whilst new homes on the fringes of the borough's towns are occasionally purchased as second homes or bought up for use as holiday lets this is not to the same degree as other more central or tourism centric areas.
- A2 However, this report concludes that the housing target should be lowered and that there are already sufficient sites available without allocating substantial new areas for housing. Furthermore, identifying suitable sites is becoming increasingly difficult, particularly in the areas that are under pressure. For example, in Whitby few sites have been submitted for consideration and of those sites, the majority are not considered suitable for allocation. The town is severely restricted and unable to expand substantially due to the tight geographical boundaries of the sea and North York Moors National Park, and by the historic landscape sensitivities associated with Whitby Abbey.

Change the Use Classes order

- A3 All uses are defined in 'classes' by Government. Currently a primary residence house, second home and most holiday lets fall under Class C3 and do not require planning consent to move between the different tenure types. The Government could, through secondary legislation, make changes to the Use Classes Order to distinguish between these different house types referred to above. The Welsh Government has proposed such changes to provide greater control over second homes and holiday lets. The benefit of this over a local policy is that this would apply to all housing and not just newly constructed homes.
- A4 The introduction of Use Class Order changes could set out that changes between primary residence and second homes/holiday lets is permitted development, however, this would allow local authorities to remove such permitted development rights in areas that are of concern through an Article 4 Direction.
- A5 This option is considered to represent the best means of controlling the number of second homes and holiday lets potentially in combination with other interventions. The Council should wherever possible pressure Government and their local representatives to implement such planning use class changes.

Council Tax intervention

- A6 An option implemented elsewhere and under consideration at the County level is the introduction of higher levels of Council Tax for second homeowners. Several Local Authorities who have issues with second homes have sought to tighten up or close loopholes with Council Tax.

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- A7 In certain circumstances second homes can be registered for business purposes and, as their rateable value is generally less than the minimum threshold, are often exempt from paying any Business Rates. In such circumstances, these properties therefore pay no contribution towards local services either through Council Tax or Business Rates.
- A8 It has proven too simple to move from Council Tax to Business Rate banding in the past with few check-ups to ensure that these units are genuinely being advertised for, and occupied as, holiday lets for a set portion of the year. The Government is bringing in changes in the near future to ensure that such movements to Business Rates is for genuine holiday lets and not used as a loophole to avoid local taxation. This change requires that to qualify for Business Rates, a property must have advertised availability for a minimum of 140 days and be let out for at least 70 days. Those that fail to meet those criteria will have to pay Council Tax at whatever rate that is set at for second homeowners.
- A9 There is also the potential to set the bar higher to qualify for Business Rates as the Welsh Government are proposing to increase this to being available to let for at least 252 days and actually let for at least 182 days in any 12-month period. Those that fail to meet that bar in Wales will be subject to a 300% increase in Council Tax.
- A10 A combination of these options could be considered for the Borough (or Countywide following LGR) although depending on the levels set could penalise genuine holiday lets and have unintended consequences for the tourism accommodation offer of the area.

Licensing of Holiday Lets

- A11 Another option being explored nationally is the licensing of properties. It is not 100% clear if this relates solely to holiday lets although it is assumed that would likely be the case, or at least it would not be applicable to those properties that are used solely for second home purposes with no renting out of the unit at all.
- A12 In terms of controlling the issue of the proliferation of holiday lets or second homes, it is not considered that this would achieve that goal. It is unlikely to apply to genuine second homes where only the owner uses the property.
- A13 In terms of licensing holiday lets that is simply what it does; it mandates that such uses must be licensed and will place a cost on property owners to fund the scheme. It does not prevent or restrict such uses from occurring but does provide a means to address problem issues such as amenity impacts or health and safety. A licensing scheme would be supported though it should not be seen as a solution to the issues that are being raised locally or nationally; that of saturation.

Collective Agreement of Local Property Owners

- A14 Ownership of second homes and holiday lets is not limited to those from outside of the Borough. Analysis has shown that people with Borough postcodes own a considerable number of holiday letting properties. For example in Whitby, 26.4% of holiday lets are seemingly owned locally.
- A15 Whilst beyond the remit of the Local Authority is there scope for a collective agreement of local owners to consider using these units for long-term lets for local people as opposed to their seasonal occupation as holiday lets.

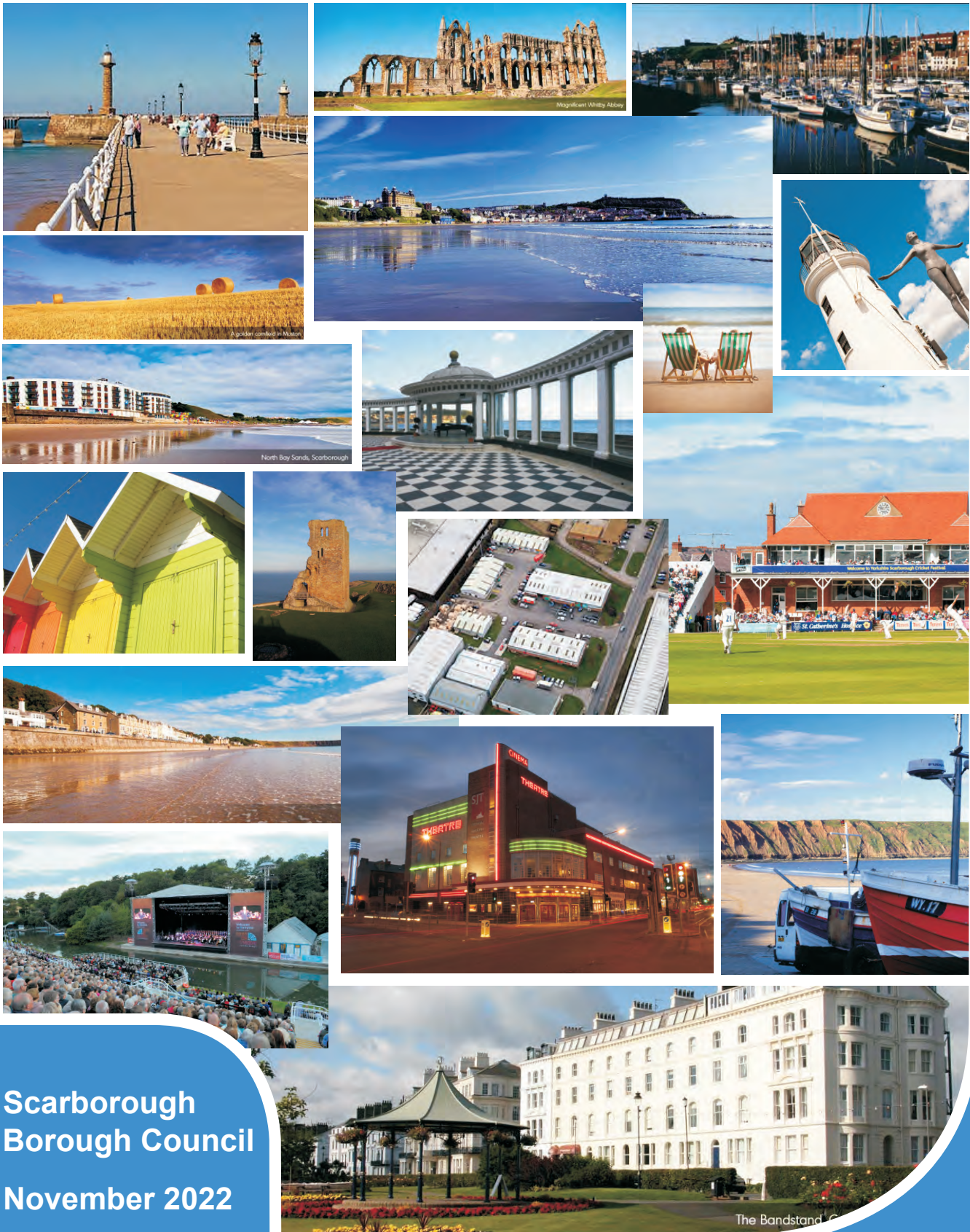
Concluding Comments

- A16 This has set out numerous other options that exist either in isolation or cumulatively to seek to address the current issues of second homes and holiday let proliferation in some areas of the Borough.
- A17 This matter is also be referred to in the section on Viability (Para 5.13 of this report).

Appendix B: The Draft Local Plan

NOTES

Scarborough Borough Local Plan Review Draft Consultation



Scarborough
Borough Council
November 2022

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Alternative Format Documents

Alternative Format Documents

Alternative Format Documents

On request this and other Local Plan documents will be made available in large copy print, audio cassette, Braille or languages other than English. If you require the document in one of these formats please contact the Forward Planning Section at the address below:

Contact details:

**Planning Policy & Conservation Section
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG**

Email: localplan@scarborough.gov.uk

Telephone: 01723 232480

Introduction 1

1 Introduction

1 Introduction

Reviewing the Local Plan for the period April 2023/March 2040

Local Government Reorganisation in North Yorkshire

Before setting out the proposed review of the Local Plan it is important to address the reorganisation of councils in North Yorkshire. As of April 2023 Scarborough Borough Council will no longer exist and will be replaced by North Yorkshire Council.

This will impact on the progress of the Local Plan review.

It is a Government requirement that North Yorkshire Council seeks to prepare and adopt a new single Local Plan for the whole area within a period of 5 years. This is a difficult task and to ensure the best possibility of achieving it, decisions have had to be taken on whether to complete or halt ongoing Local Plan work across all seven districts.

With reference to Scarborough Borough it has been proposed that the Local Plan review be halted following the completion of this consultation on the draft plan. It was agreed that completion of this stage of the plan production was important as the findings of it could be fed directly into the relevant parts of the new North Yorkshire Council Local Plan.

We understand that this will be disappointing for some people as policies proposed within the document that, for example, could have increased housing technical standards will no longer be implemented in the short term. Likewise it is important that site promoters understand that the allocation of any further sites (or the consideration of sites not taken forward) will have to be considered through the preparation of the North Yorkshire Council Local Plan.

1.1 Please note that this is a review of the 2017 Local Plan, with new policies added and adopted policies amended or deleted, though many will remain unaltered. To assist in understanding what the main changes are to the policies and other parts of the Plan a Summary Box will be added to each section or policy setting out what the main alterations, additions and deletions consist of. A 'track change' version of the Plan is also available to view

1.2 The Local Plan covers the period from April 2023 to March 2040 and covers the area of the Borough outside of the North York Moors National Park.

1.3 The Local Plan sets out the planning vision and a strategy for growth up to 2040. It will contribute towards the priorities identified in the Scarborough Borough Corporate Plan 2020/23 (Better Borough, Brighter Futures) or future iterations as well as other strategy and objective based documents including the Scarborough Blueprint (2021) and Whitby Blueprint (2021) and help other Borough Council services and external partners deliver their own programmes. The Local Plan includes:

- Spatial Development Strategy - this sets out a hierarchy of settlements and recognises their individual roles in the plan area;

Introduction 1

- Development Management Policies - this sets out the policies to be used by the Local Planning Authority when making decisions on applications for planning permission;
- Site Allocations - this provides the site specific details and allocates sites for housing, industrial development and other land uses.

1.4 It is essential that the Local Plan is read as a whole. While one policy may suggest that a proposed development would be acceptable, there may be other policies in the Local Plan that indicate otherwise; all proposals must comply with all relevant policies.

1.5 The Local Plan will be supplemented by existing and future documents including

- supplementary planning documents - these provide more specific detail on how elements of the strategy and individual policies will be implemented;
- site briefs - these provide more detail on development sites.

National Planning Context

1.6 Since the adoption of the Local Plan in July 2017 there have been substantial changes to national policy. The National Planning Policy Framework (NPPF) was introduced in March 2012 and has been updated on three further occasions, the most recent being July 2021. This is supported by updated guidance on the Planning Practice Guidance website.

1.7 The NPPF continues to recognise that local plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. In doing this, local plans should set out the strategic priorities for the area, including strategic and non-strategic policies to deliver housing, employment, retail, leisure, infrastructure and the conservation and enhancement of the natural and historic environment. Critically, local plans should plan positively to meet the objectives, principles and policies of the NPPF and be based upon an up-to-date and relevant evidence base to ensure that the identified needs of the area will be met.

Implementation and Monitoring

1.8 The Local Plan is intended to produce tangible benefits to local communities, business and the wider Local Plan area as a whole. It is important to monitor progress to ensure that the plan as a whole and individual policies are proving effective. Section 11 of the Local Plan sets out a series of indicators that will be used for monitoring. The Authority Monitoring Report (AMR) will provide an annual assessment of progress against the targets set out in this document.

Sustainability Appraisal

1.9 All planning documents must be subject to Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA). This means testing objectives, strategies and policies at each stage of the process to assess their potential impact on environmental, economic and social objectives and, where necessary, making changes to ensure sustainability. A Sustainability Appraisal was prepared during Local Plan production.

1 Introduction

Habitats Regulations Assessment

1.10 A Habitats Regulations Assessment will be carried out as part of production of the Local Plan. The Habitats Directive requires an assessment to be undertaken for plans and projects that are likely to have a significant effect, alone or in combination with other plans and projects, on one or more sites protected under legislation. The first stage of this is screening, to ascertain whether or not there is likely to be a significant effect. The key principle is to adopt the precautionary approach and to preserve the integrity of sites. This work will continue through the Regulation 18 stage and be finalised for submission of the Local Plan at Regulation 19 stage. It will be available to comment on at that stage but will be subject to stakeholder involvement during its preparation.

How do I get involved?

1.11 The review of the Scarborough Borough Local Plan has been published in draft for consultation, having been the subject of previous consultation with the publication of the Issues and Options in late 2020.

1.12 This draft stage provides an updated overall strategy, details policies of which some are new and others revised (some will remain unchanged) and seeks views on them. The revisions and additions proposed at this stage are not finalised and all comments received will be analysed and the need for changes to the Local Plan fully considered.

1.13 We will write to consultees identified in the Statement of Community Involvement and anyone else who has asked to be kept informed about the preparation of the Local Plan to notify them that the Local Plan and accompanying Sustainability Appraisal is available for comment.

1.14 We will be holding a small number of consultation events in the form of drop-in sessions. To check for the latest dates and locations please visit www.scarborough.gov.uk/localplan or visit @SBCLocalPlan on Twitter.

1.15 If you have any comments on the draft review of the Local Plan, please comment online at www.scarborough.gov.uk/localplan. You can also download a copy of the document and a comments form. Completed forms should be returned to the address below; or e-mail your comments to localplan@scarborough.gov.uk. Comments on the Sustainability Appraisal can be made in the same way.

Please return your completed comments form by 5pm on Friday 24th February 2023 to:

Planning Policy & Conservation
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

1.16 Comments forms can also be handed in at any Borough Council offices. For further information please contact Scarborough Borough Council's Planning Policy team on 01723 232480.

What happens next?

1.17 All comments received during this period of consultation will be considered carefully by the Borough Council and would typically be taken into account in preparing the Publication version of the Scarborough Borough Local Plan (review) to be submitted to the Secretary of State, which is due to take place later in 2023/24. As referred to earlier in this document there is a likelihood that the Scarborough Borough Local Plan will be halted as a consequence of Local Government Reorganisation and as such it is more likely that any findings of this consultation will be used in the preparation of a Local Plan for North Yorkshire.

1.18 When a Local Plan has been submitted to the Secretary of State it will be the subject of an Independent Examination. At that stage, if you consider your representations have not been appropriately reflected and you have concerns over certain elements of the Local Plan there will be an opportunity to make a formal representation through the Independent Examination in Public. Further details about this will be given at the time of submission.

1 Introduction

Vision, Aims and Objectives 2

2 Vision, Aims and Objectives

2 Vision, Aims and Objectives

Scarborough Borough Today - Current Issues and Opportunities

2.1 The overall picture of the Borough is one of many strengths and significant potential - not least the lifestyle draw of a high quality natural and historic environment and stunning coastal location. However, there are economic and social issues such as seasonal employment patterns and an ageing population that need to be addressed to enable the high quality of life on offer to be shared by all.

2.2 The following section sets out the issues currently faced by the resident population, business community and visitors. The issues identified have been used to establish the aims and objectives of the Local Plan, which subsequently inform policies and allocations.

Living in the Borough

2.3 The total population of the Borough is 108,800 ⁽¹⁾ which has remained static since 2011. The majority of the population resides in the three seaside towns of Scarborough (population of around 38,400 in the town and approaching 60,000 for the wider urban area), Whitby (population over 13,000) and Filey (population around 7,000). The remainder is spread among a number of villages which vary in size and in the level of services they provide. Approximately 12,000 people live in the part of the Borough that is within the North York Moors National Park.

2.4 Scarborough is the largest town by some distance and acts as the main centre for the Borough and indeed is the 'Coastal Capital' for a much wider area. Whitby and Filey and to a certain extent Hunmanby, serve the surrounding rural areas. Whitby also interacts with settlements in the Borough of Redcar and Cleveland. Scarborough Borough contains extensive rural areas outside the North York Moors National Park and it is important to plan for a scale of development that enables rural settlements and their economies to grow in a sustainable manner.

2.5 Parts of the Borough are popular retirement areas and the latest figures show the proportion of the population aged over 60 is 35.3% (up from 31.3% at the Census 2011). This compares to 24.4% in England and Wales as a whole ⁽²⁾. Conversely the Census 2021 found that only 9.4% (down from 11% at Census 2011) of the population is aged between 20 and 29 years, compared to 12.6% in England. This raises concerns about the outward migration of young people from the Borough and what can be done to retain and attract young people to the area. Furthermore it is necessary to consider how best to meet specialist needs in terms of social and health care, as well as housing which is capable of being adapted to suit changing life circumstances.

2.6 The Census for 2011 shows that the Borough's housing stock is broken down as follows; semi detached properties (30%), detached dwellings (22%) and terraced houses (22%). The borough has relatively high levels of flats (26%). Updated information from the Census 2021 on this is awaited. Flats tend to be concentrated in central urban areas and along the sought after coastal frontages. Council Tax records (April 2021) identify that there are circa 4,750

1 Source: Census 2021

2 Source: Census 2021

Vision, Aims and Objectives 2

properties classed as second homes (some used for holiday lets) which equates to 7.9% of the dwelling stock; an increase of around 0.5% since the Census 2011 (this does not include those properties that are unavailable for permanent occupation). The proportion of second homes has remained fairly constant for a number of years, however, numbers have risen and the trends of second homes ownership and properties used for holiday lets will be monitored. There are approximately 1,300 homes (2.2%) classed as long term empty⁽³⁾. Whilst the Borough Council sees it as a priority to bring empty homes back into use there will always be an element of churn of empty homes on the market so any successes in this field is likely to have only a limited impact on the overall housing numbers.

2.7 The area does suffer from a low wage economy (see Para 2.13) and whilst there is a broad mix of house types available, there is a housing affordability issue. The Strategic Housing Market Assessment (2021) identified a need for the delivery of 219 affordable homes per year in the Borough up to 2038. The shortage of affordable housing exists right across the Borough although the impact of high house prices and levels of housing need is more extreme in certain areas. House prices in the rural areas and Whitby are significantly higher than in some wards in Scarborough Town. According to Zoopla's Zed-Index (2021) the average price of a semi detached house in the Whitby area ranges from £208,766 (YO22) to £227,105 (YO21). This is compared to £212,735 in the villages to the north and west of Scarborough (YO13) and the range of £166,934 (YO11) to £184,682 (YO12) in Scarborough.

2.8 There is a wide range of accessible open spaces and sports facilities that provide local communities with the opportunity to participate in recreational and amenity activities that help to promote physical health and well-being. Each of the three main towns has a comprehensive network of open spaces, many of which are important not only for their recreational value but also for their value as tourist attractions. Similarly, all of the villages in the plan area contain at least one area of open space, with the vast majority of local communities having access to a sports field, providing opportunities for informal recreational activities as well as participation in team-based sports.

2.9 Local evidence suggests that there are no significant identifiable deficiencies in the current provision of open spaces and sports facilities. Nevertheless, an emphasis needs to be placed on improving the quality of some of these facilities to ensure that they can continue to meet local needs over the Local Plan period. Since the adoption of the previous Local Plan this is now supported by the Weaponness Sports Village. The sports village provides indoor and outdoor sports and leisure facilities, including a 2,800 capacity community football stadium with a 3G artificial pitch, gymnasium/fitness suite, sports hall, multi-use games area and an indoor swimming pool.

2.10 The area is served by both primary and secondary health care provision. A network of surgeries is complemented with hospitals at both Scarborough and Whitby. Access to primary health care is a fundamental issue with particular demands arising from the changing demographics of the area and the popularity of the area for retirees. It is understood that a number of health surgeries have reached or are approaching capacity. Where this is identified provision will be made to allow the expansion or relocation to meet future requirements.

³ Since 1st April 2013 a property is classed as long term empty if it has been empty for more than 28 days. Of this number just over 120 have been vacant for over 2 years.

2 Vision, Aims and Objectives

The 'Climate Emergency'

2.11 Scarborough Borough Council was one of many local authorities across the country to declare a 'Climate Emergency' in 2019. The Council's declaration is in effect a pledge that it will do everything in its power to make the Borough 'carbon neutral' - to achieve 'net zero' carbon emissions⁽⁴⁾ - by 2030. Whilst the nature of this challenge is such that a wide range of significant cross-cutting interventions required, many of which go well beyond the scope of the planning system, planning has an important and active role to play in meeting these ambitious targets.

2.12 This is not a new challenge for the planning system - 'sustainable development' is at the heart of the process - but the push to deliver a significant reduction in carbon emissions over a relatively short timescale places additional emphasis on environmental considerations. To help address this it is important that the Local Plan presents an appropriate range of macro and micro-level policy interventions; ranging from meeting identified development needs in the most sustainable locations (reducing the need to travel as far as possible), through to the planting of 'street trees' (providing natural shade, helping to reduce temperatures and to capture carbon emissions).

The Changing Economy

2.13 Historically the local economy has been highly dependent upon the fishing and tourism industries. Tourism in particular still forms a key part of the economy drawing on a yearly influx of visitors to the area; over 10 million visitors annually, spending upwards of £610 million. Of this, £319 million was generated from day trips and £291 million generated by overnight visits⁽⁵⁾. In terms of employment, the tourism industry⁽⁶⁾ accounts for 21.9% of all jobs in the Borough (around 9,400 jobs). However, a high proportion of these jobs are part-time and low-paid, reflecting the seasonal nature of the tourism industry.

2.14 Outside of the tourism industry, the 'Public Administration and Defence', 'Education' and 'Human Health and Social Work Activities' sectors account for 30.5% of all jobs in the Borough⁽⁷⁾, which is above the national average of 26.2%. The manufacturing industry also plays an important role in the local economy, providing 11.6% of all jobs, which is higher than the national average (8%). The rate of unemployment⁽⁸⁾ (4%) is slightly lower than the national average (4.6%).

2.15 The median weekly income for people working in the Borough remains below the regional and national averages, with a weekly gross income of £522⁽⁹⁾ for the workforce population. As a comparison the average weekly wage for the county is £552 and England £590.

4 'Net zero' is achieved by balancing carbon emissions (X) with carbon removal ('offsetting') (Y), so that X-Y=0

5 Source: The Economic Impact of Tourism on Scarborough District, 2019

6 Tourism consists of industries that are also part of the services industry, including 'Accommodation and Food Service Activities', 'Arts Entertainment and Recreation' and 'Other Service Activities'

7 Source: ONS Business Register and Employment Survey (2019)

8 As a percentage of the economically active population

9 NOMIS Annual Survey of Hours and Earnings 2020

Vision, Aims and Objectives 2

2.16 Moving forward, there is a need to continue to diversify the economic base to complement the historic reputation of the area as a tourist destination and make the economy more resilient to long-term change. By supporting local businesses and promoting the development of all employment sectors to increase growth potential, new jobs can be delivered helping to address many of the current employment issues in the Local Plan area.

2.17 One of the barriers to achieving economic growth and attracting major new employers is the perceived remoteness and peripherality of the area. However, the emergence of new economic sectors in the area has the potential to attract a new range of businesses.

2.18 The construction of a Potash Mine, 5km to the south of Whitby (within the North York Moors National Park) is progressing. In terms of revenue and income, the mine is of national importance and will contribute £1 billion to the UK Gross Domestic Product. Locally, the project has created significant employment opportunities in the construction phase and has the potential to continue to deliver well over 500 jobs for people in Scarborough Borough, split between direct employment (at the minehead itself), supply chain industries and support services. Perhaps the greatest potential exists in maximising the indirect and induced employment benefit through the supply chain industries and support services, which will require high-quality, readily developable land in locations that are accessible to the minehead site. As the nearest large settlements to the mine, Whitby and Scarborough (and their respective business and industrial parks) are well placed to capitalise upon these opportunities. Not only will this benefit local people by providing sources of employment, it will help to address issues around remoteness and peripherality.

Town Centres

2.19 The Borough's diverse and characterful town centres continue to provide essential services and facilities for local communities. However, the role of the traditional 'High Street' is changing. While our centres were, to some extent, insulated from the decline that followed the economic recession in 2008, changes in consumer habits have more recently resulted in the closure of retail units and a shift in consumer expectation around what services town centres should offer. In response to this, our centres must look to new (non-retail) uses to drive activity and improve their long-term viability and vitality.

2.20 In 2021, 'Blueprints' for both Scarborough and Whitby were published by the Borough Council. These documents provide a vision / masterplan for the future of both towns (up to 2035) and identify regeneration projects to transform and revitalise the respective town centres. Key projects for Scarborough include the creation of a new (railway) 'Station Gateway' to provide an improved 'arrival point' into the town centre, wider public realm improvements, the creation of new public squares as focal points for activity and providing more opportunities for living in and around the town centre. In Whitby, key projects include public realm enhancements, improving east-west connectivity (connecting the Cinder Track to the town centre through Pannett Park), renovation of the old Town Hall and Market Square, and the construction of a 'Maritime Academy' at Endeavour Wharf.

2.21 The Borough Council is also working collaboratively with Filey Town Council to develop a Masterplan for Filey. This work is ongoing, with an extensive community engagement exercise undertaken in spring/summer '22 to ascertain views on a range of potential projects that were

2 Vision, Aims and Objectives

suggested through earlier rounds of consultation. At this stage (prior to the adoption of the Masterplan), suggested town centre projects focus on improving connectivity, accessibility and facilities (particularly for young people).

Education and Skills

2.22 Overall, levels of educational attainment are lower than the regional and national averages. The latest figures (ONS annual population survey, NOMIS) show that the proportion of residents who are qualified to a level equivalent to NVQ4 (Degree level) and above is 31.2% which is also substantially lower than the regional and national averages of 37.3% and 43.1% respectively. In respect of attainment at secondary level the average scores through Progress 8 and Grades 5 or above in English & Maths are below that of the England and North Yorkshire average. Whilst Scalby School is classified as above average the majority of schools are classified as well below average.

2.23 The Borough Council has been active in trying to promote the continued improvement of skills within the resident population. Most recently, it has worked to secure the development of a University Technical College (UTC) and a new University Campus in Scarborough. The UTC, which was in part driven by local businesses, provides young people aged between 14 and 18 with skills relevant to manufacturing and other industries. The new University Campus provides access to further education for people aged 18 and over. Not only will these schemes provide people with significant opportunities to enhance their skills, thereby enabling them to enter the labour market and progress within it, it will also provide businesses with the skilled employees they need, enabling them to be more competitive and helping to build a stronger local economy.

Accessibility and Transport

2.24 As previously highlighted, the connectivity of the Yorkshire and Humber coast sub-region is affected by relative remoteness and peripherality. There are, however, important interdependencies and connections with the cities of York and Hull and, especially in the case of Whitby, with the Tees Valley City Region.

2.25 The most important regional link is the road and rail corridor of the A64 and Trans-Pennine rail link. The Trans-Pennine line provides an hourly service direct to York (the Yorkshire region's most popular tourism destination with east coast main line connections to London), Leeds (the region's economic hub), Manchester (including Manchester Airport) and Liverpool with plans to increase the regularity of this service.

2.26 Northern Trains connect Scarborough and Filey with Bridlington, Hull and Sheffield. Recent changes to the timetable have allowed commuters the ability to access Scarborough centre as early as 6:47am opening up greater choice for public transport in the south of the Borough. The scenic Esk Valley railway runs from Whitby to Middlesbrough. The limited frequency, particularly in early mornings and evenings, along with journey times render it more popular with tourists than commuters. The Esk line encourages linked trips between villages in the North York Moors National Park and Whitby and performs an essential role bringing secondary school pupils from the outlying villages. The North Yorkshire Moors Railway runs from Whitby to Pickering via Grosmont, and is a major tourist attraction.

Vision, Aims and Objectives 2

2.27 Bus services access the towns and villages and link Scarborough and Whitby with Middlesbrough, York, Leeds and Hull.

The Special Character of the Towns, Villages and the Surrounding Landscapes

2.28 A wide range and number of archaeological sites and historic buildings and areas form an important part of the Borough's heritage. Scarborough is the key coastal settlement. To the north of Scarborough, settlements are limited to mainly small fishing villages and the historic town of Whitby. Situated to the south is Filey with its historic Edwardian terraces set back from the seafront.

2.29 There are over 1,000 Listed Buildings in the Scarborough Borough Local Plan area which represent an important part of the areas historic and architectural heritage. Listed Buildings are classified as Grade I, II* or II. Buildings listed as Grade I or II* are considered to be of outstanding interest. The Local Plan area also contains 28 'Conservation Areas', that is areas of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. An ongoing challenge in seeking the preservation or enhancement of heritage assets is presented with the proposed levels of growth within the Plan and how the long term future of assets can be safeguarded.

2.30 In addition to their natural and landscape value, the Borough's expansive areas of countryside and coast are also important recreational assets that provide opportunities for pursuing informal activities such as walking and cycling. These opportunities are further promoted by the proximity to the routes and assets that are available in the North York Moors National Park. The Borough also has a network of footpaths and cycle ways, including parts of the Cleveland Way long distance footpath, the Coast-to-Coast walking route and the 'Moor to Sea' and North Sea Cycle Routes.

Environmental Issues and Constraints

2.31 Scarborough and particularly Whitby are adjoined by an area of landscape protection in the shape of the North York Moors National Park and their development has been significantly influenced by this and local topography. There are a number of other villages ⁽¹⁰⁾ that either extend into, directly adjoin or are located in close proximity to the National Park, where opportunities for development could potentially be limited by the nationally designated landscape. The land to the south of Scarborough forms part of an extensive archaeological landscape which stretches along the length of the Vale of Pickering. This area exhibits evidence of continuing human habitation and activity from the early Mesolithic period through the Roman period, and up to the present day. In the area to the south of Cayton, there is a high likelihood of waterlogged archaeological deposits with organic preservation. Based upon the understanding gained during excavations and through accumulated research work across the Vale of Pickering, there is a high probability that many of the remains will be of national importance.

¹⁰ Including Burniston, Cloughton, East and West Ayton, Ruston, Ruswarp, Sandsend, Sawdon, Scalby (part of the Scarborough Urban Area) and Sleights.

2 Vision, Aims and Objectives

2.32 There is also the announcement that the Wolds to the south of the Borough and extensively in the East Riding of Yorkshire is to be considered for designation as an Area of Outstanding Natural Beauty (AONB). This is at an early stage and the exact delineation of the AONB is not yet known but this will be a significant consideration in terms of development in certain parts of the borough that are within or adjacent to this proposed protected landscape.

2.33 In the south of the Local Plan area, Filey and Hunmanby are less confined by topography but the former has constraints to development in terms of flood risk, drainage and waste water treatment capacity. The town has recently seen the recent installation of the Filey Flood Alleviation Scheme to address previous issues of surface water flooding.

2.34 Much of the area extending from Cayton to Osgodby and west as far as Ruston and Sawdon extending northwards into the National Park is defined as being within groundwater Source Protection Zones (SPZ) as identified by the Environment Agency. SPZ's are used to identify those areas close to drinking water sources where the risk associated with groundwater contamination is greatest. This can constrain certain types of development activity and adequate protection is therefore necessary to demonstrate that any risk to public water supply arising from development can be successfully mitigated.

2.35 The Water Framework Directive (WFD) aims at protecting and enhancing the quality and ecological status of waterbodies. The WFD determines the current ecological status of surface waterbodies and actions required to ensure good status. The aim is for all waterbodies to achieve good status. The area's bathing waters are included within the WFD as being protected areas.

2.36 Coastal erosion remains a very significant issue in some parts of the area covered by the Local Plan. The Shoreline Management Plan (SMP) 2007 sets out the overall approach to coastal defence for a significant stretch of the north east coast of England including all of the coastline of the Borough. The SMP is currently being updated and the Local Plan includes a policy on Coastal Change Management Areas.

2.37 Some coastal areas are also at risk of flooding from the sea, especially along Scarborough and Whitby Seafronts and close to the River Esk in Whitby. In the Filey area, there has historically been flood events attributed to groundwater / overland flow and this has resulted in the installation of the Filey Flood Alleviation Scheme. Flooding from groundwater and overland flow has also been reported along the northern base of the Yorkshire Wolds.

2.38 Given the above referred to natural and topographical constraints, the availability of sites for development is, to some extent, limited in number. The previous Local Plan identified a strategic development site to the south of Cayton (Policy SGA 1) and this allocation is progressing and remains in the review of the Local Plan. Although the site identified has a high likelihood of archaeological remains of potential national importance, it was considered to represent the most sustainable and best option to deliver a substantial amount of housing to meet the future housing needs of the Local Plan area and progress has been made with the delivery of the allocation. The site is well located having excellent links to employment and other services through a choice of sustainable transport means. The decision to take this site forward was not done so lightly and was done with the understanding that it sits within an area of extensive archaeological landscape that stretches across the Vale of Pickering. Within the Ryedale part of the Vale of Pickering, the archaeological remains lie within open countryside and, therefore,

Vision, Aims and Objectives 2

are less likely to be affected by future development proposals. The proposed allocations of the sites in Scarborough, will result in the loss of only a small proportion of a much larger archaeological resource. Historic England agreed that it was acceptable to allocate land in these areas provided that any development proposals are informed by a robust archaeological assessment which will help further knowledge and understanding of the Vale of Pickering.

The Availability of Land

2.39 The ability to identify land for development is limited by topography, the coast and the national designation of the North York Moors National Park.

2.40 There is also a limited amount of identifiable previously developed, so called 'brownfield' land. This has supplied the Local Plan area with a steady supply of sites over recent decades, however, the number of sites available or identifiable is diminishing and the contribution has reduced over recent years. The towns do not have vast tracts of derelict land or former industrial sites that larger towns and cities tend to exploit. As such, growth will require some outward expansion into greenfield areas and the fringes of settlements. Notwithstanding this, wherever possible, the Local Planning Authority will prioritise the use of 'brownfield' land in urban and other accessible locations for development.

Scarborough Borough in 2040: Vision, Aims and Objectives

2.41 The Borough Council has, following extensive public engagement, published its ambitions for the future of the Borough with its latest Corporate Plan 'Better Borough, Brighter Futures'. It seeks to build back better following the unprecedented impact on all communities following the Covid-19 pandemic. The Local Plan should therefore seek to align with the aims and objectives of that plan thereby representing the views and needs of the local community. The Local Plan is also one of the main opportunities to help deliver on this ambitious programme and be an important cog in the recovery of the Borough. The priorities set out within 'Better Borough, Brighter Futures' which will be reflected in the Local Plan's vision, aims and objectives are:

- Better Lives (healthy, engaged and safe communities);
- Better Homes (good quality homes for all);
- Better Places (clean, green environments, vibrant town centres and vibrant culture and heritage); and
- Brighter Futures (economic growth and a well connected borough).

2.42 The peripherality which some have viewed as a constraint actually results in the towns being more self-sufficient in terms of employment and the availability of a diverse retail offer, leisure and cultural opportunities. The local population also directly benefit from the various attractions on offer for visitors. A variety of events ranging from theatrical and music productions and festivals to tourist attractions including the Sea Life Centre, Open Air Theatre and the indoor water park are available for visitors and residents alike.

2.43 Notwithstanding the above, there remains substantial challenges. Whilst employment opportunities are generally good and have improved with opportunities including the Potash Mine and the Skills Village there is a need to continue to aim to improve the quality of

2 Vision, Aims and Objectives

employment. High levels of seasonal and low-paid employment exist, a direct consequence of being a popular tourist destination. There is also the related issue of housing and the need to ensure access to a decent and affordable home for all. The low wage economy directly impacts on the ability of residents to afford to move on to the 'property ladder'. Aligned to this is the issue of second home ownership and holiday lets and the direct correlation with high property values in sought after locations. There is therefore an overriding need to address housing affordability and ensure that the delivery of affordable housing is prioritised over the Local Plan period.

2.44 A further significant challenge is addressing the ageing population; both in terms of meeting the needs of an older population and trying to re-balance the age structure. The UK's population is ageing, however, the draw of the coast and the lifestyle it offers for retirees further exacerbates the problem in this area. There is therefore a need to plan accordingly to ensure that both appropriate housing and health infrastructure is available including accessible/adaptable homes, extra-care and specialist accommodation. The creation of a healthy economy and the potential growth of new employment sectors will encourage inward migration of the economically active and the retention of the younger population who have generally left the area to progress careers. This results in the need for an ambitious growth strategy for the housing market above that identified by the Government's Standard Method to meet the needs of an increasing population specifically for the young and economically active.

2.45 Our vision therefore seeks to reflect the 'Better Borough, Brighter Futures' document and build on what is good about the area today and what we should aim to address and improve by 2040, including those issues referred to above. There has been a strong relationship between the development of the Better Borough, Brighter Futures: Corporate Plan and the Local Plan. The Local Plan will shape new development and provide opportunities for private and public investment in a way which contributes to the needs and aspirations of the community. The relationship between the two documents is reflected in the vision; shown below.

Local Plan Review: Overview of Changes to The Vision

The vision remains generally suitable for the review of the Local Plan but sees small amendments to refer up front to the climate change agenda, improving conditions for biodiversity and the expectation of a step up in the quality of new developments as enshrined in the NPPF.

Vision, Aims and Objectives 2

The Vision .

The Vision

“In 2040, our communities will be dynamic, vibrant and prosperous places. Addressing climate change and its implications will be at the heart of all decisions. New development will have seen an uplift in terms of its design quality; both in terms of its aesthetics and its sustainability. Providing well connected and accessible green environments and increasing opportunities for biodiversity to flourish through developments will be the norm.

The economy will have developed, continuing to build on the historic reputation of the area as a tourism powerhouse and diversifying into new economic sectors. The growth in the economy will lead to more balanced communities and a growth in the younger population remaining or being attracted to the area through a greater choice in homes and job prospects. They will also benefit from more diverse town centres with vibrant retail, leisure and entertainment offerings.

Scarborough and its environs will see the delivery of significant new housing development and a Business Park to support an expanding economy and workforce. Whitby will continue to be a thriving historic town attracting visitors worldwide whilst growing sustainably to accommodate the demands of new employment opportunities within and close to the town. Filey will retain its charm as a seaside resort and function as a main service centre for the southern area.

The larger villages will act as hubs, providing the service needs of surrounding areas, with these villages having the opportunity to grow in a proportionate and sustainable manner to meet the needs of local people.

Beyond the towns and villages, the area as a whole will retain its landscape setting including its important visual interaction with the North York Moors National Park, the Wolds (including any future designated Area of Outstanding Natural Beauty), Vale of Pickering and the marine environment.

This growth will have been delivered in a sustainable manner, with a visible uplift in the quality of the design of the built environment with good quality homes for all, whilst also ensuring the retention of important historic assets and characterful countryside that benefits the quality of life of local residents and boosts the economy by continuing to attract many visitors.

2.46 Building on this vision, the Local Plan sets out the further aims and objectives. The aims of the Local Plan are derived from the issues identified that the area currently faces. These aims provide the basis for the objectives and policies that have been developed and align with the ambitions of the Better Borough, Brighter Futures: Corporate Plan. These aims and objectives cut across many themes or areas and should not be considered in isolation of one another.

2 Vision, Aims and Objectives

Local Plan Review: Overview of Changes to the Aims

In the main the Aims of the Local Plan remain suitable for rolling forward with some additions to reflect the ambitions of the Borough Council as set out in its Corporate Plan. As per the vision this again includes references to improving biodiversity, stepping up the quality of development and being explicit that housing development should meet the needs of all members of our community; a reference not only to the different demands of tenure types but also to the ambitions of the Council to improve the accessibility and adaptability of the homes we provide.

Aims of the Local Plan .

To achieve the vision in a sustainable manner, support will be given to achieve the following aims:

Aims
<ul style="list-style-type: none"> • To minimise the impacts of the built environment on climate change and mitigate associated localised impacts and facilitate a net gain in biodiversity;
<ul style="list-style-type: none"> • To uplift the quality of the design of new development both in respect of the aesthetic qualities of buildings and places and their sustainable credentials;
<ul style="list-style-type: none"> • To concentrate development within and adjacent to the main settlements along the coast;
<ul style="list-style-type: none"> • To facilitate the delivery of a range of housing to meet the needs of all people within our communities;
<ul style="list-style-type: none"> • To support growth and diversify the economic base including the rural and marine economy;
<ul style="list-style-type: none"> • To recognise and build upon the tourism opportunities the area offers in respect of its unique position having easy access to both the coast and the countryside (including the North York Moors National Park);
<ul style="list-style-type: none"> • To minimise the use of resources and to safeguard, enhance and realise the potential offered by the natural, built and historic environment;
<ul style="list-style-type: none"> • To safeguard and reinforce the distinctive character of the various settlements;
<ul style="list-style-type: none"> • To make best use of existing infrastructure and secure new or improved infrastructure where required;

Vision, Aims and Objectives 2

Aims

- To build upon the excellent opportunities for communities to access good quality open space for recreational and reflective purposes and to increase opportunities for participation in sport and health benefiting activities;
- To enhance accessibility and connectivity to and from key services, between settlements and outside of the Borough.

2.47 The Local Plan has a major role in helping to achieve these aims. It helps to shape the physical environment of the Local Plan area and the strategic pattern of transport within it. The following set of specific spatial objectives influence key policy areas in the Local Plan, any subsequent planning documents and the determination of planning applications. They fall under five topic areas in accordance with the updated Sustainability Appraisal Objectives from the Sustainability Appraisal Scoping Report 2020. These being; economic activity, community / health, land use and development patterns, environmental protection and resource use and climate change.

Local Plan Review: Overview of Changes to the Objectives

Following through from the Vision and Aims, the Spatial Objectives again highlight a small number of changes that revolve around housing needs and uplifting design quality. It also acknowledges that we should be addressing health equality through planning.

Spatial Objectives .

Economic Activity

Objective 1: To improve, regenerate and achieve accessible thriving town centres ⁽¹¹⁾

Outcomes: The town centres will have provided vibrant and pleasant environments with access to a range of services including recreational and leisure opportunities to meet the needs of residents and visitors alike.

Relationship to Local Plan Policy: TC 1, TC 2, TC 3, INF 1, INF 4

¹¹ This objective can also cross into the 'Community / Health' sub-category as it could relate to the regeneration of town centres with residential development.

2 Vision, Aims and Objectives

Objective 2:	To support economic growth and build on the strengths and opportunities that exist within the Local Plan area including the rural and marine economy
Outcomes:	<p>The economy will have grown and diversified in all aspects, including expanded and productive business parks at Scarborough and Whitby that continue to play a key role in providing employment opportunities for local residents. The ability to access employment opportunities in and from the rural parts of the Local Plan area will also have been improved through the expansion of established businesses, the creation of new businesses to support the rural economy and a choice of sustainable transport methods that will be sought.</p> <p>The tourism industry will have continued to benefit from the range and quality of facilities available whilst having a greater emphasis on providing a year-round tourism product to benefit both residents and visitors. New facilities will have contributed towards diversifying the offer whilst protecting the intrinsic assets that make the area an attractive place to visit. The range of visitor accommodation will have been able to evolve in a changing market in order to continue to cater for the varied demographics of visitors and their aspirations.</p>
Relationship to Local Plan Policy:	EG 1, EG 2, EG 3, EG 4, EG 5, EG 6, EG 7, TOU 1, TOU 2, TOU 3, TOU 4, TOU 5, ENV 6, INF 4
Community / Health	
Objective 3:	To deliver a sufficient supply of land to meet the requirement for housing
Outcomes:	A range of housing sites will have been made available to ensure that housing delivery meets identified local needs through the provision of over 6300 new dwellings between 2023 and 2040. These will have been concentrated within the towns focusing growth in the Scarborough Urban Area with a mix of house types and tenures.
Relationship to Local Plan Policy:	HC 1, HC 2, HC 3, HC 4, HC 6, HC 7, HC 8
Objective 4:	To promote and deliver healthy, inclusive and sustainable communities and neighbourhoods
Outcomes:	Accessible, attractive, safe, healthy and locally distinctive new housing developments will have been delivered offering a good quality of life and a sense of community and place. The community

Vision, Aims and Objectives 2

	will have good access to education, health, recreational and cultural opportunities and day to day shopping requirements without travelling excessive distances. A choice of sustainable transport methods to meet wider needs will have been sought.
Relationship to Local Plan Policy:	HC 2, HC 3, HC 4, HC 5, HC 6, HC 7, HC 8, HC 9, HC 10, HC 11, HC 12, HC 13, HC 14, HC 15, HC 16, TC 4, INF 3, INF 4, INF 5, SGA 1
Objective 5:	To enhance the areas recreational offer including access to green spaces, play and sporting facilities
Outcomes:	New developments will have delivered a high-quality, connected network of green infrastructure, including through the provision of green spaces, play and sport facilities that not only meet locally generated needs but have also helped to address previous deficiencies in terms of the quantity, quality and accessibility of provision.
Relationship to Local Plan Policy:	HC 15, HC 16, ENV 9, INF 4
Land Use and Development Patterns	
Objective 6:	To ensure the provision of required infrastructure and services so that development is delivered in a planned manner
Outcomes:	Development sites will be well connected and accessible by various modes of transport including sustainable options. Mechanisms will have been in place to deliver any infrastructure and services required by individual or cumulative developments.
Relationship to Local Plan Policy:	SH 1, DEC 2, INF 1, INF 2, INF 3, INF 4, INF 5
Objective 7:	To promote good design that reflects and, where appropriate, reinforces the distinct local character of the coastal towns, rural villages and rural hinterland.
Outcomes:	The towns and other settlements will have grown in a sustainable manner and incorporated good quality design attributes both in terms of visual appearance and sustainable construction techniques. Development will have respected, but not necessarily replicated, the distinct local characteristics of the area in which it is situated. Increased expectations for an uplift in design quality,

2 Vision, Aims and Objectives

	<p>and the adopted national and local design codes will ensure that the area remains not only distinctive but has added new and interesting layers to the design palette of the area.</p> <p>Development opportunities will also have been progressed in a manner which utilises land efficiently without compromising quality and amenity.</p>
Relationship to Local Plan Policy:	DEC 1, DEC 3, DEC 4, HC 5, SGA 1
Environmental Protection	
Objective 8:	To protect, conserve and enhance local character including the built, natural and historic environment including biodiversity, townscapes, the coast and countryside of both this area and the adjoining authorities including the protected landscapes of the North York Moors National Park.
Outcomes:	<p>The extensive and varied built, natural and historic character will have been reinforced through utilising its strengths and opportunities. The protection, conservation and where possible enhancement of designated and non-designated assets will have ensured the enjoyment of these assets is safeguarded for the long-term. This includes a reflection of the role these assets play in the areas character whilst also exploring how they can further contribute towards the economic regeneration, tourism and education of the area.</p> <p>Through safeguarding and maintaining important natural areas with existing trees and hedgerows being supplemented by additional green areas and planting in new developments, the natural environment will have flourished resulting in a net gain in biodiversity.</p> <p>The protection, conservation and enhancement of designated and non-designated assets of the Local Plan area and the fringes of the National Park remain intact with outward expansion of the towns being concentrated in areas of landscape less sensitive to change.</p>
Relationship to Local Plan Policy:	DEC 5, DEC 6, ENV 4, ENV 6, ENV 7, ENV 8, ENV 9, INF 4
Resource Use and Climate Change	

Vision, Aims and Objectives 2

Objective 9:	To promote the efficient use of resources, adapt to climate change and reduce environmental risks wherever possible.
Outcomes:	<p>The proportion of energy secured from renewable sources will have been increased and developments will have been built to a higher standard of energy and resource efficiency. This in turn will have resulted in reduced carbon emissions from all new developments.</p> <p>The effects of climate change and implications associated with environmental risk, including flood risk, drainage and coastal erosion, will have been minimised and mitigated. The risks associated with groundwater contamination, poor air quality and surface water disposal have been fully addressed through appropriate development and the implementation of any necessary mitigation measures.</p> <p>Water resources are used efficiently and the quality and ecological status of waterbodies will have achieved "good" status in line with the Water Framework Directive. In accordance with the waste hierarchy, sustainable waste management measures will have been implemented.</p>
Relationship to Local Plan Policy:	ENV 1, ENV 2, ENV 3, ENV 4, ENV 5, DEC 1, DEC 2, INF 1, INF 4

2.48 The policies in this Local Plan contribute to the Vision, Aims and Objectives. A monitoring framework has been developed to help us manage and monitor performance against these objectives. This is set out in Section 11: Monitoring Framework.

2 Vision, Aims and Objectives

Sustainable Development 3

3 Sustainable Development

3 Sustainable Development

Presumption in Favour of Sustainable Development

3.1 The National Planning Policy Framework (NPPF) states that local plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.

Local Plan Review: Overview of Changes to Policy SD1

No changes are proposed to Policy SD1.

Strategic Policy SD 1

Presumption in Favour of Sustainable Development

When considering development proposals the Local Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Proposals that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be permitted without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Local Planning Authority will grant permission unless material considerations indicate otherwise – taking into account whether

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework and National Planning Policy Guidance taken as a whole; or
- specific policies in that Framework indicate that development should be restricted.

3.2 The NPPF introduced the ‘presumption in favour of sustainable development’, and Policy SD1 enshrines this principle within the Local Plan. It is important to note that the NPPF and online National Planning Policy Guidance (NPPG) as a whole represents the Government’s view as to what constitutes sustainable development, and therefore all proposals will be judged against the contents of this Local Plan and national policy. The Borough Council will seek to make its planning decisions in an efficient and timely manner, and in this regard it is essential

Sustainable Development 3

that all planning applicants provide the information necessary to support proposals, both in terms of technical evidence and demonstrable early engagement with all parties with a stake in the planning process.

3.3 The Borough Council will ensure it has readily available guidance on the planning application validation process, including the nature of information needed to support different types of planning applications, and advice on pre-application engagement, reflecting the sentiments of the NPPF, which stresses the importance of 'front-loading' the planning application process.

3 Sustainable Development

The Settlement Hierarchy 4

4 The Settlement Hierarchy

4 The Settlement Hierarchy

4.1 There is a need to make clear 'spatial' choices for the distribution of new development across the Local Plan area, thereby reflecting and supporting the specific roles and functions of different communities, helping “place-shaping” and ensuring that they are linked by sustainable patterns of transport. Failure to respect the scale and function of places can lead to inappropriate development and result in unsustainable patterns of transportation, loss of environmental quality and local character, reduced economic prosperity and be a barrier to social inclusion and the creation of balanced communities.

Local Plan Review: Overview of Changes to Policy SH1

Whilst no changes are proposed to Policy SD1 itself, amendments to the Settlement Hierarchy Statements and supporting text are to reflect the Borough Council's 'Blueprints' for Scarborough and Whitby.

Strategic Policy SH 1

Settlement Hierarchy

The broad distribution of development in the Local Plan area will be shaped by the role and function of places, based on the following hierarchy of settlements:

- a. Scarborough Urban Area (including Scalby, Newby, Osgodby, Eastfield, Crossgates and Cayton);
- b. Whitby (including Ruswarp);
- c. Filey;
- d. Service Villages: Burniston, East and West Ayton, Hunmanby, Seamer⁽¹⁾, Sleights⁽²⁾ and Snainton; and
- e. Rural Villages: All other villages with defined Development Limits.

In meeting the objectives for each level of the settlement hierarchy, development should not compromise the ability to meet the objectives for other tiers in the hierarchy.⁽³⁾

Only those places with defined Development Limits are classified as settlements for the purposes of this Policy. All areas outside the Development Limits are to be regarded as 'countryside'. The Development Limits are defined on the Policies Map.

4.2 A settlement plan is shown overleaf and the detail on how the settlement hierarchy will be delivered at a local level thereafter.

1 including Irton

2 including Briggswath and Eskdaleside

3 For example, development in a Rural Village should not be to the detriment of the role and function of a Service Village.

The Settlement Hierarchy 4

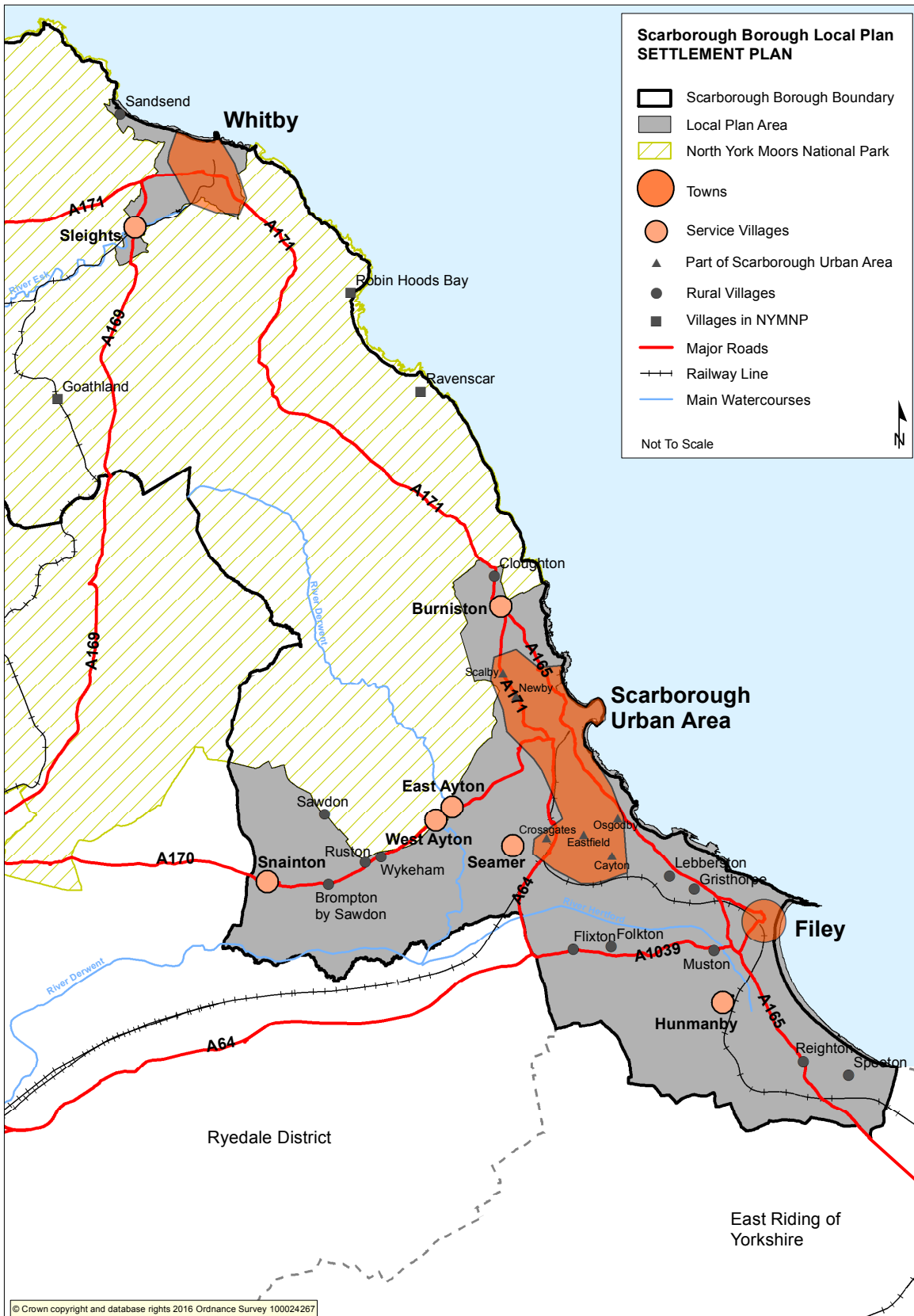


Figure 1 Settlement Plan

4 The Settlement Hierarchy

Settlement Hierarchy Statement 1

Scarborough Urban Area (including Scalby, Newby, Osgodby, Eastfield, Crossgates and Cayton)

Scarborough Urban Area will be the main centre on the North Yorkshire coast and the prime focus for housing, employment, shopping, leisure, education and health facilities along with cultural activities. In seeking to deliver the plan's spatial objectives at a local level, development should

- a. enhance Scarborough Urban Area's role as the 'Principal Town';
- b. deliver a range of modern housing and employment premises;
- c. develop a strong sense of place with well designed buildings and public realm within a clear framework of routes and spaces;
- d. create and improve networks, corridors and areas of green infrastructure, including the urban fringe, to enhance biodiversity and opportunities for recreation;
- e. strengthen the identity and role of Scarborough town centre through the appropriate diversification of uses and delivery of key regeneration projects;
- f. improve public transport systems and services and increase opportunities to travel by means other than the private car; and
- g. safeguard and, where appropriate, enhance the distinctive character of the town, its legacy of historic buildings and its natural environment.

4.3 Scarborough Urban Area is the main centre for higher level services and job opportunities within the Borough and the wider coastal area. Scarborough's role will be enhanced over the period of the Local Plan, acting as the focus for growth and where the majority of new development is to take place. A strategy that delivers growth in Scarborough provides opportunities to address many of the issues currently facing the area.

4.4 Scarborough's population is around 60,000, which makes it by some distance the largest centre of population on the coast between Teesside and The Humber. It acts as the administrative centre for the Borough, has a University campus (forming part of Coventry University) and is the home of Scarborough Hospital. Public sector employment in the immediate Scarborough area is around 29% of the local workforce. Whilst in absolute numbers the public sector may shrink over coming years (and there will be a pressing need to create the environment in which the private sector can seek to expand and 'fill' the gap), a significant administrative role is likely to remain.

4.5 By delivering a greater number and wider choice of housing together with a broader range of services, shops and community facilities, Scarborough can become a place where people of all ages and circumstances increasingly want to live. This is crucial to the future prosperity and sustainability of the area, as it is essential to look to intervene in the projected demographic trends which point to a significantly ageing population.

The Settlement Hierarchy 4

4.6 In order to secure a prosperous future for the Scarborough Urban Area there is a pressing need to diversify the economic base, building on the creative industries and providing alternatives to the traditional tourism and fishing industries to secure quality year round employment opportunities. To achieve this aim it is essential that a range of sites and premises where economic development can take place are provided, both to encourage investment in and the development of existing local businesses, and to attract new investment into the area. Tourism remains an important element of the local economy, and the challenge is to provide a policy framework that can produce a tourism product that meets modern day expectations, enabling the town and its residents to benefit from the visitor economy year round.

4.7 Scarborough town centre is the central hub for services and facilities within the Borough. The Local Plan seeks to maintain and enhance its importance, recognising that a diversification in uses is required to ensure long-term resilience, vitality and viability. The delivery of transformative regeneration projects identified in the Scarborough 'Blueprint' will play a key role in diversifying and improving the town centre 'offer'.

4.8 In addition, new public transport links with surrounding communities should be supported in order to promote the town centre as an attractive, modern and accessible consumer destination for all residents and visitors to the area including those without access to a private car. An efficient public transport system and opportunities for access through walking and cycling will therefore be required. In addition to improving accessibility within the urban area itself, transport connections with other locations and settlements should be reinforced including with the district and neighbourhood centres (Eastfield, Falsgrave and Ramshill) that provide essential facilities for local communities. The role of these centres will be protected.

4.9 Each individual element of growth must be delivered in an integrated manner and in a way that respects, protects and enhances the distinctive historical character and natural environment of the Scarborough Urban Area. In particular, new development should positively contribute to the sense of place through well designed buildings, a high quality public realm and accessible and attractive areas of 'green' space. These principles for development are particularly important in areas that would benefit from physical, social and economic regeneration such as Eastfield and certain inner areas of Scarborough town itself.

Settlement Hierarchy Statement 2

Whitby (including Ruswarp)

Whitby will be the focus for housing, employment, shopping, leisure, education, health and cultural facilities in the northern part of the Borough, where development should respond to local needs and reflect and enhance the high environmental quality and historic character of the town. In seeking to deliver the plan's spatial objectives at a local level, development should

- a. support Whitby's role as a historic town, managing the consequent demands arising from being a major visitor destination;
- b. deliver a range of modern housing that helps to meet local needs as far as possible;

4 The Settlement Hierarchy

- c. deliver an enhanced role as a service and employment centre to its surrounding rural hinterland, capitalising on emerging economic drivers;
- d. improve accessibility to and from surrounding settlements by public transport;
- e. improve the town's function as a hub for transport services and interchange and increase opportunities for walking, cycling and riding within the surrounding countryside;
- f. protect, and where possible enhance the role of the town centre; and
- g. achieve a high standard of design alongside a pattern and scale of development that reflects and enhances local character, distinctiveness, heritage and the town's relationship with the surrounding landscape.

4.10 As a centre for economic and social activity, providing key services and facilities for its own population, the Esk Valley and beyond, Whitby acts as the principal settlement in the northern part of the Borough. The Local Plan seeks to protect and enhance this role.

4.11 Whitby has long standing links with the Tees Valley and in the past this resulted in pressure for residential development. In the 1980's, economic decline in Teesside brought unemployment problems to the town. The renaissance of the town in recent years has seen a turnaround in its fortunes.

4.12 Over recent decades Whitby has flourished as an important tourist destination at a local, national and international level; building upon its outstanding cultural and environmental assets. The need to protect and enhance assets such as the town's rich built heritage and its landscape setting and interaction with the North York Moors National Park, means that opportunities for development must be carefully assessed in order to maintain the character of the town and its surroundings. The Local Plan places great emphasis on seeking to meet particular development needs in order to ensure that the town and its residents can prosper in ways that maintain its unique character.

4.13 Factors such as rising house prices and a proliferation of second-home ownership have lead to a significant level of need for affordable housing within the town. These needs cannot be ignored, and as a result new development should focus on helping to meet local needs as far as possible, for example by ensuring an appropriate mix of new housing and maximising the provision of affordable homes.

4.14 The Local Plan also has a role to play in helping to facilitate the delivery of transformative projects identified in the Whitby 'Blueprint', including; public realm enhancements and the creation of high-quality arrival points ('gateways') into the town centre, improving connections between the Cinder Track and the town centre as a sustainable route for pedestrians and cyclists, refurbishment of the Old Town Hall and Market Square, and the delivery of a 'Maritime Academy' at Endeavour Wharf.

Settlement Hierarchy Statement 3

Filey

The Settlement Hierarchy 4

Filey will be enhanced as a place that provides services in the southern part of the Borough, where development should meet local needs and maintain the distinctive character of the town. In seeking to deliver the plan's spatial objectives at a local level, development should

- a. recognise and reinforce the town's joint role with Hunmanby in providing services in the southern part of the Borough and the wider area;
- b. maintain the town's distinctive 'seaside resort' character;
- c. retain and improve local services and facilities, and promote accessibility by means other than the private car; and
- d. secure an appropriate mix of new housing, an element of which will help to meet locally generated housing needs.

4.15 The settlements of Filey and Hunmanby have a shared role in providing services, facilities and employment opportunities in the southern part of the Borough. Their individual and complementary roles should be safeguarded and enhanced. However, whilst they perform a shared role, they are individual settlements with distinctive characteristics and new development must recognise this.

4.16 Over the years Filey has retained its "seaside resort" character and is an important tourism asset. It is essential that its Victorian seaside character and natural setting are protected, whilst also delivering a level of housing to meet local needs and a more diverse and higher quality tourism offer.

4.17 The emerging Filey Masterplan (being developed by collaboratively by Scarborough Borough Council and Filey Town Council) identifies a range of potential projects to support and improve the quality of life for local people, to support businesses and to better manage and improve the experience of visitors. The Local Plan again has a role to play in facilitating the delivery of these projects.

Settlement Hierarchy Statement 4

Service Villages: Burniston, East and West Ayton, Hunmanby, Seamer and Irton, Sleights (incorporating Briggsath and Eskdaleside) and Snainton

Burniston, East and West Ayton, Hunmanby, Seamer, Sleights and Snainton will be maintained as local centres that offer a range of facilities and services, where a level of development will meet local needs and facilitate the economic diversification of rural areas. Development should safeguard and reinforce the distinctive character of each settlement and not detract from their landscape setting. New employment opportunities will be provided in the south of the Borough through the expansion of Hunmanby Industrial Estate.

4.18 Service Villages are those that provide a core set of essential services for local communities. They must contain a primary school, village/community hall and a convenience store. In addition, they must also contain a range of other facilities, including at least two of the following; other convenience store (butchers, bakers, etc.), other local services (banks, libraries,

4 The Settlement Hierarchy

comparison stores), doctor's surgery, employment units, public house, place of worship and an area of open space. It is also essential that they are well connected to the higher service centres (towns) by public transport. The villages of Hunmanby, Burniston, East and West Ayton, Seamer⁽⁴⁾, Sleights⁽⁵⁾ and Snainton were shown to meet these criteria.

4.19 Given that the Service Villages are shown to contain essential facilities and services, they are considered to be locations where small-scale development opportunities may be acceptable. As centres for activity in the rural area, Service Villages can also play a role in providing small-scale employment opportunities outside of the traditional rural industries. Developments that enhance this role should be supported.

4.20 In the case of Seamer and Sleights, the Service Village designation also includes their adjoining settlements. However, this does not mean that Irton (Seamer), Briggswath and Eskdaleside (both Sleights) will have to accommodate a greater level of development as a result of this designation. These settlements have distinct characters (from the wider Service Village) and in the absence of suitable development sites, this character should be retained.

4.21 While settlements may have joint roles in terms of their function, they may also have separate and distinct characters that require different approaches towards new development. As previously stated, it should be recognised that the position of a settlement within a certain tier of the hierarchy does not mean that it will have to accommodate a certain level of growth in the absence of suitable development sites. This particularly pertains to villages that may be classified as a Rural Village when considered in isolation, but is grouped together with a Service Village when considered in its wider functional context.

4.22 Hunmanby is the largest of the Service Villages and provides a number of key facilities and services within the southern part of the Borough. It has good public transport connections with Filey and Scarborough, with regular train and bus services. The village centre contains a range of shops which cater for day to day needs, whilst the industrial estate has delivered new employment opportunities for local residents over recent years. However, the village is considered to be reaching its natural and physical capacity and as such, new development opportunities will be limited.

Settlement Hierarchy Statement 5

Rural Villages: Brompton-by-Sawdon, Cloughton, Flixton, Folkton, Gristhorpe, Lebberston, Muston, Reighton, Ruston, Sandsend, Sawdon, Speeton, Wykeham.

The character of the Rural Villages, including their relationship to and setting within the surrounding countryside, will be protected and where possible enhanced. Development in these villages will make efficient and sustainable use of existing buildings and infill opportunities. On the edges of Rural Villages, housing development will meet clearly identified local needs, recognising that an element of open market housing may be required to deliver essential affordable units.

4 including Irton

5 including Eskdaleside and Briggswath

The Settlement Hierarchy 4

4.23 The Rural Villages are generally of a very small scale and offer limited, and in some cases no, service provision. Sustainable development opportunities within the defined Development Limits of these villages will be supported, including infill development and the conversion of existing buildings. New housing development on the edge of Rural Villages (outside the defined Development Limits) will be to meet local and other functional needs, i.e. through the delivery of 'exceptions sites' (affordable housing schemes), allowing for an element of open market housing where this helps the viability and deliverability of an exceptions site as a whole. Housing development that meets a functional need includes that which provides essential accommodation for those involved in land management or other countryside activities. The development of new services will be supported; however, the growth of Rural Villages as a sole means of generating additional demand for services will not be supported where such growth would have an adverse impact on the character of the village, or on the viability of a service in a nearby village.

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Principles of Good Design

Local Plan Review: Overview of Changes to Policy DEC1 and the Supporting Vision and Text.

The changes to Policy DEC1 reflect the increased prominence of design issues within the national policy arena, not least through the latest revisions to the National Planning Policy Framework (NPPF) but also through the publication of the National Design Guide (NDG) and National Model Design Code (NMDC). They also reflect the Council's new Residential Design Guide Supplementary Planning Document, which established - through a collaborative exercise with local town and parish councils and civic societies - a new "Design Vision" and associated set of "Design Objectives" that reflect locally important issues.

Further changes include; reference to the role of on-site landscaping in delivering the national 10% biodiversity net gain requirement, requiring new streets to be tree-lined (consistent with the NPPF), requiring applicable new retail developments to achieve a 'BREEAM' rating of 'Excellent', and requiring applicants to demonstrate how internal layouts meet varying accessibility needs.

Overall, the changes proposed are not significant but provide further clarity on the Council's design expectations and alignment with the national agenda. The more substantive changes (BREEAM 'Excellent' and biodiversity net gain) have been shown to be viable within the Council's 'Local Plan Viability Assessment'.

5.1 The National Planning Policy Framework (NPPF) states that *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and help make development acceptable to communities..."*.

5.2 The need to secure good design is embedded within the core approach of this Local Plan. Indeed, the Plan vision anticipates a *"visible uplift in the quality of the built environment"* by the end of the plan period, while specific aims and objectives seek to *"safeguard the distinctive character of the (Borough's) various settlements"* and to ensure that development *"adds new and interesting layers to the design palette of the area."*

5.3 Building upon the strategic aspects of the Plan, an overarching "Design Vision" and set of associated "Design Objectives" have been developed to communicate the Council's expectations and to inform the design of the built and natural environment. These are in turn reflected in the approach of policy DEC1 and other relevant policies where design choices can directly or indirectly influence the quality of development. It is also expected that these will be

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used as the starting point for the development of local design guides and design codes, including the "Residential Design Guide" Supplementary Planning Document (SPD) (adopted February 2022).

Design Vision

To create buildings, places and spaces that are attractive and diverse, accessible for all, green, sustainable and resilient, where our communities can be happy, healthy and safe.

Design Objectives

Building upon the Design Vision, the Design Objectives for Scarborough Borough are to create buildings, places and spaces that:

- A. Are attractive and distinctive, that improve the Borough's outstanding physical and natural environments, and that respect local heritage
- B. Are diverse, provide choice and variety, and meet the varying needs of our communities
- C. Are accessible for all, are well-connected and integrated into their surroundings
- D. Are green, through enhanced landscaping, planting of street trees, and the provision of functional and accessible green spaces
- E. Are sustainable, that respect natural habitats, are biodiverse and are energy efficient
- F. Are resilient to and minimise the impacts of climate change, including fluvial, coastal and surface water flooding
- G. Allow our communities to be happy, healthy and safe.

Strategic Policy DEC 1

Principles of Good Design

Good design will be expected in order to create buildings, places and spaces that are attractive and diverse, accessible for all, sustainable and resilient, where our communities can be happy, healthy and safe.

All development will be required to meet the following principles of good design by demonstrating, through the submission of appropriate information (including a Design and Access Statement where required)

- a. that an analysis of the constraints and opportunities of the site, surrounding area and the function of development has informed the design approach, including
 - i. that the proposal reflects the local environment and creates an individual sense of place with distinctive character;

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- ii. that the detailed design responds positively to the local context, in terms of its scale, form, height, layout, materials, colouring, fenestration and architectural detailing; and
 - iii. that the proposal has taken account of the need to safeguard or enhance important views and vistas, including the road and rail approaches to the Borough's resort towns of Scarborough, Whitby and Filey.
- b. that the layout, orientation and design of buildings (where these factors are not otherwise constrained) helps to reduce the need for energy consumption, and, how buildings have been made energy efficient thereby reducing carbon emissions from development;
 - c. that retail developments of over 200 sqm floorspace in identified 'Town Centres' (see policy TC 1 and the Local Plan: Policies Map) and all major retail developments of over 1000 sqm floorspace, achieve a BREEAM rating of 'Excellent';
 - d. that the proposal provides suitable and safe vehicular access and suitable servicing and parking arrangements;
 - e. how the internal layout of 'community facilities' and 'town centre uses' takes account of the accessibility needs of potential users, including those with disabilities, as identified through consultation with relevant organisations / groups⁽¹⁾;
 - f. that any elements of public realm have been designed to reinforce or complement the distinctive character of the local area and to ensure that they are attractive, safe and accessible to all, and that they are well connected to their surroundings, including through the provision of walking and cycling routes to and within the development to encourage their use;
 - g. that the use of on-site landscaping is maximised to help deliver Biodiversity Net Gain requirements in accordance with policy ENV 6, to enhance both the natural and built environment, and that existing features of interest are retained where possible;
 - h. that new streets are tree-lined, unless there are clear, justifiable and compelling reasons why this would be inappropriate.

Proposals will be permitted where it can be demonstrated that the principles of good design have been followed. In meeting the above, reference should be made to the Borough Council's relevant design guidance documents.

The Local Planning Authority will promote the use of design review where appropriate, particularly for major projects, to assist in the delivery of good design.

Understanding Context

5.4 The built environment is diverse; varying between the historic coastal towns of Scarborough, Whitby and Filey, the more modern sub-urban residential areas, the rural villages and buildings within the wider countryside and the open coastline. Given that development across these locations may require distinctly different design solutions, detailed design proposals should be based around an understanding of the opportunities and constraints presented by the site and the area in which the development is taking place.

1 Accessibility standards for residential buildings are covered by policy HC 5 (Technical Housing Standards)

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5.5 Developers will be required to carry out contextual surveys of the development site and surrounding area, which should be used to inform the design concept. Applicants should be able to demonstrate how - *through the submission of proportionate information* - the design solution has evolved from the initial contextual surveys and how the principles of good design have been applied to influence characteristics such as the function, scale, materials and detailing of development. To be clear, this process should not be seen as an impediment to design innovation; indeed, high-quality innovative design solutions that enhances local character will be encouraged.

Local Character

5.6 Natural and physical features such as the topography of an area, the pattern of streets and public spaces, the streetscene, the density of development, the scale and form of buildings and the materials used in construction all help to define local character and identity.

5.7 Local character and key features within the built environment, such as listed buildings and other heritage assets play a significant role in promoting economic and social prosperity by providing attractive living and working conditions. It is therefore essential that local character is safeguarded.

5.8 The design of new development should reflect and reinforce locally distinctive features, thereby contributing to the character of the surrounding area in a positive manner. In doing so, new development should not always seek to mimic existing development but be of its own time. The Local Planning Authority will encourage contemporary and innovative design solutions which enhance local character and distinctiveness.

5.9 The three principal settlements within the Borough – *Scarborough, Whitby and Filey* – all have their own individual characters, each shaped by the land on which they are built and reflecting the various roles they have fulfilled over time. The Council's Residential Design Guide SPD includes a high-level assessment of the constituent character (sub) areas that contribute to character at the settlement level. Given the nature of the assessment, the positive defining characteristics identified in the SPD can be used as the starting point for - *but not as a substitute for* - the previously described site and context surveys that applicants are expected to produce. For those areas that are also Conservation Areas, the corresponding Conservation Area Appraisal should provide more details on positive or negative characteristics for applicants.

5.10 Scarborough's skyline is dominated by a number of prominent features; including Olivers Mount, the castle headland and the Grand Hotel. The latter two of these characterise two distinct periods of time within the town's history. The oldest parts of Scarborough are within the South Bay area, close to the castle headland, where the existing street pattern generally follows the pre-existing mediaeval street layout, using the terraces that were formed to make development possible on the steep-sloping land. The town expanded substantially from the mid 17th Century onwards, firstly as a spa resort and then as a seaside resort (the first of its kind in Britain). Significant levels of development within the Victorian period left a strong legacy within the built environment, which is still prevalent in Scarborough's present day townscape; creating the town's seaside resort character.

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5.11 The origins of Whitby can be traced back to when St. Hilda's Abbey was founded in 657 AD. The Abbey, which sits high upon East Cliff, dominates the skyline and can be seen from miles around. Whitby developed primarily on the eastern side of the river (below the Abbey) as a fishing town during the mediaeval period. The eastern side of the town still retains its mediaeval character, with narrow streets and tightly packed buildings running down towards the river. Once the bridge was constructed in the 14th Century, the town developed on the western side of the river, which expanded significantly during the 17th and 18th Centuries based around the development of the whaling, alum and ship building industries. In the Victorian period these industries were replaced by tourism, the legacy of which is the imposing Victorian terraces which form the hotels and guest houses of the present day.

5.12 Filey was initially a fishing and farming village, centred around what is now Queen Street and close to the Ravine. The town experienced a tourism boom from the late 1700s onwards, when it became a place for 'taking the promenade' – as a quiet retreat from Scarborough and to some extent it remains as such. From this rise in popularity came the development of imposing villas and unified terraces built in the latter half of the 19th Century, which remain a distinctive feature of the town.

5.13 The rest of the Local Plan area is characterised by its small but distinctive villages, which are generally of rural character with traditional buildings and materials and settlement forms, using local stone for construction in earlier buildings or brick and clay pan tiles or slate for the roofs. It is important that the distinct character of rural settlements is retained.

Detailed Design

5.14 The detailed design characteristics of a development proposal, including the scale, form, height, layout, materials, colouring, fenestration and architectural detailing, should respond to the character of the surrounding environment and enhance the sense of place. In particular, the scale of new development should respect the proximity and height of existing properties.

5.15 Housing developments have in recent decades been criticised for their uniform and standardised appearance. In order to avoid creating homogeneous and sterile neighbourhoods, developers will be required to incorporate a mix of property types of a varying scale, utilising a range of complementary materials wherever possible. Similarly, the layout of development should encourage integration with surrounding areas and not be inward facing. More detailed guidance on new housing developments is presented within the Council's Residential Design Guide SPD.

5.16 Proposals for the extension or alteration of existing buildings should respect the character and scale of the original building; drawing reference from the materials and detailing used in the original building and ensuring that the original building remains the principal feature of development. However, it is recognised that the use of alternative materials and detailing in extensions and alterations can, in some cases, enhance the character of an existing building and / or the surrounding area. The Local Planning Authority will encourage contemporary and innovative design solutions that enhance local character. Further guidance for extensions and alterations to residential properties, is presented within the Council's Residential Design Guide SPD.

Reducing Carbon Emissions

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5.17 A Government report⁽²⁾ published in 2008 revealed that buildings are responsible for almost 50% of the UK's energy consumption and carbon emissions. Clearly there are significant carbon savings to be made by making our buildings more energy efficient; both in terms of reducing the need for energy and by using energy more efficiently. Further carbon savings can be achieved by supplying energy from renewable sources (see Policy ENV 1 and ENV 2).

5.18 The layout, orientation and design of buildings can reduce the need for energy consumption by maximising the potential to secure the benefits energy provides, e.g. heating, lighting and cooling, through alternative means. Design features such as south facing windows can allow for heat and light from the sun to be captured passively, whilst roof overhangs can provide natural shading, thereby reducing the need for cooling systems. Where layout, orientation and design is not constrained or dictated by other factors, i.e. by the character of the surrounding area or the juxtaposition of adjacent buildings, applicants will be required to demonstrate how the design of the development has reduced the need for energy consumption.

5.19 A significant reduction in carbon emissions can be achieved by ensuring that buildings use energy more efficiently. By incorporating higher standards of insulation and using combined heat and power systems in buildings, occupiers can get more out of each unit of fuel that they use. Energy efficiency is currently promoted by, and measured against, Part L of the Building Regulations. Changes to Part L introduced in 2022 will ensure that all new homes delivered are at least 30% more efficient than those delivered under previous regulations. The Government has announced that further improvements in building efficiency will be delivered through the introduction of the 'Future Homes Standard' in 2025, though specific details on technical specifications and implementation timescales have yet to be published.

5.20 The potential for introducing a local 'zero carbon' housing policy has been assessed through the Plan Review process. While such a policy would clearly make a significant contribution to minimising carbon emissions, it would also lead to a significant increase in construction costs (to meet higher material standards and installation of low carbon / renewable energy solutions). This is shown within the Local Plan Viability Assessment, which demonstrates that a 'zero carbon' housing policy (when taken together with other policies) would render development unviable across all parts of the Borough.

5.21 Retail developments of 200+ sqm floorspace in identified 'Town Centres' (see policy TC 1 and Local Plan: Policies Map) and all major retail developments of 1000+ sqm floorspace should be designed to meet the relevant BREEAM (British Research Establishment Environmental Assessment Method) rating of 'Excellent'. To demonstrate compliance with this standard, a copy of the BREEAM assessment (to be undertaken by a licensed assessor) must be submitted as part of the planning application.

Vehicular Access, Parking and Access for All

5.22 Applicants will also have to demonstrate that there are safe access and servicing arrangements for vehicles, cycles and pedestrians. Parking provision should be in line with the Highway Authority's standards unless it can be satisfactorily demonstrated that any particular development should not be required to meet those standards and would not be detrimental to neighbouring uses.

2 Improving the Energy Efficiency of our Homes and Buildings, Department for Communities and Local Government, March 2008

5 Design and Construction

5.23 The Council's Design Vision seeks places, buildings and spaces that are accessible to all and as such, relevant aspects of both external and internal design should be considered when drawing up proposals for the development of 'community facilities' and 'town centre uses', i.e. buildings and spaces that will be used by a wide range of people with varying accessibility needs. Applicants should be able to demonstrate how the internal and external design of buildings for these types of uses has considered and responded to the accessibility needs of potential users, and that relevant organisations / groups have been consulted as part of the design process.

5.24 It should be noted that accessibility standards for residential buildings are covered by policy HC 5 (Technical Housing Standards).

Fibre Optic Broadband Connectivity

5.25 Fair and equal access to high speed internet, particularly within rural communities, continues to be an issue in the Borough. Lack of access to such provision could act as a barrier to economic growth in the rural areas. Therefore, wherever possible, developers are encouraged to make provision for the installation of fibre optic broadband within new developments.

Public Realm and Landscaping

5.26 'Public realm' refers to the publicly accessible areas between buildings; the streets, paths, squares and parks that people use and move through on a day-to-day basis. Ensuring a high-quality public realm that is safe and accessible for all is an essential part of creating environments that people want to live, work and invest in. The public realm within developments should incorporate a mix of hard and soft landscaping features, with on-site landscaping being crucial to the delivery of the government's national minimum 10% biodiversity net gain target (see policy ENV 6). Where relevant, planning applications should be accompanied by a detailed landscaping plan covering all aspects of the public realm (e.g. street planting and green space design).

5.27 Developers will be required to demonstrate a clear and understandable relationship between the design of the public realm and the surrounding built and natural environment, building upon local character and distinctiveness and reinforcing the sense of place, including through the effective utilisation of existing features wherever possible. Landscaping schemes should be considered as

5.28 The public realm should be accessible to all members of the community and maximise opportunities for walking and cycling within, to and from development. Within larger developments the public realm should also be considered as a wider network of publicly accessible spaces, which should be linked together in order to create sustainable and 'walkable' neighbourhoods.

5.29 The design of the public realm can help to promote safe communities by limiting the opportunities for crime and anti-social behaviour to take place. To this end, where appropriate, new development proposals will be required to demonstrate the appropriate application of 'Crime Prevention through Environmental Design' and 'Secured by Design' principles, which look at the following aspects of development as a means of creating safe environments:

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- environmental quality;
- natural surveillance;
- access and footpaths;
- open space provision; and
- lighting.

Street Trees

5.30 As described in the Council's Residential Design Guide SPD (see Section 6 - "Character of Scarborough Borough"), street trees are a prominent feature of the Borough's settlements; they are particularly prevalent in the towns of Scarborough, Whitby and Filey, where they sit alongside main approach roads and within suburban residential areas. The need to ensure that new streets are tree-lined and that opportunities are taken to incorporate trees elsewhere in developments (e.g. in parks and community orchards) is a clear requirement of the NPPF.

5.31 This government policy is strongly supported by the Council as a means of enhancing the environmental credentials of development (helping to meet biodiversity net gain requirements, providing shading, reducing temperatures and capturing carbon emissions, etc.), improving overall design quality and of maintaining local character. Nevertheless, it is essential that suitable tree species and appropriate planting methods (e.g. tree pits and root guards) are utilised, particularly where they are to be planted within the public highway and the agreement of the local highway authority is required; wherever possible, discussions should be held with the local highway authority at pre-application stage to establish their views at the earliest opportunity.

Design Review Panel

5.32 The NPPF encourages local planning authorities to use a design review process to provide assessment and support to ensure high standards of design. The Local Planning Authority will use the review process where appropriate, particularly for major developments, from the early stages of the application process in order to optimise the design of new development and to add value to a scheme.

Electric Vehicle Charging

Local Plan Review: Overview of Changes to Policy DEC2

Policy DEC2 has been re-written in light of significant changes nationally with Electric Vehicle (EV) charging and policy. The initial policy was a first step to ensure an EV could be charged using the most basic of connection. Since adoption the Government has confirmed that developers will be mandated to provide EV chargers in most new homes (through Building Regulations) rendering the previous policy obsolete. The updated policy sets out the requirements for EV chargers in non-residential developments and provides guidance on the likely transition from Fuel Filling Stations to EV Charging Stations.

5 Design and Construction

5.33 The Government has stated that it will end the sale of all new conventional petrol and diesel cars and vans by 2030 and that all new cars and vans sold after 2035 will have to have zero emission from the tailpipe. Electric vehicles are not the only option as there is limited growth in hydrogen powered vehicles as well. However electric charging does appear to be the favoured option amongst car makers and drivers and it is therefore recognised that making provision for electric vehicle charging points will assist in reducing emissions. This in turn will contribute towards sustainable development and there is a need to now go further in terms of infrastructure provision. Therefore the Council will ensure that provision for electric vehicle charging infrastructure is provided in new developments and that wider provision is supported.

5.34 The Government has also brought in a requirement through updates to the Building Regulations that all new homes will have to have an EV charger fitted at the point of construction, with limited exceptions. This supersedes the previous policy, however, the updated policy will consider the wider requirements for commercial properties and refuelling stations.

Policy DEC 2

Electric Vehicle Charging

At least 20% of all parking spaces for new retail and commercial developments must be fitted with electric vehicle charging points, with passive provision for all the remaining spaces. All cabling and charging points for commercial parking spaces must be capable of supplying a rapid charging service.

The council will support the roll out of on-street electric charging points and community charging hubs for use by the residents and visitors to the borough.

Refuelling Stations

Existing petrol refuelling stations will be protected, unless demonstrated to be operationally unviable. Opportunities for new refuelling technologies, such as hydrogen refuelling and electric vehicle charging facilities, should be fully explored before a change of use is considered. New or replacement refuelling facilities will be directed to accessible locations.

The expansion and/or reconfiguration of existing refuelling stations to incorporate electric vehicle charging or other refuelling infrastructure and the provision of associated facilities such as waiting rooms including related restrooms and small scale retail opportunities will be supported when they accord with the other policies in the plan.

5.35 In the short period of time since the adoption of the previous Local Plan the uptake in low emission vehicles including electric and hybrid cars has been substantial. Manufacturers are pushing ahead quickly with the introduction of low emission vehicles and many are aiming to end the sales of petrol and diesel vehicles in the short term and some in advance of the Government's latest requirement of no more petrol and diesel engine vehicles (cars and vans) to be sold from 2030 with further restrictions from 2035 which will mean that hybrid vehicles will also be banned. At the time of the adoption of the previous Local Plan, Electric Vehicles and Plug-In Hybrids accounted for less than 2.5% of total car sales and in just 4 years is now

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approaching 15% and is expected to continue to accelerate as the technology continues to advance, vehicles become more affordable, charging infrastructure is rolled out and the cut-off date for the sale of petrol/diesel vehicles approaches.

5.36 The Government want to see the majority of charging taking place at home, at night, after the peak in electricity demand. This is supported, however, as one of the country's top visitor destinations and the lack of off-street parking for a substantial proportion of the Borough's residents there is a need to supplement home charging with other opportunities to charge a vehicle. This can include community charging hubs, workplace charging and the phased transition of petrol refuelling stations to electric vehicle charging stations.

5.37 Refuelling Stations

5.38 There is a need to prepare for the transition of vehicles to electric or other fuel types (such as hydrogen). Not all domestic properties have the ability to have a charging point installed with a high proportion of homes in the Borough having no drive or garage and only access to on-street parking. These residents will require alternative means to charge their vehicles and this could be through street-side charging, using charging points in public car parks (off-peak), at purpose built charging hubs or at refuelling stations. Furthermore, as the Borough is highly dependent on tourism there is also a need to cater for visitors who, if not having access to charging at their chosen accommodation or if a day visitor, may need to charge their vehicle at a car park or refuelling station. The Council will support charging hubs where these accord with the other policies in the Plan.

5.39 The latter of these, refuelling stations will not see an immediate transition and the current petrol and diesel refuelling options will be required for some time, though this will likely be on a diminishing basis over the Local Plan period. It is likely that many refuelling stations will be repurposed for alternative refuelling including electric charging and hydrogen, however, there will be a cross-over period when both new and old refuelling methods will be required. This will result in refuelling stations taking a phased approach to bringing in electric charging and the removal of petrol and diesel pumps. Additionally the refuelling of electric vehicles is not as quick a process as refuelling a petrol or diesel car. It is unlikely that this will be the case for many years, if ever. For that reason it is likely that there will be a need for additional facilities such as waiting/comfort break rooms at these locations, where a person or family can wait the 10 mins to 30 mins that a charge is likely to take. Furthermore, due to the time taken to charge a vehicle it may also be necessary that a greater number of charging points are required compared to fuel pumps today. This may result in the need to expand the refuelling station beyond its current footprint if that is possible.

5.40 In some cases this may involve the expansion of a refuelling station into an area defined as open countryside. This should not be a reason for refusal in and of its own right, unless it is clear that such an expansion would cause unacceptable harm to the wider countryside and that that harm would not be outweighed by the benefits of securing sustainable charging opportunities for residents and visitors. The Park and Ride sites in Scarborough and Whitby may offer opportunities for the siting of electric vehicle charging stations.

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The Efficient Use of Land and Buildings

Local Plan Review: Overview of Changes to Policy DEC3

The only change to Policy DEC3 is in the supporting text, where a reference to the Council's Residential Design Guide SPD is included for extensions and alterations to existing buildings.

Policy DEC 3

The Efficient Use of Land and Buildings

Proposals will be required to make efficient use of land and/or buildings and the re-use of land (brownfield) will be supported where this accords with other plan policies.

The density of development (including any associated elements of green infrastructure) should be in keeping with the character of the local area. Higher densities will be more appropriate in the central areas of Scarborough, Whitby and Filey. Lower densities may be considered acceptable in instances where there are site-specific constraints, a need to provide additional levels of infrastructure or where the current character or appearance of the area necessitates a development of a lower density.

5.41 The Local Plan area is constrained geographically by its location lying between the North York Moors National Park and the coast. The result is a limited area in which development can take place. It is therefore essential that existing land and buildings are used in an efficient and effective manner whilst also ensuring that new development contributes to the overall aim of sustainable development and providing a high quality of life for existing and future residents. The re-use of land (brownfield) is one means of efficiently using land and will be encouraged where appropriate, accords with other Local Plan policies and does not harm land of high environmental value.

5.42 The efficient use of land including the re-use of brownfield land can help to reduce the total amount of land needed. In order to support this, developers should seek to ensure that the optimum benefit is derived from their sites, rather than leaving parts of them underutilised due to a lack of careful design. Consideration of the efficient use of land is often limited solely to the density of development, but this is only one aspect of the issue. It is equally important to ensure that other elements of the development including structures, infrastructure, open space, Sustainable Drainage Systems (SuDS) and car parking are integrated into a site as efficiently as possible.

5.43 The appropriate density of residential development will vary significantly within individual areas, influenced by a range of issues including the character of the locality and the type of development proposed. A density level of 30 dwellings per hectare has been used as a benchmark for a number of years and this is still regarded as an appropriate overall level of

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density to aim for cumulatively across the Local Plan area. For the purposes of estimating the yield of Housing Allocations in the Local Plan (Policy HC 2) historic planning consents have been assessed to determine the 'developable area' of housing sites and an indicative yield has been arrived at. Unless other considerations warrant a different approach, such as the submission of supporting evidence from a site promoter, the approach for estimating yield on allocated sites is set out in the table below:

	Developable Area	Density (dph)
Up to 2ha	100%	30
Over 2 ha	70%	30

Table 5.1 Developable Area and Densities of Housing Sites

5.44 This assumes that the larger schemes will require a greater land take for supporting infrastructure including roads, open space and drainage, whereas smaller schemes generally do not require such levels or provide contributions for off-site provision or improvements to, for example, open space. This is an indicative guide and schemes may come forward with a different level once full site assessments have been carried. It will, however, provide a base figure on which indicative yields can be based and allow a calculation of the degree to which housing allocations can contribute toward the overall housing requirement.

5.45 It is recognised that there are occasions where a lower density is justified. The form of surrounding development, especially in rural areas, often requires lower density development to respect the existing character and appearance of the area. Conversely, within the more dense urban areas where sites are more accessible by public transport, walking and cycling, it may be appropriate to deliver much higher densities of development, depending on their location and dwelling mix. As such, the Local Plan does not set out rigid density requirements for housing or other forms of development, as it is considered that a design-led approach to the density of a development proposal is more appropriate, thereby allowing a bespoke site by site balance to be struck between what constitutes efficient use of land and the individual characteristics of the site in question.

5.46 Proposals for high density development will need to ensure that increased densities/levels of activity will not have a detrimental impact upon the amenity and character of the surrounding area.

5.47 Backland development (land to the rear of existing buildings), development within the curtilage of existing buildings and infill sites ('gaps' on the street frontage between existing buildings) have made an important contribution to the delivery of housing in Scarborough Borough and such intensification of development can represent an efficient use of land. However, a balance needs to be found to ensure that new buildings do not intensify patterns of development to such an extent that there is a detrimental impact on existing or future occupiers as well as the character of the surrounding area.

5.48 Such development will be considered on a site-by-site basis. Development within these locations will not be acceptable where the proposals fail to meet other relevant policies set out in this plan, in particular those that deal with the amenity of both existing and future residents, the character and appearance of the area and the impact on ecology and habitats.

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5.49 The subdivision of buildings for residential use can provide an appropriate source of housing and can lead to the more efficient use of existing buildings. Subject to according with the other policies in the Local Plan in relation to amenity and the design of any alterations to allow the subdivision, such proposals will be supported.

5.50 One means of using land efficiently is to permit the extension to or alteration of buildings to allow a home or business to expand without having to find new premises or land. This is a common method of adapting existing building stock to the changing needs of a household, business or other use. A well designed and well integrated extension can complement and even enhance an existing property, whereas a poorly designed addition can easily destroy the original character and have a detrimental effect on the character of the area or streetscene. Proposals for the extension / alteration of existing buildings should be in general accordance with Policy DEC1 (Principles of Good Design) and with the relevant parts of the Council's Residential Design Guide SPD (Section 8).

Protection of Amenity

Local Plan Review: Overview of Changes to Policy DEC4

No changes are proposed to Policy DEC4. A minor addition to text to refer to the principle of 'agent of change'.

Policy DEC 4

Protection of Amenity

Proposals should ensure that existing and future occupants of land and buildings are provided with a good standard of amenity. Proposals for development should not give rise to unacceptable impacts by means of

- a. overbearing impact;
- b. overlooking and loss of privacy;
- c. disturbance arising from such things as noise, light pollution and other activities;
- d. emissions including smells and other pollutants; or
- e. overshadowing or loss of natural light.

The criteria listed above are not exhaustive and development that causes significant harm to amenity by means of these or other impacts will not be permitted.

5.51 Good quality development, by definition, should not result in an adverse impact on the amenities of occupiers or nearby properties.

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5.52 Both non-residential and residential development (including minor developments and residential extensions) can cause disturbance to existing nearby residents or users of land and buildings and result in a significant reduction in the quality of their amenity. It is considered essential to protect existing residents and occupants from intrusive or disturbing development. The design and layout of new buildings can also have a significant impact on the level of amenity experienced by the future occupants of those buildings.

5.53 If buildings and public/private spaces are to be successful they must provide a high level of amenity for their occupiers. Low levels of amenity may result in high vacancy levels in buildings and only limited use of public and private spaces. New buildings and spaces need to be designed not only to ensure that their own users and occupiers have a good level of amenity, but also that they protect the amenity of the users of other developments. The impact on the development potential of other sites will also be taken into account. Existing businesses and facilities should not face unreasonable restrictions due to new development permitted after they have been established. Where new development is proposed in the vicinity of existing businesses and facilities, any suitable mitigation requirements should be provided prior to the completion of the development by the applicant as the 'agent of change'.

The Historic and Built Environment

Local Plan Review: Overview of Changes to Policy DEC5

No changes are proposed to Policy DEC5.

Policy DEC 5

The Historic and Built Environment

Historic rural, urban and coastal environments will be conserved and, where appropriate, enhanced and their potential to contribute towards the economic regeneration, tourism offer and education of the area exploited, particularly those elements which contribute to the areas distinctive character and sense of place. In order to ensure this:

- a. Proposals affecting a designated heritage asset (or an archaeological site of national importance) should conserve those elements which contribute to its significance. Harm to such elements will be permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of a designated heritage asset (or an archaeological site of national importance) will be permitted only in exceptional circumstances;
- b. Proposals affecting a Conservation Area should preserve or enhance its character or appearance especially those elements identified in any Conservation Area Appraisal;
- c. Proposals affecting archaeological sites of less than national importance should conserve those elements which contribute to their significance in line with the importance of the remains. In those cases where development affecting such sites is acceptable in principle, mitigation of damage will be ensured through preservation of the remains

5 Design and Construction

in situ as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before or during development;

- d. Proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will only be permitted where the public benefits of the development would outweigh the harm; and
- e. Proposals which will help to secure a sustainable future for heritage assets, especially those identified as being at greatest risk of loss or decay, will be supported.

5.54 The Local Plan recognises the value of protecting and enhancing its heritage assets and the built environment for the benefits it brings to the social, cultural and economic life of the area in addition to its role in contributing to the regeneration of the area. It is particularly important to safeguard those elements which are fundamental to the character of the area, particularly the following:

- The buildings and structures associated with the roles of Scarborough, Whitby and Filey as historic seaside resorts;
- The harbours of Scarborough and Whitby and the coble landing at Filey;
- Scarborough Castle, Whitby Abbey and Whitby Abbey Headland;
- The historic grain of Scarborough Old Town and Whitby, including their street layouts, town yards, plot sizes and landscape settings;
- The internationally-important Mesolithic lakeside occupation sites around the former Lake Flixton; and
- The nationally-significant prehistoric and industrial archaeological landscapes of the Vale of Pickering, Tabular Hills and Northern Wolds.

5.55 There are a range of historic assets in the area. The most important of these are formally "designated" under the relevant regulations as either Listed Buildings, Conservation Areas, Scheduled Monuments or Historic Parks and Gardens. However, there are also other non-designated heritage assets and their setting which contribute to the areas diverse distinctive character and require attention to ensure that those elements which contribute to their significance are not harmed. Proposals ⁽³⁾ should consider and demonstrate how development could impact on the following designated and non-designated assets and their setting including where mitigation may be required or where opportunities for the enhancement of features could arise:

a. Listed Buildings

A key component of the areas heritage assets are its range of Listed Buildings. These Listed Buildings are designated by the Secretary of State and the Local Planning Authority will seek opportunities to enhance or better reveal the significance of such buildings where appropriate, as well as safeguarding the long term future of assets. Any loss or substantial harm to such an asset will have to be assessed against whether substantial public benefits would be achieved that would outweigh this loss ⁽⁴⁾.

3 For the purposes of this policy the term 'proposal' refers to development, demolition and advertisements.

4 When assessing the greater public benefit, proposals should be considered alongside the criteria set out in Paragraph 133 of the NPPF.

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b. Conservation Areas

At present, the Local Plan area has 28 Conservation Areas which are (or will be over the life of the Local Plan) subject to specific attention within their relevant Conservation Area Character Appraisals and Management Plans. Elements which make a positive contribution should be preserved and any harm would need to be weighed against the public benefits of the proposal⁽⁵⁾. Not all elements of a Conservation Area will necessarily contribute to its significance, and the Local Planning Authority will look for opportunities which can better reveal the significance of an asset or make a positive contribution to the area.

c. Registered Parks and Gardens

There are three Registered Parks and Gardens that lie wholly within the Local Plan area; Valley Gardens and South Cliff Gardens, Scarborough; Peasholm Park, Scarborough; and Whitby Abbey House, Whitby. In addition, part of the Mulgrave Castle Park and Garden is within the Local Plan area, however, the majority is in the National Park. These have been included on the Register of Parks and Gardens because of their special interest. Their designation makes them a material consideration in the planning process. Proposals affecting a Registered Park and Garden should ensure that development does not detract from the enjoyment, layout, design, character, appearance or setting of that landscape, cause harm to any key views from or towards these landscapes or, where appropriate, prejudice their future restoration.

d. Scheduled Monuments and other archaeological remains

The area benefits from a number of sites of archaeological importance such as the Vale of Pickering, Tabular Hills and the Northern Wolds. The prehistoric archaeological landscapes associated with the Vale of Pickering are identified by Historic England as being of national significance and exhibit evidence of continuing human habitation and activity from the early prehistoric periods through the Roman period, and up to the present day. The Borough Council will work with Historic England to identify where features are particularly sensitive to development. In addition to the historic settlement and pattern features, archaeological work is currently ongoing at the Scheduled Star Carr, which is a Mesolithic lakeside encampment. The Borough Council recognises the potential of the site and former Lake Flixton as an educational, ecological and tourist resource and will support efforts to enhance the understanding and awareness of this asset.

A representative selection of the most important archaeological remains are designated as Scheduled Monuments by the Secretary of State. As a result, not all nationally-important archaeological sites are designated and, in determining development proposals affecting such remains, they will be assessed in a similar manner as if the site was Scheduled. The Local Planning Authority will seek opportunities to enhance or better reveal the significance of such assets where appropriate⁽⁶⁾.

5 When assessing the greater public benefit, proposals should be considered alongside the criteria set out in Paragraph 133 of the NPPF.

6 When assessing the greater public benefit, proposals should be considered alongside the criteria set out in Paragraph 133 of the NPPF.

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Due to the high probability of important archaeological remains in various locales of the Local Plan area, including within areas proposed for development, a separate policy on archaeology is also included in the Local Plan (Policy DEC6: Archaeology) in addition to specific references in other relevant policies and statements.

e. Non-designated heritage assets

Scarborough, Whitby and Filey (and many of the other settlements) have distinctive characteristics that are representative of their historic origins and it is these features that the Local Planning Authority are keen to reinforce where possible. Paragraphs 5.8 to 5.12 in this chapter discuss particular elements of this local character. Such assets include street patterns, sky lines, views, settings, and Buildings of Local Interest such as Civic Buildings.

5.56 With specific regards to each of the above, proposals involving or affecting heritage assets should include as part of their application an evaluation of:

- the significance of any heritage asset affected;
- the impact which their proposals would have upon that significance; and
- if the proposals would result in harm, what public benefits are there that would outweigh the harm.

5.57 The Local Planning Authority will support proposals that seek to secure a long-term sustainable future for designated heritage assets, particularly those identified as being at greatest risk of loss or decay.⁽⁷⁾

5.58 Historic England offer guidance in their policy statement 'Enabling Development and the Conservation of Significant Places' which considers where proposals would be contrary to policies in the Local Plan but where the benefits in terms of the funding gained as a result of development assisting in securing the long term future of a significant heritage asset would outweigh the departure. All enabling development proposals would need to be able to demonstrate with close scrutiny why the proposal is considered necessary in order to secure the long term future of the asset.

5.59 Other guidance is available locally in respect of windows, doors, iron works etc. Nationally, from Historic England and the amenity societies on many heritage design aspects. All of these represent accepted best practice.

Archaeology

Local Plan Review: Overview of Changes to Policy DEC6

No changes are proposed to Policy DEC6.

⁷ For more information on local buildings identified as non-designated heritage assets or as being at risk please refer to the adopted Conservation Area Character Appraisals. For areas outside of Conservation Areas please contact the Local Planning Authority.

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Policy DEC 6**Archaeology**

The Local Planning Authority will seek to protect, enhance and promote archaeological heritage.

Proposals that may affect scheduled ancient monuments or non-designated archaeological assets will require the submission of an archaeological desk based assessment and an evaluation report with their planning application. This is to provide a consideration of the possible impact of a proposal on a heritage asset and avoid or minimise any conflict that may arise. The level of information required will be proportionate to the asset's significance and to the scale of impact of the proposal.

When considering applications that propose development to remains and their settings, a written statement of investigation will be required pre-determination or by planning condition depending on the likely significance of the archaeological interest. Considerable weight will be given to the preservation, protection and enhancement of the monument. The more significant the remains, the greater the presumption will be in favour of this.

Where the significance of archaeological remains is such that their preservation in situ is not essential, or is not feasible, a programme of archaeological works aimed at achieving preservation by record will be required to be submitted to and agreed with the Local Planning Authority, and the findings published within an agreed timescale.

5.60 Both scheduled and non-designated archaeological assets are a valuable resource for research and education, but can also be an asset for the promotion of leisure and tourism. Their interpretation and presentation to the public should be encouraged. Such assets are, however, finite and in some cases a fragile resource. They can be vulnerable to a wide range of activities, both man made and natural.

5.61 The Ancient Monuments and Archaeological Areas Act 1979 makes provision for the designation of scheduled monuments. Once included in the schedule, a monument (together with land in or on which it is situated, plus any land essential for its support and preservation) has legal protection.

5.62 The non-designation status of a monument or archaeological asset does not necessarily imply that it is not important. Consequently, proposals affecting important but non-scheduled monuments will also be subject to the provisions of this Policy, as too will those affecting sites which are known to be of, or likely to be of, archaeological interest but are not scheduled.

5.63 The objective of the Policy is to ensure that, where possible, both designated and non-designated assets are preserved in perpetuity. Where in-situ preservation is not deemed to be appropriate, adequate provision for excavation and recording and analysis will be expected. Where possible and where it would add value to a proposal, opportunities should be taken to implement interpretation schemes at or close to the site.

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5.64 It is also important to balance the protection of such assets whilst taking into account the developmental requirements of an area, the land available to allow growth and the significance of the asset.

5.65 Matters related to archaeology are a Local Plan wide consideration, however, it is important to highlight the potential significance of sites to the south of Scarborough. The proposed development locations to the south of Cayton and the Scarborough Business Park and the areas to the north of Middle Deepdale have been identified by Historic England and the Borough Council's Conservation Officer as being of specific significance. These two distinct locations are substantially different in terms of the likely prevalence of 'wet' and 'dry' archaeological remains and will require different means of investigation and preservation. In both cases, as with all proposals deemed to potentially affect an historic asset (designated or not), the first requirement will be the submission of desk based assessments to accompany any planning proposal. This will establish the requirement for further investigation and any staged archaeological evaluations. Due to the potential importance of these sites from an archaeological perspective, further information and advice on these development locations has been incorporated into the respective sections of the plan; Policy SGA 1 and Appendices A and B that set out the Housing and Employment Allocation Statements.

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6 Homes and Communities

6 Homes and Communities

Introduction

6.1 A key role of the Local Plan, as emphasised by the National Planning Policy Framework (NPPF), is to meet, where possible, all identified housing needs. This includes meeting the needs of the various groups that have differing housing requirements. Many factors have an impact on housing demand and the area faces many social issues. These include an increasing population, a need for more accessible housing, diminishing household size, an ageing population, increasing in-migration, pockets of deprivation and a significant proportion of residents unable to afford homes in the area. These issues, in combination, result in a significant need for new housing and a requirement to continue with both the provision and mix of housing.

6.2 Other issues that need to be addressed include:

- the need to increase and improve the housing stock in line with the settlement hierarchy;
- the allocation of sufficient housing to ensure a five-year supply of land for housing development is available at all times;
- the need to deliver a balanced housing market to meet local needs and achieve more integrated communities;
- the need to increase the provision of affordable housing to meet identified local needs; and
- the need to ensure the provision of sites for gypsies and travellers, where required.

6.3 It is important that the need to deliver a mix of new homes across the Local Plan area is not considered in isolation. The need to bring forward community facilities in an integrated manner, meeting the varying needs of local communities, is equally as important as providing places to live. As such, this section of the Local Plan also considers the social aspects of development and promotes inclusive, healthy and safe communities, whilst also seeking to provide access to core services and facilities for all members of the community.

The Scale of Housing Delivery

Local Plan Review: Overview of Changes to Policy HC1 and Supporting Text

This policy has been updated to take into account the latest Local Housing Number established through the Standard Method and the most up to date SHMA (2021) which establishes a housing requirement for the Borough. Taking into account the SHMA the target is set at a minimum of 354 dwellings per annum. The review of the Local Plan will run from April 2023 - March 2040 which results in a need to identify existing permissions and allocations to accommodate 6018 homes.

The supporting text has been updated to refer to this new housing number, the sources of housing that will contribute towards this, the position with the 5 year housing land supply and the resulting distribution across the Borough's settlements.

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Strategic Policy HC 1**Supporting Housing Development**

New opportunities for housing development will be encouraged across the Local Plan area by:

- a. making provision, during the Local Plan period, for the delivery of a minimum of 6018⁽¹⁾ net additional dwellings through allocations identified under Policy HC2: New Housing Delivery and existing commitments as shown on the Policies Map; and
- b. supporting the development of new housing within settlements where proposals are compatible with other policies in the Local Plan.

At any point in the Local Plan period where there is no longer a demonstrable supply of sites to fully meet the five year land requirement, sustainable housing sites that would both make a positive contribution to the five year supply of housing land and be well related to the Development Limits of settlements of at least the Service Village classification as defined in Policy SH 1 will be supported where these proposals comprise sustainable development and are consistent with relevant policies in the Local Plan.

Proposals that come forward under this mechanism will not be required to comply with Policy ENV 7 but must be of a scale that both respects the physical size of the settlement it relates to and its position within the Settlement Hierarchy, as set out in Policy SH 1.

6.4 The scale of housing to be planned for is one of the most fundamental issues to be resolved by the Local Plan. In developing the figure set out in Policy HC1 the Local Planning Authority has followed the approach advocated within the NPPF. In line with the objectives of the NPPF, the devised figure represents growth at a level substantially above the Government allocated figure of circa 172 dwellings a year established through the Standard Method.

6.5 A figure of 6018 (354 dwellings per annum) dwellings was derived following the production of the updated Strategic Housing Market Assessment (incorporating Housing Needs Assessment). The methodology for quantifying housing need is complex but takes into account

- population statistics from the Census 2011;
- population and household projections;
- local affordable housing need;
- demographic trends;
- economic forecasts.

6.6 Taking into account the desire to grow and the identified need for housing, the scale of housing proposed represents a figure that is double the Standard Method requirement and is considered to represent a challenging but realistic target. The target is also a minimum requirement and not a restrictive upper limit and closely aligns with the long term (20+ years)

¹ The proposed review of the Local Plan covers the period Apr 2023-Mar 2040. The proposed housing figure is calculated using the proposed 354 dwellings per annum for this period (354 dwellings x 17yrs).

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rate of delivery in the Borough. The delivery of the level of housing proposed will assist in dealing with the identified affordable housing shortage and generate a critical mass to support and assist the economic growth predicted in the economic forecasts.

6.7 As set out below, the identified housing target will be met in full through the delivery of housing from a combination of sources.

Sources of Housing Supply

6.8 As the Local Plan review progresses, and in planning to meet the housing target, account will be taken of homes that have already been developed during the plan period (completions from April 2023 onwards), homes that currently have planning permission (extant planning consents), known housing sources (including those currently under consideration or awaiting a legal agreement) and new and existing site allocations. Developments specifically for second/holiday homes whereby their occupation is limited by condition will not be included as a source of housing in calculating housing delivery as reported within the Authority Monitoring Report.

6.9 As of the latest housing trajectory and factoring in predicted completions there are expected to be substantial extant permissions in the system totalling 2740 to be delivered from April 2023. 1370 of these dwellings are from existing allocations with planning consent so it is important to avoid double counting. Further housing will be delivered from what is categorised as known sources of housing. This source that takes account of proposals currently in the pipeline, either under consideration, awaiting a legal agreement or in advanced pre-application negotiations and account for circa 447 dwellings to be delivered beyond April 2023.

6.10 There is also the existing allocations to be retained in the Local Plan. Whilst a small number of these sites have been removed, the majority of these sites have progressed and will contribute a substantial number of units over the plan period. These are estimated to contribute 6,312⁽²⁾ units between April 2023 and March 2040. The new allocations add a further 140 units to the level of homes deliverable. The breakdown is therefore as follows:

- Dwellings with planning consent (excluding allocated sites) - 1370;
- Dwellings from known sources - 447;
- Dwellings from allocated sites (existing and remaining as of April 2023) - 6312
- Dwellings from newly allocated sites - 140;
- Total dwellings available - 8269

6.11 This exceeds the number of homes required under Policy HC 1 and provides a buffer of circa 37% . The allocations (retained and proposed) to achieve this are set out in Policy HC 2.

6.12 The build-out of the strategic housing allocation south of Cayton (see Policy SGA 1) will extend up to and potentially beyond 2040, the end date of the Local Plan period, however, the overall allocations under Policy HC 2 provide sufficient headroom for this eventuality (this is reflected in the table of allocations in Policy HC 2).

² This includes allocated sites that are partially completed and takes account of the latest yield figures where a planning application has been submitted and/or approved. Sites that have been removed in the review are not included in this figure.

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6.13 While the Borough Council is planning to meet the identified housing target in full through the policies set out within this Local Plan, further additional flexibility in terms of overall housing delivery will be provided through the development of windfall sites (and other sources) over the plan period. This supply of housing is explained in more detail in the following paragraphs. A full trajectory for the delivery of housing sites throughout the plan period is shown in Appendix E and is a representation of the position as of 1 April 2022.

Ensuring Flexibility of the Housing Supply

6.14 The Local Plan makes provision for the delivery of the required 6018 dwellings over the plan period, but does not include the contribution that will be made from the sources identified below.

Flexible sources of Housing in Scarborough Borough

- Windfall sites (including those identified in the Strategic Housing and Employment Land Availability Assessment); and
- Rural and First Homes exception schemes.

6.15 During the previous 10 year period, approximately 2068 dwellings (52.1% of completions) have been completed on windfall sites. Furthermore, the Strategic Housing and Employment Land Availability Assessment (SHELAA) has identified a substantial number of sites that are deliverable within the Local Plan period. Whilst it cannot be categorically stated which sites will be completed, these sites, or at least a proportion of them, have a realistic prospect of coming forward.

6.16 As demonstrated above, the historic delivery levels point to the contribution these housing sources could make and allow a suitable level of flexibility to be built into the housing supply. It is therefore considered that any delay in delivery of the identified housing allocations will be adequately compensated by the delivery of housing from these other sources.

6.17 It should also be noted that the housing target is a 'net' figure, as it must take into account any dwellings that are lost during that period through demolition or change of use. However, the loss of housing through demolition and change of use has been relatively low and there are no planned demolition or regeneration schemes identified.

Five Year Supply

6.18 As of 1 April 2022 the five year requirement for housing, taking into account the shortfall in delivery since 2011 (720 dwellings from 2011-22), was 3119 dwellings. This includes a 5% buffer as the delivery of housing has exceeded the Local Plan requirement consistently for the past 6 years. When a Local Plan is five year old (classed as out of date) then the five year supply requirement will revert to being calculated against the Local Housing Number as established through the Standard Method (currently circa 175 dwellings per year). From the adoption of the reviewed Plan the proposed requirement of 354 dwellings per year will apply for the period April 2023 to March 2040.

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6.19 The Local Plan identifies and allocates sites to meet and surpass the requirement for 6018 dwellings over the plan period and builds in flexibility through the sources of housing referred to previously.

6.20 Notwithstanding the current position, there is a need to continually monitor the delivery and supply of housing sites to ensure a rolling five year supply throughout the plan period. Should the Local Planning Authority be unable to demonstrate a deliverable five year supply at any point Policy HC 1 provides the mechanism for the delivery of sites not allocated within the Local Plan that are well related to the Development Limits of settlements, are of an appropriate scale in relation to that settlement and that meet the requirements of other relevant local and national policies, including the Presumption in Favour of Sustainable Development (Policy SD 1).

6.21 In such cases, proposals will not be required to accord with Policy ENV 7 (Development Affecting the Countryside) but will have to demonstrate that they will be deliverable in the short term and contribute to any identified shortfall in the five year supply of housing sites. The Local Planning Authority may seek to reduce the timescale of any such planning consent to ensure every effort is made to deliver the proposed housing within the subsequent five year period. Any development granted permission under the auspices of making up shortfalls in the five year supply will not be renewed automatically if the permission expires.

6.22 Should there be persistent and significant under delivery then a partial review of the housing chapter would be instigated.

Distribution of Housing

6.23 The Settlement Hierarchy states that the broad distribution of development will be shaped by the role and function of places. With regard to housing, development opportunities should be primarily focused in those areas that provide (or will be able to provide) the level of services, facilities and employment opportunities that are required to support an increase in population. Therefore, in planning to meet the identified housing target within the Local Plan (taking account of completions, extant planning permissions and allocations) housing has been distributed accordingly:

Scarborough Urban Area	76%
Whitby	11%
Filey	5%
Service Villages	6.5%
Smaller Villages	1.5%

Table 6.1 Spatial Distribution of Housing

6.24 The purpose of setting out the distribution of housing is to provide an indication of the overall Local Plan approach. It should be recognised that as windfall sites come forward over the plan period, the distribution of development will differ to that set out in the table above. This

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will be reflected in the annually produced Authority Monitoring Report (AMR). Therefore, the distribution figures are not to be used retrospectively, i.e. as a restrictive tool to limit development opportunities in given locations.

6.25 Nevertheless, should a site identified within the Local Plan fail to come forward within a particular settlement, the expectation will be that where possible an alternative site should be found elsewhere within the same settlement, or, in a settlement that falls within the same tier of the Settlement Hierarchy. This ensures consistency between planned housing delivery and the role and function of places.

6.26 The rural villages as defined in the Settlement Hierarchy are generally considered to be unsustainable due to their remote locations and limited facilities/services. Unless otherwise enabled through a Neighbourhood Plan, the delivery of housing in such locations should be sought through rural exceptions schemes (Policy HC 4) and the lack of a five year supply is unlikely to be of sufficient weight to allow substantial market housing growth in such locations.

Housing Allocations and the Delivery of Housing

Local Plan Review: Overview of Changes (Policy HC 2)

Amendments to Policy HC2 are the deletion of allocations that have been (a) completed; or (b) removed due to inactivity or a change in circumstances. The yields have been updated to reflect any changes since adoption of the Local Plan including the submission or approval of a planning application. Several sites have been removed within the development limits of the towns, however, this does not prevent them coming forward for housing.

For clarity previous Site References have not been retained which is why the references below are not concurrent numerically. Any allocation with a reference of HA36 or above is a newly proposed allocation.

Those sites that were submitted for consideration and are not shown below have been proposed for dismissal. These dismissed sites can be found in the Supporting Document 'Housing Allocation Assessment Paper'. Comments are also accepted on these dismissed sites whether you support or object to that dismissal.

For information purposes the following lists the current allocated sites that have a planning application pending, have been approved (in full or outline) or construction has commenced on site.

- **HA2: Westwood Campus Site, Valley Bridge, Scarborough - Planning consent (Full) granted;**
- **HA4: Land at Yorkshire Coast College, Lady Edith's Drive, Scarborough - Planning consent (Outline) granted;**
- **HA5: Land at Dean Road, Scarborough - Part of site completed;**
- **HA8: Land to north of Middle Deepdale (east of Deep Dale Valley), Eastfield - Planning consent (Part-Full Part-Outline) granted;**

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- **HA12: Land to west of Church Lane, Cayton - Planning consent granted and development has commenced;**
- **HA13: Land to east of Church Lane, Cayton - Planning consent granted and development has commenced;**
- **HA14: Land to south of Cayton - Planning application submitted;**
- **HA15: Land off Rimington Way, Osgodby - Planning application submitted - resolution to approve;**
- **HA16: Land off Stakesby Road, Whitby - Part completed. Planning application submitted (60 units) on the remaining part of the site;**
- **HA18: Land opposite Whitby Business Park and to the south of Eskdale Park, Whitby - Planning consent granted on part of site (233 units) and development has commenced;**
- **HA19: Land adjacent Captain Cook Crescent, Whitby - Planning consent granted and development has commenced;**
- **HA23: Land to north of Scarborough Road, Filey - Part of site completed;**
- **HA26: Land south of Brigg Road, Filey - Planning consent (Outline) granted for part of site. Planning application (Reserved Matters) submitted;**
- **HA27: Land off Outgaits Lane, Hunmanby - Planning application submitted (part of site);**
- **HA28: Land off Sands Lane, Hunmanby - Planning application submitted (part of site);**
- **HA30: Land to north of Beacon Road and west of Napier Crescent, Seamer - Planning consent granted and development has commenced;**
- **HA31: Land to the north and east of The Nurseries, East Ayton - Planning consent granted and development has commenced;**
- **HA32: Land to south of Racecourse Road, East Ayton - Planning application submitted (part of site);**
- **HA33: Land to west of The Grange, High Street, Burniston - Planning consent granted;**
- **HA34: Land to north of Limestone Road, Burniston - Planning application submitted (18 dwellings);**
- **HA35: Land to south of Limestone Road, Burniston - Planning consent granted.**

Clarification is also added in relation to the yields set out in the table. These are for the purposes only of demonstrating that the overall housing need can be met - the actual final yield will be determined at the point of submitting a planning application. The yield can go up or down and a diversion away from the indicative number set out in Policy HC2 is in of itself not a reason to refuse a scheme.

There is also an addition to the policy to set out the importance of landowners working collaboratively when bringing forward larger sites in multiple ownership.

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Policy HC 2**New Housing Delivery**

Housing will be delivered across the Local Plan area through the use of allocated sites and the development of sites and re-use of existing buildings within the Development Limits of the towns and villages.

The following sites are allocated for residential development and shown on the Policies Map. The yield identified is for indicative purposes only and the final number of homes provided will be determined through the planning application process.

Settlement	Site Ref and Address:	Site Area:	Yield ⁽³⁾
Scarborough - Unparished	Site HA1: Land at Springhill Lane, Scarborough	2.08ha	40
	Site HA2: Westwood Campus Site, Valley Bridge, Scarborough	0.83ha	50
	Site HA4: Land at Yorkshire Coast College, Lady Edith's Drive, Scarborough	4.62ha	140
	Site HA5: Land at Dean Road, Scarborough ⁽⁴⁾	0.59ha	35
Newby and Scalby	Site HA7: Land to the east of Lancaster Park, Scalby	35.42ha	900
Eastfield	Site HA8: Land to north of Middle Deepdale (east of Deep Dale Valley), Eastfield	22.93ha	600
	Site HA9: Land to west of Middle Deepdale, Eastfield	8.49ha	100
	Site HA10: Land to the north of Middle Deepdale (west of Deep Dale Valley), Eastfield	16.5ha	500
	HA36: Land to south of Priory Place, Eastfield	1.02ha	30
Cayton	Site HA12: Land to west of Church Lane, Cayton	2.12ha	64 ⁽⁵⁾
	Site HA13: Land to east of Church Lane, Cayton	3.82ha	96 ⁽⁶⁾
	Site HA14: Land to south of Cayton (see separate Policy SGA1 ' South of Cayton Strategic Growth Area)	131.16ha	2500
	Site HA37: Land at Cayton Low Road, Cayton	5.27ha	110
Osgodby	Site HA15: Land off Rimington Way, Osgodby	4.26ha	126
Settlement	Site Ref and Address:	Site Area:	Indicative Yield

3 These are for the purposes only of demonstrating that the overall housing need can be met - the actual final yield will be determined at the point of submitting a planning application. The yield can go up or down and a diversion away from the indicative number set out in Policy HC2 is in of itself not a reason to refuse a scheme. Yield rounded to nearest 10.

4 This site has been part completed and the revised area and yield are shown in the table.

5 Estimated 6 units left to complete as of April 2023

6 Estimated 66 units left to complete as of April 2023

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Settlement	Site Ref and Address:	Site Area:	Yield ⁽³⁾
Whitby	Site HA16: Land off Stakesby Road, Whitby ⁽⁷⁾	0.95ha	60
	Site HA18: Land opposite Whitby Business Park and to the south of Eskdale Park, Whitby ⁽⁸⁾	17.91ha	400
	Site HA19: Land adjacent Captain Cook Crescent, Whitby	2ha	62
	Site HA22: Land at Whitby Golf Club (East), Whitby	2.55ha	60
Settlement	Site Ref and Address:	Site Area:	Indicative Yield
Filey	HA23: Land to north of Scarborough Road, Filey ⁽⁹⁾	3.26ha	50
	Site HA26: Land south of Brigg Road, Filey	2.85ha	80
Service Villages	Site Ref and Address:	Site Area:	Indicative Yield
Hunmanby	Site HA27: Land off Outgaits Lane, Hunmanby	3ha	60
	Site HA28: Land off Sands Lane, Hunmanby	3ha	78
	Site HA29: Land between Stonegate and Sheepdyke Lane, Hunmanby	1.6ha	20
Seamer	Site HA30: Land to north of Beacon Road and west of Napier Crescent, Seamer	8.37ha	225 ⁽¹⁰⁾
East and West Ayton	Site HA32: Land to south of Racecourse Road, East Ayton	6.45ha	140
Burniston	Site HA33: Land to west of The Grange, High Street, Burniston	1.87ha	50
	Site HA34: Land to north of Limestone Road, Burniston	1.92ha	18
	Site HA35: Land to south of Limestone Road, Burniston	1.61ha	46
Total Yield from Allocations			6640
Remaining Yield from Allocations as of 1 April 2023			6452

Proposals for housing submitted on the allocated sites listed above will be permitted provided the scheme is in accordance with other relevant policies set out in the Local Plan and satisfactorily addresses any issues or requirements as set out in Appendix A: Housing Allocation Statements.

- 3 These are for the purposes only of demonstrating that the overall housing need can be met - the actual final yield will be determined at the point of submitting a planning application. The yield can go up or down and a diversion away from the indicative number set out in Policy HC2 is in of itself not a reason to refuse a scheme. Yield rounded to nearest 10.
- 7 This site has been part completed and the revised area and yield are shown in the table
- 8 The yield has been updated to take into account that the eastern phase has planning consent for 233 units and the remaining 8ha will increase the overall yield to circa 400 units
- 9 This site has been part completed and the revised area and yield are shown in the table
- 10 Estimated 125 units left to complete as of April 2023

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Where allocated sites are in multiple ownership proposals will be expected to come forward for the site in full. Where this is not possible, the parts of the site coming forward in advance of others must demonstrate that the remainder of the allocation remains deliverable and demonstrate that any infrastructure or Section 106 requirements can be met. If considered necessary an indicative masterplan for the whole site will have to be submitted at the same time as the proposal for the smaller part of the site. Where a site comes forward in part, infrastructure provision and Section 106 contributions will still be required even if this falls below the usual threshold.

Subject to the consideration of any newly arising material planning considerations, planning permission will be renewed for those major sites committed to residential development that currently have planning consent.

Proposals for new housing development will be permitted within the defined Development Limits of settlements where in accordance with other policies in the Local Plan.

In order to ensure infrastructure can satisfactorily accommodate the development of housing sites, an assessment should be undertaken at the time of application to determine whether the scheme will necessitate new or improved infrastructure. If required this can be secured through planning conditions or obligations or the scheduled delivery of new or improved facilities as detailed in the current Capital Management Programme of the relevant Infrastructure Provider(s).

Proposals will not be permitted where the infrastructure required to serve the development is either not readily available, not within the current Capital Management Programme of the relevant Infrastructure Provider or will not be provided alongside the development.

6.27 The policy identifies sites capable of accommodating around 6452 homes across the Local Plan area.

6.28 This is based on an assumption of yield for each site taking into account the need to use land as efficiently as possible and, where appropriate, utilising the density multipliers for residential development set out under Policy DEC 3: The Efficient Use of Land and Buildings. Alternative yields have been suggested for some urban locations where a higher density would be appropriate or where a scheme may involve the provision of high density extra-care accommodation. Additionally, lower yields may be appropriate in certain locations such as rural villages or areas currently characterised by lower density development or where the shape of the site restricts density. Where substantial preliminary work has been carried out by developers and landowners this may have informed the indicative yield.

6.29 Appendix A: Housing Allocation Statements identifies any site specific requirements, constraints or other relevant information. The information provided is not exhaustive. Further issues may need to be addressed at the time of submission of a planning application. The access arrangements will be set out for each site along with any other pertinent issues considered to be specific to the individual development site including biodiversity, bespoke densities, mitigating impact on adjoining land, etc. More general issues that apply to most sites such as the affordable housing requirement or the need for flood impact or drainage sensitivity studies

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is not generally set out. Impact on medical facilities, education and other associated amenities will also be dealt with at the planning application stage unless there is a specific requirement for on-site provision.

6.30 The development of accommodation for students will be supported (University or privately run) where this provides a suitable level of accommodation and does not harm the character or amenity of the area in which it is situated. Recent changes to Government Housing Policy have also increased the likelihood of shared accommodation in the form of Houses in Multiple Occupation. Well designed and well run facilities can provide much needed accommodation for people without adversely impacting on the area in which it is located.

6.31 There are, however, issues to consider when assessing proposals for new or converted properties that fall into this category especially in relation to the cumulative impact such uses can have on the character of a defined area or location. To provide further guidance to aid the consideration of such proposals, the Council has published a supporting Supplementary Planning Document. Where proposals for new units of student accommodation or Houses in Multiple Occupation accord with other policies in the Local Plan and the Supplementary Planning Document, they will be supported.

Affordable Housing

Local Plan Review: Overview of Changes (Policy HC 3)

Policy HC3 has been amended to take into account the latest viability information to establish an appropriate and viable level of affordable housing that can be delivered on schemes across the borough area. The level of requirement (for schemes of 10 or more dwellings) has been amended from 10% (Scarborough), 15% (South) and 30% (Whitby, North and Western Villages) to 10% (Scarborough), 10% (South) and 25% (Whitby). In respect of Whitby this is reduced to 10% for brownfield sites.

The policy and supporting text also adds in information in relation to First Homes which was introduced as a new affordable tenure in 2021 and the proposed tenure split - 25% First Homes with the remainder split 70% rented and 30% other intermediate tenures.

More text added on review mechanisms for schemes that are not policy compliant in respect of affordable housing delivery.

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Policy HC 3**Affordable Housing**

In order to meet the needs of people who are not able to access the general housing market, the provision of affordable housing will be expected in all types of residential development with the exception of uses within Use Class Order C2 and homes provided by almshouse charities. The location, layout and design of affordable housing within any scheme should create an inclusive development.

The level and type of affordable housing required in residential developments is as follows and applies to all sites of 10 or more dwellings or on sites of greater than 0.5ha:

	Housing Market Areas for Purposes of Affordable Provision			
	Scarborough ⁽¹¹⁾	Filey, Hunmanby and Southern Parishes ⁽¹²⁾	Whitby ⁽¹³⁾	Northern and Western Parishes ⁽¹⁴⁾
Brownfield	10%	10%	10%	25%
Greenfield	10%	10%	25%	25%

Table 6.2 Affordable Housing Provision (On-Site)

In line with the Government's online Planning Practice Guidance, a 'vacant building credit' will be applied to appropriate developments where a vacant building is either converted or demolished. This credit will be equivalent to the gross floorspace of the building to be demolished or brought back into use. This credit does not apply when a building has been 'abandoned'.

Where on-site affordable housing is required, 25% of affordable provision should be in the form of First Homes and the remainder split 70% for rented tenure and 30% for other intermediate tenures, unless the Local Planning Authority is satisfied that an alternative mix meets proven local need.

Where it is demonstrated to the Local Planning Authority's satisfaction through an independent assessment of viability that on-site provision in accordance with the above requirements would render the overall scheme unviable, a reduced level of on-site provision, off-site provision or a financial contribution⁽¹⁵⁾ towards off-site provision may be acceptable. Where the Local Planning Authority has accepted a lower affordable provision it reserves the right to require a review mechanism be applied to the development. This will be attached

14 The remaining areas of the Borough consists of Eskdaleside, Sandsend, Ruswarp, Newby, Scalby, Burniston, Cloughton, East Ayton, West Ayton, Brompton, Sawdon, Wykeham, Ruston and Snainton

13 Whitby and Ruswarp

12 Filey and the Southern Parishes consist of Filey, Hunmanby, Cayton, Seamer, Irton,, Folkton, Muston, Gristhorpe, Lebberton, Reighton and Speeton

11 Scarborough consists of the Town area (Wards of Northstead, Woodlands, Falsgrave & Stepney, Castle and Weaponess & Ramshill) and the Parishes of Eastfield and Osgodby

15 Calculated in line with the Affordable Housing SPD

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to the legal agreement to re-assess the viability of a site, especially on large and strategic scale sites, during or upon completion of the scheme to ensure the maximum amount of affordable homes is achieved.

Proposals for housing will not be permitted where the scale of the development (in terms of site area and/ or number of units) is manipulated to fall below the threshold requiring provision of on-site affordable housing.

6.32 The planning system has an important part to play in providing affordable housing for those unable to access the housing market. The need to provide affordable housing is important for two main reasons; firstly to enable people who cannot afford to rent or buy on the open market to live in a home that is suitable for their needs and that they can afford, and secondly, to provide housing for people working in different aspects of the local economy, thus underpinning economic activity. This remains a key housing policy goal of the Government to be achieved through the provision of a wide choice of high quality affordable and market homes.

6.33 Policy HC 3 will help contribute towards achieving the ambition of increasing the delivery of affordable housing and tackling the identified high need for low cost homes.

6.34 The Scarborough Borough Strategic Housing Market Assessment 2021 (SHMA) provides the main body of evidence in relation to the required level of affordable housing need. This research provides an up-to-date analysis of the social, economic, housing and demographic situation across Scarborough Borough.

6.35 The findings from the study provide an up-to-date, robust and defensible evidence base for policy development which conforms to the Government's National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

6.36 An analysis of 2011 Census migration data suggests that 66.9% of households move within Scarborough area and 85% of residents in employment work within the Borough. Therefore, Scarborough can be described as a broadly self-contained housing market on the basis of migration, and is strongly self-contained in terms of workplace. This evidence confirms that Scarborough Local Plan area remains an appropriate housing market area for the purposes of Local Plan policy making.

6.37 The SHMA has identified an affordable need of 219 dwellings per annum for the period up to 2038 which includes previously unmet demand. This confirms that the plan must address affordable need.

6.38 Policy HC 3 sets out the levels of contribution by local housing market area. On larger sites affordable housing should normally be provided as units on site.

6.39 The Whole Local Plan Viability Assessment (2022) examined the impact of policy and various levels of affordable housing on the viability of housing development across the Local Plan area and demonstrated that the percentages set out in Policy HC 3 are realistic. It is acknowledged that in some individual cases these proposed levels of affordable housing may not be viable. Evidence from applicants will be considered to substantiate this, and where this evidence is satisfactory, achievable (lower) levels of affordable housing will be explored. Where

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the Local Planning Authority requires independent advice to validate a viability appraisal submitted by the developer/applicant seeking to justify a variation, reasonable costs will be met by the developer/applicant.

6.40 In addition, where the Local Planning Authority has accepted a lower affordable provision it reserves the right through the legal agreement to re-assess the viability of a site, especially on large and strategic scale sites to ensure the maximum amount of affordable homes is achieved. To enable this the policy makes provision for the Local Planning Authority to re-assess levels of affordable housing proposed on subsequent phases of development where further full or reserved matters applications are submitted for consideration. This is considered a fair means of achieving the appropriate level of affordable housing as it will not only allow the increase of provision but also, in times of a downturn in the housing market, avoid the retention of unachievable targets that would stymie residential development.

6.41 In certain cases where the the level of affordable housing falls below the policy requirement and this is, for example, the result of suggested and significant abnormal costs a review of the costs and values may be requested following completion of the scheme. This will be undertaken by a suitably qualified and independent valuer and will allow for actual realised costs, both abnormal and other, to be determined. If costs are shown to be below that set out in the viability appraisal the Council reserves the right to request a financial contribution towards affordable homes provision in the area up to the level that would not exceed the contribution equivalent to on-site provision. Up to this level any identified 'additional profit' would be split 60:40 between the council and the developer.

6.42 Affordable housing can be comprised of a range of different models including social rented, first homes, intermediate housing (which includes shared ownership) and affordable and social rented. Taking account of the level and nature of need, the Local Planning Authority will expect, once First Homes have been accounted for at 25%, at least 70% of the remaining affordable homes to be rented. This means that in some areas of the Borough the Government's requirement (NPPF 2021: Para 65) for 10% of all housing to be available for affordable home ownership will not be achieved. There are high levels of demand for rented accommodation across the Borough as identified in the SHMA and the provision of 10% affordable-to-buy products would result in the provision of zero rented affordable accommodation across much of the Borough including the Scarborough Urban area, the south of the Borough and on brownfield sites in Whitby. The NPPF permits this outcome where meeting the 10% would prejudice the ability to meet identified housing needs, in this case rented accommodation. The levels of 'affordable-to-buy' that would be achieved on a policy compliant development would be 4-5% in areas with a 10% affordable requirement and 12% in the remaining areas covered by the 25% affordable requirement. This does not affect the ability to deliver 25% of affordable homes as 'First Homes'.

6.43 The discount for First Homes is set at 30% for homes in the Borough and further details on other local criteria and eligibility are set out in the Affordable Housing SPD.

6.44 Any financial contributions will be used to contribute to the overall affordable housing provision in the Borough through a range of projects including supporting the development of rural affordable housing, forward / gap funding schemes, improving tenure mix and refurbishing or bringing empty homes back into use.

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6.45 The Local Planning Authority will expect the provision of affordable housing to be secured through the involvement of a Registered Provider. The Borough Council has 'preferred' partners in this regard, and their local expertise and experience may speed up the process of agreement in development schemes. Where a developer wishes to involve an organisation other than a registered provider as part of a wider private housing development in order to meet the on-site requirement regarding affordable housing, it would be expected that the organisation proposed to offer an equivalent arrangement to affordable housing provided by a Registered Provider. In these instances, the Local Planning Authority would need to be satisfied that:

- the rents of the homes being proposed were affordable;
- there were adequate safeguards in place to ensure that the homes remain affordable in perpetuity;
- the proposed lettings and management arrangements were equivalent to those provided by a regulated Registered Provider;
- the level of security of tenure offered was equivalent to that offered by a Registered Provider; and
- the proposals complied with required design standards expected of Registered Providers.

6.46 In some cases independent local charitable trusts provide affordable housing for local people in housing need. Most are for older or disabled people living in a specific geographical area or connected with a particular trade (for instance Almshouses). It is accepted that whilst such Trusts do not fully meet the criteria of the affordable housing definition as outlined in National Planning Practice Guidance, they can provide a form of social housing that plays a part in meeting local housing need, therefore the Local Planning Authority will adopt a flexible approach to the consideration of stand alone applications for proposed developments by such bodies.

6.47 Planning permission will be refused for development that makes no contribution or inadequate contribution to affordable housing where provision could reasonably be made under the terms of Policy HC 3. This extends to schemes whereby the level of housing proposed is deliberately restricted to a scale below which would normally be expected to be accommodated on a site, thereby circumventing the requirement to make an affordable contribution (on or off-site). Similarly the 'subdivision' of a site and submission of individual planning applications in order to avoid an affordable contribution will be challenged. Where this is clearly the intention of the developer, subsequent schemes will be required to provide the appropriate level of affordable homes or a financial contribution based upon the scheme in totality up to that point.

Rural Exceptions Housing and First Homes Exceptions

Local Plan Review: Overview of Changes (Policy HC 4)

Policy HC4 has been updated to include references to First Homes Exception Sites (FHES) and also to set out the designated rural areas where FHES will not be permitted.

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Policy HC 4**Rural Exceptions and First Homes Exceptions Housing**

In respect of rural exceptions housing, as an exception to normal housing policy, the provision of affordable housing closely related to the identified Development Limits of service and rural villages will be permitted provided that

- a. affordable housing need in the locality has been demonstrated;
- b. the type of housing provided reflects the nature and scale of the identified need;
- c. arrangements exist to ensure that the housing will remain affordable in perpetuity; and
- d. the site is well-related to the settlement and local services and is capable of being developed in accordance with other policies within the Local Plan.

First Homes exceptions sites can likewise come forward on areas outside of development limits. Other forms of affordable tenure can be provided in small quantities if local evidence suggests that there is a significant need for other forms of affordable housing. Rural Exception housing (not First Homes) will remain the only permissible option in designated rural areas.⁽¹⁶⁾

On schemes (both Rural Exception and First Homes Exception) where there is a proven need for affordable housing and where a scheme is shown to be unviable at 100% affordable provision, a proportion of market housing may be considered acceptable where this would be essential to facilitate the delivery of affordable housing. Open market housing will only be permitted to the scale at which it is proven to make the scheme viable.

6.48 The housing market is strong in the rural areas with prices generally higher than comparable properties in the towns and suburbs. This can cause difficulties for people who want to live close to their families in such areas, and for those whose employment and livelihoods are based within the rural area. It can also push younger people out of the rural areas and lead to an imbalance in the age structure of the rural population. Evidence from recent local village needs surveys and the high numbers registered on 'North Yorkshire Homechoice' for rural locations demonstrates that there is still considerable need for the provision of affordable housing in the rural areas.

6.49 For the purposes of the rural housing exceptions policy, local need is defined as identified needs in the individual village or the local area it serves, generally defined as the parish boundary. Therefore, before the Local Planning Authority will grant planning permission for affordable housing on a rural exception site, it must be satisfied that there is a genuine need for affordable housing in the locality. To establish that a genuine need does exist, the Local Planning Authority will require evidence from a parish level Housing Needs Survey that is sufficiently recent to provide reliable evidence or some other objective proof of local need, proportionate to the scale

¹⁶ Designated Rural Areas for the purposes of Scarborough Borough Local Plan area includes the parishes of Brompton-by-Sawdon, Cloughton, Folkton, Gristhorpe, Lebberton, Muston, Reighton and Snainton

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of the development being proposed. Where two or more parishes have strong functional links, the aggregated needs of the parishes may be considered. This may involve cross-boundary parishes between adjoining planning authorities.

6.50 Many rural areas face particular difficulties in securing an adequate supply of land for affordable housing for local needs and are unable to compete against high land prices for private housing developments. The provisions of this policy seek to redress the balance, allowing ‘first homes and rural exception sites’ and assist in the securing of land for development. Rural exception sites are those sites that normally provide 100% affordable housing within areas that would not generally be permitted for housing and are generally on the edges of rural settlements.

6.51 The National Planning Policy Framework (NPPF) makes provision for, in certain circumstances, market housing development where this would assist in the delivery of affordable housing to meet local needs. Policy HC 4 provides the framework for allowing some market housing to assist in the delivery of affordable housing where there is a demonstrable need and no viable options of bringing forward a 100% affordable scheme. There is a need to ensure that such schemes do not become ‘market led’ and the Local Planning Authority will not accept such schemes where market housing becomes the dominant component or simply accords with the corresponding affordable housing policy requirement under Policy HC 3. Any such cases of market / affordable schemes coming forward under the ‘exceptions policy’ will have to be supported by robust viability evidence which may be scrutinised by an independent viability assessor.

6.52 The development of these types of sites is a reflection of the pressing need to provide affordable housing in rural areas. In order to minimise visual impact and provide reasonable access to local services and facilities, rural exception sites should normally be situated within or physically adjoining (ie. abutting) the Development Limits of settlements as defined on the Local Plan Policies Map and comply with all other relevant policies in the Local Plan.

Optional Technical Housing Standards

Local Plan Review: Overview of Changes (Policy HC5)

This is a new policy that requires compliance with a range of technical housing standards. In accordance with national planning practice guidance, the need for and viability implications of these standards has been assessed.

6.53 Through the application of the Government's optional technical housing standards, the Local Planning Authority requires that all new homes in the Borough be constructed to exceed the minimum Building Regulation standards for access and water efficiency. It also requires that new homes meet the nationally described (internal) space standard. Clear need for the adoption of these standards has been identified and the impact on the viability of development, when taken together with other policies in the Plan, has been assessed.

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Policy HC 5**Technical Housing Standards**

All new homes should be built to comply with the Nationally Described Space Standards (NDSS), or any successor standards / policy.

With reference to Building Regulations Part M (Volume 1), all new homes in Scarborough Borough should be built to at least M4(2) standards ("Accessible and Adaptable Dwellings") unless there are physical site constraints (e.g. sloping ground conditions) that would render this requirement impractical and unviable. Of these units, at least 2% of dwellings⁽¹⁷⁾ should be built to M4(3)(A) standards ("Wheelchair Adaptable Dwellings"), again subject to the consideration of site specific constraints.

All new homes should be meet the increased Water Efficiency Standard of 110 litres/person/day.

"Accessible and Adaptable" and "Wheelchair User" Dwellings

6.54 The NPPF is clear that the housing needs - in terms of size, type and tenure requirements - of different types of groups in the community should be assessed and reflected in planning policy. This includes people with disabilities and those with specific accessibility needs. Currently, the accessibility of new homes is promoted by and measured against Part M (Volume 1) of the Building Regulations regime⁽¹⁸⁾, which sets the following hierarchy for accessible homes.

M4(1) "Visitable Dwellings"

Requirements - Reasonable provision should be made for people to:

- (a) gain access to; and*
- (b) use the dwelling and its facilities.*

M4(2) "Accessible and Adaptable Dwellings"

Requirements - As per M4(1) and the provision made must be sufficient to:

- (a) meet the needs of occupants with differing needs, including some older or disable people; and*
- (b) to allow adaptation of the dwelling to meet the changing needs of occupants over time.*

M4(3) "Wheelchair User Dwellings"

Requirements - As per M4(1) and the provision made must be sufficient to:

17 On schemes of 50 or more dwellings/units

18 <https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m>

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- (a) allow simple adaptation of the dwelling to meet the needs of occupants who use wheelchairs; or
- (b) meet the needs of occupants who use wheelchairs.⁽¹⁾

Table 6.3 Accessibility Standards

1. A local authority should only require wheelchair accessible homes (as opposed to wheelchair adaptable homes) where they are responsible for allocating or nominating the end user of the dwelling.

6.55 As previously suggested, Local Plan policy HC5 goes beyond the current mandatory (Building Regulation enforced) baseline of M4(1) "Visitable Dwellings", requiring compliance with at least M4(2) "Accessible and Adaptable Dwelling" standards for all new dwellings and at least 4% of new homes to be built to M4(3)(A) "Wheelchair Adaptable" standards. A brief summary of the evidence that supports this policy approach is provided below.

6.56 The Council's Strategic Housing Market Assessment (2021) identifies that, over the period of the plan, there will be 9,650 households in Scarborough Borough whose illness or disability affects their housing need. After accounting for those households that could adapt their current home and thus wouldn't look to move (the SHMA assumes that up to 57% of the existing housing stock could be adapted), the potential minimum level of need for new M4(2) standard homes would be around 4,450 households, which equates to 80% of the identified housing target (5,564). Given that these figures represent a range of potential need (minimum to maximum), policy HC5 requires all new homes to be built to M4(2) standards. This approach is consistent with the government's recent response to the "Raising accessibility standards for new homes" consultation⁽¹⁹⁾, which confirmed their commitment to raising accessibility standards and proposed to mandate M4(2) standards.

6.57 The SHMA separates out the need for M4(3) standard homes from the above figures and highlights that the number of households with a wheelchair user in the Borough is predicted to increase by 460 over the plan period. The vast majority (91%) of this need is shown to arise from people aged 75+, who are significantly more likely to live in specialist older person accommodation than in wheelchair adapted dwellings. Under this assumption, and providing that specialist accommodation is built to the correct standards (see policy HC5), there would be a need for 70 affordable homes and 30 open market homes built to M4(3) standards. To provide flexibility in how this is delivered, policy HC5 requires compliance with the M4(3)(A) "Wheelchair Adaptable" standard for 2% of new dwellings, which translates to an applicable policy threshold of 50 units. In order to help meet the needs of those with greater accessibility needs, it is expected that developers will identify (through discussions with registered providers) whether there is a particular need for M4(3)(B) "Wheelchair Accessible" homes in the locality of the proposed development.

6.58 The cumulative impact of these respective accessibility standards has been considered through the Local Plan Viability Assessment.

19 <https://www.gov.uk/government/consultations/raising-accessibility-standards-for-new-homes-to-meet-accessibility-standards-for-new-homes-summary-of-consultation-responses-and-government-response>

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Internal Space Standards

6.59 The Government's [Nationally Described Space Standard](#) (NDSS) sets minimum expectations for the Gross Internal (floor) Area (GIA) of all new dwellings, across all tenures. It also sets associated minimum thresholds for bedroom sizes and internal storage requirements. As summarised below, monitoring evidence shows that the majority of homes built over the past 5 years have failed to meet these standards and as such, in order to promote the delivery of high-quality and spacious homes in the Borough, Local Plan policy HC5 requires that all new homes be built to meet these minimum requirements.

6.60 As part of an evidence gathering exercise, approved housetypes on sites with planning permission for 20 or more units over the past 5 years (since 2015) have been measured. Of the 175 house types measured (excluding flats), 66 (38%) met / exceeded the relevant basic GIA requirement. Of the remaining 109 (62%) units which failed to meet the basic standard, 44 (40%) were significantly (more than 10m²) below the standard. This translates to 69% of the total number of measured homes failing to meet Nationally Described Space Standards. The situation was worse for affordable homes, where 93% of the measured units failed to meet the relevant standard.

6.61 Even where the basic GIA requirements have been met, the vast majority of assessed housetypes were shown to have secondary bedrooms (i.e. not the 'main double / twin') which fail to meet the minimum floorspace and/or internal dimension thresholds. For these housetypes, it is likely that the relevant requirements could be met by making more efficient use of the overall available internal space - e.g. by reducing the size of the 'main double' and circulation areas (hallways, etc.) - and without increasing the building footprint.

6.62 The potential impact of substituting housetypes that fall some way short of the standard with compliant units has been considered and would generally not result in a significant reduction of unit numbers across a site or otherwise limit the extent to which allocated Local Plan sites contribute towards meeting the identified housing target. Again, the wider implications of this policy have been considered and have been shown to be viable through the Local Plan Viability Assessment.

Water Efficiency

6.63 While Local Plan policy ENV3 (Environmental Risk) encourages the efficient management of water supplies through all new developments, for new homes specifically policy HC5 requires compliance with the higher Building Regulations water efficiency standard of 110 litres per person per day (an improvement over the basic 125 litres standard). While the most up to date advice from the Environment Agency and Yorkshire Water suggests that addressing existing leakages will secure the long-term availability of the local water resource, viability evidence shows that the costs of meeting the higher efficiency standard are marginal and as such, would not place undue financial burden on housing developers. The introduction of this higher standard would help to meet the climate change challenge, which is recognised as a strategic objective of this Local Plan and thereby ensure the long term availability of the water resource.

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A Balanced Housing Market - Housing Mix

Local Plan Review: Overview of Changes (Policy HC6)

The scope of Policy HC6 (HC5 in the 2017 Local Plan) has been expanded to cover all aspects of housing mix, including self-build housing, rather than just elderly person's accommodation. The positioning of the policy itself within the supporting text has also changed to better reflect its expanded scope.

The supporting text relating to older person's housing has been re-ordered, rationalised and updated to reflect new population statistics and needs evidence, but importantly does not introduce any new requirements of developers. Matters such as the need to provide bungalows (covered in the Residential Design Guide SPD) and accessible and adaptable homes (covered by Policy HC 5: Technical Housing Standards) are no longer referenced in the supporting text.

6.64 The NPPF requires the Council to plan for a mix of housing to meet the needs of communities. This includes but is not limited to, families with children, older people and people with disabilities, service families and people wishing to build their own homes. The overall objective is to widen the choice of high-quality homes, widen opportunities for home ownership and create sustainable inclusive and mixed communities.

Policy HC 6

Housing Mix

New housing developments should provide an appropriate mix of unit types, sizes and tenures to meet the needs of local communities, as identified in the Council's latest Strategic Housing Market Assessment.

The Borough Council will encourage the provision of specialist housing for older people and those with disabilities, across all tenures and in sustainable locations, to meet identified needs⁽²⁰⁾ Older persons housing schemes should meet the following criteria:

1. Be located close to essential services and facilities;
2. Be located close to open space appropriate to the needs of the intended occupiers;
and
3. Be located with good access to well served public transport routes.

The Borough Council will, through the identification of sites, allowing for windfall developments and the granting of planning consents in sustainable locations, provide for the development of all forms of housing for the elderly.

20 Matters of accessibility and adaptable standards are covered under Policy HC 5: Technical Housing Standards

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The Council will encourage and support the delivery of custom and self-build housing in appropriate locations. The Council will monitor the demand for this type of housing through the Self-Build Register and will assist in the delivery of sites. Where possible and without adversely affecting viability and the delivery of affordable housing, residential development sites, including those allocated under Policy HC 2, should include provision for self and custom build development.

6.65 Neighbourhoods with a good mix of housing tenures, types and sizes will be more able to meet the changing needs and aspirations of its residents, through changing life stages, household shapes and sizes or changes in income. Providing greater housing choice increases the opportunities for households to remain within their communities and promotes social equality and inclusion by easing geographical constraints on the search for appropriate homes.

6.66 The mix of housing required is set out in the Strategic Housing Market Assessment. However, it is recognised that the findings are a snapshot in time and only set out short term needs. The mix of house types required further into the plan period should be informed by future research into local housing needs.

Older Persons Specialist Housing

6.67 As a popular retirement destination, there is a higher proportion of people aged 65+ residing in Scarborough Borough (27.5%) than in any other part of North Yorkshire (Census 2021). This proportion is likely to increase to 36% over the plan period, with the 2018 based Sub-National Projections anticipating that the number of people aged 65+ could rise from 29,900 in 2021 to roughly 37,400 by 2031 and 41,100 by 2040. Therefore, it is essential that a range of homes - of different types and tenures - are provided to help meet the current and future needs of this demographic group.

6.68 A key principle in meeting the housing needs of older people will be to maximise their ability to live independently for as long as they are able and wish to do so. The implementation of policy HC 5 will in part help to achieve this aim by ensuring that all new homes in the Borough are built to higher accessibility standards and can be adapted more readily to meet evolving needs. However, it is clear that further specialised forms of accommodation - including 'Extra Care Housing', 'Sheltered Housing' and 'Registered Care Homes' - will also be required for those with greater care needs. This includes wheelchair users, the vast majority of whom are aged 75+ and are significantly more likely to live in specialist older person accommodation than in wheelchair adapted dwellings; the Council's SHMA shows that of the 460 additional wheelchair users that are predicted over the plan period, 91% would be over the age of 75.

6.69 In terms of 'Extra Care Housing'⁽²¹⁾, the most recent research by North Yorkshire County Council revealed a requirement for 13 additional facilities in the Borough by 2030, with current levels of accommodation being 50% below total market demand. While several new developments have been delivered in Scarborough, Eastfield and Filey over recent years, further schemes will be required over the plan period. However, identifying sites for such provision can be challenging, and it may therefore be appropriate in some circumstances for major new

21 'Extra Care Housing' is a flexible concept, but fundamentally refers to purpose-built accommodation in which varying amounts of care and support can be offered and where some services are shared

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housing developments to incorporate 'Extra Care' facilities; large sites of at least 5 hectares allocated under Policy HC 2 offer good opportunities and the physical scope for such accommodation. The integration of appropriate schemes within large sites will be supported by the Council where they meet the requirements set out in Policy HC 6.

6.70 Where specialist accommodation is provided, it will be important to ensure that it functions effectively, is integrated with rather than isolated from the wider area, provides residents with a high level of amenity, and enables them to live independently as far as possible for example by ensuring it is located close to local facilities, services and good public transport links.

6.71 In addition to the consideration of housing needs, it will also be important to ensure that the requirements of older people are appropriately reflected in development more generally, for example in terms of the design of public spaces and the type of recreation facilities that are provided.

Self and Custom Build Housing

6.72 The government wants to enable more people to build or commission their own home and wants to make this form of housing a mainstream housing option.

6.73 In line with this the Self-build and Custom Housebuilding Act 2015 requires local authorities to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in their area in order to build homes for those individuals to occupy. A self build register has been established in order to provide evidence of demand for custom/self build plots within Scarborough Borough.

6.74 After a number of years there remains a small number of persons on the register with a wide dispersal of requirements in terms of location and preferred delivery method. Almost 25% of applicants definitely would not consider developing a self-build unit on a larger housing site and a further 25% are unsure. Only 50% of those persons on the register suggested that they would definitely consider a plot on a larger residential site. These small numbers along with the dispersed nature suggest that a policy that requires a % of new homes on large sites (as introduced in some authorities), would not be effective.

6.75 Furthermore, a site has recently been approved in Whitby that includes a phase of 60 self-build zero-carbon homes, which when delivered will provide more plots for persons currently on the register and significantly more than for those selecting Whitby and its environs as their preferred location. A further site for nine self build homes is being brought forward in the south of the Borough. The provision of plots on larger sites will be supported where demand is identified and where it will not adversely affect the viability of the wider scheme in terms of reducing affordable housing delivery below the level set in Policy HC3.

6.76 It is therefore considered the most appropriate means of supporting self-build is through a supportive policy whereby the Borough Council will monitor demand and assist in the delivery of sites.

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Gypsy and Traveller Site Provision**Local Plan Review: Overview of Changes (Policy HC7)**

No changes to Policy HC7 (formerly Policy HC6). Reference to updated Gypsy and Traveller Accommodation Assessment added to supporting text.

Policy HC 7**Gypsy and Traveller Site Provision**

Proposals for sites to provide accommodation for Gypsies, Travellers and/or Travelling Showpeople will be permitted where

- a. the site is clearly demarcated with pitch boundaries using appropriate boundary treatment and landscaping sympathetic to, and in keeping with, the surrounding area;
- b. the site allows satisfactory access to local schools and other facilities;
- c. site design takes account of the needs of residents, and provides an appropriate pitch layout that ensures security, safety and an acceptable level of amenity for residents. The site should also provide for adequate facilities for parking, storage, play and, if required, grazing space for livestock;
- d. there is safe access for pedestrians, cyclists and vehicles, including for turning and parking, vehicles towing caravans, emergency services and servicing requirements, including waste collection;
- e. all necessary utilities can be provided on the site including mains water, electricity supply, drainage, sanitation and provision for the screened storage and collection of refuse, including recyclable materials; and
- f. the proposal would avoid any unacceptable adverse impact on the amenity, health or living conditions of neighbouring residents or any other neighbouring uses, including as a result of flood risk, excessive noise, dust, odour, lighting, traffic generation, the keeping of livestock or other activities.

6.77 The Borough Council has a duty to provide official sites to accommodate Gypsies, Travellers and Travelling Showpeople. A Gypsy and Traveller Accommodation Assessment (GTAA) was commissioned and completed in 2021.

6.78 Should the situation change and future assessments demonstrate substantial need, a partial review of the Local Plan could identify sites to meet this need.

6.79 In relation to temporary requirements, the Borough does accommodate a substantial gathering for the annual Seamer Horse Fair. There are current site arrangements in place for this event, however, should this situation change any alternative arrangements that satisfy the criteria in Policy HC 6 will be looked upon favourably.

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6.80 The other form of requirement associated with Gypsies and Travellers is 'stop-over' sites. These are permanent sites that allow short stays for Gypsy and Travellers passing through the area. The requirement for these is often identified through the unauthorised use of sites on and off the highway. Again, there is no evidence of need. Whilst there have been occasions of unauthorised uses of, for example car parks, this has been associated with the early arrival for the Seamer Horse Fair; i.e coming to Scarborough for the specific purpose of an event and not passing through it. To resolve this problem, the Borough Council continues to work with the Gypsy and Travelling Community to better prepare for future events and ensuring early knowledge of the opening dates for the official sites associated with these events to prevent problems of early arrival when the official site is unavailable. As such, it is not proposed to identify a 'stop-over site'. However, the situation will be continuously monitored through the bi-annual count and future updates to the GTAA and should such problems become apparent a review can be instigated to determine an appropriate site. The mechanism for this would be through the partial review of the Local Plan or the production of a thematic or area based development plan document, which would seek to identify any necessary site or sites in accordance with Policy HC 6 or through the planning application process.

6.81 This policy itself addresses specific design principles that should be met by all new sites. Achieving good quality design is central to government guidance and this applies equally to accommodation for Gypsy, Travellers and Travelling Showpeople. The Government has published good practice guidance relating to the design of Gypsy and Traveller pitches (Designing Gypsy and Traveller Sites – Good Practice Guide) which should be considered when applying for planning permission or any subsequent or relevant guidance.

6.82 Sites must be capable of being serviced by all necessary utilities in order to provide an appropriate residential environment. Drainage to a public sewer should be provided wherever possible. Where drainage to a public sewer is not feasible, sites will only be permitted if proposed alternative facilities are considered adequate and would not pose an unacceptable risk to the quality or quantity of ground or surface water, lead to the pollution of local ditches, watercourses or sites of biodiversity importance. It is also necessary to allow a safe and suitable access for emergency vehicles with appropriate access to, for example, a water supply for the fire service if the need arises.

6.83 Any associated built development in the countryside will be kept to the minimum required in order to minimise harm to the surrounding area.

6.84 Gypsy and Traveller caravan sites are predominantly residential uses, however, Travelling Showpeople may require space for the storage and maintenance of large pieces of equipment. Site design and layout should ensure the amenity and safety of residents is protected by locating non-residential uses away from the residential and communal areas. The impact of requirements should also be considered carefully against neighbouring residential uses. There is no current requirement for site provision to meet the needs of Travelling Showpeople in Scarborough Borough and any future requirement can be successfully assessed against the policy. Following discussions with the 'Showman' community, the December 2009 report into the 'North Yorkshire Accommodation Requirements of Showmen' concluded that the demand for plots or yards was along the main road corridors within the sub-region including York, Selby, Hambleton and Harrogate. Scarborough Borough was lowest ranked of the suggested locations for permanent provision as a consequence of the significant distance from the main road network.

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Conversion of Buildings in the Rural Area for Residential Use**Local Plan Review: Overview of Changes (Policy HC8)**

No significant change to Policy HC8 (formerly Policy HC7). Supporting text adds explanation about the levels of amenity that may be required for self-catering accommodation compared to permanent residential.

Policy HC 8**Conversion of Buildings in the Rural Area for Residential Use**

Where planning permission is required for the conversion or change of use of buildings in the rural area to permanent residential use outside of the defined Development Limits, proposals will be permitted where it has been demonstrated that there is no potential for conversion to non-residential uses including serviced / non-self-contained holiday accommodation.

Subject to meeting the above requirements, proposals for either self-contained holiday accommodation or permanent residential accommodation must meet the following criteria:

- a. The building is of permanent construction and capable of conversion without major reconstruction or rebuilding as demonstrated by a structural survey;
- b. The proposal does not require significant extension of the existing building;
- c. The proposed use does not detract from its setting in the immediate and wider landscape;
- d. The conversion in itself will not generate a need for future building in the countryside;
- e. The access to the site and approach roads are suitable for the levels and type of traffic likely to be generated; and
- f. The development would not result in unacceptable amenity levels arising from nearby operations or conflicting uses.

In the case of the conversion of non-agricultural buildings outside of the defined Development Limits whose current or most recent use was economic based (for example public houses and petrol filling stations), it will be necessary to first demonstrate that the existing use is no longer economically viable.

6.85 Not all changes of use or conversions to residential require planning consent. Up to date regulations on Permitted Development Rights can be checked either on the Planning Portal website or by contacting the Local Planning Authority.

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6.86 The re-use of agricultural buildings for purposes that benefit the rural economy including employment uses is the preferred option to promote and enable a growth of the rural economy in a sustainable manner. This accords with the NPPF that suggests that isolated dwellings should be avoided in the countryside unless there are special circumstances, hence, the policy opts for a business use first approach.

6.87 This policy will also be used in the consideration of the conversion or change of use of non-agricultural buildings in rural areas and can include buildings such as public houses, petrol filling stations, pumping stations and so on. Where such a building is considered appropriate for conversion but is already in some form of economic use it will be necessary to demonstrate that the existing (or most recent) use is no longer required or viable.

6.88 It is, however, appreciated that the re-use of such buildings for business use is not always viable. In such circumstances the conversion to residential use including self-contained holiday accommodation may be a suitable alternative and will be permitted when it meets the criteria set out in this policy and the other policies in the Plan. A main consideration will be the level of amenity afforded to any conversion. There are examples where the conversion of rural buildings to self-contained holiday accommodation is more appropriate than to permanent residential as a result of the levels of amenity that can be achieved for occupants. There is a higher expectation of amenity for permanent residents over what the occupants of a self-contained holiday unit would expect. This can include matters such as the curtilage, layout and disturbance from existing rural activities. Policy DEC 4: Protection of Amenity should therefore be a mandatory consideration in proposals for the conversion to permanent residential uses.

6.89 Where the conversion of the property to residential is to be considered, the building must be capable of conversion without substantial alteration and extension. To demonstrate the building is sound, any proposal must, through the submission of a professionally prepared structural report, confirm that the building is free from major defects and can be converted without significant alterations or substantial demolition and rebuild. Where a building is beyond repair or restoration or requires major reconstruction thereby failing criterion (a) of the policy, any proposal for replacement or rebuild should be considered against Policy ENV 7: Development Affecting the Countryside.

6.90 In addition, the loss of a building in the countryside to a dwelling should not result in the demand for further building in the rural area. For example, the loss of a barn to a dwelling should not result in the farm holding requiring the construction of a further barn or building for a similar function.

6.91 Any grants of consent for re-using rural buildings for residential use is likely to be accompanied with a condition or agreement removing permitted development rights for extensions and curtilage buildings.

6.92 In accordance with the NPPF, where such proposals involve the change of use of a heritage asset to residential use and it is shown that there is less than substantial harm, this should be weighed against the public benefits of the proposal, including securing the optimum viable use for that building.

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6.93 Buildings in rural areas can often be inhabited or utilised by protected species. Most often such species are protected by legislation. As such it is always recommended that appropriate investigations take place prior to any building works. Information on protected species and the processes for dealing with them can be found at <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>. Policy ENV 6 (The Natural Environment) should also be considered when determining such applications.

Community Facilities

Local Plan Review: Overview of Changes (Policy HC9)

No changes proposed to Policy HC9 (formerly HC8).

6.94 It is important to recognise that housing development is not just about the construction of high-quality and affordable dwellings; it is about creating places and communities where people want to live. Ensuring that people have access to community facilities is an essential part in the delivery of this objective. Equally, the extent to which community facilities are available and accessible locally can reduce the need to travel and encourage sustainable patterns of movement.

Policy HC 9

Community Facilities

Proposals for new and expanded community services and facilities will be supported in accessible locations, providing that the scale of development is appropriate to the area in which it is proposed.

Proposals that will lead to the loss of community services and facilities for non-community based uses will only be permitted where

- a. it can be demonstrated that the facility is no longer required, having been vacant and marketed for a community use without success; or
- b. a replacement facility of at least an equal quality and suitable scale, in an equally or more accessible location will be provided through redevelopment of the existing site; or
- c. the proposal will result in the significant enhancement to the capacity, nature and quality of a separate existing facility, which serves the same community.

6.95 Community facilities such as local shops, meeting places,⁽²²⁾ sports venues, cultural buildings,⁽²³⁾ public houses and places of worship, play an important role in facilitating social interaction and creating inclusive communities. These and other community facilities should

22 Examples include community centres, village halls and youth centres

23 Examples include theatres, cinemas, concert halls, music venues, museums, libraries, public art and galleries

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be protected from redevelopment for non-community uses such as housing, particularly in rural areas where the need to travel to access facilities is greater. The Local Planning Authority recognises the important role the 'local pub' can play within the community, especially in rural settlements and would support proposals for their retention through broadening the use or offer.

6.96 However, it is recognised that there are circumstances in which redevelopment may be appropriate. Where community facilities have become vacant due to lack of demand, proposals for redevelopment would be acceptable where it can be demonstrated that there is no reasonable prospect of re-use for community based purposes, having been marketed for community use without success.

6.97 Furthermore, redevelopment may be appropriate where existing community facilities are to be re-provided by the developer on an alternative site that is equally accessible to the local community and is of an appropriate scale and quality. Proposals for redevelopment may also be acceptable if they result in the enhancement of the capacity, nature and quality of a nearby existing facility.

6.98 This policy does not have regard to health care and education facilities, or to the development of new retail food stores, which will be judged against Policy HC 10 and Policies TC 1 to TC 5 respectively.

Cemetery Provision

Local Plan Review: Overview of Changes (Policy HC10)

Policy HC10 (formerly HC9) has been updated to include allocations for future cemetery expansion in the towns of Filey and Scarborough. A new or expanded cemetery is required in Whitby but as of the date of this document no agreement has been made as to the location. This will be added in at a future iteration of the Local Plan when that location has been determined and agreed. If no site can be found/agreed prior to the adoption of the Local Plan any new site in Whitby as with any other location would be considered in respect of the criteria set out in this policy.

Policy HC 10

Cemetery Provision

The following sites are allocated for cemetery provision and shown on the Policies Map.

Site Reference	Site Address	Area (Hectares)
CEM1	Land to North-East of Woodlands Cemetery, Woodlands Drive, Scarborough	2.61 ha
CEM2	Land to the South of Filey Cemetery, Padbury Avenue, Filey	1.04 ha

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In addition to the allocated sites for cemetery provision, proposals for the provision of new or expanded cemeteries will be permitted provided that

- a. there is no conflict between the proposed and neighbouring uses or any associated impact on the amenities of local residents or visitors to the cemetery;
- b. they are sited in proximity to public transport;
- c. they have adequate vehicular access and parking arrangements;
- d. there will be no adverse impact on surface or groundwater; and
- e. there will be no adverse impact on the ecological value of the area.

6.99 This policy relates to human burials and other types of cemetery (eg pet cemeteries) will be considered against other relevant policies in the Plan.

6.100 The Borough Council is responsible for providing adequate cemetery facilities and ensuring that a continuous supply of land is available for this purpose. Sites have been identified and allocated for new or expanded facilities at the three major towns of Scarborough and Filey. There is also a need for an expanded facility at Whitby and options are being considered. Cayton Parish Council has identified a need for further provision and proposals that come forward will be judged against the above policy.

6.101 The size of any proposed cemetery or expansion is an important consideration and land identified should be capable of accommodating burials for the long term. Any new or expanded cemetery, including any associated buildings will also need to be well designed, having regard to the character of the area. It is important that the site retains any existing landscape features such as hedges and trees. This will give the site some maturity that can be incorporated into the layout.

6.102 Any proposal will need to ensure its use is compatible with adjoining neighbours and that it minimises any potential impacts to neighbouring residents with the inclusion of appropriate boundary treatment and landscaping between the cemetery and any adjoining properties. Certain frontages should offer opportunities to view the site to allow natural surveillance, which can reduce incidences of vandalism.

Health Care and Education Facilities

Local Plan Review: Overview of Changes (Policy HC11)

No changes proposed to Policy HC11 (formerly HC10).

6.103 Access to health care and education facilities plays a key role in promoting inclusive communities; providing opportunities for all members of every community to access essential services. This also plays a key role in creating desirable places where people want to live.

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Policy HC 11

Health Care and Education Facilities

Access to high quality education and health care facilities will be encouraged by

- a. making provision for the development of new health care facilities in Scarborough, Whitby and Filey;
- b. supporting proposals for the development of new and/or improved education and health care facilities;
- c. protecting existing health care facilities, including those in rural areas, from redevelopment unless the proposal forms part of a wider health service delivery strategy; and
- d. securing developer contributions towards health and education provision from housing and other development.

Education

6.104 Education plays a vital role within the community, and is central to the vision of sustainable communities; everyone should have access to high-quality educational facilities. The Borough Corporate Plan proposes that people should have access to good educational and training opportunities.

6.105 The area has a good level of educational coverage with a University Campus, colleges and secondary schools within the main towns and a substantial number of primary schools dispersed across the Local Plan area. In addition, works have been completed on the construction of two new major education facilities in the Scarborough Urban Area. Both the Scarborough University Technical College (UTC) and Coventry University Scarborough Campus opened in September 2016. The UTC provides young people aged between 14 and 19 with essential skills relevant to manufacturing and other local industries, while the new university campus will provide students access to a wide range of higher education courses. The Borough Council will support the role and function of all educational facilities, where consistent with other policies within the plan, as a means of maintaining a high quality education offer.

6.106 As the Local Plan seeks to deliver growth, the number of pupils per year over the plan period is likely to increase in some areas. However, over recent years the number of births within the Borough has fallen and are projected to continue to do so into the new plan period. Work undertaken by North Yorkshire County Council, the Education Authority for the Borough, suggests that allowing for both these factors could lead to a need for increased pupil places in some areas during the plan period. As such, the Borough Council will support the development of new education facilities, and the redevelopment / expansion of existing facilities, where the development assists in the delivery of a sustainable growth agenda.

Health Care Facilities

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6.107 Health affects every aspect of our lives and ill health can be a barrier to employment and education, and can limit people's ability to fully participate in social and community activities. The problems associated with ill health are most pronounced in areas of high social deprivation; there is an approximate 10 year gap in life expectancy between the most and least deprived wards within the Borough.

6.108 One of the key objectives of the Sustainable Communities Strategy is to deliver better health for all by promoting healthy lifestyle choices, retaining local services and reducing health inequalities wherever possible. It is essential that all communities have access to high quality health care services (either primary or secondary care facilities) if our aspirations for 'better health for all' and reduced health inequalities are to be realised.

6.109 In order to promote accessibility of health care provision, the development of new primary and secondary care facilities will be directed towards the towns of Scarborough, Whitby and Filey where they can be accessed by a variety of methods including public transport.

6.110 Access to health care in the rural areas is an important issue. Doctors' surgeries in village locations provide essential health care facilities for rural communities (immediate and surrounding communities), and this policy seeks to protect them from redevelopment wherever possible. The importance of good transport links in rural areas to enable access to a range of health care facilities should be recognised.

Community, Health and Education Allocations

6.111 Further to policies HC 9 and HC 11, the Local Plan will identify areas where an opportunity exists or where a need has been identified for specific community, health or educational requirements. The following policies set out these areas and the requirements for their development.

Local Plan Review: Overview of Changes (Policy HC12)

No changes to Policy HC12 (formerly HC11). Reference added to supporting text that the hospital has planning consent for the reconfiguration.

Policy HC 12

Whitby Health and Community Hub

Proposals for the redevelopment/re-configuration of the Whitby Hospital site (as shown on the Policies Map) to include a mixed use scheme of health, community and specialist/extra-care housing uses will be supported. Housing on this site will be supported where it facilitates the delivery of improved health and community facilities.

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6.112 Whitby Hospital is located centrally within walking distance of the town centre. In its current form there is available floorspace beyond that now required for health provision. The current planning consent is to reconfigure the site, retaining the hospital function within this central location. This could be complemented by other health and/or community based uses. The boundary of the site is shown on the Policies Map.

6.113 There is an opportunity to both retain the hospital services on a smaller footprint and allow for the delivery of improved supporting services and community facilities. This could include the provision of extra care or specialist housing needs. In respect of community facilities, there is the opportunity to look wider at the site and assess the feasibility of relocating the nearby facilities including the Police Station, opening up those sites for housing or other forms of redevelopment.

6.114 Any housing proposals (Use Class C3) would be expected to deliver the appropriate level of affordable homes as part of a scheme. This will, however, be considered in light of viability, vacant building credit applicable and the delivery of the wider health and community hub for the benefit of Whitby.

Local Plan Review: Overview of Changes (Policy HC13)

No changes to Policy HC13 (formerly HC12). Reference in supporting text added to completion of phase one of this site (extra-care).

Policy HC 13

Former Rugby Club Site - Scalby Road, Scarborough

Proposals for the redevelopment of the former Rugby Club site off Scalby Road (as shown on the Policies Map) will be expected to incorporate the provision of, or make land available for, a GP Surgery designed to meet the future needs of Newby and Scalby. The preferred location for this facility is along the frontage of the development site facing Scalby Road.

6.115 This site is located in the heart of Newby and provides an opportunity to further elevate the range of facilities to both the existing community and the expanded population proposed for Newby and Scalby. The first phase consisting of an extra care facility with integrated services (restaurant, cafe and hair salon) has been completed and the site benefits from being adjacent to shops, a supermarket, chemist, banks, library and other everyday services.

6.116 In addition, there remains a requirement and a willingness for local surgeries to provide more modern facilities. There are two surgeries that are at or approaching capacity and the proposals for development within the Newby and Scalby area will increase demand. Whilst future developments are likely to be required to make a financial contribution towards improving health care facilities within Newby and Scalby, the current premises are difficult to expand and a new bespoke unit would be the preferred solution. The opportunity exists for the surgeries to

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relocate within Newby and Scalby and offer the existing sites up for redevelopment; likely to be residential. The former Rugby Club site is centrally located within Newby, a short distance away from both current surgeries and within very close proximity to other shops and services. It is considered that this offers the best opportunity and the most sustainable option for a relocated surgery which should, if possible, be located on the frontage of the site. The surgery should be designed to meet both the current needs of residents as well as future needs taking into account the scale of development proposed in that area.

6.117 The remainder of the site offers a sustainable location for residential development or for further specialist residential accommodation including 'Extra Care Housing' or other uses that would benefit the local community.

Local Plan Review: Overview of Changes (Policy HC14)

No change to Policy HC14 (formerly HC13). Reference added to supporting text regarding current use as a car park.

Policy HC 14

Site of Former Gas Showroom - Station Approach, Filey

The site as shown on the Policies Map shall be retained to accommodate the future expansion requirements of Filey GP Surgery.

6.118 The site was formerly allocated for business or industrial use and is currently being operated as a car park, however, this has remained undeveloped since the adoption of the previous Local Plan. The use of this site has been reviewed and it is clear that a requirement exists for the expansion of the current Filey Surgery. The surgery covers a wide rural area taking in many areas beyond the limits of the town including holiday parks and surrounding villages. Owing to capacity constraints at smaller surgeries including Hunmanby and Sherburn (Ryedale), the practice has been under further pressure to take on additional patients from a wider area. In addition to the surgery providing the usual clinical services, it is also a 'Teaching and Training' practice. Alternatives have been investigated for the relocation of the surgery, however, owing to the cost of redeveloping and the limited value of the current site this is not feasible. The only option would appear to be the expansion into the adjacent site, formerly occupied by the Gas Showroom.

6.119 If it is demonstrated that the site is no longer required to accommodate the future expansion of the adjacent surgery then alternative community facilities or uses that benefit the town will be considered favourably.

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Healthy and Active Communities

Local Plan Review: Overview of Changes (Policy HC15)

Policy HC15 (formerly HC 14) has been re-titled to 'Healthy and Active Communities' from 'Open Space and Sports Facilities'. The scope of this policy has been expanded to provide clear support for food growing opportunities, including through community orchards, community gardens and allotments. Amendments to the supporting text include updated references to the Council's new Playing Pitch Strategy and Tennis Strategy.

Criteria B(i) of the original policy, which protected open spaces that make a positive contribution to the character and appearance of an area from redevelopment, has been deleted. In practice, this criteria has proved to be too restrictive and does not recognise those instances where the development of open spaces - *even those that make a positive contribution to the appearance of an area* - could improve character overall. Protection of spaces that are truly important, including those which are recognised in Conservation Areas, is still provided through other Local Plan policies including DEC1 and DEC5. Overall, the revisions to part B of this policy brings it in line with NPPF paragraph 99.

6.120 Promoting healthy lifestyle choices is a key part of improving standards of living and reducing health inequality. The Local Plan aims to facilitate healthy living, not only by providing high quality housing, a high quality natural environment and promoting sustainable transport choices such as walking and cycling through Green Infrastructure, but also by ensuring that communities have access to high quality open spaces and sporting facilities.

Policy HC 15

Healthy and Active Communities

- a. The creation of new and improved high-quality open spaces and sports facilities will be supported by
 - i. allowing for the development of new or improved sites where it would not detract from the character and appearance of the surrounding area, including the character of the landscape, where appropriate;

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- ii. requiring developers to make provision for high-quality open spaces and sports facilities through development, in line with the Borough Council's adopted standards; and
 - iii. requiring developers to demonstrate how they have maximised opportunities for local food growing, such as community orchards, community gardens and allotments, through major housing developments.
- b. The redevelopment of existing open spaces and outdoor sports facilities, including those identified within the Green Space Audit and Playing Pitch Strategy or any subsequent updates, for non-open space uses will only be permitted where
- i. there is an identified surplus of that type of open space or sports provision in that locality and the site cannot be reclassified to meet an identified deficit in another form of open space or sports provision; or
 - ii. a replacement open space of an equal or higher quantity and quality can be provided in a nearby accessible location.

6.121 In order to plan effectively for open (green) spaces, an audit⁽²⁴⁾ of green spaces⁽²⁵⁾ within the Local Plan area, which comprised an assessment of the quantity, quality and accessibility of existing provision, has been undertaken. The audit sought to identify areas of deficiency and surplus, making recommendations as to where facilities could be improved or redeveloped and where new green spaces could be provided to address localised quantitative and accessibility deficiencies.

6.122 The audit revealed that the plan area is generally well provided for in terms of green space, with a total of 724 hectares of provision, which equates to 7.4 hectares of green space for every 1,000 residents. The Scarborough Urban Area contains the largest quantity of green space (around 540 hectares), with Filey having the most green space per person (over 10 hectares for every 1,000 residents) due to the town's extensive areas of urban and country parks. Whitby contains over 74 hectares of green space, which equates to over 5.6 hectares of provision per 1,000 residents. The majority of the villages have access to some form of green space provision, with most containing an area for outdoor sport. These areas for sport are essential in rural areas, whereby they often perform a recreation function similar to that of other forms of green space, i.e. amenity green space and natural green space.

6.123 Nevertheless, the audit identified a number of deficiencies in the supply of green spaces across the Local Plan area. The majority of these deficiencies are in relation to the quality of green spaces. An emphasis should be placed on improving the quality of the green spaces that failed to meet the required standards set out within the audit. Aside from addressing qualitative deficiencies, the audit also identified a need to

- establish a "Settlement Equipped Area of Play" within Scarborough and Filey, either by improving an existing play facility or by constructing a new facility;

24 Green Space Audit (Scarborough Borough Council, 2014)

25 Sites of 0.2 hectares and above

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- establish additional equipped play areas in Scarborough, particularly in the South Cliff area;
- establish a "Neighbourhood Equipped Area of Play" in Hunmanby;
- establish a play area in Sleights;
- secure access to the area of Natural Green Space at Bowling Green Lane, Hunmanby;
- consider the potential of re-providing / redeveloping some areas of Amenity Green Space in Scarborough as a means of addressing deficiencies in other forms of green space provision.

6.124 A Playing Pitch Strategy (PPS) has been undertaken ⁽²⁶⁾, which has been derived from an assessment of current and future team-based demand for, and the supply and quality of, playing pitches and athletics facilities within the Borough. The PPS concluded that aside from a few deficiencies, there is generally sufficient capacity on the Borough's pitch stock to accommodate current and future levels of play. Therefore, this Local Plan should help to maintain the current level of pitch provision, subject to the delivery of specific objectives set out within the PPS and any subsequent updates. Similarly, an emphasis should be placed on improving the quality of playing pitches and ancillary / associated facilities, particularly where deficiencies have been identified through the PPS.

6.125 In order to assist in the delivery of objectives set out in the Playing Pitch Strategy the Local Plan will support, subject to meeting other plan policies

- development proposals that contribute to the long-term sustainability of Oliver's Mount (Scarborough) as a venue for local grass roots football and other pitch-based sports;
- the delivery of additional third generation (3G) artificial grass pitches (AGPs);
- the delivery of a sand-based artificial grass pitch in the Scarborough Urban Area;
- the delivery of up to 3 new cricket pitches in and around the Scarborough Urban Area, including in the southern and western parishes, to meet future demand up to 2038;
- the development of a floodlit synthetic athletics track and associated field facilities in the Scarborough Urban Area ⁽²⁷⁾;
- the development of new playing pitches and facilities where it can be demonstrated that there is a need for such provision, both in terms of the level of provision and the proposed location of the development.

6.126 Similar to the PPS, the Scarborough Borough Tennis Strategy (October 2019) provides a framework for the development of tennis in the area up to 2032 ⁽²⁸⁾. The strategy revealed that while the existing supply of courts across the Borough can meet current and future member-generated need, there is a lack of publicly accessible ('pay as you play') courts in the towns of Scarborough and Whitby. In order to assist in the delivery of objectives set out in the Tennis Strategy the Local Plan will support, subject to meeting other plan policies

- the development of four new 'pay as you play' tennis courts in Scarborough town to replace the courts that were lost following the closure of the old Filey Road Sports Centre;

26 <https://www.activeyorkshirecoast.co.uk/playing-pitch-strategy/>

27 planning permission was granted in February 2022 for the development of a 6-lane track at the former Bramcote School playing fields

28 [Tennis Strategy | Active Yorkshire Coast](#)

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- improvements to the quality / reinstatement of the two 'pay as you play' courts at Whitby Leisure Centre;
- the installation of floodlights to existing and new courts in appropriate locations to provide additional playing capacity.

6.127 Green spaces and sport facilities provide essential informal and formal recreation opportunities for communities and they should be protected from redevelopment wherever possible. Nevertheless, there may be individual cases where redevelopment for alternative uses may be appropriate. Examples of this include where the Green Space Audit or Playing Pitch Strategy has identified a surplus of a particular type of green space provision within a particular area. Where this is applicable, applicants should then be able to demonstrate that there are no other requirements for alternative forms of green space or sports provision within that area before other forms of development such as housing will be deemed acceptable.

New and Improved Spaces and Facilities

6.128 In addition to providing protection for existing facilities, the Local Planning Authority will support the development of new green space and sports provision, both through specific allocations and by permitting suitable development where there is proven need. Proposals for the development of new sports facilities will generally be supported where they do not result in unacceptable impact on amenity or the character of the area, including the character of the landscape in rural areas. Furthermore, all new developments will be required to contribute towards the provision of new green spaces and sports facilities in line with the standards described in the Borough Council's relevant Supplementary Planning Document.

6.129 As recognised within Policy ENV 9 (Green Infrastructure), it is essential that these formal green spaces are managed as a comprehensive network in order to promote connectivity and access to recreational opportunities across the Local Plan area and to tap into the multi-functional benefits that green spaces can provide.

Allotments and Opportunities for Local Food Growing

6.130 Allotments are important facilities for local communities; they provide the opportunity for people to grow their own produce, enjoy a healthier lifestyle and a healthier diet. Over recent years national reports have suggested that demand for allotments has been increasing and this is borne out by the latest local statistics that suggest there are considerable waiting lists for Borough Council-run allotment sites. The most recent information suggests that there are 236 people on waiting lists for allotments in Scarborough and 15 on the waiting list for the site at Staithes.

6.131 The Borough's population is set to grow over the Local Plan period and it is important to ensure sufficient allotment gardens are available for the increasing population. New residential development should, where possible, facilitate opportunities for local food growing and for major residential development this may include the provision of allotments on or adjacent to the site. The requirements for allotments as part of any major residential development proposals will be assessed in relation to local provision in the area and the potential demand created by the residential development in terms of anticipated households. Proposals for the development of new allotments, and/or the expansion of existing allotments, will be supported.

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Open Space-and Sports Facility Allocations

Local Plan Review: Overview of Changes (Policy HC16)

Policy HC16 (formerly HC15) has not been amended. If during the course of the review of the Local Plan proposals for allotment sites are submitted and considered acceptable the policy will be updated to include designations for allotments.

6.132 The open space and sports allocations contained within the Local Plan are predominantly tied to specific housing allocations and will help to meet the demand generated by these developments. Nevertheless, some of the allocations are also designed to highlight strategic deficiencies in existing provision and to meet unmet demand both now and in the future. Localised elements of green space will continue to be provided through the implementation of individual green space standards within new developments and by securing off-site developer contributions in line with Policy HC 15.

Policy HC 16

Open Space and Sports Facility Allocations

The following sites as shown on the Policies Map have been allocated for the development of uses identified in the "Proposed Use" column.

Site Ref:	Site Location:	Site Area (Hectares):	Proposed Use
OS1	North of Middle Deepdale east	7.5 ha	Neighbourhood park
OS2	North of Middle Deepdale west	13.2 ha	Neighbourhood park
OS3	East of the Cinder Track, Scalby	1.8 ha	Neighbourhood park
OS4	West of the Cinder Track, Scalby	1.5 ha	Neighbourhood park
OS5	Yorkshire Coast College, Scarborough	1.4 ha	Amenity green space
OS6	Land off Rimington Way, Osgodby	2.74ha	Amenity green space
OS7	Land off Stainsacre Lane, Whitby	8.8 ha	Neighbourhood park
OS8	Off Bowling Green Lane, Hunmanby	0.8 ha	Natural and semi-natural green space
OS9	Land north of Scarborough Road, Filey	3.3 ha	Natural and semi-natural green space
OS10	Land north of Church Cliff Drive, Filey	5.4 ha	Natural and semi-natural green space
SF1	Oliver's Mount, Scarborough	13.4 ha	Strategic playing pitch provision (area for investment and enhancement of pitches and associated facilities)

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Proposals on the allocations listed above will be permitted where they are for the identified uses and are in accordance with other relevant policies set out in the Local Plan.

The specific requirements of the open space and sports allocations that are directly associated to housing allocations are set out within the supporting statements for the housing allocations themselves (Appendix A: Housing Allocation Statements).

6.133 The Green Space Audit demonstrated that Hunmanby is deficient in terms of the level of green space that is accessible to the local population; other than the playing fields at Sands Lane, the village only contains two small, centrally located areas of amenity green space. The open space allocation at Bowling Green Lane will help to address the existing deficiencies and will be delivered alongside the housing development that is due to take place in the village (see Policy HC 2). The site itself should be primarily accessed through the existing area of green space to the east.

6.134 One of the key recommendations of the Playing Pitch Strategy is to improve the quality of the pitches and facilities at Oliver's Mount (Scarborough) by securing long-term investment into the site. Oliver's Mount is the main site for football activity in the Borough, providing 11 football pitches and one rugby pitch, all of which are widely used by teams participating in local leagues. However, a number of the pitches and the associated changing facilities are currently of a poor quality. Investment in the site will prevent further deterioration and ensure that the site continues to be available for community use over the long-term and provide a high-quality facility to meet the additional need generated by population growth.

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7 Economic Growth

7 Economic Growth

7.1 The Local Plan has an important role to play in facilitating growth and diversifying the local economy, not just in terms of enhancing the role and performance of our town centres but also in providing essential job opportunities across various employment sectors. It is essential that the strategy for delivering new homes is clearly connected to the fostering of economic success and employment growth.

7.2 Unless otherwise stated, all figures in the following paragraphs are taken from the ONS Business Register and Employment Survey (BRES), 2020.

7.3 The latest figures show that there are around 41,000 jobs⁽¹⁾ in the Borough (including the National Park area). A fifth (20.1%) of these jobs are within sectors associated with the tourism industry⁽²⁾. This is considerably higher than both the regional and national averages (8.7% and 9.4% respectively) and demonstrates the continued importance of tourism to the local economy.

7.4 While the percentage of jobs within the manufacturing industry (12.2%) is higher than the national average (7.9%), the percentage of jobs in sectors such as "Transport and Storage", "Information and Communication" and "Financial and Insurance Services", are lower than the national averages. The decline of the rural economy over the past decade has seen a reduction in the number of people employed within traditional rural activities such as agriculture and forestry.

7.5 Rates of unemployment in the Borough have historically been close to the national average. While an increase in unemployment was experienced following the economic recession in 2009 (peaking at 9.3%), rates recovered and the percentage of economically active unemployed people has been lower than both the national and regional averages since 2014/15. The latest figures (covering the period between October '20 and September '21) show local unemployment at 4.4% (ONS Annual Population Survey).

7.6 Over the plan period there will be a need to increase the Borough's workforce in order to meet the demands generated by new job growth and to fill existing jobs freed up by retiring employees. It is anticipated that around 4,000 new (net) jobs will be created over the plan period at a rate of around 220 additional jobs per year.

7.7 Econometric modelling has shown that economic growth over the plan period will be primarily driven by the service sectors, including the "Accommodation", "Food & Beverage Services", "Business Support Services", "Health" and "Residential & Social" sectors. Growth within these established sectors will be reinforced by the emergence of new economic sectors, most notably through the Potash Mine, which is currently under construction 5km south of Whitby. The Potash Mine has the potential to contribute significantly to the job market and the local economy.

1 Employee Jobs: excluding self-employed, government-supported trainees and HM Forces. Data also excludes farm-based agriculture.
2 "Accommodation and Food Services Activities" and "Arts, Entertainment and Recreation"

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Supporting Industry and Business

Local Plan Review: Overview of Changes (Policy EG1)

The Council is in the process of carrying out a new Employment Land Review to inform this section of the Local Plan Review. At this stage, it is not anticipated that the findings of the new ELR would necessitate a significant change in policy approach and as such, the policies presented below are not substantively altered from the 2017 Local Plan.

Minor changes have been made to the policy and supporting text to reflect the changes to the Use Classes Order (reclassification of 'Class B1' into the new 'Class E'). Further changes to the supporting text at policy EG1 were made to include reference to the Council's aspirations for the harbours at Scarborough and Whitby, as set out in the 'Blueprints' for the respective towns.

7.8 Supporting the development of the industrial and business sector is a fundamental part of long-term economic resilience, providing a more diverse economic base and helping to reduce the reliance on the tourism industry. This means bringing forward new employment land⁽³⁾ and supporting the development of new industrial and business uses, in addition to providing access to a skilled workforce and a reliable transport network.

Strategic Policy EG 1**Supporting Industry and Business**

New employment opportunities within industrial and business sectors will be encouraged by

- a. making provision for the delivery of 40.35 hectares (net) of employment land through existing commitments and allocations identified under Policy EG3: Employment Land Delivery and the Whitby Business Park Area Action Plan;
- b. supporting the development of new employment units within settlements where proposals are compatible with the scale and nature of surrounding uses; and
- c. supporting and enhancing the role of the harbours at Scarborough and Whitby.

7.9 The Council's 2015 Employment Land Review⁽⁴⁾ (ELR) informed the production of the 2017 Local Plan; allowing the Council to understand the quantitative and qualitative needs for business and industrial development over the Local Plan period and helping to establish a proactive and flexible approach to planning for sustainable economic growth. The Council is in the process of carrying out a new ELR to inform the Local Plan Review.

3 "Employment Land" includes the following uses as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) - E(g)(i): Offices (formerly B1a), E(g)(ii): Research and Development (formerly B1b), E(g)(iii) Light Industrial (formerly B1c), B2: General Industrial and B8: Storage and Distribution

4 Scarborough Employment Land Review, November 2015

7 Economic Growth

7.10 Having taken into account a number of demand indicators, including projections derived from econometric modelling, the emergence of the potash mining and off-shore wind sectors, the expansion of local businesses and the re-provision of land likely to be lost to other uses, the ELR has identified demand for approximately 35 hectares of employment land up to the year 2032. The majority of this demand has been attributed to the Scarborough Urban Area as the main focus for growth within the Local Plan in line with the settlement hierarchy.

7.11 In total, provision has been made to enable to delivery of 40.35 hectares of employment land. Sites covering 39.1 hectares (net) are allocated in this Local Plan (see Policy EG 3). A further 1.25 hectares of employment land is allocated within the Whitby Business Park Area Action Plan. The Area Action Plan also covers land in the North York Moors National Park area, where a further 8.75 hectares of employment land is allocated. While this land cannot be counted within this Local Plan, it will help to provide employment opportunities in the north of the Borough.

7.12 However, as recognised within the individual allocations, a proportion of specific sites could also be developed for other uses that are compatible within an industrial environment. As such, the actual amount of 'employment' development to be delivered will be closer to the indicated level of demand over the Local Plan period. Maintaining a level of land supply that is slightly over the anticipated level of demand ensures that the policy approach is flexible enough to accommodate needs that have not been anticipated.

7.13 In addition to the land identified for business and industrial development, it is likely that other sites and premises within settlements will continue to come forward for the development of employment uses over the period of the plan. Such development inside the defined Development Limits will be acceptable in locations where proposals are compatible with the scale and nature of surrounding uses, and where they are in accordance with other relevant policies within the Local Plan.

7.14 Within villages it is important to ensure that the scale and type of development is well related to the character of the area and the position of the relevant village within the Settlement Hierarchy as set out under Policy SH1: Settlement Hierarchy. To this end, larger proposals that require a rural location should be directed to the Service Villages, where development can be accessed by means other than the private car (e.g. public transport, walking and cycling). Equally, within villages an emphasis will be placed on the re-use of existing vacant buildings as a means of minimising the potential negative impacts of development.

Harbours

7.15 The number of people employed in the fisheries sector has declined significantly in recent decades. This has left a legacy of outdated and under-used buildings within the harbours of Scarborough and Whitby. Where possible, these should be brought up-to-date to meet the requirements of modern day businesses. However, there may also be potential for these areas to be redeveloped for alternative economic uses where there is no prospect of re-use for harbour based industry.

7.16 Regeneration of the harbours at Scarborough and Whitby is identified as a key objective within the 'Blueprints' for the respective towns. Along the West Pier in Scarborough, there is a desire to integrate the traditional fishing industry with the visitor economy through the renovation

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and repurposing of existing buildings and the creation of new attractive public spaces. Identified harbourside regeneration projects in Whitby include wide-ranging public realm improvements, opening up of the 'Fish Quay' to better integrate / connect Pier Road to the waterfront, delivering enhanced facilities for visiting craft and mariners, and the construction of a 'Maritime Academy' at Endeavour Wharf.

Jobs and Skills and Employment Training

Local Plan Review: Overview of Changes (Policy EG2)

No changes have been proposed to Policy EG2

Policy EG 2

Jobs and Skills and Employment Training

The Borough Council will encourage all local employers to participate in skills and 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 and targets for employment skills and training, including apprenticeships appropriate to the development proposed.

7.17 Twenty six percent of the Borough's residents have no qualification. This makes it difficult for residents to compete for low/medium skills jobs, highlighting the overall gap between the skills needs of the area and the existing skills pool available.

7.18 It is therefore important to ensure that current and future residents within the borough have access to the employment and business opportunities that will emerge over the life of this Local Plan and that these opportunities are available across the range of employment opportunities that are forecast to emerge. This includes encouraging relationships between businesses operating within the Local Plan area and local schools and colleges, to raise aspirations and help prepare young people to have the right information, motivation and aptitude to compete with the best across the region to be part of the future workforce.

7.19 A key element of achieving this will be through continued working with the Borough Council and other partners to promote utilisation of jobs, skills and employment training, and where appropriate using the planning system to secure targets and commitments in relation to associated job and training opportunities, both for construction-related employment and training that will increase access to employment. Where firms already run existing training programmes/apprenticeships this policy would not apply provided they can demonstrate these will include residents of the Borough. Any targets or commitments will be defined on a case-by-case basis, taking into account the size and nature of the scheme proposed and, where

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relevant, scheme viability. Where feasible and relevant, the Borough Council will support the delivery of commitments made or targets set through any of its own related programmes or projects that are operational at the time.

Employment Land Delivery

Local Plan Review: Overview of Changes (Policy EG3)

Changes to the policy and supporting text reflect the amended Use Classes Order (introduction of the new 'Class E'). The 'Site Area (net)' column within the policy have also been changed to reflect updated figures; the remaining (net) land available at some allocations has changed as a result of development.

7.20 This Local Plan seeks to make provision for the delivery of 39.1 hectares of land for the development of 'employment' uses which, in addition to the 10 hectares (net) of land allocated by the Whitby Business Park Area Action Plan, provides a total supply of 49.1 hectares of employment land. In identifying specific sites for allocation, consideration has been given to the nature of existing planning permissions, the location of sites and their suitability for other forms of development, i.e. vacant sites within business parks are only suitable for the development of industrial and business uses.

Policy EG 3

Employment Land Delivery

Industrial and business uses will be delivered across the Local Plan area through the use of allocated sites, the development of other sites and the re-use of existing buildings within the Development Limits of the towns and villages.

The following sites as shown on the Policies Map are allocated for the development of uses identified in the 'Use Classes' column of the table and will be available throughout the plan period.

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Site Ref ⁽⁵⁾ and Address:	Site Area (net):	Use Classes
Employment Allocations		
Site EMP-A 1 'Land to the North East of Burton Riggs, Scarborough Business Park'	1.1 ha	E(g)(i), E(g)(ii), E(g)(iii), B2, B8
Site EMP-A 2 'Land at Hopper Hill Road, Scarborough Business Park'	0.9 ha	E(g)(i), E(g)(ii), E(g)(iii), B2, B8
Site EMP-A 3 'Land to east of Hunmanby Industrial Estate'	1.9 ha	E(g)(i), E(g)(ii), E(g)(iii), B2, B8
Site EMP-A 4 'Land to north and south of Cayton Approach, Scarborough Business Park'	24.2 ha	E(g)(i), E(g)(ii), E(g)(iii), B2, B8 and other approved uses
Site EMP-A 5 'Land to south of Plaxton Park Industrial Estate'	11ha	E(g)(i), E(g)(ii), E(g)(iii), B2, B8

Proposals relating to the sites listed above will be permitted where they are for the identified uses, are in accordance with other relevant policies set out in the Local Plan and they satisfactorily address any issues and requirements set out in Appendix B: Employment Land Statements.

Proposals for the development of E(g)(i), E(g)(ii), E(g)(iii), B2 and B8 uses on sites not identified in the table above will be permitted within the defined Development Limits of settlements where they are in accordance with other relevant policies in the Local Plan.

7.21 As the main strategic location for long-term economic growth in the Borough, 37.2 hectares (net) of employment land has been made available at Scarborough Business Park through Policy EG3. This will allow Scarborough Business Park to capitalise upon the opportunities presented by emerging economic sectors.

7.22 Furthermore, it should be noted that allocated site EMP-A 4 has outline planning permission for the development of uses that are compatible to the main employment uses in the area, e.g. car showrooms, hotels, restaurants and small-scale retail units, of which, some provide services for workers of the park. However, these ancillary uses should generally be limited to the Cayton Approach frontages of the sites. The development of these sites for such uses would ultimately reduce the supply of employment land, whilst also retaining some form of alternative employment generating use.

7.23 The Whitby Business Park Area Action Plan allocates 13.4 hectares gross (approximately 10 hectares net) of employment land for future development at the Business Park, which crosses the boundary with the North York Moors National Park Authority. The allocations can be seen on the Policies Map that accompany the Local Plan. More detail on these allocations is set out within the Area Action Plan itself.

7.24 A small amount of land has been allocated at Hunmanby Industrial Estate in order to provide opportunities for employment development in the south of the Borough.

⁵ Sites allocated / committed for industrial and business development in Whitby are identified within the Whitby Business Park Area Action Plan

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Protecting Land for the Expansion of Scarborough Business Park

Local Plan Review: Overview of Changes (Policy EG4)

No changes have been proposed to Policy EG4

7.25 Scarborough Business Park is the main economic driver in the Local Plan area, providing more than half of all employment land and hosting some of the area's major employers. This Local Plan seeks to protect and enhance the role of the Business Park during this plan period (up to 2032) and beyond by protecting land for its expansion; reflecting its long-term strategic importance.

Strategic Policy EG 4

Protecting Land for the Expansion of Scarborough Business Park

Land shown on the Policies Map (ref: EG4) will be reserved for the expansion of Scarborough Business Park and for the development of E(g)(i), E(g)(ii), E(g)(iii), B2 and B8 uses only, throughout the plan period. Proposals will be permitted where they can demonstrate that there are no other sites available elsewhere in the existing Business Park area (within those sites allocated by Policy EG 3) that are suitable for the proposed development, either due to

- a. the scale of the proposal, which means that it could not be accommodated on an allocated or committed site in the existing Business Park area; and/or,
- b. the proposal being for the development of a "bad neighbour" use that would have a significant adverse impact upon the marketability of the existing Business Park area, e.g. a "heavy industry" use that generates significant noise, smells or other disturbances; and/or,
- c. other technical or operational requirements.

Proposals for the expansion of existing businesses into the protected area will also be permitted.

7.26 Policy EG3 of the Local Plan makes provision for the delivery of 37.2 hectares (net) of land at Scarborough Business Park for the development of 'employment' uses. The amount of land allocated has been derived from an assessment of anticipated demand for employment land over the Local Plan period. Equally, the specific allocations were identified following a detailed assessment of appropriate sites. As a location, Scarborough Business Park provides the only opportunities for large-scale industrial and business development in the Scarborough Urban Area.

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7.27 Should development come forward at a faster rate than anticipated, land identified under Policy EG4 is the most appropriate, suitable and sustainable location for the development of further large-scale employment uses. This also applies to the possible identification of land beyond this current plan period (up to 2032). As such, this land will be reserved for the expansion of Scarborough Business Park and the development of E(g)(i), E(g)(ii), E(g)(iii), B2 and B8 uses. The development for other non-employment uses such as housing, retail and leisure will not be acceptable in this location; a detailed strategy for the development of non-employment uses has been set out elsewhere within this Local Plan.

7.28 It is recognised that within the period of this Local Plan there are likely to be some circumstances in which development within the protected area might be preferable to development inside the existing Business Park allocations (see Policy EG 3). These circumstances are set out in the policy itself. Any development on this site should be mindful of the potential impact on the Strategic Road Network (SRN) and particularly the Dunslow Road Roundabout. Development proposals will have to demonstrate that they will not have an unacceptable adverse impact on the SRN and its junctions or mitigate such impacts if considered appropriate. Policy INF 2 (Highway Schemes) safeguards land to allow improvements to Dunslow Road Roundabout.

7.29 The loss of this land for the development of other uses in the short-term would seriously undermine the long-term economic potential of the area and ultimately necessitate the identification of less sustainable employment land in the future. It is considered that this approach provides flexibility to accommodate needs not anticipated in the Local Plan and to allow a rapid response to changes in economic circumstances. Furthermore, the approach reflects the fact that Scarborough Business Park will continue to play a vital role in the local economy beyond the period of the Local Plan.

Safeguarding Employment Sites and Premises

Local Plan Review: Overview of Changes (Policy EG5)

No changes have been proposed to Policy EG5 other than the deletion of erroneous supporting text that was not removed upon adoption of the former Local Plan.

7.30 It is essential that an adequate supply and mix of employment sites and premises is maintained, both in terms of the size, quality and location of sites, so that the needs of modern day businesses can be met.

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Policy EG 5

Safeguarding Employment Sites and Premises

In order to ensure that there is an adequate supply of employment sites and premises across the Local Plan area, all sites and premises operating within the Classes E(g)(i), E(g)(ii), E(g)(iii), B2 and B8, including those which are allocated for such uses, will be safeguarded. Proposals that result in the loss of these sites and premises to other uses will be permitted where

- a. it is clearly demonstrated that there is no reasonable prospect of the site being retained in an employment use; and
- b. the proposed use is compatible with the nature of surrounding uses, including both existing and planned uses.

7.31 The various business parks across the Local Plan area provide quality sites in accessible locations for the development of offices, industrial units and storage / distribution operations. These are the only locations where large-scale industrial and commercial development can take place.

7.32 In addition, there are a number of sites and premises located in and around the urban centres of Scarborough, Whitby and Filey. These sites provide an important source of local employment and are well placed to meet the needs of small and medium enterprises. If these units are lost from employment use there may be little opportunity to introduce new industrial areas into existing built-up areas, thereby moving such activity out of urban centres and into peripheral industrial estates. This could lead to an unbalance in the provision of sites and increase the need to travel in order to access employment. As such, it is important that these sites are safeguarded from redevelopment for non-employment generating uses.

7.33 Nevertheless, it is recognised that there are existing sites and premises that are no longer viable for economic use. Examples of this could include; sites that are less well connected to the transport network, buildings unsuited to modern employment use or for which there is no demand, premises that have become run-down and expensive to maintain in their present form, or sites that are surrounded by non-compatible uses (e.g. housing) or other sensitive receptors (e.g. sites of nature importance).

7.34 Where it is demonstrated that there is no reasonable prospect of retaining premises in an economic use, proposals for change of use are likely to be acceptable.

7.35 This policy will also apply to those uses that are located in an area that is predominantly comprised of sites and/or premises that fall within the Classes E(g)(i), E(g)(ii), E(g)(iii), B2 and B8.

Expansion of Existing Businesses in the Countryside

Local Plan Review: Overview of Changes (Policy EG6)

No changes have been proposed to Policy EG6.

7.36 There are a number of established businesses that are either based on the edges of settlements or within the countryside (outside of the defined Development Limits). These businesses can play an important role in the local economy, particularly in rural areas. Where businesses have 'outgrown' their respective sites and premises and have aspirations to grow, they should not be unduly constrained by their location; there are likely to be instances in which their expansion into the open countryside may be appropriate.

Policy EG 6

Expansion of Existing Businesses in the Countryside

Proposals for the expansion of existing employment sites and premises into land outside of the defined Development Limits will be permitted where

- a. the proposed development cannot physically and reasonably be accommodated within the curtilage of the existing site;
- b. there is a proven need for such development in terms of the operational requirements of the business;
- c. there is a proven need for the development to be located at the proposed site;
- d. the scale of development and associated activities is appropriate in the proposed location; and,
- e. there is no unacceptable impact on the character of the countryside or the landscape setting of a settlement.

7.37 It is important that the Local Plan does not prevent or discourage sustainable economic growth. Businesses that are established in a particular location and have invested heavily in a site may be unwilling or indeed unable to relocate in order to facilitate further growth. The relocation of businesses from rural locations can result in the loss of essential employment opportunities in these areas that are unlikely to be replaced.

7.38 As such, whilst the preference is always for development to take place within settlements, the expansion of existing and successful businesses into the open countryside may be appropriate if there are no available sites suitable for expansion as a result of operational and locational requirements. Nevertheless, there must be a demonstrable need for such development and the scale of the proposal should be appropriate in the proposed location. Equally, it is essential that such development does not have an unacceptable impact on the character of the countryside or the surrounding landscape.

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Conversion of Rural Buildings to Business Use

Local Plan Review: Overview of Changes (Policy EG7)

No changes proposed to Policy EG7.

7.39 There is a clear need to further develop and diversify the rural economy; to provide essential employment opportunities outside of the traditional rural activities. However, the need for economic development must be considered alongside the need to protect and enhance the natural and physical environment.

Policy EG 7

Conversion of Rural Buildings to Business Use

Where planning permission is required for the conversion of rural buildings to non-residential business uses outside of the defined Development Limits, permission will be granted subject to meeting the following criteria:

- a. The building is of permanent construction and capable of conversion without major reconstruction or rebuilding as demonstrated by a structural survey;
- b. The proposed use including its curtilage does not result in an unacceptable impact on the character of the area and the landscape;
- c. The conversion in itself will not generate the need for further buildings in the countryside by means of requiring a replacement building for any existing or previous use contained within the building to be converted; and
- d. The access to the site and approach roads are suitable for the levels and type of traffic likely to be generated.

7.40 Not all changes of use or conversions require planning consent. Up to date regulations on Permitted Development Rights can be checked either on the Planning Portal website or by contacting the Local Planning Authority.

7.41 The re-use of rural buildings (including agricultural buildings) for business use can aid the development and diversification of the rural economy without detracting from the character and amenity of the countryside. The National Planning Policy Framework supports sustainable growth of rural business through the conversion of existing buildings, which also includes rural tourism and leisure developments. For clarification criteria (c) of Policy EG7 does not prevent the future expansion of successful enterprises established under this policy in the rural areas as these would be considered in the light of Policy EG6 (Expansion of Existing Businesses in the Countryside).

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7.42 In addition to uses such as workshops, offices and small industrial units, a business use would also include the conversion to serviced or non self-contained holiday accommodation, for example, bunk barns, dormitories or holiday accommodation that is linked intrinsically to a farmhouse or adjacent property that provides service to the accommodation (e.g. breakfast or other meals). The policy aims to facilitate such development while maintaining the environmental safeguards that are essential in an attractive rural area.

7.43 The re-use of buildings within the countryside, where they are worthy of retention, is supported subject to being in accordance with the guidelines set out above and being supported by a full structural survey. In such cases, the re-use of buildings for business purposes will be supported as this can assist with the preservation of important rural buildings in addition to creating employment opportunities, thus diversifying the rural economy. In certain locations and in relation to some types of rural buildings, self catering holiday accommodation or permanent residential conversions may be more appropriate and this is addressed under Policy HC7. There may be some instances where a converted rural building could be extended to accommodate the operational requirements of the proposed use, however, these will need to be considered against other policies in the Local Plan including the design Policy DEC1, amenity Policy DEC4 and Policies ENV 7 and ENV 8 which relate to development affecting the countryside and the impact on the landscape.

7.44 Any consent for re-using rural buildings may be accompanied by a condition or agreement removing permitted development rights for extensions and curtilage buildings to ensure that any future works are sympathetic to the original building.

7.45 Where a building is beyond repair or restoration or requires major reconstruction thereby failing criteria (a) of the policy, any proposal for replacement or rebuild should be considered against Policy ENV 7: Development Affecting the Countryside.

7.46 In accordance with the NPPF, where such proposals involve the conversion of a heritage asset and it is shown that there is less than substantial harm, this should be weighed against the public benefits of the proposal, including securing the optimum viable use for that building.

7.47 Buildings in rural areas can often be inhabited or utilised by protected species. Most often such species are, however, protected by a higher form of legislation than a Local Plan. As such it is always recommended that investigations take place prior to any building works. Information on protected species and the processes for dealing with them can be found at <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>. Policy ENV 6 (The Natural Environment) should also be considered when determining such applications.

Retail and Farm Shops

7.48 The countryside is often an inappropriate location for retail activities due to, for example, the impacts of traffic generation or the impact of such activities on the landscape. Minor elements of retail ancillary to the main use may, however, be appropriate. It is normally assumed that a farm selling unprocessed goods produced on the farm, with a minimal quantity of goods is a use ancillary to the farm and therefore does not need planning permission (for example, a farm setting up a small stall with eggs and other produce on a self-serve basis). However, the setting up of a more formal farm shop selling a combination of home produce and produce from elsewhere is a separate use and requires planning permission.

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7.49 Notwithstanding the recent changes to permitted development rights, such proposals for farm shops will need to be considered carefully with the benefits weighed against any impact on existing village or town centre shops serving the local community. In certain cases the setting up of a farm shop near to rural communities with a lack of existing facilities may provide a significant benefit and be a sustainable alternative to travelling greater distance to service centres for nearby residents.

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Town Centres and Retail

Town and District Centres

7.50 Healthy and prosperous settlement centres are essential to a rich and diverse community life. They are the hearts of our communities, helping to reduce unsustainable travel patterns by enabling access to goods and services locally. It is essential that their complementary roles are maintained and enhanced whilst also allowing for the appropriate diversification of uses in response to changing consumer expectations and shopping trends.

7.51 Opportunities for diversification will in part be enabled through recent changes to the Use Classes Order, namely through the introduction of a new 'Commercial, Business and Service' use class (Class E) - covering shops, banks, cafes, restaurants, gyms and offices - which will allow premises to change between such uses flexibly, without the need for planning consent. This will also be facilitated by associated changes to national permitted development rights, which allow for the change of use from Class E units to residential (subject to limitations and conditions). While the basic principle of providing more homes in and around town centres is supported, the impact of this change in permitted development rights will be monitored closely. Indeed, the Council will consider introducing Article 4 Directions to withdraw those rights in the event that its implementation was shown to be detrimental to the vitality, viability and distinct character of the Borough's centres.

7.52 Importantly, the Council is also planning proactively for the future of the Borough's larger centres, with the recently adopted 'Blueprints' for both Scarborough and Whitby identifying key regeneration/development projects to transform and revitalise the respective town centres.

Hierarchy of Centres

Local Plan Review: Overview of Changes (Policy TC1)

No changes proposed to Policy TC1. Very minor amendments to the supporting text to remove reference to anchor store in the managed shopping mall.

7.53 While the Borough's centres are distinctive and vibrant in their own right, each fits within a wider network and hierarchy of centres, where individual roles and relationships should be complementary. In order to avoid any over-development in any one centre, which could have an adverse impact on a nearby centre, the role of each should be maintained in line with the hierarchy set out within Policy TC1.

Strategic Policy TC 1

Hierarchy of Centres

The economic role and function of centres will be maintained and enhanced in line with the following hierarchy:

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- a. Scarborough town centre;
- b. Whitby town centre and Filey town centre;
- c. District Centres: Eastfield and Falsgrave; and
- d. Neighbourhood Centres: Hunmanby, Newby, Newlands, Ramshill in Scarborough and The Parade in Whitby.

The scale of development proposals should be proportionate to the position of the relevant centre and not have an unacceptable adverse impact on a higher centre.

7.54 Scarborough Urban Area contains various centres at different levels of the hierarchy, with the town centre itself acting as the central hub for services and facilities within the Borough and the wider coastal area. The town centre contains a good range of retail offer including a managed shopping mall. In addition, with a highly regarded theatre (“Stephen Joseph Theatre”) and a growing number of restaurants and bars, Scarborough town centre is re-emerging as a cultural and leisure destination. The overall level of facilities within the town centre reflects its position at the top of the hierarchy.

7.55 In terms of facilities and services, Whitby provides a similar function to Scarborough, though at a smaller scale and in the northern part of the Borough. Although there is a lack of recognised national retailer representation, the town has a good level of independent retail offer and a healthy amount of leisure facilities. As such, Whitby is classified as a ‘Town Centre’ within the hierarchy.

7.56 Filey has an established but small centre that serves the southern part of the Borough, which owing to its edge-of-centre supermarket, is positioned as a ‘Town Centre’ within the hierarchy.

7.57 In addition to the aforementioned larger centres, there are two smaller district centres. Eastfield and Falsgrave in Scarborough Urban Area provide essential facilities in areas where residents would otherwise be forced to travel outside of their local communities. As part of the development of Middle Deepdale and the south of Cayton Strategic Growth Area (see Policy SGA1), the role of Eastfield centre as a District Centre will be enhanced; providing new facilities and services for the South Scarborough Area.

7.58 Other concentrations of facilities such as neighbourhood centres are included within the hierarchy of centres as their importance is recognised. Shops and services that are of neighbourhood importance should be protected wherever possible.

Regeneration of Commercial Centres

Local Plan Review: Overview of Changes (Policy TC2)

The scope of Policy TC2 (formerly Policy TC3) has been expanded to provide broad support for proposals seeking to regenerate the Borough’s designated commercial centres (see Policy TC1). This approach recognises that our centres may need to adapt to meet changing consumer demands and expectations and would allow

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appropriate proposals to come forward. This could extend to schemes identified in the Council's 'Blueprints' for both Scarborough and Whitby, for which Government funding ("Towns Fund") has been secured. Sites highlighted as having transformative potential within the Scarborough 'Blueprint' have been added to the list of sites previously allocated under Local Plan policies TC3 (Regeneration of Scarborough Town Centre) and TC4 (Additional Site for Town Centre Uses). To be clear, these sites are effectively allocated as 'regeneration sites' with a range of uses potentially being appropriate; the allocations do not limit the scope of redevelopment opportunities to those expressed in the 'Blueprint'.

7.59 In order to plan effectively for the future of the Borough's commercial centres, the Local Plan should look to meet identified needs through the identification of appropriate development sites. Similarly, the Local Plan should aim to facilitate the delivery of wider regeneration initiatives, including those identified in the 'Blueprints' for both Scarborough and Whitby, which seek to transform and revitalise the respective town centres.

Policy TC 2

Regeneration of Commercial Centres

Regeneration and/or redevelopment proposals that seek to enhance the vitality, viability and overall quality of the Borough's designated centres, as defined by Local Plan policy TC 1, will be supported providing that they are of an appropriate scale and nature.

The development of the following sites, as identified on the Policies Map, for 'town centre uses' and/or other appropriate uses that can be shown to support and enhance the role of the relevant centre will be supported:

Site Ref:	Site Address:
Scarborough	
RS 1	Aberdeen Walk / Balmoral Centre
RS 2	St Thomas Street Car Park and Adjoining Building
RS3	Former St Mary's Hospital Site, Dean Road (edge of centre site)
RS 4	Scarborough Station Gateway (including Pavilion House and Comet/Poundstretcher)
RS 5	Market Square and Former Argos Building

Proposals relating to the sites listed above will be permitted where they are in accordance with other relevant policies set out in the Local Plan and they satisfactorily address any issues and requirements set out in Appendix C: Regeneration Site Statements.

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7.60 The Scarborough Retail Study (2012) informed the production of the 2017 Local Plan and highlighted a need for the development of additional retail floorspace and other town centre uses during the plan period to 2032. The study identified a need for 4000 sq m additional retail floorspace for comparison goods⁽⁶⁾ and no capacity for convenience goods⁽⁷⁾. In the ten-year period following the publication of the Retail Study, almost 6,000 sq m of retail floorspace has been developed ('net' gain) across the Borough; a significant level of development that has been predominantly driven by the creation of new or expanded 'supermarkets' offering a range of comparison and convenience goods. Monitoring data also shows a 'net' loss of approximately 1,350 sq m of retail floorspace from the Borough's designated 'Town Centres'⁽⁸⁾, though it is notable that the vast majority of 'losses' have been to other town centre uses and thus have not unduly compromised their viability and vitality. With this in mind, the Council will look to commission a new retail study as part of the Plan Review to provide an up-to-date perspective on retail floorspace needs.

7.61 Though new evidence is awaited, it is acknowledged that consumer expectations around what services town centres should offer are changing. Therefore, it is important that policies allow for the appropriate diversification of our centres to ensure their long-term viability, vitality and overall quality.

7.62 The Council has been proactive in seeking to identify opportunities to revitalise the Borough's larger centres through the respective 'Blueprints' for Scarborough and Whitby. Key projects identified across the towns range from the (Scarborough) 'Station Gateway', which seeks to transform the area around Scarborough railway station in order to create an improved 'arrival point' into the town centre, through to public realm enhancements and the renovation of the old Town Hall and Market Square in Whitby.

7.63 Building upon the regeneration sites allocated in the 2017 Local Plan, a number of additional sites with significant redevelopment potential have been allocated in this Plan. While some of these sites may be identified in the Scarborough 'Blueprint' for specific schemes, and these may be referred to in the supporting text below, they are allocated as 'regeneration sites' with a range of town centre and other uses potentially being appropriate subject to the consideration of other relevant Local Plan policies.

- **Aberdeen Walk / Balmoral Centre (Scarborough)** - site comprising a range of units/uses across multiple ownerships, including a small shopping arcade with a large anchor store (Balmoral Centre), a multi-storey car park, former Post Office building and frontage retail units. Suitable for a range of 'town centre uses', with part of the also site identified in the Scarborough 'Blueprint' for the development of a town square.
- **St Thomas Street Car Park and Adjoining Buildings (Scarborough)** - site comprising a range of uses including a car park and retail units. The demolition of 1960s/70s frontage buildings as part of a comprehensive redevelopment scheme for 'town centre uses' could enhance the character and appearance of the streetscene.
- **Former St Mary's Hospital Site, Dean Road (Scarborough)** - site is vacant at the edge of the town centre and is identified as a site for a housing allocation (Policy HC 2). Part of the site has been completed with the development of a care home and the remainder of

6 for shopping where you might compare the offer and prices of two or more similar stores, such as for clothes, electrical goods, etc.

7 day to day shopping for things such as food and newspapers

8 Scarborough, Whitby and Filey

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the site remains appropriate for further forms of housing. Additionally the site may be appropriate for town centre uses where it can be shown that other town centre sites are not suitable, viable or available.

- **Scarborough Station Gateway (including Pavilion House and Comet/Poundstretcher) (Scarborough)** - By delivering improvements to Scarborough Railway Station and its surroundings, a strong arrival point into the town and a modern multi-modal transport hub can be created. The scheme comprises the following aspects:
 - **Pavilion House** - redevelopment / refurbishment of existing building to provide modern commercial office space
 - **Comet/Poundstretcher** - site identified for the development of "Fablab+", a mixed-use digital skills and training centre that will help support the local manufacturing and engineering industries by retaining and attracting talent and creating opportunities for local people.
- **Market Square and Former Argos Building (Scarborough)** - underused building with potential to be redeveloped for a range of 'town centre uses'. Scarborough Blueprint highlights the site as having potential for the development of bespoke "student and key worker" accommodation with a public square proposed on an adjoining site.

Local Plan Review: Overview of Changes (Policy TC4)

The policy has been deleted that referred solely to the former St Mary's Hospital site on Dean Road. The site has been partly completed with a section remaining available for redevelopment. This site has been included in the preceding policy; TC2: Regeneration of Commercial Sites

Development in Commercial Centres

Local Plan Review: Overview of Changes (Policy TC3)

No changes proposed to Policy TC3 (formerly TC2)

Policy TC 3

Development in Commercial Centres

Proposals for the development of 'town centre uses' will be permitted within the town and district centres as defined on the Policies Map. Where it is demonstrated that sites within the defined centres are not available, suitable or viable, edge-of-centre sites followed by out-of-centre sites should then be considered in line with the principles of the sequential approach.

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Proposals for large scale 'town centre uses' (large scale is considered to be those with a gross floorspace over 500 sq m in relation to retail and 2500 sq m for any other use) which are not within defined town and district centres which have met the sequential test will only be permitted where an impact assessment demonstrates that the proposal will not lead to a significant adverse impact on the vitality or viability of defined centres.

District Centres and Neighbourhood Centres

Additional retail provision within District and Neighbourhood Centres will need to be carefully assessed to protect the vitality and viability of other centres higher up the retail hierarchy.

7.64 As the resident population increases as a result of new housing development over the Local Plan period, the level of facilities and services will be expected to increase in line with likely demand. This will be particularly important in the defined centres, where retail, leisure, commercial, office, tourism and cultural uses (collectively known as "town centre uses") are provided. In meeting the additional need for these uses, it is essential that they are provided within the defined town and district centres wherever possible; following the principles of the sequential (town centre first) approach.

7.65 In line with this approach, where a thorough assessment of site availability, suitability and viability has shown that there are no town centre sites to accommodate a proposed development, preference is then to be given to edge of centre locations that are well connected to the centre by means of easy pedestrian access. For retail developments, sites with easy pedestrian access to the relevant centre are considered to be those within 300 metres walking distance of the Primary Shopping Area as defined on the Policies Map (the area where retail development is concentrated). For all other town centre uses, this is considered to be sites within 300 metres walking distance of the defined town centre boundary. Only where no other suitable sites have been identified should out of centre sites then be considered for development.

7.66 Within the District Centres, for which no Primary Shopping Areas have been defined, edge of centre sites are considered to be those within 300 metres walking distance of the defined centre for all forms of 'town centre' development.

7.67 The sequential assessment will not apply to small-scale proposals for town centre uses in rural locations in accordance with the NPPF. For the purposes of this plan, small-scale developments are considered to be those with a gross floorspace of 200 sq m or less.

7.68 The NPPF requires local planning authorities to set their own local thresholds for when an impact assessment will be required alongside proposals for the development of 'town centre uses' in 'out-of-centre' locations. With reference to retail developments, the Retail Study (2012) demonstrated that there is limited capacity for additional retail floorspace over the Local Plan period, especially within the 'convenience' category. As such, the centres are considered to be particularly vulnerable to the adverse impacts generated by out-of-centre retail developments. The Borough Council is therefore proposing a lower threshold of 500 sq m gross floorspace for retail developments to take account of this. For all other town centre uses, the Local Planning Authority will utilise the NPPF default threshold of 2,500 sq m gross floorspace.

Individual Local Shops

Local Plan Review: Overview of Changes to Policy TC4

No changes proposed to Policy TC4 (formerly TC5)

Policy TC 4

Individual Local Shops

Proposals for changes of use which would cause the loss of the last shop in a village, will only be permitted where it can be demonstrated that:

- a. appropriate alternative facilities are within reasonable walking distance; or,
- b. there is no reasonable economic prospect of the shop use continuing even if permission is refused.

7.69 Smaller local shops providing for everyday needs are particularly important in villages. These shops are vital to some of the smaller villages and should be encouraged. The Local Planning Authority will resist proposals that would result in a loss of existing shops, whilst also supporting proposals for the provision of new shops.

7.70 The purpose of the policy is therefore not to place a blanket protection on the loss of village shops, but rather to ensure that all reasonable consideration has been given to the possibility of retaining the shop, in the context that the retention of local services is considered essential to promoting sustainable communities. The Council considers it is reasonable that economic viability is among the material considerations it will take into account when determining planning applications.

7.71 Proposals for the loss of such services and facilities will have to demonstrate that the existing (or most recent) use is no longer required or viable.

Tourism

7.72 The tourism industry continues to play a key role in the economy of the Borough. In 2019, it was estimated that the overall value of tourism for the Borough was £610.5 million with an estimated 1.44 million overnight tourism trips, and nearly 9 million day trips made to the Borough⁽⁹⁾. The overall spend increased to £837.1 million when the multiplier effect is taken into account. This was an increase of 11.8% on the previous year. The nature of the tourism industry means much of the expenditure has a strong seasonal influence and the Local Plan seeks to support the vitality of a year-round tourism economy.

9 All figures taken from 'The Economic Impact of Tourism on Scarborough District 2019

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7.73 In terms of employment, the tourism industry⁽¹⁰⁾ accounts for 21.9% of all jobs in the Borough (around 400 jobs). However, a high proportion of these jobs are part-time and low-paid, reflecting the seasonal nature of the tourism industry.

7.74 The Borough Council adopted an update to its Visitor Economy Strategy in 2021. This identifies six strategic principles which will deliver its aim to strengthen the tourism offer. In brief, the principles are to attract more 'staying' visitors, be more market-led, build on the Borough's established reputation, use a year-round thematic approach, support businesses to develop more distinctive attraction, and work with other businesses and groups such as the North York Moors National Park, Welcome to Yorkshire, and Visit York. Whilst the longer-term impact of the Covid-19 Pandemic remains uncertain, the tourism industry also aims to return to Pre-2020 levels of income by the end of 2022.

New Tourism Facilities

Local Plan Review: Overview of Changes to Policy TOU1

Minor wording change to Policy TOU1.

Strategic Policy TOU 1

New Tourism Facilities

The diversification of the tourism industry throughout the plan area will be supported and encouraged. Proposals for the development of new or the enhancement or expansion of existing tourism and leisure facilities will be permitted where they

- a. respect the distinctive tourism character of the area in which the development is proposed, both in terms of the scale and nature of development; and
- b. wherever possible, help to reduce the seasonal nature of the tourism industry in the area.

7.75 Tourism is fundamental to the local economy. Almost 9 million visitors are attracted to the area every year by its seaside resorts, dramatic coastline and landscape, award winning beaches, built heritage and proximity to the North York Moors National Park.

7.76 Due to the seasonal nature of the tourism economy there is a need to develop a more diverse year-round tourism product by further capitalising on the existing natural and historic assets, including its proximity to the recreational opportunities provided by the North York Moors National Park, whilst also providing new visitor attractions. However, the need for development must be balanced against the need to protect the natural and physical environment wherever possible; thereby ensuring that the tourism economy is sustainable in the long-term.

¹⁰ Tourism consists of industries that are also part of the services industry, including 'Accommodation and Food Service Activities', 'Arts Entertainment and Recreation' and 'Other Service Activities'

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7.77 It is important to recognise that each of the main tourist areas (Scarborough, Whitby, Filey and the wider countryside and the Coast) is unique, both in terms of their respective tourism product and their physical and natural environmental constraints. An approach to development that recognises the strengths of each area should be adopted. This approach is at the heart of the Visitor Economy Strategy for Scarborough Borough, which has an overall 'mission' of:

“To revitalise and reposition the visitor economy in the Borough of Scarborough so that it is more competitive, profitable and sustainable.”

7.78 It should be noted, this policy relates to the provision of facilities and attractions. Proposals in the countryside (outside the development limits) for new and expanded visitor accommodation and/or any associated facilities (for example within Holiday Parks) should be considered against Policy TOU 4 covered later in this chapter.

North Bay Leisure Parks

Local Plan Review: Overview of Changes to Policy TC2

Policy TOU2 has not been amended. The supporting text refers to the North Bay Masterplan which was adopted by the Council in July 2022. Whilst not forming part of the Development Plan it does set out the long-term development aspirations of the Council.

Policy TOU 2

North Bay Leisure Parks

Proposals for the development of new leisure or tourism facilities or the enhancement of existing leisure or tourism facilities within the North Bay Leisure Parks area, as shown on the Policies Map, will be supported where they accord with the criteria contained within Policy TOU1.

7.79 The North Bay is an area traditionally characterised by its offer of tourism attractions and leisure facilities. It benefits from its proximity to a number of key assets including the North Bay beach and Peasholm Park, and is also located near to an area with a high concentration of visitor accommodation. In recent years, there have been a number of proposals for the development of tourism facilities and the North Bay area continues to play a valuable role in contributing towards the wider tourism offer. The development of additional new facilities will safeguard and reinforce the role the North Bay plays in the areas tourism provision, offering a complementary provision to that of both Scarborough Town Centre and the South Bay leisure attractions.

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7.80 In accordance with Policy TOU1, proposals will have to make a clear contribution to the tourism character and offer of the North Bay area, whilst careful consideration must also be placed on protecting those assets that make the area an attractive place to visit. In achieving this, development would assist in achieving a sustainable long-term tourism economy.

7.81 The Borough Council has recently prepared and adopted a Scarborough North Bay Masterplan in July 2022. This document sets out indicative proposals for several sections of the North Bay area covered by this allocation. This document is for the purposes of setting a holistic approach for this area and to provide clear guidance for potential investors, funding partners and developers. Whilst the Masterplan does not form part of the Development Plan it sets out the long-term development aspirations of the Council. The proposals set out include but are not limited to:

- North Bay Gateway (former Atlantis Site) for an indoor leisure attraction which could include rock climbing, skate parks and soft play;
- Multi-Storey car parks at North Bay Gateway and Northstead Lower Car Park;
- A luxury hotel on the site of the former Indoor Pool and Northstead Upper Car Park;
- An expansion of the capacity of the Open Air Theatre including an upper tier with waterproof covering and associated development of food and beverage and backstage facilities;
- Family themed entertainment, hotel and other holiday accommodation on the site of the former Mr Marvel's site;
- High quality holiday accommodation units including eco-lodges and treehouses on the former Kinderland site;
- New transportation options through the site including a gondola system and autonomous land train pod system

Change of Use of Visitor Accommodation

Local Plan Review: Overview of Changes to Policy TOU3

No changes are proposed to Policy TOU3.

Policy TOU 3

Change of Use of Visitor Accommodation

Proposals for the change of use of Hotels and Guest Houses will be permitted where

- a. it can be demonstrated that overall demand for this type of accommodation during peak periods in the particular locality is being met; or
- b. it can be demonstrated that such a use is no longer financially viable.

If either of these criteria can be met then proposals will have to demonstrate there would be a positive impact on the character and environment of the surrounding area prior to consent being granted.

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7.82 It remains essential that there is an adequate range of visitor accommodation that is able to meet current and future aspirations for the tourism market. Policy TOU1: New Tourism Facilities acknowledges the value of having a thriving tourism market in contributing to the local economy and visitor accommodation is a fundamental component of this in order to ensure visitors have a choice in terms of type and quality of accommodation for their stay.

7.83 There is continued pressure to convert visitor accommodation to other uses, particularly from guest houses to residential uses. This must be carefully monitored as the appeal of this area as a tourism destination could be threatened by a shortage of quality and range of accommodation types. The approach will therefore be to resist inappropriate change of use of visitor accommodation across the Borough's towns.

7.84 In recent years Scarborough and Whitby have seen the delivery and further expansion of several large hotels with Premier Inns at Scarborough (Centre and North Bay) and Marston's Pub and Hotel on the south side of Whitby. The larger hotels in particular help in diversifying the tourism market through offering conference facilities or a broader range of services to their visitors.

Visitor Accommodation in the Countryside

Local Plan Review: Overview of Changes to Policy TOU4

Wording change to policy heading to omit 'and facilities' as that caused confusion with Policy TOU1 which refers to tourist facilities. Clarification added to policy to confirm that this refers to both new and re-organised accommodation. Also reference in the supporting text to proposals that may be in response to the implications of coastal change.

Policy TOU 4

Visitor Accommodation in the Countryside

Proposals for the development of new or re-organised visitor accommodation and associated facilities in the countryside will be permitted where

- a. they would be of an appropriate scale in relation to their location;
- b. they are sited to be visually unobtrusive and can be successfully integrated into the surrounding landscape due to the natural topography and established screening; and
- c. the road network and the site's access can safely accommodate any traffic generated.

Proposals for the extension of or improvements to existing sites including associated facilities will be permitted where they meet the above criteria and they are shown to be ancillary to the primary function of the site as visitor accommodation.

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7.85 Rural areas have the ability to offer a range of quality accommodation in order to contribute towards meeting the changing demands and requirements of its visitors. This policy applies to visitor accommodation such as touring caravan and camping sites and static caravan and chalet self-catering accommodation in the countryside. The NPPF encourages local plans to promote sustainable rural tourism and leisure developments where they can benefit business in rural areas, local communities and visitors whilst respecting the character of the setting in which they are located. Therefore, visitor accommodation in rural areas is only appropriate where it is sustainable and can contribute to the tourist economy.

7.86 All visitor accommodation and associated or ancillary facilities should be sympathetically located, designed and landscaped to protect the areas' distinctive character so they safeguard the key assets that make it an attractive place to visit. Therefore, all development proposals must ensure they accord with Policy DEC1 and Policy DEC4. This includes considering the medium to long term strategies and masterplanning for the major holiday parks.

7.87 There may be instances where the expansion of an existing holiday park / caravan site, or intensification within a park or site's existing site area, may be necessary to fund improvements for additional facilities. Such proposals would have to satisfy the requirements of this policy.

7.88 The development of small scale sites in the wider countryside may be appropriate, providing that they can be well integrated with the landscape surroundings and with the built character of rural settlements. Some locations will be more suited to touring pitches as opposed to static sites depending on the nature of screening that exists.

7.89 Development proposals must demonstrate how they satisfy the criteria to ensure they can be accommodated in their landscape setting. Fully utilising the natural topography of land rather than the artificial modification and manufacturing of landscapes can assist in minimising the impact of development. There may be instances where screening by existing vegetation would only partially achieve the successful integration of the proposed development into its surrounding landscape and in such an instance, proposals should demonstrate how this can be augmented with appropriate planting to ensure an acceptable level of screening is achieved.

7.90 Any proposals relating to the re-location or 'rolling back' of development that may be affected by coastal change are considered in relation to Policy ENV 4 Coastal Change Management Areas.

Amusement Arcades

Local Plan Review: Overview of Changes to Policy TOU5

No changes proposed to Policy TOU5. Minor wording alternations to supporting text.

Policy TOU 5

Amusement Arcades

New amusement arcades or extensions to existing facilities will only be permitted in the following locations, as defined on the Policies Map:

- a. Along Foreshore Road, Scarborough;
- b. Between 18 Pier Road and Pier House, Whitby; and
- c. Within holiday and caravan sites where they are of a scale to meet the needs of the site in which they are located and remain ancillary to the caravan site.

Amusement arcades will be permitted in these locations provided that they will not adversely affect the character and appearance of the host building and wider area by virtue of scale and materials and will contribute towards the provision of an appropriate mix of entertainment and shopping facilities and food and drink outlets.

7.91 Sandside in Scarborough has undergone significant improvements to its public realm, with much improved facilities and forms an important focus for much of the tourist offer within the town. It is important that the area continues to play this role and offers complementary services to that of Foreshore Road. Amusement arcades can contribute to the tourism and economy offer in the towns, however, it is important to concentrate them in key areas in order to promote these locations and avoid the sprawl to inappropriate areas. As a result it remains important to direct amusement arcades to the Foreshore Road area subject to meeting the criteria within the policy and restrict them elsewhere. This is the approach the Local Planning Authority has taken to the provision of amusement arcades.

7.92 The approach has also proved to be successful in Whitby, and again, amusement arcades should be limited to that area along Pier Road.

7.93 In Filey, it remains important to restrict amusement arcades so the town retains its character and the range and balance of facilities it offers as a family tourist resort. The existing amusement facilities are well established and contribute to the offer within the town, however, it is considered an appropriate level and any more would erode the character of the town.

7.94 The policy also recognises the appeal of such facilities within the large caravan parks, and it is acknowledged this is a trend that may continue provided facilities can be successfully integrated into sites.

7.95 A distinction is made between the aims of the policy to control amusement centres of the open fronted arcade type within the areas where amusements are designed to attract holiday visitors and the alternative adult gaming centres, a modern form of amusement centre offering a closed and relatively discreet use of casual entertainment using electronic machines principally situated within shopping areas.

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7.96 In assessing any applications for adult gaming centres the Local Planning Authority would consider each one on a case by case basis, taking into account the mix of existing uses present in the locality and potential impacts that the use may have upon the amenity of an area.

7.97 Cash bingo would not be permitted within an adult gaming centre.

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8.1 There is compelling scientific evidence that suggests human activity is playing a contributory role in climate change. In the UK, households account for 25% of the nation's total carbon emissions, which is equivalent to 41.7 million tonnes of carbon per annum.

8.2 As a result of climate change, in the UK we are likely to see more extreme weather events, including hotter and drier summers, flooding and rising sea levels increasing the risk of coastal erosion. There will be permanent changes in the natural environment, putting water quality, wildlife habitats and ecosystems, and areas of sensitive biodiversity under threat.

8.3 In response to these threats, Scarborough Borough Council declared a 'Climate Emergency' in 2019 and in doing so, pledged to do everything in its power to make the Borough 'carbon neutral' by 2030. A range of policy interventions that help to minimise and capture carbon emissions are required to achieve this ambitious target and to minimise the threat of climate change more generally.

8.4 Such policies are presented throughout the Local Plan, which as a whole aims to ensure that development is sustainable in all aspects; by reducing carbon emissions from new development, both in terms of securing energy from low carbon and renewable sources and by locating development in appropriate places, by protecting natural resources and the natural environment and by efficiently and effectively responding to environmental risk. Steps taken at the local level can play a significant role in the global objective to minimise the impact of human activity on climate change.

Low Carbon and Renewable Energy

8.5 The Climate Change Act (2008) sets a legally binding commitment to reduce the UK's carbon emissions by at least 26% by 2020 and at least 80% by 2050, compared to 1990 levels. One of the ways in which these reduction targets can be delivered at the local level is by increasing the amount of energy (both electricity and heat) we secure from renewable and low-carbon sources. Renewable energy has the benefit of zero net carbon dioxide emissions and can be delivered at both a large-commercial and small-domestic scale by a number of different technologies, including wind turbines, biomass boilers and photovoltaic cells.

8.6 The extent to which the Local Plan area can accommodate certain types of renewable energy technologies is constrained by the geography of the area; factors such as proximity to the North York Moors National Park means that there is limited capacity for large-scale renewable energy generation. Therefore, while a study from 2011⁽¹⁾ indicated that the Borough as a whole (including the National Park area) has the potential to deliver 34 Mega Watts (MW) of electrical power and 65 MW of heat from renewable energy sources by the year 2025 (as shown in Table 8.1), the figure for the Local Plan area is likely to be lower still. For example, the vast majority of the potential biomass woodfuel (woodland) source that has been identified by the study is within the National Park area. Similarly, the potential biomass energy crop source has been calculated based on assumptions around farm land that is no longer required for food production⁽²⁾ and does not take account of the need for competing land uses such as housing.

1 Low Carbon and Renewable Energy Capacity in Yorkshire and Humber, April 2011

2 in line with DECC guidance

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With this in mind, an emphasis should be placed on microgeneration technologies, which cumulatively, have the potential to generate a significant (within the context of the overall generation potential) level of renewable energy.

Potential Energy Resource	Electricity (MW)	Heat (MW)	Total (MW)
Commercial wind	10	0	10
Biomass energy crops ⁽³⁾	13	25	38
Biomass woodfuel ⁽⁴⁾	0	11	11
Energy from waste	5	6	11
Microgeneration ⁽⁵⁾	6	23	29
Total	34	65	99

Table 8.1 The Borough's Potential Renewable Energy Sources

8.7 Owing to the time at which the aforementioned capacity study was undertaken and the technology being in its relative infancy, the figures shown in the table above do not include the potential generation capacity of large-scale solar. Nevertheless, it is noteworthy that planning consent for the development of a 34MW solar farm to the south west of Scarborough (at Land off Stoney Higgs Road, Seamer, Scarborough) was granted in 2022. The renewable energy generated by the approved scheme will meet the needs of approximately 9,300 homes per annum and displace around 9,900 tonnes of CO₂ annually. Information submitted as part of the application suggests that the potential for further large-scale solar installations is constrained by the limited capacity of local grid infrastructure.

8.8 The development of renewable energy technologies and supporting infrastructure will be supported in appropriate locations and determined against the provisions of Policy ENV 1.

Local Plan Review: Overview of Changes to Policy ENV1

The supporting text (above and below) has been amended to include reference to a recently approved solar farm development, which has the potential to generate a significant amount of renewable energy. Further changes reflect that the government's policy approach to onshore wind energy developments previously expressed within a Written Ministerial Statement are now embedded within the National Planning Policy Framework.

3 including agricultural arisings (straw)

4 including waste wood

5 including solar water heating, ground source heat pumps, photovoltaics and micro-wind technologies

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Strategic Policy ENV 1

Low Carbon and Renewable Energy

A. Proposals for the development of renewable energy technologies including associated service roads and connections to the grid will be permitted where it can be demonstrated that the proposal will not, either individually or cumulatively, have an unacceptable impact on

- i. the character or appearance of the landscape or built environment including the setting of the North York Moors National Park;
- ii. nature conservation interests, including proximity to and impact on sites of designated importance and other habitats and species;
- iii. historical or archaeological features and their setting;
- iv. air quality, soil and water sources;
- v. residential amenity, including through noise pollution and light flicker from wind turbines;
- vi. aircraft, radar and telecommunications; and
- vii. footpaths, bridleways and cycle routes.

B. Where possible, grid connections to and from any renewable energy facility should be provided underground.

C. Unless covered by Policy ENV 2 (Small Scale Wind Energy), the development of all other wind turbines will be permitted where the above criteria are met and:

- the site is located within an area defined as being suitable for such use within a Neighbourhood Plan; and,
- following consultation it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

8.9 In the context of the national agenda for reducing carbon emissions, there is a responsibility on all communities to contribute to energy generation from renewable or low carbon sources. However, this responsibility must be weighed against the need to protect the wider built and natural environment at a local level, ensuring that adverse impacts from development are addressed and mitigated wherever possible.

8.10 The development of renewable energy technologies such as wind turbines, biomass boilers and energy from waste plants, which often require a countryside location, can be detrimental to the wider environment and enjoyment of the countryside if not sited and managed properly.

8.11 The diverse mix of high quality landscapes contribute to the attractiveness of the area as a place to live, work and visit, and its character should be respected. Proposals for the development of renewable energy technologies within the countryside will be required to demonstrate that the visual impact of development on the character or appearance of the

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surrounding landscape will not be unacceptable, including on the setting of the North York Moors National Park. This includes views of the associated landscape from significant view points and the cumulative impact of development in the area. Assessments of landscape and visual impact should have regard to the report, 'Managing Landscape Change: Renewable & Low Carbon Energy Developments - a Landscape Sensitivity Framework for North Yorkshire and York (2012)' which establishes a clear and concise decision-making framework for renewable and low carbon energy developments. Further information and evidence on landscape character and sensitivity is contained within the following pieces of evidence:

- Delivering Sustainable Energy in North Yorkshire (October 2005);
- North Yorkshire and York Landscape Characterisation Project (May 2011); and
- Scarborough Borough Landscape Study (February 2013).

8.12 Policy ENV 6 of the Local Plan has regard to the impact of development on the natural environment, particularly sites that are designated for their nature importance. Outside of the direct impacts associated with developing within or adjacent to designated sites, renewable energy technologies can also impact upon the natural environment indirectly. For example, wind turbines located within the flight paths of migratory bird species can severely impact upon the viability and sustainability of the habitats they populate. Therefore, renewable energy developments should be located in a position that will minimise the potential for direct and indirect impact on the natural environment.

8.13 Grid connections to and from any renewable energy facility should be provided underground. In doing so, applicants will be required to demonstrate that the development will not have an adverse impact upon any historical or archaeological features that may be present within the area. This also applies to any service roads that are to be provided.

8.14 The countryside is an important resource that should be protected, not only in terms of its visual and landscape value but also in terms of its importance as a recreational resource that is enjoyed by many. The Borough has an extensive network of footpaths, bridleways and cycle routes, including national routes such as the Cleveland Way and the Wolds Way. The role and safe enjoyment of the network will be a factor when considering planning applications for renewable energy schemes.

8.15 Renewable energy technologies, particularly those of a large scale, have the potential to give rise to secondary emissions such as noise, light flicker and smells that could be detrimental to the amenity of existing users and occupiers of nearby land and buildings. Policy DEC4 states that planning permission will not be granted where development of any type will result in an unacceptable loss of amenity.

8.16 Applicants may be required to demonstrate through an Environmental Impact Assessment that all possible steps have been taken to reduce the potential loss of amenity; for wind farm developments this means varying the number, height, location and orientation of turbines to reduce noise emissions and light flicker.

8.17 Wind turbines have the potential to have an adverse impact upon aircraft, radar and telecommunications systems and as such, all developers are advised to engage in pre-application discussions with the relevant bodies, including the Ministry of Defence, Government

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Communication Headquarters (GCHQ) and RAF Staxton Wold. The Local Planning Authority will also seek advice from these bodies through the decision-making process as a means of understanding the potential impact of wind turbine development.

8.18 Proposals for the development of domestic-scale renewable energy technologies, i.e. those that are primarily intended to supply an individual dwelling or small cluster of units, where they are not classed as permitted development⁽⁶⁾, must be supported by a statement that demonstrates all feasible and viable alternative methods/technologies for generating renewable energy have been considered. It should confirm the final scheme represents the most appropriate form of development in terms of minimising the potential impact on the surrounding area.

8.19 As set out in Policy ENV 2 below, the Local Planning Authority has sought to differentiate between large/commercial scale wind turbines and small scale turbines when assessing planning applications for wind energy developments. Unless a proposed wind turbine is considered to be small in scale, when considered in the context of Policy ENV 2, planning applications for the development of wind turbines will be considered against the criteria set out in Policy ENV 1 and the tests set out in paragraph 158 and footnote 54 of the National Planning Policy Framework (July 2021).

Wind Energy

Local Plan Review: Overview of Changes to Policy ENV2

Changes to the supporting text reflect that the government's policy approach to onshore wind energy developments previously expressed within a Written Ministerial Statement are now embedded within the National Planning Policy Framework. This change is for clarity only, with no overall change in policy direction proposed.

Policy ENV 2

Small Scale Wind Energy

Proposals for the development of small scale turbines measuring up to 35 metres in total height will be approved where they accord with parts A and B of Policy ENV 1 and:

- a. following consultation it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing; and
- b. they are directly related to, and generate power principally for, the operation of a farmstead, other rural business or a local settlement; or,
- c. the site is identified as being suitable for the development of wind turbines within a Neighbourhood Plan.

6 As defined by The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008

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8.20 Paragraph 158 and footnote 54 of the National Planning Policy Framework (July 2021) state, *"Except for application for the repowering of existing wind turbines, a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing."*

8.21 The desire to give local communities more say in this element of the planning process is acknowledged and supported. However, the requirement for all sites to be within an area that has been identified as being suitable for wind energy development is considered to be overly restrictive, particularly in an area such as the area covered by this Local Plan where the potential wind energy resource is relatively limited (see paragraph 8.5).

8.22 Ultimately, the suitability of an area for wind energy development is entirely dependent upon the prevailing wind energy resource in that area, the character and capacity of the local environment to accommodate development of this type, and the scale and nature of a particular turbine. For example, a single small-scale turbine or indeed a group of small-scale turbines, may be suitable in a location that is unsuitable for the development of a commercial-scale (100 metres and over) turbine.

8.23 The nearest proxies to suitability are landscape sensitivity (derived from landscape character sensitivity and visual sensitivity) and landscape capacity (also includes landscape value). Evidence produced as part of the plan making process has focused on assessing the sensitivity of landscapes to the development of wind turbines over 100 metres tall (to blade tip), i.e. those which are considered to be strategic in nature and would make a significant contribution towards energy generation. To assess the suitability of all potential individual areas for wind energy development across the various scales is considered to be a disproportionate level of evidence.

8.24 Given that the approach advocated by the NPPF does not distinguish between small and commercial scale schemes, it seems unreasonable to dismiss the development of smaller turbines on the basis that suitable areas have not been identified within the Local Plan. This would preclude the development of turbines where the primary purpose is to meet the operational needs of a farmstead or other rural business, i.e. not to generate additional energy to be fed into the power grid for commercial gain. It would also prevent the development of community led schemes, where the benefit is to local communities, unless a particular site has been identified in a Neighbourhood Plan.

8.25 Therefore, the Council will support the development of small scale wind turbines (those measuring up to 35 metres in total height) where they are deemed to comply with the requirements of Policy ENV 1 and the further criteria set out in Policy ENV 2.

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Environmental Risk

Local Plan Review: Overview of Changes to Policy ENV3

Only changes relating to this policy itself and the supporting text are to remove references to Coastal Erosion which are now covered separately under Policy ENV4.

Policy ENV 3

Environmental Risk

Proposals will be expected to mitigate against the implications of environmental risk and the effects of climate change. This will be achieved by

- a. avoiding development in high flood risk areas by following a sequential approach in giving priority to lowest risk areas as identified by the North-East Yorkshire Strategic Flood Risk Assessment or any subsequent update or replacement. Where the Sequential Test cannot be passed, the Exception Test should be utilised in order to demonstrate whether the development's wider benefits to the community outweigh the flood risks, whether the development can be made safe, and whether it has, wherever possible, reduced flood risk overall;
- b. seeking opportunities from new development that may help to reduce the causes and impacts of flooding, and safeguarding land which is needed for flood risk management purposes (as identified in DEFRA's Programme of flood and coastal erosion risk management schemes and other Environment Agency or Lead Local Flood Authority documents);
- c. ensuring water supply and water resources are managed and water efficiency measures are incorporated to reduce resource need, in line with the Environment Agency's licensing strategies;
- d. using mitigation measures such as Sustainable Drainage Systems where possible in order to facilitate development in areas of sensitive drainage and to meet the requirements of the Water Framework Directive;
- e. ensuring development has adequate provision for foul and surface water disposal in advance of occupation;
- f. ensuring development does not lead to pollution of controlled waters in line with the requirements of the Water Framework Directive;
- g. requiring development to manage waste from the site (both during construction and operation) in a sustainable way consistent with the waste hierarchy;
- h. requiring the remediation or mitigation of contaminated or unstable land to reduce unacceptable risks to the environment through development; and
- i. monitoring and seeking to maintain good ambient air quality standards.

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8.26 It is important to ensure that development addresses the potential impacts of climate change at the local level, which could include an increased susceptibility to flooding and coastal erosion plus hotter and drier summers and wetter winters. The National Planning Policy Framework (NPPF) states that Local Planning Authorities should ensure development proposals avoid increasing the vulnerability of an area to the range of impacts arising from climate change. Other elements of environmental risk relating to contaminated land, drainage and air quality are also addressed. The issue of groundwater resources and its protection is covered separately under Policy ENV4 Groundwater Protection.

Flood Risk

8.27 The Local Planning Authority will adopt the sequential approach in accommodating development (as detailed in the NPPF and NPPG) and any proposals that will involve an exception to this approach will need to demonstrate appropriate measures have been taken in order to ensure any adverse impacts are mitigated.

8.28 The Local Plan aims to ensure development is avoided in areas at the highest risk of flooding and manage the risk of flooding to ensure there are no adverse impacts elsewhere. The North-East Yorkshire Strategic Flood Risk Assessment (SFRA) (February 2010) and Environment Agency data are used to identify areas at being of high, medium or low-risk to flooding.

8.29 The NPPF and NPPG seek to ensure the impacts from flood risk are avoided or limited wherever possible and in doing so seek the utilisation of both the Sequential and Exception Tests.

8.30 The Sequential Test states development should not be permitted on land when there are reasonably available sites in areas with a lower probability of flooding as defined by the SFRA. Where this may not be possible, the Exception Test must be used in order to demonstrate wider sustainability benefits to the community are accrued that outweigh flood risk and demonstrate that the development can be achieved without increasing flood risk elsewhere through a site-specific flood risk assessment. In this instance, proposals should be supported by a demonstration that they are in accordance with relevant policy and guidance such as the Flood and Water Management Act 2010, the SFRA, the NPPF and NPPG and any future updates.

8.31 Development should also be designed to ensure any residual risk can be safely managed, is appropriately flood resilient and resistant and seeks to fully utilise sustainable drainage systems in addition to ensuring it is in accordance with Policy DEC 1: Principles of Good Design. Proposals should meet the standards of ensuring sufficient attenuation and long term storage should be provided to accommodate at least an event with a 1 in 30 chance of occurring in any given year. Any design should also ensure that storm water resulting from an event with a 1 in 100 chance of occurring in any given year, plus 30% to account for climate change, and surcharging the drainage system can be stored on the site without risk to people or property and without overflowing into a watercourse. The Borough Council will also seek to be proactive by considering how new development may present opportunities to help to reduce the causes and impacts of flooding; safeguarding land that may be required for flood management both at

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the present time and in the future; and facilitating the relocation of development to more sustainable locations where climate change may increase the risk from flooding. The Borough Council will respond favourably to proposals for sustainable flood risk management.

Drainage Sensitive Areas and Sustainable Drainage Systems

8.32 The SFRA also identifies Drainage Sensitive Areas, and proposals on such locations will be expected to provide a detailed assessment of this and implement Sustainable Drainage Systems as mitigation. The use of Sustainable Drainage Systems will also be encouraged as a way of achieving wider benefits such as sustainable development, water quality, biodiversity and local amenity.

Water Framework Directive

8.33 The Water Framework Directive requires that developments should contribute towards achieving "good" status and prevent the deterioration of water bodies under the Water Framework Directive by conserving and enhancing;

- a. the natural geomorphology of watercourse;
- b. ground and surface water quality; and
- c. the ecological value of the water environment, including watercourse corridors.

Foul and Surface Water Disposal and Treatment

8.34 Adequate provision for foul and surface water disposal and treatment must already exist or be provided ahead of occupation of any development. On larger schemes, the phasing of development may be required to ensure that the necessary infrastructure is in place prior to occupation. The Local Planning Authority will continue to consult with the Environment Agency and Yorkshire Water in order to determine whether any infrastructure improvements are essential prior to development. Further information of local water availability and licensing strategies is available via the 2013 Derwent and Esk & Coast Catchment Abstraction Management Strategy (CAMS).

8.35 A more sustainable method of disposal of "grey water", i.e. waste water from sinks, baths, washing machines, is through the implementation of grey water recycling techniques. This process can help to reduce the volume of water that is disposed of through the main sewer and also promote water efficiency within new developments.

Waste

8.36 The Waste Framework Directive (2008) informs waste planning policy. The area is covered by the North Yorkshire Municipal Waste Strategy, which aims to reduce the amount of waste produced and promote the value of waste as a resource. The emphasis is on moving waste up the waste hierarchy to deliver greater levels of re-use, recycling and recovery of waste so that only 'residual' waste is disposed of. The Council will continue to work with North Yorkshire County Council in relation to ensuring the requirements of the Waste Framework Directive are met and sufficient capacity remains in order to meet both current and future waste requirements.

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Additionally, the Council can be proactive and work with developers to ensure the management of waste is appropriately considered including setting out how waste arising from the development is to be dealt with and to promote the use of recycled products and the recovery of on-site material.

Contaminated and Unstable Land

8.37 The re-use of previously developed land is an important element in achieving regeneration and sustainable development objectives and to improve both the built and living environment. Development proposals on contaminated and/or unstable land, or where previous land use may indicate some level of contamination, must include an assessment of the extent of contamination and/or instability and any possible risks. An assessment should include;

- Ensuring sites are suitable for the intended use;
- Applying a risk based approach to the assessment of contaminated and unstable land;
- Preventing discharge to ground through land contamination.

8.38 The Environment Agency provides guidance in the assessment of evaluating risk associated with land contamination entitled 'Guiding Principles for Land Contamination'. In respect of coal mining legacy issues, including associated land stability, The Coal Authority provides guidance for developers in respect of the Risk Based Approach to Development Management, which includes the requirements of a Coal Mining Risk Assessment. Proposals will only be permitted where the land is, or can be made, suitable for the proposed use.

Air Quality

8.39 Development should not result in unsatisfactory air quality for the locality or wider area. The Borough Council will continue to monitor the designation of Air Quality Management Areas. Local Authorities monitor air quality and determine whether the national air quality objectives as determined by DEFRA are being met and are expected to continue to be met, where this is not the case, they are identified as Air Quality Management Areas and are subject to a Local Air Quality Action Plan. When considering proposals, the Local Planning Authority will ensure that they do not lead either to an individual or cumulative contribution to unsatisfactory levels in these areas, in accordance with any air quality action plan.

8.40 At the current time, there are no Air Quality Management Areas in the Local Plan area. In line with the NPPF, where any further Air Quality Management Areas may be created, development proposals must be consistent with the local air quality action plan.

Coastal Change Management Areas

Local Plan Review: Overview of Changes to Policy ENV4

Policy ENV4 is a new policy that relates to coastal areas under threat of erosion in the short to long term. It sets criteria for the consideration of development within these defined areas and the types and forms of development that may be appropriate.

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Further work is required to determine the finalised list of developments that may be considered appropriate within Coastal Change Management Areas and suggestions are welcomed as part of this consultation exercise. East Riding of Yorkshire Council has included a similar policy in their Local Plan review and this can be found on their website for information and context ⁽⁷⁾

Policy ENV 4

Coastal Change Management Areas

Within Coastal Change Management Areas (as defined on the Policies Map), development will only be permitted where it is an appropriate temporary development, or it is for the re-location or roll back of existing permanent development or is an existing caravan/holiday park to an alternative location that is suitable and accords with other Local Plan policies, where it can be demonstrated that:

- It would not result in adverse changes to the coast taking into account any impacts on landform, land stability, ecology or biodiversity;
- It would be safe from the risks associated with coastal change over its intended lifespan; and
- Its siting is essential in its location within a Coastal Change Management Area, by virtue of being concerned with a coastal activity that has a direct environmental, economic or community benefit.

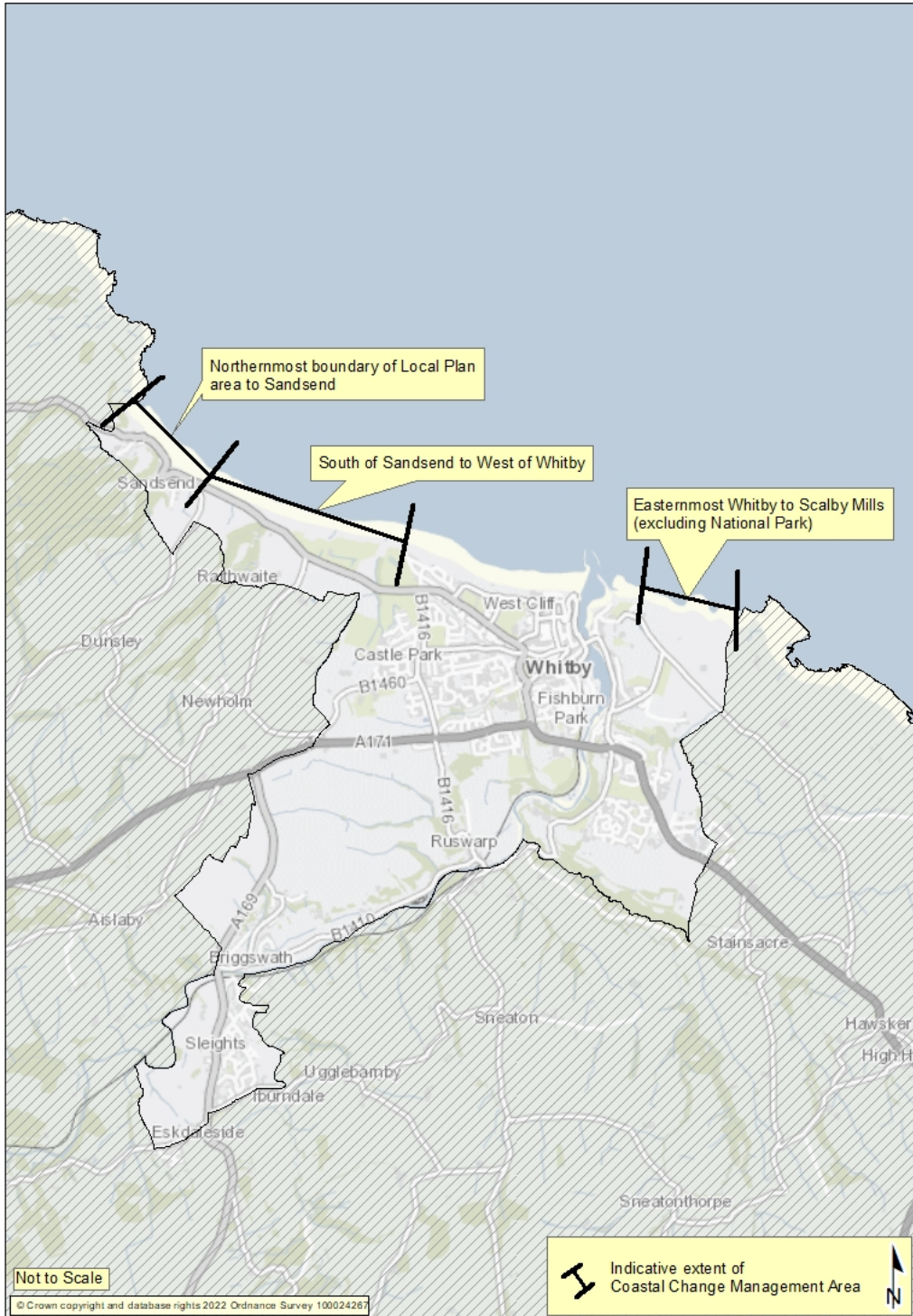
If the development involves a roll-back from an existing coastal location, the vacated site should be returned to a sustainable natural state demonstrating environmental and community benefits. Community benefits should involve, wherever possible, retained or enhanced public access to the coast.

8.41 Coastal Change Management Areas are those areas identified as being at the greatest risk of being affected by physical changes to the coast, thereby addressing climate change through adaptation. It is important to avoid inappropriate development in such areas thereby not exacerbating the impacts of coastal erosion. The Coastal Change Management Areas are shown on the Policies Map and have been defined using the Shoreline Management Plan (SMP). These areas will cover the areas identified in the SMP as having 'no active intervention'. These areas are those that are generally being left to natural erosion rates and tend to be those areas between the settlements along the Scarborough Borough Coast. They are shown on the maps below and also listed below (north to south):

- Northernmost boundary of SBC Planning area to Sandsend;
- South of Sandsend limits to western edge of Whitby;
- Eastern limit of Whitby (adjacent to Abbey) to Scalby Mills (excluding the area within the North York Moors National Park Area);

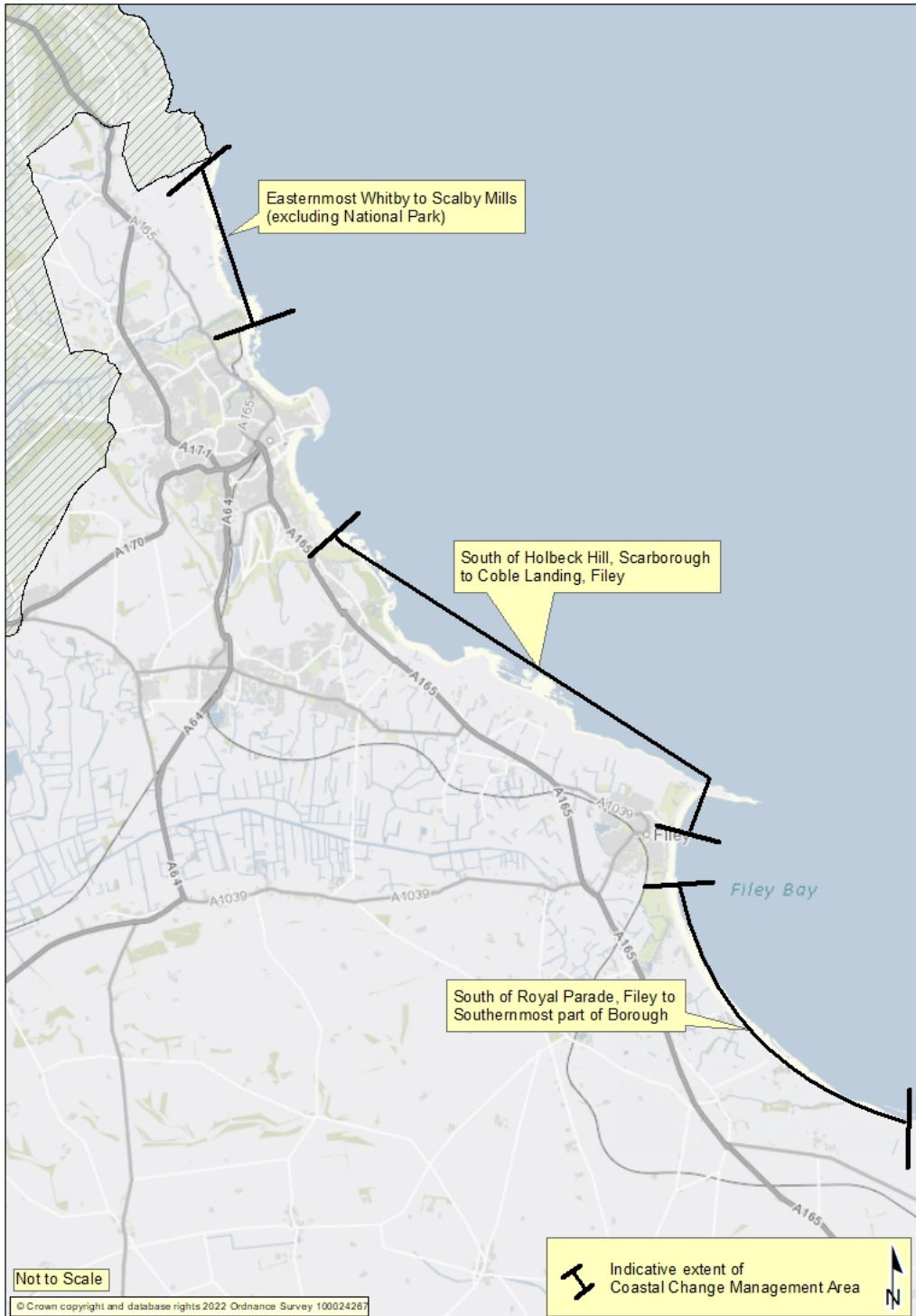
Resources and the Environment 8

- South of Holbeck Hill, Scarborough to Coble Landing, Filey; and
- South of Royal Parade, Filey to the southern boundary of SBC (boundary with East Riding of Yorkshire).



Map 1 Coastal Change Management Areas (North)

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Map 2 Coastal Change Management Area (South)

8.42 Within the Coastal Change Management Areas only certain types of small-scale, temporary development will be considered appropriate. This includes:

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Question 1**Placeholder for Table of Appropriate Developments set out by Erosion Zones; 0-25 years, 25-50 years and 50-100 years.**

Please provide any comments and information on the type and form of development that you consider may be considered appropriate for the areas covered by the Coastal Change Management Area policy in respect of the different zones of erosion.

8.43 This does not mean that any other forms of development within close proximity to the coast in areas not identified as being within the Coastal Change Management Area will be, by definition, acceptable. Any development within close proximity to the coast will be required to demonstrate that it will not exacerbate or adversely affect coastal erosion or create the need for further protective coastal management works. Where required proposed developments within these areas will have to provide geo-physical surveys to address any concerns.

Groundwater Protection

8.44 In addition to the areas covered under ENV 3: Environmental Risk, the protection of groundwater is a high priority. In the south Scarborough area, the statutory water undertaker in addition to a local business both have abstraction points within close proximity to existing and proposed residential and industrial areas.

Local Plan Review: Overview of Changes to Policy ENV5

Policy ENV5 (formerly ENV4) has had a factual update to refer to the latest Environment Agency Guidance. No other changes are proposed.

Policy ENV 5**Groundwater Protection**

Proposals will have to demonstrate that they do not compromise groundwater and its abstraction.

Within the defined Source Protection Zones (SPZ):

- Development that includes activities classified as 'Inappropriate Activities in SPZ1' in Table 8.2 (The Environment Agency's approach to groundwater protection February 2018 Version 1.2) or any subsequent update or replacement prepared by the Environment Agency will not be supported within Source Protection Zone 1;

8 Resources and the Environment

- Development in SPZ1 that includes activities listed in Tiers One and Two of Table 8.2 or any subsequent update or replacement prepared by the Environment Agency must be supported by a Hydrogeological Risk Assessment (HRA). The HRA must demonstrate that the proposal poses either no risk to groundwater and the aquifer(s) feeding the abstraction boreholes or that any risk can be successfully mitigated;
- Development within the outer Source Protection Zones (2 and 3) that includes any of the listed activities in Table 8.2 may require the submission of a supporting HRA⁽⁸⁾. Where required, the HRA must demonstrate that the proposal poses either no risk to groundwater and the aquifer(s) feeding the abstraction boreholes or that any risk can be successfully mitigated.

Inappropriate Activities in SPZ1 (Environment Agency objects in principle)	Hydrogeological Risk Assessment Required to Support Planning Application	
	Tier One	Tier Two
<ul style="list-style-type: none"> • Pipelines and high voltage fluid filled cables that transport pollutants; • Underground storage or transport of hazardous substances; • Sub-water table storage or transport of hazardous substances; • Landfill; • Trade effluent, storm overflow from sewer systems or other significantly contaminated discharges to ground; • Developments posing an unacceptable risk of pollution from sewage effluent, trade effluent or contaminated surface water; • Cemetery; • Mass casualty burials (human or animal); and • Obstruction or disturbance of groundwater flow or water levels. 	<ul style="list-style-type: none"> • Infrastructure⁽⁹⁾ not included in column 1; • Non-landfill waste activities; • Direct input of non-hazardous pollutants into the groundwater; • Cesspools and cesspits; • Deep infiltration systems for surface water and effluent disposal; • Discharges of surface water from area subject to contamination; • Land-spreading of significant concentrations of pollutants, livestock housing and storage of organic fertilisers. 	<ul style="list-style-type: none"> • Sewerage pipework; • Sustainable drainage systems [excluding such systems that fall under Inappropriate Activities and Tier One].

Table 8.2 Summary of Groundwater Protection: Principles and Practice

8 This requirement will be dependent on the advice of the Environment Agency
 9 For the purposes of this, infrastructure refers to (a) transport infrastructure such as major roads, railways, airports, industrial parks and large parking areas for commercial vehicles (b) tunnels (c) oil and other pipelines, fluid-filled electricity cables, substations (d) oil industry facilities associated with oil exploration, production, manufacturing (including refineries), distribution (including pipelines) and storage (e) industrial activities storing and handling significant quantities of hazardous substances (f) petrol and/or diesel filling stations (g) large-scale agricultural developments (h) underground coal gasification (UCG), coal bed methane (CBM) and shale gas exploration and extraction.

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8.45 The first column of the table in Policy ENV 4 is a summary of the activities the Environment Agency consider to be inappropriate within SPZ1. The Environment Agency will object to these activities in SPZ1. Furthermore, the Environment Agency will also object in principle to certain activities⁽¹⁰⁾ listed in column one when proposed in SPZ2 or 3.

8.46 Activities that have the potential to cause groundwater pollution are listed in Tier 1 and Tier 2 of the table. These activities will require further investigation through the preparation and submission of an acceptable Hydrogeological Risk Assessment (HRA) demonstrating that any risk to groundwater and public water supply can be properly mitigated. The HRA must be submitted with the planning application. The Environment Agency will object to activities in SPZ1 not supported by a HRA or where the HRA shows that risks to groundwater cannot be satisfactorily mitigated against.

8.47 The information contained within Table 8.2 is correct at the time of publication, however, all potential developers of sites within Zone 1 of the SPZ should contact the Environment Agency for an up to date position statement on the activities considered to represent a risk to groundwater.

8.48 Large areas of the Local Plan area are covered by SPZs⁽¹¹⁾ identified by the Environment Agency. SPZs are used to identify those areas close to drinking water sources and abstraction points where the risk to the potable supply is greatest. SPZs are an important tool for identifying highly sensitive groundwater areas and focusing control or advice beyond the general groundwater protection measures applied to aquifers as a whole. Contamination of groundwater within these defined areas could have a significant and detrimental impact on the water supply as pollutants will take only a short time to reach the abstraction point. The closer that development is located to the boreholes or aquifers and water courses feeding them, the greater the risk tends to be.

8.49 In recent years the understanding of the hydrogeology of the area has increased substantially and the area of coverage of SPZ1 has subsequently been extended significantly to add the appropriate level of protection to the main potable supply boreholes in the south of Scarborough. Zone 1 of the SPZ covers a wide area from Cayton along the western villages to Ruston and Sawdon. The impact of any developments within or near to SPZs require careful consideration and the full involvement of the Environment Agency and the statutory water undertaker (Yorkshire Water). Certain activities associated with development within this inner zone will be unacceptable with others requiring the submission of a Hydrogeological Risk Assessment (also known as a Groundwater Risk Assessment) to demonstrate that the proposal poses either no risk to public water supply or can be successfully mitigated. A list of activities of particular concern within SPZ1 is shown in the policy.

8.50 Pollutants can arise from a number of sources and mitigation would have to assess any existing sources of contamination on site, the impact of construction activities, permanent infrastructure and the use of the land or buildings after completion. The use of conditions and/or legal agreements will be appropriate to ensure that such developments can be properly controlled and any issues arising dealt with quickly and effectively.

10 (1) Pipelines and high voltage fluid filled cables that transport pollutants; (2) Sub-water table storage or transport of hazardous substances; (3) Developments posing an unacceptable risk of pollution from sewage effluent, trade effluent or contaminated surface water

11 Source Protection Zones are split into: Zone 1 (Inner Protection Zone), Zone 2 (Outer Protection Zone), Zone 3 (Total Catchment)

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8.51 In some instances the requirements highlighted above may be relevant for wider areas in Zones 2 and 3, however, this will be dependent on the advice of the Environment Agency.

8.52 In all cases where a HRA is required and any risks cannot be successfully mitigated against, the development will not be supported by the Environment Agency.

The Natural Environment

Local Plan Review: Overview of Changes to Policy ENV6

Policy ENV6 (formerly ENV5) has been updated to respond to the requirement for development to result in a minimum 10% net gain in biodiversity as mandated by The Environment Act 2021.

Policy ENV 6

The Natural Environment

Proposals must deliver a minimum 10% net gain in biodiversity. In order to achieve this, proposals should respond positively and seek opportunities for the enhancement of species, habitats or other assets by

- a. ensuring that development does not result in an unacceptable impact on any locally, nationally or internationally designated sites unless the impact can be outweighed by a greater benefit as commensurate to the designation;
- b. considering whether any potential adverse impacts on species and habitats can be successfully mitigated;
- c. supporting the recovery of priority species and habitat creation as identified in the Scarborough Borough Biodiversity Action Plan (2005) or any subsequent update;
- d. increasing trees and woodland through ensuring new developments include appropriate tree planting whilst retaining and integrating healthy, mature trees and hedgerows and maintaining those which make an important contribution to the setting and character of an area; and
- e. ensuring that development does not result in deterioration in the Water Framework Directive ecological status of surface, ground or coastal waterbodies.

8.53 The Environment Act (2021) mandated a requirement for development to achieve a minimum 10% net gain in biodiversity. The Local Planning Authority will respond favourably to proposals that aim to conserve or enhance biodiversity as a primary objective and proposals that incorporate biodiversity in and around developments, therefore, development proposals should demonstrate how they respond positively to those assets in the following paragraph and can result in a net gain to biodiversity.

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8.54 The Local Plan area has a number of nationally, regionally and locally designated sites. The Local Plan affords commensurate protection to designated sites according to their importance and the contribution they make to the wider ecological network. Proposals will be considered in accordance with Circular 06/2005 where they may impact upon designated sites as this provides a context to the level of protection each designation has afforded to them and whether mitigation measures will be sufficient to allow development.

a. Special Protection Areas (SPAs) and Special Areas of Conservation (SACs)

The European Birds and Habitats Directive designates Special Protection Areas (for wild birds and their habitats) and Special Areas of Conservation (for other habitats of significant importance). Together, SPAs and SACs make up the network of sites that form Natura 2000. At present, there are both two SPAs and SACs partly within the Borough, however, the North York Moors is outside of the Local Plan area and the Flamborough Head and Bempton Cliffs SPA and SAC extends only a short distance within the Borough along the coastline north of Speeton. Furthermore, there may be additional sites that are considered for designation and, once identified, the same level of protection will be afforded to potential Special Protection Areas (pSPA's), possible Special Areas of Conservation (pSAC's), and listed or proposed Ramsar sites.

b. Sites of Special Scientific Interest (SSSI)

There is a number of designated Sites of Special Scientific Interest (SSSIs). These sites are nationally identified by Natural England and are statutorily protected under the Wildlife and Countryside Act 1981 for biological or geological importance. Proposals that may have an adverse effect on a SSSI either individually or cumulatively should only be permitted where the benefits of the development clearly outweigh the impact. Particular attention should be placed upon the site's notified special interest features.

c. Local Geological Sites (LGS) and Sites of Importance for Nature Conservation (SINCs)

Both Local Geological Sites and Sites of Importance for Nature Conservation are local designations that are non-statutorily protected. Local Geological Sites are selected by the North East Yorkshire Geology Trust for their educational, historical and aesthetic value in geological interest. Sites of Importance for Nature Conservation are identified for their importance in habitat and species protection. Proposals should demonstrate how development may impact on a designated site including the specific features that may be of particular importance to the designation.

d. Biodiversity Action Plan and species and habitat protection

The UK Biodiversity Action Plan and Scarborough Borough Biodiversity Action Plan set out priority habitats and species by implementing Habitat Action Plans and development proposals should seek to contribute towards achieving its targets. It is also important to protect and enhance habitats and species that have no national or international protection and proposals should demonstrate how they may impact upon such species and mitigation measures. The Scarborough Borough Biodiversity Action Plan and future updates should be taken into account when considering how development may provide opportunities for habitat enhancement.

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The Borough Council will support the Biodiversity Action Plan in its attempts to form newly-created habitats such as those created by the Cayton Flixton Carrs Wetland Project. This project has been a success having brought together support from a wide range of organisations and has gone a long way in achieving targets set in the Biodiversity Action Plan.

e. Woodland Habitats including Ancient Woodlands

The importance of protecting ancient woodlands and the role woodlands can play in the restoration and creation of natural habitats and their networks is recognised. Development proposals should recognise not only the importance of protecting species-rich trees or hedgerows but the value of incorporating them in design and consider how new planting can interact with existing habitats. The loss of irreplaceable habitats, including ancient woodland or aged or veteran trees found outside ancient woodland, will only be permitted where the benefits of development in that location can clearly be demonstrated to outweigh the loss.

8.55 Where necessary, proposals will be required to demonstrate that developments are in compliance with Water Framework Directive objectives, particularly for developments which result in physical modifications to water bodies or which pose a substantial pollution risk.

8.56 The Borough Council will continue to work closely with Biodiversity groups to ensure these sites receive appropriate protection or enhancement. This includes the North Yorkshire and York Local Nature Partnership (LNP) and emerging LNP strategy with specific reference to the two LNP priority areas within the Borough; The Vale of Pickering, and the North York Moors & Coast. In addition, the Borough Council will continue to work with its neighbouring authorities where the impacts of proposals may cause an issue on a cross-boundary basis. This includes any impact on strategic habitat connections that extend into the Local Plan area from the North York Moors National Park that could adversely affect biodiversity. These connections are identified in the North York Moors National Park Management Plan and any relevant proposals should be considered against Paragraph 176 of the NPPF.

Development Affecting the Countryside

Local Plan Review: Overview of Changes to Policy ENV7

Policy ENV7 (formerly ENV6) has seen small amendments to the policy wording. The consideration of schemes in the countryside has shown that Criteria D was set too high in respect of demonstrating that the existing building has 'a negative impact on the character of the area'. A separate criteria confirming that any replacement building should be on a one for one basis has been added.

Resources and the Environment 8

Policy ENV 7**Development Affecting the Countryside**

The character of the open countryside will be protected, maintained and where possible enhanced. Outside the defined Development Limits, new developments will be limited to those for which a countryside location is essential, including:

- a. Development that is demonstrated to be essential for farming, forestry or other essential land management activity;
- b. Development that relates to the functional needs of, or consolidates or diversifies an established rural business;
- c. Development that facilitates the re-use of an existing building that is worthy of retention given its contribution to the character of the area;
- d. Development involving the replacement of existing non-agricultural buildings with one of a higher quality;
- e. Replacement of a residential building with one of a higher quality or the sub-division of an existing residential building⁽¹²⁾
- f. Development relating to an appropriate recreational or tourism related activity requiring a countryside location; or,
- g. Other forms of development requiring a countryside location that can be shown to be necessary in the proposed location for technical or operational reasons.

Providing that the type of development accords with one or more of the above criteria, or any other relevant policies in the plan, the scale of the proposal should be compatible with its surroundings and not have an unacceptable impact on the character and appearance of the open countryside or the wider landscape including the setting of the North York Moors National Park.

8.57 The countryside is an essential part of the character and economy of the area, providing the setting to its settlements (with which it often has a strong relationship). It is of exceptional value to residents and visitors alike for its scenic quality, amenity value and the recreational opportunities it provides. Equally, it supports a wide range of economic activity and is a major environmental resource, comprising a mix of beautiful landscape types and rich biodiverse habitats.

8.58 For the purpose of this policy, the countryside is regarded as being areas of land and buildings that are outside of the defined Development Limits⁽¹³⁾ which are presented on the Policies Map. Outside these Development Limits there is a need for careful management of development proposals in order to ensure that the often open character of the countryside is

¹² The replacement of residential buildings will be on a one for one basis

¹³ Development Limits have been drawn around each of the settlements identified within the Settlement Hierarchy in order to show clearly where the Local Planning Authority considers a distinction should be made between development that relates to existing towns and villages, and that which should be assessed in terms of its role and setting in the wider countryside. These limits have been derived from desk based and site based investigations and do not necessarily follow strict property or land boundaries.

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maintained and that sustainable and accessible patterns of development are pursued. It should also be recognised that development proposals within Development Limits can have an impact on the countryside beyond.

8.59 It is recognised that there are circumstances where the principle of development within the countryside will be acceptable. This includes development for which a countryside location is essential e.g. housing or associated buildings that are essential for agriculture or forestry, or where development has to be sited in the countryside for operational reasons. The occupation of such dwellings shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

8.60 The replacement of existing residential buildings in the countryside will be acceptable subject to meeting the other policy requirements in this Plan and on the basis of any replacement being on a one for one basis. The NPPF has also added the subdivision of existing residential buildings to potentially acceptable forms of development in the countryside.

8.61 Agricultural buildings that need planning permission will be required, where possible, to be set within or adjacent to an existing building group and be set below the skyline. Tracks designed to access development in the countryside will be expected to be aligned to utilise the topography and existing landscape features to reduce visual impact and make use of surface materials that blend in with the surroundings.

8.62 There are occasions where development that is not essential in its own right, but which can contribute to the creation of a strong and diverse rural economy will be appropriate. In such circumstances a careful judgement will need to be taken to ensure that any economic benefits are not at the expense of rural character or productivity.

8.63 Given the importance of tourism to the area, regard should be had to the road and rail approaches to the resorts to ensure these important corridors are not harmed to the detriment of the experience of the visitor.

8.64 There are other policies in the Local Plan that relate to development in the open countryside, including policies HC 4, HC 7, HC 8, EG 6 and TOU 4. Proposals that accord with these other policies will not be required to also comply with the requirements of Policy ENV 7.

8.65 Where the principle of development is accepted, proposals must be able to demonstrate that they make a positive contribution to the rural economy or, where proposals relate to the replacement/re-use of an existing building, that the scheme will have a positive impact on the character of the area. Furthermore, all developments must be of a scale and design that is compatible with the surrounding landscape in order to minimise its visual impact and to protect the quality of its surroundings, and preserve levels of amenity for local residents and other countryside users. Landscape is covered in more depth in the following policy (ENV 8).

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Landscape Protection and Sensitivity**Local Plan Review: Overview of Changes to Policy ENV8****No changes are proposed to Policy ENV8 (formerly ENV7)****Policy ENV 8****Landscape Protection and Sensitivity**

Proposals should protect and where possible enhance the distinctiveness or special features that contribute to the landscape character of a particular area and take into account the sensitivity of the landscape to change in terms of

- a. the sense of openness or enclosure;
- b. the pattern and complexity of the landscape;
- c. the experience derived from a particular landscape character;
- d. the relationship to existing settlement edges and the cultural pattern;
- e. the visual sensitivities and intervisibility of the landscape.

Proposals should have regard to the landscape between settlements and should prevent harmful development which results in the loss of the individual characteristics of settlements and/or the unacceptable coalescence of settlements or the wider landscape including the setting of the North York Moors National Park.

8.66 Some parts of the Local Plan area and adjoining areas are particularly sensitive to change. The North Yorkshire and York Landscape Characterisation Project included assessments of visual⁽¹⁴⁾ and landscape⁽¹⁵⁾ sensitivity within defined landscape character types. Drawing on this work, the following areas of landscape are considered to be of particular importance and development should respond to the particular characteristics of these distinctive areas:

- North Yorkshire and Cleveland and Flamborough Headland Heritage Coasts;
- The landscapes bordering the North York Moors National Park;
- The Vale of Pickering and the Yorkshire Wolds escarpment;
- The landscape settings of Scarborough and Whitby; and
- Areas on the edge of other settlements and 'gaps' between neighbouring settlements.

14 Visual Sensitivity is the degree to which a particular view or visual experience is vulnerable to change with potentially adverse effects on its character

15 Landscape Sensitivity is the degree to which a particular landscape character type or area is vulnerable to change with potentially adverse effects on its character.

8 Resources and the Environment

8.67 In addition to landscapes within the Local Plan area, high importance will be given to protecting the landscape setting and scenic beauty of the North York Moors National Park, by ensuring inappropriate development that would result in a significant adverse impact on these features does not take place within the Local Plan area. Any proposals that may impact upon the National Park should be considered in accordance with Paragraph 003 of the National Planning Practice Guidance .

8.68 A Landscape Character Assessment and Landscape Sensitivity Study have both been prepared. The latter focused on the fringes of the main towns of Scarborough and Whitby ranking areas from low to high sensitivity to development. These categorisations are used to assess proposed housing sites and other development proposals. This work also found that the areas bordering the National Park to the west of Scarborough and Scalby to be of particular importance and being highly sensitive to development.

8.69 The landscape of the Local Plan area is diverse and of high quality, valued for the coastal and rural setting it provides to the towns of Scarborough, Whitby and Filey, and for its biodiversity and geological interest. Opportunities afforded by the landscape for recreation and tourism are also significant. The landscape encompasses dramatic coastal cliffs and headlands defined by haunting land mark ruins such as Whitby Abbey and Scarborough Castle, wild and remote stretches of coast, wooded valleys such as the Esk, genteel coastal resort towns and harbours, expansive open lowland landscapes such as the Vale of Pickering and contrasting scarps, dales and uplands.

8.70 In order to effectively plan for the future protection, conservation and management of the rural landscapes, a detailed understanding of what makes each part of a landscape distinct and gives each area its particular sense of place - landscape character - needs to be gained. The Landscape Character Assessment provides a comprehensive assessment of landscape character and identifies 14 generic landscape types, each of which has a distinct and relatively homogeneous character with similar physical and cultural attributes, including geology, landform, land cover and historic evolution.

8.71 The landscape types are further subdivided into component, locally specific landscape character areas. The character areas are discrete geographic areas that possess the common characteristics described for the landscape type. Each character area has a distinct and recognisable local identity.

8.72 The Landscape Study provides a detailed description of each landscape character area, including a summary of key characteristics, an evaluation of the key positive landscape features and strategic sensitivities of the landscape, any visual sensitivities and a short description of the landscape strategy and high level objectives for each area.

8.73 The accompanying Sensitivity Study of Potential Housing Allocations set out the criteria used to assess some of the larger housing options. This criteria is utilised for the landscape element of this policy and will allow the assessment of all forms of development on landscape. The criteria are shown overleaf with a brief explanation of what landscape would be particularly sensitive to change and that which would be less impacted under each criteria.

8.74 Different forms of development will have differing impacts and each proposal will have to be considered in respect of the type or form of landscape on which it is proposed.

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Explanation of Landscape Sensitivity .

The sense of openness and enclosure

A strong enclosed landscape would be highly sensitive to change due to the fundamental alteration to this landscape character. Whereas landscapes of an open nature with few landscape features, whilst having a high sensitivity to intervisibility (see later criterion), is less sensitive to change in relation to its character and the impact development would potentially have on this more expansive and open landscape. This links to the criteria on intervisibility and should be cross referenced when assessing sensitivity.

The pattern and complexity of the landscape

Simple and/or monotonous landscapes with little variation are less sensitive to change whereas landscape forms with a strong pattern, high levels of intricacy or high variations in pattern and complexity are often more sensitive to development.

The experience derived from a particular landscape character

Landscapes that are very tranquil or remote with little or no sense of intrusion are particularly sensitive to change. Lower sensitivity areas are generally characterised by landscape where intrusions already exist (visual or aural) with an urban form or large scale development present.

The relationship to existing settlement edges and the cultural pattern;

Settlement edges that are exposed or characterised by modern development with no integrating landscape features or landform will be less sensitive to change. These may have heavy urban influences beyond the settlement boundaries including infrastructure and roads. In cases where the edge of the settlement is well integrated into the landscape and there is little intrusion of the urban built form extending outwards, the landscape will be considered of higher sensitivity.

The visual sensitivities and intervisibility of the landscape.

Landscapes that are very enclosed and strongly filtered visually are less sensitive to change. On the reverse, those landscapes which are more open and exposed with extensive intervisibility from various viewpoints are more sensitive to change.

Green Infrastructure

8.75 Natural England describe Green Infrastructure as a network of high quality "green" and "blue" spaces and other environmental features that, when managed as a multi-functional resource, have the potential to deliver a wide range of environmental and quality of life benefits (ecosystem services) for local communities, including:

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- mitigating the impact of climate change through, for example, flood alleviation schemes, reducing urban heat islands and acting as carbon sinks;
- allowing for the movement of species and reducing fragmentation of ecosystems;
- contributing to landscape character and the character of particular areas; and
- providing opportunities for recreation and a means of accessing places.

Local Plan Review: Overview of Changes to Policy ENV9

No changes are proposed to Policy ENV9 (formerly ENV8)

Policy ENV 9

Green Infrastructure

The value and strategic role of the following Green Infrastructure corridors within the Local Plan area will be protected and enhanced in line with the hierarchy below:

- Regional importance: 'Coast' and the 'River Derwent';
- Sub-Regional importance: 'Esk'; and
- Locally important assets and corridors, including the 'Hertford' corridor

Proposals for the creation of new Green Infrastructure assets that improve connectivity and accessibility within the above corridors, or lead to the creation of new corridors, will be supported. Developments that will have an unacceptable impact on Green Infrastructure will be resisted unless other policy considerations within this Local Plan indicate otherwise.

Proposals for all forms of development should investigate the potential to integrate with nearby existing Green Infrastructure assets by promoting accessibility from the proposed development to the relevant asset or assets. Equally, proposals will be supported where the provision of new green spaces and other Green Infrastructure assets within new development would be delivered as a connected network, both in terms of internal links and external connectivity with Green Infrastructure assets that are within walking distance to the development.

8.76 The Local Plan area contains a high number and diverse range of green spaces, all of which contribute to environmental quality within the area. The general areas of these are shown on Map 8.1. It is essential that these individual sites are managed as a multi-functional, connected network of Green Infrastructure "assets" in order to maximise their cumulative potential to support natural and ecological processes, to address the challenges associated with climate change, including surface water, river and coastal flooding and to ensure a high quality of life for local communities. Green Infrastructure assets incorporate natural, semi-natural and man made sites, such as:

- **Parks and Gardens** – urban parks, country parks, formal gardens

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- **Amenity Greenspace** – informal recreation spaces, housing green spaces, domestic gardens, village greens, urban commons, other incidental space
- **Natural and semi-natural urban greenspaces** - woodland and scrub, grassland (e.g. downland and meadow), heath or moor, wetlands, open and running water, wastelands and disturbed ground, bare rock habitats (e.g. cliffs and quarries)
- **Green corridors** – rivers and canals including their banks, road and rail corridors, cycling routes, pedestrian paths, and rights of way
- **Other** - allotments, community gardens, city farms, cemeteries, churchyards and green roofs

8.77 The Borough Council has worked closely with Natural England and North Yorkshire County Council to identify and define Green Infrastructure corridors based on the density, importance and connectivity of existing Green Infrastructure assets within the Local Plan area and neighbouring areas. A hierarchy of Green Infrastructure corridors has been established as a result of this exercise; identifying corridors of regional, sub-regional and in some cases, local / district, importance. The strategic importance of these corridors will be protected and enhanced by improving linkages between existing assets and by promoting the development of new assets where appropriate. The Borough Council will work with neighbouring authorities and the North Yorkshire and York Local Nature Partnership to identify and deliver projects within Green Infrastructure corridors that cross local authority boundaries.

8.78 The most significant Green Infrastructure corridors within the Local Plan area are the 'Coast' and the 'River Derwent'. The Coast corridor covers the entire length of the Yorkshire coastline, crossing through 3 districts and is of regional importance. It is characterised by a mix of open coastal landscapes, historic settlements and holiday parks. It comprises a large number of important natural and semi-natural habitats, including Flamborough Head, which is an area of European, National and local importance as an ornithological and marine habitat. Parts of the coastline are also designated as Heritage Coast.

8.79 The River Derwent corridor starts within the North York Moors National Park, runs alongside the western boundary of the Borough, partly through the Vale of Pickering, and links with the adjacent district of Ryedale to the south west. It is characterised by a predominantly rural landscape, with small market towns and villages scattered across the area. The Vale of Pickering itself contains a large number of wildlife habitats and archaeological sites. Future priorities for this corridor are to enhance the quality and character of the landscape, to restore biodiversity and enable the migration and movement of wildlife through the re-creation of habitat networks.

8.80 Green Infrastructure also functions at the local level, connecting urban areas to their wider rural hinterland, providing vital connectivity for some important wildlife populations, opportunities for recreation and means of accessing places. The Borough Council will look to develop a Green Infrastructure Supplementary Planning Document, which will support the implementation of this Local Plan policy and provide a clear vision and framework for Green Infrastructure provision at the local level.

8.81 Formal Green Infrastructure assets, i.e. parks and other green spaces, will continue to be delivered at the local level through the implementation of specific standards within new developments; in line with the requirements of Policy HC 14 and the "Green Space"

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Supplementary Planning Document, or any subsequent update. Through new development, the Local Planning Authority will also look to improve connectivity to existing Green Infrastructure assets that are within walking distance of development sites.

8.82 There are a number of former railway lines that provide an important link for wildlife and have an important amenity value, providing access for walking, cycling and horse riding. For these reasons it is considered that former railway lines should be kept intact wherever practical as a means of enhancing existing Green Infrastructure.

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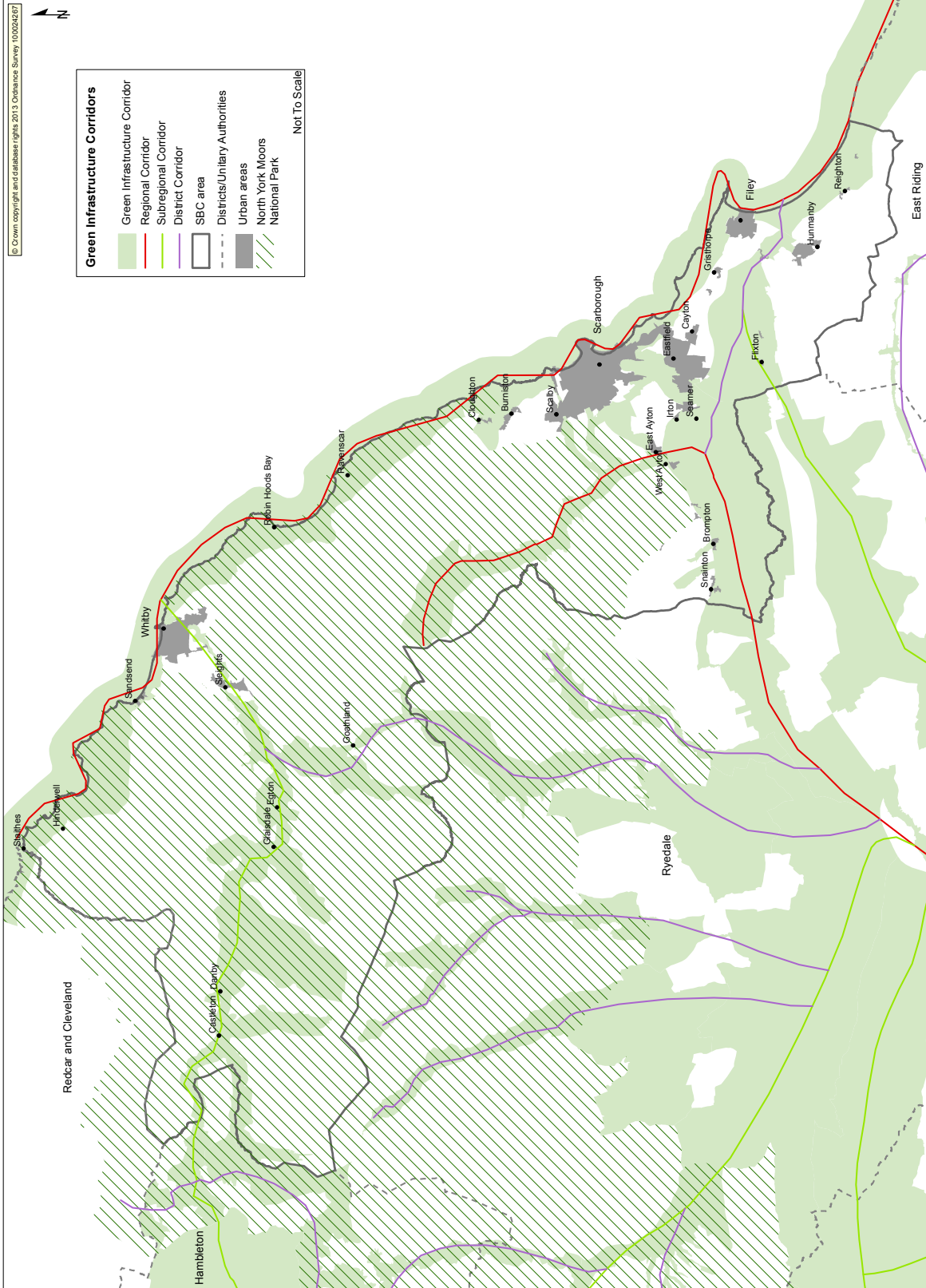


Figure 2 Green Infrastructure Corridors

8 Resources and the Environment

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9 Transport and Infrastructure

9 Transport and Infrastructure

Transport and Infrastructure

9.1 The Local Plan seeks to improve connectivity, minimise the distance and length of the journey, make best use of existing public transport and the highways network while delivering sustainable transport choices. The majority of new residential, commercial and employment development is therefore guided to the main towns and larger villages.

9.2 Infrastructure can be physical (e.g. transport), social (e.g. education) or environmental (e.g. parks and sports pitches). An Infrastructure Study has been produced that sets out the types and levels of infrastructure required to accommodate the growth proposed by the Local Plan. This is supplemented by a Delivery Plan to ensure that essential infrastructure to serve existing and proposed development identified in the Local Plan can be delivered.

9.3 If infrastructure is not delivered alongside new development, it can put pressure on existing facilities that may not have the ability or capacity to cope with the additional demand.

9.4 The provision of infrastructure is achieved by a wide range of organisations. The Local Plan in conjunction with the Infrastructure Study and Infrastructure Delivery Plan will play a key role in securing public and private sector involvement in infrastructure delivery, and in aligning the programmes of the various providers.

Transport

Local Plan Review: Overview of Changes to Policy INF1

Policy INF1 has been amended to refer to the improvements to Station Square as identified in the Scarborough Blueprint and the need to support the transition to Electric Vehicles and other non-combustion engine alternatives.

Strategic Policy INF 1

Transport

The Borough Council will work with North Yorkshire County Council, relevant local authorities and other key partner organisations to improve accessibility within and beyond the Borough which will support economic, tourism and sustainable regeneration objectives.

This will centre on

- a. improving connectivity within and beyond the Borough, including with York and the A1(M) and between Whitby and the Tees Valley;
- b. improving bus routes, services and passenger facilities, particularly those serving the rural areas;

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- c. improving bus, pedestrian and cycle links to rail stations;
- d. promoting Scarborough town centre as a strategic public transport hub and supporting the improvements to the area around the railway station (Station Square) to promote greater connectivity;
- e. promoting sustainable modes of transport other than the private car;
- f. promoting and installing the charging infrastructure required to support the transition to electric and other low-emissions vehicles ;
- g. delivering significant improvements to the entire rail network including the access to Scarborough Business Park from Seamer Station combined with improved parking capacity and facilities; and
- h. protecting, managing and enhancing an integrated network of routes for those without access to a car.

9.5 The implementation of transport policies for roads and public transport greatly influences development proposals relating to other major land uses such as business and industry, retail, housing, leisure and recreation. The need for an efficient sustainable transport network both locally and regionally is a key factor addressing the 'climate emergency' and the overall economy and environment of the Local Plan area.

9.6 The Borough Council will seek to improve connectivity which can in turn improve the area's ability to attract new businesses. Poor longer distance connections between towns, to large urban centres and to the national transport networks can lead to long and often unpredictable journey times. This can make for difficult access to labour markets and unreliable supply and distribution of goods and services for businesses. Improving connectivity between the key towns and other settlements is likely to provide strong economic benefits.

9.7 The Borough has an ageing population. The proportion of people over the age of 65 is significantly higher than the national average and growing faster. People of this age, especially those in the over 85 age bracket, are less likely to have access to a private car and often have greater mobility difficulties. This leads to issues of social exclusion (people not being able to participate fully in society) especially in the villages and more remote areas where public transport is often infrequent. It is often these older, less mobile people who need greater access to health care facilities and services. Therefore, it is important that appropriate and accessible provision is made for modes of transport other than the private car. This includes public transport (bus and rail services) and personal transport (for cyclists and pedestrians).

9.8 Traffic congestion should be tackled by improving accessibility through the provision of effective alternatives to the use of the private car.

9.9 Demand management measures that are consistent with the needs of the local economy and regeneration aims will continue to be used. These measures will include controlling car parking through availability and cost, promotion of smarter choices as well as influencing the location of future development to manage the demand for travel. Improved management of the existing highway network and road and junction improvements will also be used to unlock under-used capacity. Such measures can be coupled with other improvements in related infrastructure including improving access to bus stops, railway stations and charging points for electric vehicles (Policy DEC 2).

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Road Network

9.10 The main route is the A64 (trunk road) which links Scarborough to York and the A1 to the west. Other main routes to Scarborough are the A171 which links Whitby and northern villages to the Tees Valley area, the A170 which links Scarborough through the Vale of York to Thirsk and beyond to the A1 and the A165 which links Scarborough and Filey with Bridlington and Hull to the south.

9.11 Scarborough and Whitby are identified as two of nine towns across North Yorkshire⁽¹⁾ that experience regular significant congestion issues which has an effect on the safety of pedestrians and cyclists and air quality. At the time of the previous Local Plan it was evident that traffic counts had shown an actual decline in movements across Scarborough. As an average this trend appears to have continued although there is the uncertainty of the post-pandemic period and what will happen in the short to medium term. Although the resorts have seen increased numbers of visitors as people holiday at home in the UK the overall trend of traffic movements is one of small decreases in both Whitby and Scarborough. Between 2015 and 2022 Whitby has seen average daily traffic recordings across its monitoring stations down from 56,737 movements a day to 54,908. Scarborough appears to have seen a bigger drop from 116,092 to 112,132.⁽²⁾ The unknowns include whether visitor numbers will remain as high (and therefore traffic movements) as air travel opens back up and customer confidence in air travel returns. Furthermore has home and flexible working suppressed traffic movements and will this trend continue or return to pre-pandemic routines of office working.

9.12 To improve the safety of pedestrians and cyclists, the Highways Authority will endeavour, where appropriate, to ensure all new layouts of residential streets restrict vehicle speeds to 20mph. By encouraging people to use more sustainable modes such as walking and cycling for shorter trips and public transport for longer trips, traffic volumes can be reduced significantly and congestion can be avoided. One of the most significant methods for achieving this modal shift is the provision of improved public transport services both through local bus services, or in larger towns, through the provision of cycle facilities and other sustainable travel options including electric scooters at park and ride sites and transport hubs.

9.13 The Infrastructure Study identifies areas where pressures on the Strategic Road Network and the Local Network may occur as a result of development proposed within the Local Plan and highlights where improvements to the road network will be required. A substantial investment programme has recently been completed at 4 central Scarborough junctions that addressed capacity issues identified through the previous Local Plan.

9.14 In addition to these completed junction works there remains the need to improve the capacity of the Dunslow Road roundabout with the installation of a left filter lane from Dunslow Road onto the A64(S). This will be triggered at some point during the Local Plan period as a result of the continued expansion of the Business Park and the delivery of the Strategic Housing Site at the South of Cayton allocation. These works will be funded by the developer at the appropriate time.

1 Source: Local Transport Plan 3

2 Source: Local Highways Authority

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Highway Schemes

Local Plan Review: Overview of Changes to Policy INF2

The structure of Policy INF2 has been amended but the aim of it remains unchanged.

Policy INF 2

Highway Schemes

Land will be safeguarded for the construction of a left turn filter lane from Dunslow Road onto the A64(S). Development within the safeguarded areas, as shown on the Policies Map, which would prejudice the implementation of any scheme will be resisted.

9.15 This scheme was identified through the transport modelling work completed to support the production of the previous Local Plan and remains a requirement. The work identified that the installation of a left turn filter lane exiting Dunslow Road onto the A64 (S) would improve the free flow of traffic at this junction by means of segregating traffic exiting onto the A64 north and south. Whilst the predicted capacity of the junction will not exceed the accepted tolerances of the Highways England, the safeguarding of the required land is considered prudent for the long term capacity constraints of this junction. In addition, these junction mitigation works could be implemented if external funding can be secured during the Plan period.

Bus Network

9.16 Buses are key to providing people with a means to access jobs, education, health care and leisure activities without the need for a car. Bus services are particularly important in rural areas with many vulnerable people relying on these services to reach vital services.

Rail Services

9.17 It is important that existing rail services are maintained and improved to the Borough's stations ensuring adequate links to the regional and national networks. Rail passenger numbers have shown an increase in recent years. The Esk Valley line provides an essential public transport function serving communities along its route including bringing school children into Whitby, but also as an important link to Teesside and in particular James Cook Hospital. Expansion of its services could realise its potential as a tourist route and offer a viable commuting option. The Potash Mine south of Whitby was approved in 2015 and set out proposals to increase the frequency of services between Middlesbrough and Whitby to more closely align with working patterns associated with the mine.

9.18 The introduction of a High Speed Rail link from London provides opportunities for rapid connections with markets further afield. It is therefore vital that the frequency and reliability of services is of a high standard for Scarborough. In collaboration with Network Rail and the train operating companies, the Borough Council will seek to improve the frequency of the service

9 Transport and Infrastructure

between Scarborough and York, thereby helping to reduce the reliance on the private car. The improvement of the transport interchange at Scarborough Station through the Station Square project will help to improve the profile and attractiveness of public transport.

Green Transport Networks

9.19 The protection of public rights of way and the creation of new networks of routes for those without a car is a key aspiration of the Borough Council. Investment should be aimed at providing a network of good quality coastal, rural and urban routes which inter connect and offer a variety of options to users. It is recognised that having this network in place not only benefits recreational users but plays an invaluable role in creating opportunities for sustainable ways of travel and of reducing the need to travel by car.

Sustainable Transport and Travel Plans

Local Plan Review: Overview of Changes to Policy INF3

Policy INF3 has been updated to include reference to the need to promote electric vehicle and low emission vehicle infrastructure.

Policy INF 3

Sustainable Transport and Travel Plans

Proposals will be required to contribute to sustainable transport. Proposals will be supported that

- a. improve transport choice and encourage travel to work and school by public transport, cycling and walking;
- b. minimise the distance people need to travel;
- c. contribute positively to a demand management strategy to address congestion, environmental and safety issues including managing car parking provision and prioritising bus routes in urban areas;
- d. encourage the use of Park and Ride where appropriate;
- e. provide charging infrastructure for the transition to electric and other forms of low emission vehicles.

The Local Planning Authority will support the preparation and implementation of Travel Plans, Travel Assessments and other schemes and agreements to promote the use of sustainable transport for the journey to work and to school. Proposals that have potential significant impacts should be accompanied by a Travel Plan where appropriate.

Where a Travel Plan or Travel Assessment is required, the need for electric vehicle charging infrastructure should be considered.

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9.20 To support the delivery of improved public transport, the promotion of Travel Plans will be essential. Key elements include the marketing of public transport, cycling, walking and the provision of charging points for electric cars and car sharing in trying to influence travel behaviour.

9.21 There will be a need for demand management measures to be intrinsically linked to new developments. The preparation of Travel Plans provides the opportunity for proposals that may have significant transport implications to consider and include measures to encourage the use of sustainable modes of transport. The journey to work and the journey to school are particular targets for modal shift to public transport. These are predominantly regular journeys with a set route/origin and destination. It is important to promote the implementation of Travel Plans and wider travel awareness campaigns by schools and employers, which encourage the use of sustainable transport for the journey to work and to school.

9.22 Complementary public transport, cycling and pedestrian initiatives to larger scale developments should be delivered through Travel Assessment/Travel Plan agreements between operators, developers, planning and transport authorities.

The Cinder Track

Local Plan Review: Overview of Changes to Policy INF4

No changes to Policy INF4. References to Cinder Track Restoration Plan and recent works added to supporting text added.

Policy INF 4

Cinder Track (The Former Scarborough to Whitby Railway Line)

The Cinder Track, as shown on the Policies Map, will be protected and developed as a recreational route as well as promoted as a sustainable commuting route. Proposals within the vicinity of the Cinder Track will have to demonstrate that it will not harm the character, integrity or amenity value of the route. Proposals that meet this criteria and have accessible routes onto the Cinder Track will be expected to demonstrate how this sustainable route can be utilised and contribute to improvements designed to increase recreational use and sustainable commuting.

9.23 The Cinder Track runs between Scarborough and Whitby passing through the North York Moors National Park for the part between Cloughton and the outskirts of Whitby. It is the route of the former Scarborough to Whitby Railway Line and is a natural green corridor with valuable wildlife and habitats along its length. The Cinder Track has long been an important recreational feature and is well used by walkers, cyclists and horse riders. It remains of great potential for further improvements to benefit both residents and visitors to the area. This attraction benefits from the views to and from it and development which would harm the sensitive sections of the Cinder Track should be resisted.

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9.24 In addition to being an asset for recreational purposes, the Cinder Track offers the opportunity for more sustainable travel modes (walking and cycling) into the towns of Scarborough and Whitby for work, education, leisure and shopping from the suburbs and nearby rural villages. These routes are currently under utilised for such purposes and greater usage should be encouraged wherever possible through improvements. A means of increasing usage is to ensure that any new developments within reasonable proximity to the Cinder Track actively promote its use as an alternative to road based transport and thereby relieve pressure on the local highway network, provide appropriate access whilst not adversely affecting the integrity of the line and, where appropriate, contribute to improvements to the Cinder Track. The proposed housing allocations within reasonable proximity to the Cinder Track in Scarborough, Whitby and Scalby and within the villages of Burniston and Cloughton will be expected to make a contribution through a Section 106 Agreement to the improvement of the Cinder Track. Such improvements would be determined in consultation with the Borough Council and the Cinder Track Restoration Plan. Any works to the Cinder Track or to its accessibility either in kind or through commuted sums should first consider how any proposals would deliver on the aims and objectives of the Restoration Plan or any subsequent update. Likely improvements could include the attainment of a well-drained surface, suitable for use by pedestrians and cyclists, with a minimum width of 3m; and the installation of low level street lighting along suitable sections of the Cinder Track. This should also form part of any required Travel Plan.

Local Plan Review: Overview of Changes to Policy INF5

Minor amendment to Policy INF5 to remove reference to Community Infrastructure Levy (CIL). The Local Authority has no plans to introduce CIL due to previous investigations and viability concerns. Additionally it appears that Government is considering the review of CIL and introduction of an alternative requirement.

Removal of text referring to pressure on local highway network (Scarborough junctions) as investment was secured and mitigation works carried out in respect of the formerly identified issues.

Delivery of Infrastructure

Strategic Policy INF 5

Delivery of Infrastructure

Wherever possible, development should be located to make best use of existing physical, social and green infrastructure capacity.

Where new development will necessitate the provision of new or upgraded infrastructure, financial contributions will be required through the use of Planning Obligations

This will be applied to development across the Local Plan Area and will be used to fund a range of initiatives, including

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- a. the provision of improvements to the local and strategic highway network, new road links and any other transport improvements;
- b. increasing education capacity requirements through school improvements, expansion or the provision of new schools if appropriate;
- c. improvements in health and community facilities;
- d. new or improved sports, leisure and recreational facilities.

9.25 A key challenge is how development makes best use of existing infrastructure and how and when new infrastructure is secured to support the delivery of the policies and allocations. Such infrastructure includes:

- Physical infrastructure: roads, bridges, water supply, drainage, waste water treatment works, gas and electricity, flood management measures;
- Social infrastructure: schools, hospitals, emergency service infrastructure, social facilities, community halls, places of worship, GP surgeries, sports facilities; and
- Green infrastructure: public open space, pitches, paths, cycleways, horse trails, greenspace, parks, woods, gardens, sites of nature conservation, wildlife corridors, allotments.

9.26 A key element of Sustainable Development is making best use of existing resources. This means locating growth in areas of adequate infrastructure provision wherever possible. However, the growth levels proposed will mean it is not always possible to achieve this. In addition, growth in one area with sufficient infrastructure capacity does not necessarily mean that there will not be strain on other areas, as cumulatively, development can and will have impacts wider than its immediate surroundings, potentially beyond the boundaries of the Local Plan area itself. An example of cross-boundary impacts may be the cumulative impact of growth on the A64 beyond the boundary of the Borough. In addition, development often needs to take place in areas where there is little or no infrastructure provision, or where existing infrastructure is over-used and/or in need of modernisation.

9.27 There is a need therefore to ensure the provision of new infrastructure co-ordinates with the timing and location of new development. To provide certainty to future infrastructure requirements, the Local Planning Authority has undertaken a series of studies including an Infrastructure Study which identifies the level of infrastructure required to be provided to accommodate the proposed growth levels. Where growth exceeds current capacity, the additional infrastructure required has been identified.

9.28 The information gathered through the Infrastructure Study provides the basis for setting out a list of critical infrastructure projects and costings.

9.29 Amongst other things, the Infrastructure Study has determined that the levels of development will require investment in and possible development of new primary and secondary schools and will necessitate the expansion or creation of new primary care facilities. Such infrastructure will continue to be funded through the current system of Planning Obligations.

9 Transport and Infrastructure

9.30 The Infrastructure Study also sets out the required improvements to the utility services and the Local Planning Authority has entered into early negotiations with providers to ensure that the growth plans are phased in accordance with those providers' Capital Spending Programmes.

9.31 Local infrastructure requirements that are more specific to an individual development are generally set out in existing Supplementary Planning Documents and will be updated as appropriate. Requirements for affordable housing are separate to this and are covered elsewhere in the document.

Local Plan Review: Overview of Changes to Policy INF6

No change to INF6 other than to replace reference to 3G with 5G in the supporting text.

Telecommunications Development

Policy INF 6

Telecommunications Development

Proposals for telecommunications development will be permitted provided that the following criteria are met:

- a. The siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character and appearance of the surrounding area;
- b. If on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building;
- c. If proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made; and
- d. Development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest.

9.32 When considering applications for telecommunications development, the Local Planning Authority will have regard to the operational requirements of telecommunications networks and the technical limitations of the technology.

9.33 Modern telecommunications systems have grown rapidly in recent years with more than two thirds of the population now owning a mobile phone. Mobile communications are now considered an integral part of the success of most business operations and individual lifestyles. With new services such as the advanced fifth generation (5G) services, demand for new

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telecommunications infrastructure is continuing to grow. The authority is keen to facilitate this expansion whilst at the same time minimising any environmental impacts. It is our policy to reduce the proliferation of new masts by encouraging mast sharing and siting equipment on existing tall structures and buildings.

9 Transport and Infrastructure

South of Cayton Strategic Growth Area 10

10 South of Cayton Strategic Growth Area

10 South of Cayton Strategic Growth Area

Local Plan Review: Overview of Changes to Policy SGA1

No changes proposed to Policy SGA1.

10.1 The level of growth derived from objectively assessing the current level of housing need and promoted in the Local Plan has resulted in the requirement for allocating a substantial number of sites for housing development. To fully meet the objective assessed need for housing, the Local Plan proposes the allocation of a strategic growth area to the south of Cayton in addition to a range of sites of different sizes in different locations across the Local Plan area.

Strategic Policy SGA 1

South of Cayton Strategic Growth Area

An area of 131 hectares is proposed as a Strategic Growth Area (SGA) to the south of the Scarborough Urban Area (see Allocation: HA 13 / SGA 1 on Policies Map). The area lies to the east of Scarborough Business Park and south of Cayton and Eastfield and its development will be expected to achieve a pedestrian and cycle focussed development that will contribute to the creation of a sustainable southern part of the Scarborough Urban Area, and support an expanded role for Eastfield centre.

Each phase of development will contribute to the delivery of the SGA in an equitable manner to achieve all necessary infrastructure, community facilities and buildings and planning obligations.

Development will be guided by a comprehensive Development Framework and supporting masterplan(s), the main requirements of which are set out below ⁽¹⁾:

- a. The provision of around 2,500 new homes;
- b. An accessible central 'hub' of local facilities including shops and a community centre to serve future residents, including a clear strategy for the provision and phasing of necessary new and/or expanded education facilities. The scale and type of new facilities should complement the pattern of existing local facilities;
- c. A clear highways strategy that sets out:
 1. The most effective route(s) for the link road (shown indicatively on Figure 10.1); and
 2. Provides a road connection from the link road to Cayton Low Road; and
 3. Identifies and contributes towards the provision of improvements to the wider road network (including the A64)

¹ The list of issues and requirements is not exhaustive and early discussion should take place with the Local Planning Authority and its partners to determine if further matters will require consideration.

South of Cayton Strategic Growth Area 10

- d. Strong links (prioritising pedestrian, cycle and public transport based modes) to Scarborough Business Park, Cayton and Eastfield district centre, and to key facilities and services in the wider Scarborough Urban Area through the preparation and implementation of a strategic 'green travel' plan;
- e. A connected network of high quality green spaces totalling at least 10.5 hectares (not including the net area of the existing Cayton Playing Fields Association facility) to provide a mix of formal and informal recreational opportunities. The detailed masterplan will be required to demonstrate how the pattern of green space is integrated into the design concept of the overall development and actively promotes integration with the existing area of Cayton and provides an adequate degree of separation from the Business Park ⁽²⁾;
- f. The existing Cayton Playing Fields Association facility, if developed as part of this scheme, must be re-provided in full;
- g. The submission of a Hydrogeological Risk Assessment to ensure the development does not have an unacceptable adverse impact on groundwater and the drinking water abstraction points for Scarborough;
- h. The identification of the means by which surface water from new development in this area will be drained;
- i. A comprehensive assessment ⁽³⁾ of the archaeology and scheme for the recording and protection of heritage assets. This should also seek to promote the archaeological heritage of the site and where appropriate, encourage its interpretation and presentation to the public.

To ensure delivery of the scheme in a co-ordinated, comprehensive manner, the preferred method of consideration for any development of the site will be the submission of a single outline planning application covering the whole site accompanied by a Development Framework and associated masterplan. The Development Framework will be prepared in consultation with the Council and local and wider community. It will take into account connectivity and relationships with other parcels of land within and beyond the Strategic Growth Area. This will ensure the continuity of delivery with reference to road infrastructure, social provision, landscaping, form and density of development and other requirements.

Alternatively, if the SGA is to be delivered in phases the following procedure must be followed, and any initial planning application will be for not less than 33% of the total area of the SGA and will include a Development Framework for the whole SGA.

The Council may at any time prepare a Supplementary Planning Document that will on its adoption supersede any previously approved Development Framework.

Planning applications for each phase of development will be accompanied by the following:

- A detailed illustrative Masterplan for the area of the application that will clearly demonstrate how the development will fit in and correlate with the Development

2 This approximate figure is for on-site provision only, calculated in line with the Green Space SPD. The figure consists of around 2 ha for Outdoor Sports Facilities, 1 ha for Equipped Play Areas, 2.7 ha of Amenity Green Space and 4.9 ha of Urban Parks. A financial contribution equivalent to 6.4 hectares of provision will be required for the improvement of Outdoor Sports Facilities in the wider area, making a total requirement of 8.4 hectares for such provision.

3 Further information on archaeology including the background to this location and likely requirements associated with an archaeological assessment can be found in Appendix A (Archaeological Informative 2,

10 South of Cayton Strategic Growth Area

Framework/SPD for the area, and set out requirements for the phase of development including triggers for infrastructure delivery ⁽⁴⁾

Subsequent planning applications will be expected to be in accordance with any approved Development Framework or SPD as appropriate and contribute accordingly to the infrastructure requirements, facilities and services required for the site as a whole.

10.2 The policy incorporates mechanisms to ensure the delivery of the site in a co-ordinated manner and developers are expected to liaise with the Council and the local community in preparing plans for the development of the site.

10.3 The Development Framework will reflect the above policy and ensure that the appropriate infrastructure is provided alongside the development at the correct time and will be the basis for formulating future planning applications.

10.4 The SGA has the potential to provide wide ranging benefits other than the provision of market housing that will play a strategic contribution to achieving the aims and objectives identified in the Plan. The policy will deliver the following substantial benefits which are essential to the achievement of the plan's vision, aims and objectives:

- Affordable Housing - owing to the potential levels of development, the number of affordable homes would be significant and contribute towards the identified requirement for more affordable homes in the Borough;
- Road Improvements - the development will provide a link road to the south of Cayton with an east-west route from the Business Park to the B1261 and the A165 beyond. This would provide substantial improvements for existing residents of Cayton by reducing congestion through the settlement by improving A64/A165 connectivity. This will benefit business and industrial users travelling between the Scarborough Business Park and the A165 South (Bridlington and Hull). A link road could also potentially reduce usage of the 'final-portion' of the A64 between Dunslow Road Roundabout and Musham Bank providing additional capacity to this part of the Strategic Road Network;
- A Sustainable Community - the position of the site in relation to the Business Park, the neighbourhood facilities of Eastfield and the potential to incorporate recreation and leisure facilities allow the development to be highly sustainable in accordance with the main requirements of both local and national planning policy. The policy will promote:
 - Efficient links to the Business Park for walking and cycling;
 - The regeneration of Eastfield by supporting existing businesses, services and community facilities and promoting Eastfield as the central hub for the southern part of Scarborough Urban Area;
 - A healthy lifestyle with easy access to formal and informal recreation facilities (formal sports pitches, informal trails and walking areas and a potential pedestrian link that would allow unhindered access from this site north through The Dell and Oliver's Mount to Scarborough Town Centre).

⁴ An example of this would be the provision of a site for a primary school to cope with the full development of the allocation or at least the land to allow the future expansion of any school to meet the needs of the full site.

South of Cayton Strategic Growth Area 10

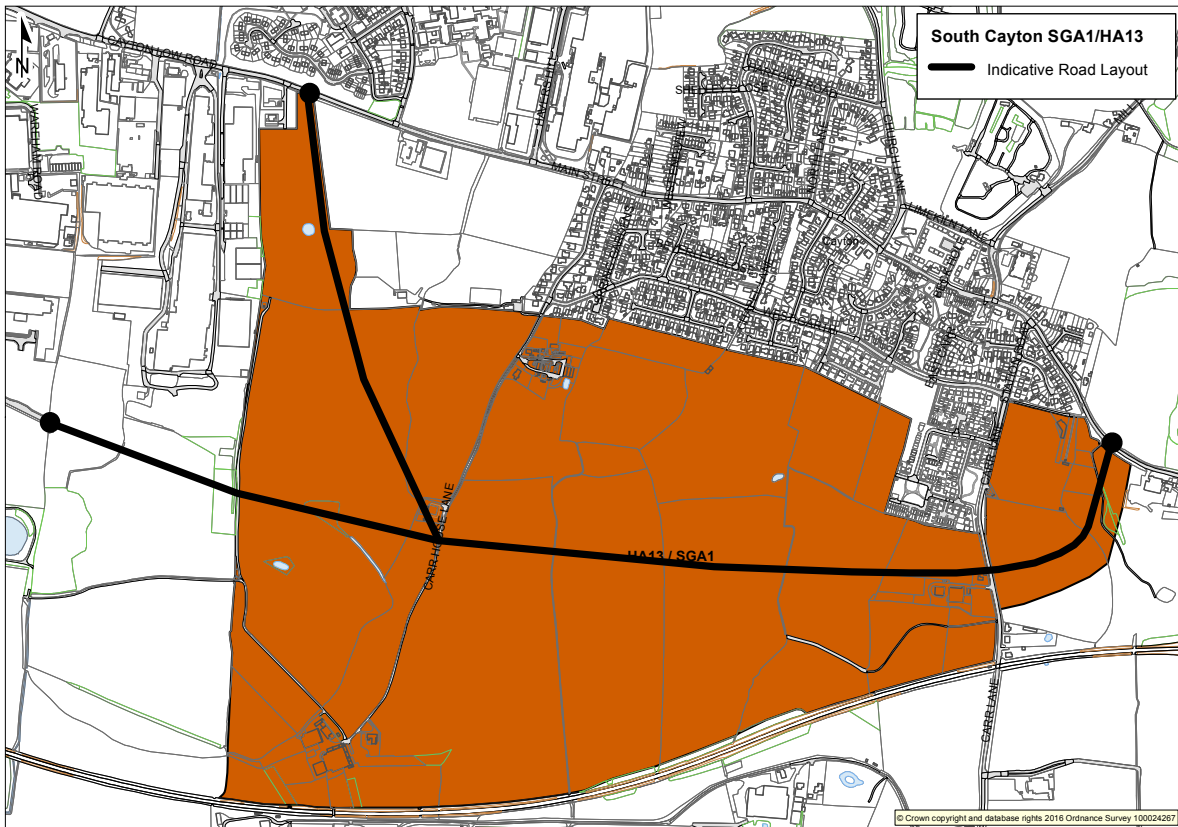


Figure 3 Indicative Road Layout in the South of Cayton Strategic Growth Area

10 South of Cayton Strategic Growth Area

Monitoring Framework 11

11 Monitoring Framework

11 Monitoring Framework

Monitoring Framework

11.1 A central element of the implementation of planning policies is assessing their effectiveness through robust monitoring mechanisms. The Local Planning Authority will regularly assess the performance of individual policies and overall progress in delivering the strategic objectives of the Local Plan. This will be used to inform any change to policies or additional actions considered to be required.

11.2 This will be carried out by collecting information on a number of indicators and will be reported on an annual basis in the Authority Monitoring Report (AMR). Key Local Plan monitoring indicators have been selected to:

- provide information about whether policies are achieving their objectives;
- determine if targets are being met;
- determine if the policies in the Local Plan remain relevant or whether updates to policy are required.

11.3 Monitoring of the Local Plan will primarily be achieved through the collection of information about the effectiveness of key Local Plan policies. This information can be used to identify when a change in the approach to development management decision making is necessary to ensure that the objectives underpinning planning policies are achieved. In defining objectives for each policy, these generally relate to the identified strategic objectives within the Local Plan aimed at bringing about the overall vision. However, some policies do not align precisely with a strategic objective, or do so with several. Here the overall and underlying objective is sustainable development; steering growth into centres best able to support it, reducing the need to travel, harmonising housing and employment, creating vital communities and reducing human impacts to the minimum consistent with achieving a decent standard of living and passing the same on to future generations.

11.4 The Local Plan indicators are shown in Table 11.1 and are split down in accordance with the Local Plan sections. Wherever practicable, targets have been set for each of the Local Plan indicators, however, not all of the outcomes of individual policies are easily assessed. In such cases trends will be monitored and the baseline for reporting will be either the commencement of the Plan period (2011) or the adoption of the Plan.

11.5 Whilst the Local Plan is positively prepared there will be proposals for which a refusal of consent is appropriate and necessary. It is therefore important that whilst policies are generally positive, they have the strength to defend a refusal when warranted. An overarching indicator on appeal rate decisions is proposed to assess the effectiveness of policy on the occasions it is used to sustain a refusal of consent.

11.6 The AMR will also continue to report on contextual indicators. These include demographic changes, employment and unemployment statistics, visitor numbers and spend and so on.

11.7 The Sustainability Appraisal of the Local Plan also provides for monitoring and reporting of the significant environmental effects of implementing the Local Plan within the Authority Monitoring Report.

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11.8 With regard to the preparation of Neighbourhood Development Plans, the duty shall be on those preparing such plans to devise and publish a policy monitoring framework. Appropriate policies for this Borough Council to monitor will be considered during the general conformity check of the Neighbourhood Development Plan against the Local Plan.

Data Collection and Sources

11.9 The information required to monitor the indicators is generally accessible and available either from sources of national statistics, from data sources regionally or sub-regionally, and also from information held or collected within the Borough Council and its partner organisations.

11.10 The precise choice of indicators is made on the basis of a number of factors, including:

- Relevance;
- Ready availability of data over time (including issues of cost and reliability);
- Likely significant effects identified in the sustainability appraisal;
- Policy target timescales.

11.11 A range of local evidence base documents have been prepared which are to be revised, updated or replaced on a rolling basis. The data contained within these reports may provide further evidence of effectiveness of policies. Examples of such evidence base studies relevant to the monitoring of Local Plan policies include:

- Strategic Housing and Employment Land Availability Assessment (SHELAA);
- Strategic Housing Market Assessment (SHMA);
- Employment Land Review;
- Playing Pitch Strategy;
- Green Spaces Audit;
- Scarborough Borough Landscape Study; and
- Scarborough Retail Study.

Reviewing the Local Plan

11.12 The AMR will be the mechanism for monitoring the effects of policies in the Local Plan. If during the plan period it becomes apparent that policies are ineffective, or not satisfactorily achieving the desired outcome, relevant steps will be put in place to ensure that this is addressed. Ultimately it may result in a full or partial review of the Local Plan or a revision of the Local Plan targets. Examples of where policies may not achieve their outcomes may include;

- A consistent under-delivery of housing against the targets set out in Policy HC1. The level of housing provision would be re-assessed in line with up to date national planning policy having regard to a market conditions. A review of the allocated housing sites under Policy HC2 may also be undertaken to determine if these remain appropriate and the best means of delivering the required levels of housing.
- Under-delivery of affordable housing against the requirements set out in Policy HC3. This may trigger a review of the financial viability evidence to establish whether a change to the policy would be needed to support delivery of affordable housing. If the housing market

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continues to improve, it may require a review of Policy HC3, the viability evidence behind it and the supporting Supplementary Planning Document on Affordable Housing.

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Policy	Indicator	Target	Source	Responsibility for Delivery
Settlement Hierarchy				
SH1	Amount of development by type within each settlement.	Deliver overall distribution of sites in accordance with the settlement hierarchy	Development Management Records	SBC
Design and Construction				
DEC2	Number of publicly available electric vehicle charging points	Increase provision in the Borough	Development Management Records	SBC
DEC3	Average density of new housing delivered	30+ dwellings per hectare across the Local Plan area as a total (*should not include single plot developments due to distortion of figure)	Development Management Records	SBC, Developers
DEC5	Number of applications approved contrary to Historic England advice	No applications granted contrary to Historic England advice	Development Management Records	SBC, Developers
	Number of designated heritage assets on the Historic England "Heritage At Risk" Register	No increase attributable to planning consents	Historic England	SBC, Historic England
DEC6	Number of applications approved contrary to Historic England advice	No applications granted contrary to Historic England advice	Development Management Records	SBC, Developers
Homes and Communities				
HC1	Supply of ready to develop housing sites	Maintain a 5 year rolling supply	Development Management Records and Forward Planning	SBC, Developers and Landowners
HC1, HC2 & SGA1	Net additional dwellings delivered	Deliver 354 dwellings per annum	Development Management Records	SBC, Developers
HC3	Number of affordable dwellings delivered	15% of homes delivered to be affordable	Development Management Records, Housing Section	SBC, Developers Registered Providers
HC4	Number of dwellings delivered through rural exception schemes	Aim to deliver an average of one site per annum over plan period.	Development Management Records, Rural Housing Enabler	SBC Rural Housing Enabler, Developers
HC5	Number of homes delivered to M4(3)(A) standard	2% of homes on schemes of 50 units or more to be M4(3)(A)	Development Management Records	SBC, Developers

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Policy	Indicator	Target	Source	Responsibility for Delivery
HC6	Number of dwellings provided in specialist or extra-care schemes	Increase the provision in the Local Plan area	Development Management Records	SBC, NYCC, Developers, Registered Providers
HC6	Number of Self-Build Dwellings delivered	Ensure supply of self-build plots approved to meet identified demand	Development Management Records	SBC, Self-Build Developers
HC7	Net additional traveller pitches delivered (permanent or transit)	To meet identified demand	Development Management Records	SBC
HC9 & HC10	New community facilities delivered	To meet identified demand	Development Management Records	SBC
HC11 & HC12	New health and educational facilities delivered	Monitor	Development Management Records	SBC, Clinical Commissioning Group, NYCC, Other health and education providers
HC13	Delivery of a GP Surgery	Deliver a GP Surgery by the end of the plan period	Development Management Records	SBC, Local Surgeries, Clinical Commissioning Group, Developers
HC14	Delivery of new or expanded health facilities or GP Surgery	Delivery of expanded GP Surgery or health facility by the end of the plan period	Development Management Records	SBC, Local Surgery, Clinical Commissioning Group, Developers
HC15 & HC16	New open space and sports facilities delivered by type.	Increase in accordance with newly arising demand	Development Management Records	SBC, Local Providers (eg, Town and Parish Councils, Sports Associations, etc), Developers
Economic Growth				
EG1 & EG3	Amount and type of employment provision delivered (unit floorspace and site size).	Increase active employment land provision and ensure a flexible and available supply of developable employment land.	Development Management Records	SBC, Developers

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Policy	Indicator	Target	Source	Responsibility for Delivery
EG3	Amount of vacant employment land available for development by type: a. Allocated; b. With Planning Consent.		Development Management Records and Forward Planning	SBC, Developers
EG2	Number of planning consents with a condition/agreement requiring job skills/apprentice training	Monitor	Development Management Records	SBC, Developers
EG4	Amount of development within protected area	Monitor	Development Management Records	SBC, Developers
EG5	Employment land and floorspace lost to 'non-employment' uses	Monitor	Development Management Records	SBC, Developers
All TC	Net floorspace developed for town centre uses per annum, by: a. town centre; b. edge of centre; c. out of centre location.	Increase the vitality of the town centres and reduce vacant premises	Development Management Records	SBC, Developers
	Number of vacant shops/premises in town centres			
All TOU	Number of visitor and tourism related approvals by type	Increase and diversify the tourist attraction and visitor accommodation offer	Development Management Records	SBC, Developers
Renewable Energy and The Environment				
ENV1 & ENV2	Renewable energy generating developments delivered	Increase provision	Development Management Records	SBC, Developers
	Amount of installed grid-connected energy capacity (MW) by renewable sources	Increase in MW of electricity	Development Management Records	Developers
ENV3	Number of proposals granted consent contrary to Environment Agency advice on flooding	No applications granted contrary to EA advice on flooding	Development Management Records, Environment Agency	SBC
	Number of Air Quality Management Areas in the Plan area	Zero	DEFRA	DEFRA

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Policy	Indicator	Target	Source	Responsibility for Delivery
ENV4	Number of proposals granted for development (excluding those listed as being appropriate within the 25 year, 50 year and 100 year coastal erosion zones	Limit to those essential in that location or listed as being appropriate development within the respective erosion zone.	Development Management Records	SBC
ENV5	Number of proposals granted permission in SPZ1 contrary to Environment Agency advice on the grounds of impact on the drinking water supply.	No applications granted contrary to EA advice on the water resource	Development Management Records, Environment Agency	SBC
ENV6	Number of proposals granted permission contrary to Natural England advice on the grounds of impact on locally, regionally or nationally designated sites	No applications granted contrary to Natural England advice	Development Management Records, Natural England	SBC
ENV9	Creation of new green infrastructure assets	Monitor	Development Management Records	SBC, Natural England, Developers
Transport and Infrastructure				
INF1	Improvements to Seamer Railway Station	Deliver improvements by the end of the plan period	NYCC, Network Rail	SBC, NYCC, Network Rail
INF2	Delivery of scheme	Deliver when required by National Highways	NYCC, National Highways	SBC, NYCC, National Highways, Developers
INF3	Number of travel plans submitted as part of decision making process	Monitor	Development Management Records	SBC, NYCC, Developers
INF4 & INF5	Financial contributions negotiated/collected for by type.	Monitor	Development Management Records	SBC
INF6	Total of telecommunications notifications received by: a. new location; or b. on existing telecommunication locations	Monitor	Development Management Records	SBC
Appeal Decisions				
All Policies	Number of decisions overturned through the appeal process.	Fewer decisions overturned than the national average	Planning Inspectorate	SBC

Table 11.1 Local Plan Indicators

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A Housing Allocation Statements

A Housing Allocation Statements

This Appendix provides information to supplement Section 6: Homes and Communities (Policy HC2) and sets out the main issues and requirements associated with the housing sites allocated. The lists included under each site are not exhaustive. For example, where sites have the potential to affect a listed building or conservation area this will not normally be listed but will continue to be fully considered at planning application stage using the appropriate Local Plan policy or national guidance.

Planning permission will be granted for development of the following sites provided that the issues listed in addition to any other pertinent issues not listed are satisfactorily addressed and that the scheme accords with other policies within the Local Plan and/or supporting documents or guidance.

Site HA 1

Land off Springhill Lane, Scarborough

The site is a triangular piece of land adjacent to and including the Falsgrave Reservoir at Springhill Lane. The site has been allocated for residential development with an indicative yield of 40 dwellings. The development of the site is reliant on the relocation of the reservoir which is scheduled to take place between 2020 and 2025. This site is therefore likely to be available for development in the latter part of the plan period in line with Yorkshire Water's timescales for relocation.

Issues and Requirements:

1. The site will be accessed directly from Springhill Lane;
2. Investigations into biodiversity, contamination and the route of the trunk main will be required along with any appropriate mitigation;
3. The pumping station may have to be retained.

Site HA 2

Westwood Campus Site, Valley Bridge, Scarborough

The site houses educational facilities linked to Yorkshire Coast College. The college has plans to relocate the existing facilities at both Westwood Campus and Lady Ediths Avenue (the main campus). This will free up this building and adjacent plot for conversion and development. The site has been allocated for residential development with an indicative yield of 50 dwellings; this is based on an earlier development brief for this site.

Issues and Requirements:

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1. The current site access will be utilised but any proposal will need to fully assess the impact on the signalised junction of Westwood / Valley Bridge Road / Valley Bridge Parade / Somerset Terrace;
2. The building itself is a Grade II Listed Building, lies within the Conservation Area and is adjacent to a Registered Historic Park and Garden and any development proposals should safeguard those elements which contribute to the significance of the assets.

Site HA 4

Land at Yorkshire Coast College, Lady Edith's Drive, Scarborough

The site is off Lady Edith's Drive and Scalby Road. It currently accommodates a college with green space to the front and a small pitch to the rear. The site has been allocated for residential development with an indicative yield of 140 dwellings.

Issues and Requirements:

1. Access to the site will be taken from Lady Edith's Drive.
2. As shown in Open Space Allocation OS5, an area of amenity green space will be retained to the Scalby Road frontage of the site in order to maintain the important visual break in development between Scarborough town and Newby.
3. The form of Lady Edith's Drive in being a tree lined avenue must be retained.

Site HA 5

Land at Dean Road, Scarborough

The site is a brownfield site. The site has been allocated for residential development with the remaining area having an indicative yield of 35 dwellings.

Issues and Requirements:

1. The site will be accessed from Dean Road;
2. A mixed use scheme would be appropriate on this site and is supported by Policy TC 4.

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Site HA 7

Land to east of Lancaster Park, Scalby

The site is to the east of Lancaster Park and to the north of Station Road. It is in the form of open fields bisected by the Cinder Track (former Scarborough to Whitby Railway Line). The site has been allocated for residential development with an indicative yield of 900 dwellings, based on evidence submitted by the site promoter.

Issues and Requirements:

1. The western part of the site will be accessed from a number of locations which could include off the A171 (at, or adjacent to, the Rugby Club access), Castlemount Avenue, Queen Elizabeth Drive, Field Close Road and Lancaster Way. Further work will be required to establish the capacity of these and other junctions such as Station Road / Scalby Road, to serve this part of the development;
2. The eastern part of the site is likely to be accessed from Station Road but further work will be required to establish the most appropriate access strategy for the site;
3. To protect the long landscape views towards Scarborough and the Castle Headland, a full visual impact assessment will be required to inform the scale, massing and heights of the dwellings proposed;
4. There shall be no motor vehicular access across the Cinder Track;
5. A landscape buffer will be required between the housing development and the Cinder Track, with a formal area of open space (to be provided as a neighbourhood park) at the point where the eastern and western components of the allocation meet at the Cinder Track. This is reflected in Open Space Allocations OS3 and OS4;
6. The development should make provision for an appropriate investment into localised improvements to the Cinder Track and seek to utilise this route as a sustainable route into Scarborough for commuting and for recreational purposes;
7. No development shall take place in the area identified as Flood Zone 3 adjacent to Cow Wath Beck.

Site HA 8

Land to north of Middle Deepdale, Eastfield

The site is open fields to the north of the 1999 Local Plan housing allocation and recently commenced development at Middle Deepdale. It is bounded to the east by the re-aligned road connecting eastway to the A165 and Deep Dale Valley to the west. The site has been allocated for residential development with an indicative yield of 600 dwellings.

Issues and Requirements:

1. The site will be accessed off the new link road proposed between the A64 at Musham Bank Roundabout and the A165;

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2. To protect the long landscape views towards the Wolds, a full visual impact assessment will be required to determine the appropriate scale, massing and heights of the dwellings proposed, with particular relevance to the northern portion of the site. This part of the site has the propensity to affect wider views to and from the Wolds as identified in the Landscape Character Assessment and Landscape Sensitivity Study (2013);
3. As shown in Open Space Allocation OS1, a large area of open space (neighbourhood park) situated to the western edge of the site adjacent to Deep Dale Valley will be incorporated into the development. The area designated on the Policies Map is primarily for illustrative purposes and the exact size and delineation of the open space will be determined at the planning application stage.
4. Attention is drawn to the following Informative 1 regarding the archaeological evaluation and mitigation that is likely to be required.

Site HA 9

Land to west of Middle Deepdale, Eastfield

The site consists of open fields with a farm house and associated buildings to the west of the 1999 Local Plan housing allocation and recently commenced development at Middle Deepdale. It is (will be) bounded by access roads that connect the north-western portion of Eastfield into the Middle Deepdale housing site. The site has been allocated for residential development with an indicative yield of 100 dwellings.

Issues and Requirements:

1. The site will be accessed by utilising the new connection roads linking the new A64 to A165 Link Road and Eastfield proposed as part of the Middle Deepdale development;
2. High Eastfield Farm and the historic fold yard, buildings and agricultural walls should be retained and incorporated into the development;
3. The tree buffer to the west of the site will be retained and enhanced to lessen the impact of the development on the wider environment;
4. The site is in a groundwater Source Protection Zone (Zone 1). It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site will not adversely affect the groundwater resource and the drinking water abstraction points for Scarborough;
5. The design and layout of the development should take the opportunity, wherever possible and practical through the retention of appropriate sight lines, to allow the continued visual relationship of the Scheduled round barrow and other significant archaeological features with other monuments on the Wolds Escarpment to the south;
6. This part of the Middle Deepdale expansion is considered an appropriate location for a community hub potentially incorporating extra-care provision, an additional Primary School as identified in early masterplanning works and other community uses as may

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be required. The incorporation and/or re-use of the retained buildings (High Eastfield Farm) into this community hub should be considered.

7. Attention is drawn to the following Informative 1 regarding the archaeological evaluation and mitigation that is likely to be required.

Site HA 10

Land to north west of Middle Deepdale, Eastfield

The site consists of open fields to the north of the 1999 Local Plan housing allocation. The site has been allocated for residential development with an indicative yield of 500 dwellings.

Issues and Requirements:

1. The site will be accessed off the new link road proposed between the A64 at Musham Bank Roundabout and the A165;
2. As shown in Open Space Allocation OS2, a large area of open space (neighbourhood park) situated to the north of the site will be incorporated into the development. The area designated on the Policies Map is primarily for illustrative purposes and the exact size and delineation of the open space will be determined at the planning application stage.
3. To protect the long landscape views towards the Wolds and from the road and rail approaches to Scarborough, a full visual impact assessment will be required to determine the appropriate scale, massing and heights of the dwellings proposed, with particular relevance to the northern portion of the site including as appropriate, significant public open space and landscaping. The full extent of the open space will be determined at application stage, however, the 85m contour line could form the northern limitation of the housing and the commencement of the open space;
4. Substantial mature tree planting will be required along the western edge of the site continuing the existing tree belt to the immediate south, minimising views of the site from the A64 to the south (approaching from Staxton);
5. A full assessment of the impact of the development and how it would secure a sustainable future for, appropriate public access and interpretation of, the Scheduled round barrow to the north of the development site;
6. The design and layout of the development should take the opportunity to respect the setting of the Scheduled round barrow, other significant archaeological features and, wherever possible and practical through the retention of appropriate sight lines, allow the continued visual relationship with other monuments on the Wolds Escarpment to the south.
7. Attention is drawn to the following Informative 1 regarding the archaeological evaluation and mitigation that is likely to be required.
8. A Primary School will need to be delivered on site at a location that meets the requirements of the Local Education Authority.

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Informative 1

Archaeological Informative for Sites HA8, 9 and 10.

The sites proposed adjacent to the Middle Deepdale development are covered in the preceding three Housing Allocation Statements. Notwithstanding this and as a result of the high probability of important archaeological remains in this area, it is considered appropriate to set out further information and advice on this specific matter.

Background:

The area to the north of Middle Deepdale forms part of an extensive archaeological landscape which stretches along the length of the Vale of Pickering. This area exhibits evidence of continuing human habitation and activity from the early prehistoric periods through the Roman period, and up to the present day. The buried prehistoric landscapes and continuous “ladder” settlements are an extraordinary survival of human activity on a landscape scale, preserved beneath thick sand-blown deposits across the Vale.

Based upon the understanding gained during 25 years of archaeological research and excavation on adjacent sites and across the remainder of the Vale of Pickering, there is a high probability that this area will contain archaeological remains of national importance. The NPPF makes it clear that non-designated archaeological remains that are demonstrably of equivalent significance to Scheduled Monuments (such as the ones which are likely to be present in this area) should be considered as if they were a designated heritage asset - i.e. that substantial harm or total loss should be wholly exceptional.

There is also a burial mound dating from the late Neolithic to the late Bronze Age just a few metres from the northern boundary of this area. This is a Scheduled Monument. Located south of Scarborough, the Eastfield barrow is an outlier of a much larger group of barrows and entrenchments along the west and south west sides of Scarborough, located just below the top of the glacial ridge that marks the sudden change in height as the land drops towards the current urban area of Scarborough. Landscape location and setting are important contributory elements of the significance of the barrows individually and collectively. They are located just below the highest points in the landscape and on substantial terraces. There is a degree of intervisibility between them and they are provided with extensive 'views' towards the west, south west, south and south east into the Vale of Pickering.

In addition to the above, ongoing archaeological excavations are continuing on approved development sites north of Eastfield. It is essential that any development proposals are informed by these and by a robust archaeological assessment of this area in order to fully understand the potential implications which the development of this area might have not just upon important archaeological remains but also the associated costs that archaeological mitigation might involve.

Implications:

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Should, as Historic England suspect, that any desk based archaeological assessments result in the requirement for more substantial investigations the following information provides the basis for successfully meeting the likely requirements of Historic England.

- a. An archaeological assessment would likely require the inclusion of;
 - i. An assessment of the proposed development site in its wider historic landscape context;
 - ii. Views analysis of the site from the group of upstanding barrows and entrenchments to the west and south-west of Scarborough;
 - iii. Landscape characterisation and modelling including a review of available lidar data and aerial photography;
 - iv. Geophysical Survey;
 - v. Trial trenching.
- b. An evaluation of how the proposed development is likely to impact upon the archaeology

Subject to the outcome of the above works a mitigation strategy will most likely be required which will require agreement from the Local Planning Authority (in consultation with Historic England). The remit of a strategy will be determined by the outcome of the above and should include the following (unless it can be shown that these are not necessary):

- a. A framework for managing, recording, archiving and publishing the results of any archaeological evaluations and interventions.
- b. A strategy for maximising the educational potential of any archaeological interventions including the development of community archaeology projects;
- c. A proposed access strategy for the archaeological landscape of this development site;
- d. The design and layout of the development should take the opportunity to reflect the historic ladder settlements in the urban form.

Site HA 12

Land to west of Church Lane, Cayton

The site sits to the north of Jackson Close, adjacent to the existing playing pitches and sports facilities. It is a self-contained field with the appearance of uncultivated scrub land and has been allocated for residential development with an indicative yield of 60 dwellings.

Issues and Requirements:

1. The site will be accessed off Church Lane at an agreed location whereby the required visibility splays can be accommodated satisfactorily;

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2. Owing to the restrictive shape of the site a density of lower than 30 dwellings per hectare is considered appropriate in this instance;
3. It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site will not adversely affect the groundwater resource.

Site HA 13

Land to east of Church Lane, Cayton

The site is adjacent to the Cayton Village Caravan Park and is currently used as a recreation/walking area in relation to the caravan park. The site has been allocated for residential development with an indicative yield of 80 dwellings.

Issues and Requirements:

1. The site will be accessed off Church Lane to the north end to minimise loss of hedgerows for sight lines;
2. The development and any access (non-vehicular) taken from Limekiln Lane should have special regard to the adjacent Grade I Listed Building (St John the Baptist Church) and ensure the scheme respects the character and setting of the building. Building heights should be single storey to the south end of the site set back from the road with reinforced planting. The hedge which forms the boundary of the site with Limekiln Lane should be retained.
3. The positioning of open space at this part of the site would further minimise any impact on the adjacent Listed Building. This site may alternatively be appropriate for the siting of a new cemetery required for Cayton. This would be considered an appropriate type of open space and in lieu of other more typical forms of open space. The open space should be of at least 40m in depth;
4. Development should be set back 15m from Church Lane with reinforced planting;
5. Development should be set back 15m from the north and west boundaries with additional landscaping (to reduce the impact of the development on open countryside at a point when the first views of the development in the context of the listed church and Conservation Area are visible);
6. A buffer zone will be required to the east of the site to ensure adequate separation between the residential development and the caravan park in the interests of providing an appropriate level of amenity for future residents;
7. Any proposal should seek to create key views from internal road and footpath networks. (These views of the church and the churchyard are not at present available to the public and their creation, along with complementary internal landscaping would create new elements of significance which would then visually tie the land to the Church, enhancing both);
8. It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site will not adversely affect the groundwater resource.

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Site HA 14

Land to south of Cayton

This is covered in detail under Section 10: South of Cayton Strategic Growth Area (Policy SGA1).

Attention is drawn to Informative 2 below regarding the archaeological evaluation and mitigation that is likely to be required.

Informative 2

Archaeological Informative for HA14 (Policy SGA1) and Land at and adjacent to Scarborough Business Park

The site to the south of Cayton is covered substantially in Policy SGA1. Notwithstanding this and as a result of the high probability of important archaeological remains in this area, it is considered appropriate to set out further information and advice on this specific matter.

Background:

Within the Strategic Growth Area to the south of Cayton, there is a high likelihood of archaeological deposits (including waterlogged deposits with organic preservation) dating to the early prehistoric period (notably the Mesolithic) but also later prehistoric. Based upon the understanding gained during the recent and ongoing excavations of the nearby Internationally-important Scheduled Monument at Star Carr and through accumulated research work around the former Lake Flixton (including recent and on-going work at Wykeham Quarry), there is a high probability that many of these remains will be of national importance. The NPPF makes it clear that non-designated archaeological remains that are demonstrably of equivalent significance to Scheduled Monuments (such as the ones which are likely to be present in this area) should be considered as if they were a designated heritage asset - i.e. that substantial harm or total loss should be wholly exceptional.

It is essential that any development proposals are informed by a robust archaeological assessment of this area in order to fully understand the potential implications which the development of this area might have not just upon important archaeological remains but also the associated costs that archaeological mitigation might involve. Such assessments will assist in increasing the knowledge and understanding of the wider Mesolithic landscape around the former Lake Flixton and the Vale of Pickering.

Implications:

Should, as Historic England suspect, that any desk based archaeological assessments result in the requirement for more substantial investigations the following information provides the basis for successfully meeting the likely requirements of Historic England.

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- a. An archaeological assessment would likely require the inclusion of:-
- i. An evaluation of the proposed development site in its wider prehistoric and historic landscape context.
 - ii. Following any desk-based assessment, the below-ground archaeology and palaeoenvironment potential of the proposed development site should be assessed through a staged-programme of evaluation. This should include the following elements (unless it can be shown that these are not necessary):
 - Auger survey to supplement deposit and stratigraphic information contained in existing archaeological and geotechnical datasets, if required.
 - Core sampling (or monoliths samples from exposed test pit sections) to assess palaeoenvironmental potential and scientifically date stratigraphic sequences.
 - 3D deposit model (using RockWorks or similar software programme), based on existing information, supplemental auger survey and core sampling data, to develop a predictive tool to aid the identification of early Mesolithic activity areas, etc.
 - Geophysical survey (utilising techniques appropriate to the type and depth of deposits present) to identify below-ground anomalies associated with human activity.
 - Trial trenching to ground-truth the 3D deposit model and geophysical survey results.
- b. An evaluation of how the proposed development is likely to impact upon the archaeology of the site and the likely continued survival of deposits in the surrounding area including the potential for de-watering through changes to the hydrology and degradation through geochemical changes.

No development will be allowed to commence until an appropriate mitigation strategy has been agreed with the Local Planning Authority in consultation with the County Archaeologist and Historic England) which will set out a framework for managing, recording, archiving and publishing the results of any archaeological evaluations and interventions.

Site HA 15

Land off Rimington Way, Osgodby

The site is currently open fields to the south of Osgodby. The site has been allocated for residential development with an indicative yield of 90 dwellings.

Issues and Requirements:

1. The site will be accessed from an existing field access off Rimington Way and Redcliff Close;
2. As shown in Open Space Allocation OS6, a connected area of amenity green space to the east and south will be incorporated into the development. This should form a continuation of the existing open space to the north of this site, adjacent to The Intake;

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3. The substantial hedgerows and screening along Osgodby Lane should be retained and development set-back from the western boundary;
4. It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site will not adversely affect the groundwater resource.

Site HA 16

Land off Stakesby Road, Whitby

The site is situated north of Stakesby Road and consists of the Borough and County Council depots. It is adjacent to the former Creamery which has been redeveloped for housing. The site has been allocated for residential development with the remaining area having an indicative yield of 60 dwellings, based on the density of the scheme at the aforementioned Creamery site.

Issues and Requirements:

1. The primary access to the site would be taken off Stakesby Road with a secondary access, if required, available from The Garth;
2. Mitigation work will be required to ensure no loss of biodiversity.

Site HA 18

Land opposite Whitby Business Park and to the south of Eskdale Park, Whitby

The site is open fields with the eastern end bounded by a school, the A171 and waste water treatment plant in the south-eastern corner. To the west the site is bounded by residential development to the north-western side of the site and the former railway line to the south. The site has been allocated for residential development with an indicative yield of 320 dwellings.

This site may, in the short term, accommodate a temporary Park and Ride facility and/or a construction village related to the Potash Mine development. As such this may not be deliverable during the early phases of the Local Plan period, however, it remains deliverable during the period up to 2032.

Issues and Requirements:

1. Primary access to the site would be off Stainsacre Lane opposite Whitby Business Park, with a potential for a further access through the proposed development south of Eskdale Park linking back to Larpool Lane;
2. Land adjacent to the housing allocation has been designated as open space (Open Space Allocation OS7). In effect, this land will act as a 'buffer zone' between

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surrounding residential development and the existing sewage treatment plant. The extent of this zone may be altered at time of application to reflect the findings of the odour dispersal model at that time. Within this zone, residential development is restricted due to odour generated by the treatment plant. While the whole area has been identified as open space, the precise requirement for open space provision will be proportionate to the level of housing development taking place on site HA18;

3. Land allocated for open space through allocation OS7 could also be used for other forms of essential/supporting infrastructure, including the construction of connecting roads, to enable the development to come forward. Should the development require the existing football pitch to the south of Eskdale School to be relocated, the expectation will be that the pitch should be relocated in close proximity to the existing site. The utilisation of the buffer zone for these complimentary uses may allow a higher density on the residential allocation;
4. A further landscape and informal green space 'buffer zone' should be created to the south-west corner of the site, between any residential development to the north and the Cinder Track to the south. The precise area of this 'buffer zone' has not been identified within the Local Plan and should be determined at planning application stage. Nevertheless, it will be expected that the area should utilise existing land levels to ensure that development does not adversely affect or encroach to close to the Cinder Track;
5. A buffer consisting of a block of native trees should be created along the western boundary with Larpool Hall to ensure no harm to the listed building;
6. To ensure the protection of views towards the Abbey and the National Park, a full visual impact assessment will be required to determine the appropriate scale, massing and heights of the dwellings proposed;
7. The site is in two developable parcels separated by the 'odour exclusion zone'. There are obvious linkages between these two parts of the allocated site and investigations should take place to look at shared infrastructure, access arrangements, open space, etc;
8. The development should make provision for an appropriate investment into localised improvements to the Cinder Track and seek to utilise this route as a sustainable route into Whitby for commuting and for recreational purposes;
9. The access track from Stainsacre Lane to the Waste Water Treatment Works is located within the allocated site; it is in continual use and the site layout and access arrangements for any proposed development must reflect its presence and ensure that its use for Yorkshire Water operational purposes is not impeded in any way and nor are future residents affected by its use;

Site HA 19

Land adjacent Captain Cooks Crescent, Whitby

The site is a field bounded by residential development to the eastern side of the site and allotments to the north. The site has been allocated for residential development with an indicative yield of 60 dwellings.

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Issues and Requirements:

1. The primary access to the site should be investigated further taking into account the impact on 1A Captain Cook Crescent;
2. The impact on the wider landscape and the setting of Whitby Abbey is the main consideration in relation to the development of this site and requires any scheme should respect its setting through the careful planning of the layout and determination of building heights;
3. The proximity of the site to Whitby-Saltwick Site of Special Scientific Interest (SSSI) should be considered as the SSSI can be sensitive to changes in hydrology.

Site HA 22

Land at Whitby Golf Club (East), Whitby

The site consists of part of Whitby Golf Course where it adjoins properties backing onto Love Lane. The site has been allocated for residential development with an indicative yield of 60 dwellings.

Issues and Requirements:

1. The site will be accessed off Sandsend Road with an option for a secondary access from Highfield Road;
2. The development of this site will only be supported where it is demonstrated that it will contribute to the longer term future of the Golf Course whilst also allowing the retention of its 18 hole status through a suitable re-configuration of the course;
3. Development should be outwardly facing with appropriate open space provided between the residential development and the golf course in order to provide an attractive residential environment and entrance to Whitby.

Site HA 23

Land to north of Scarborough Road, Filey

The site lies on the western fringe of Filey, off Scarborough Road. The site has been allocated for residential development with the remaining area having an indicative yield of 50 dwellings.

Issues and Requirements:

1. The site will primarily be accessed off Scarborough Road;
2. Any proposal should be accompanied by a flood risk assessment containing a surface water drainage strategy. Consultation should also take place with the relevant body or bodies into whether this development could contribute to or assist in facilitating

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the proposed flood alleviation measures for Filey. The development of this site should not prevent or stymie the flood alleviation measures proposed and as a minimum, any proposal will be required to perform to the same specification as the flood alleviation measures as proposed by the Filey Flood Alleviation Scheme for this part of the wider scheme;

3. The allocation should allow for a substantial area of landscaping to the western fringe of the site, primarily through integration with land required for wider flood alleviation measures. Development should be outwardly facing in order to provide an attractive residential environment and entrance to Filey;
4. Although shown outside Development Limits, Open Space Allocation OS9, land to the north of the area allocated for residential development should be provided as an area of natural and semi-natural green space that links to the Filey Community Sports Field (and beyond) to the west and Parish Wood (and beyond) to the east.

Site HA 26

Land south of Brigg Road, Filey

The site comprises an open field and land used as a caravan park. The site has been allocated for residential development with an indicative yield of 80 dwellings.

Issues and Requirements:

1. The site will be accessed from Brigg Road and/or through the Muston Road development (Mill Meadows).
2. A substantial buffer zone will be required to the southern edge of the site to ensure adequate separation between the residential development and the relocated caravan park in the interests of providing an appropriate level of amenity for future residents; and
3. A buffer will be required between the site and the adjacent railway to ensure no adverse effect on the ability to access and maintain the railway line.

Site HA 27

Land off Outgaits Lane, Hunmanby

The site is open fields to the north-east of Outgaits Lane and has been allocated for residential development with an indicative yield of 60 dwellings.

Issues and Requirements:

1. The site will be accessed off Outgaits Lane and a traffic assessment will be required to assess the impact on the existing highway network including the junction of Outgaits Lane with Stonegate;

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2. The site will likely be developed in two distinct sections with Crook Lane and the shallow watercourse running through it separating the two elements. A development akin to that of Lennox Close at the entrance to Outgaits Lane would be appropriate;
3. There is a footpath and lane running to the eastern edge of the site. The development should have no impact on the integrity of the footpath or, if impacted, provide for improvements;
4. To the north-west of the site is a public footpath running between Hunmanby and Filey. A buffer of an appropriate size will be required to provide separation between this development and the footpath;
5. An Odour Assessment may be required to ensure the development has a good level of amenity and is not adversely affected by smells from the nearby Waste Water Treatment Plant.

Site HA 28

Land off Sands Lane, Hunmanby

The site lies between Sands Lane and the railway line and is currently in the form of open fields and has been allocated for residential development with an indicative yield of 60 dwellings.

Issues and Requirements:

1. The site will be accessed off Sands Lane and a traffic assessment will be required to assess the impact on existing highway network including the junction of Sands Lane with Bridlington Street;
2. A buffer will be required between the site and the adjacent railway to ensure no adverse effect on the ability to access and maintain the railway line.

Site HA 29

Land Between Stonegate and Sheepdyke Lane, Hunmanby

The site lies between the railway line and residential development at Manor Gardens with Stonegate and Sheepdyke Lane to the north and south respectively. It is currently in the form of paddocks and scrubland and has been allocated for residential development with an indicative yield of 20 dwellings. This yield reflects the unusual shape of the site and the likely layout that would be required.

Issues and Requirements:

1. The sites main access will be off Stonegate. The primary access point will not be taken from Sheepdyke Lane as any access from this point would only be appropriate to satisfy any requirement for a secondary or emergency access;

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2. A buffer will be required between the site and the adjacent railway to ensure no adverse effect on the ability to access and maintain the railway line;
3. Any scheme should retain and improve the landscape / tree buffer fronting onto Stonegate to ensure the character of this entrance to Hunmanby is retained;
4. Owing to the shape of this site, it should be brought forward as a single development to prevent the 'land-locking' of parts of the site;
5. An Odour Assessment may be required to ensure that the part of the development closest to Stonegate has a good level of amenity and is not adversely affected by smells from the nearby Waste Water Treatment Plant.

Site HA 31

Land to north of The Nurseries, East Ayton

The site is a square field and narrow strip to the east of Meadow Dene and north of The Nurseries. The site has been allocated for residential development with an indicative yield of 40 dwellings.

Issues and Requirements:

1. Full access to the site will not be appropriate from Meadow Dene. A limited number of dwellings can be developed off Meadow Dene to 'finish' the cul-de-sac but this should remain unconnected to the remainder of development on the site;
2. The main access to the wider development should be taken from The Nurseries or directly from the A170;
3. Substantial landscaping will be required along either of these access road options to protect the character and appearance of this entrance into East Ayton;
4. It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site will not adversely affect the groundwater resource.

Site HA 32

Land to south of Racecourse Road, East Ayton

The site comprises the fields to the immediate south of Racecourse Road (A170). The site has been allocated for residential development with an indicative yield of 140 dwellings.

Issues and Requirements:

1. The site will be accessed from Racecourse Road (A170);
2. The site has a Public Right of Way which must be incorporated into the development or kept clear of obstruction until such time as an alternative route has been provided and confirmed by order;

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3. A substantial landscape buffer will be required to the southern edge of the site;
4. It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site will not adversely affect the groundwater resource.

Site HA 33

Land to west of Burniston Farm, Burniston

The site is to the west of Burniston Farm behind a number of properties off High Street. It consists of the grounds to the rear of the farm and large back gardens to adjacent properties. The site has been allocated for residential development with an indicative yield of 60 dwellings.

Issues and Requirements:

1. The primary access will be taken from High Street (A171) to the immediate south of 'The Grange';
2. The formation of this access should not put any restrictions on access to the adjacent shop and Post Office and, if appropriate, provide off street parking for use by delivery vehicles and customers;
3. Depending upon the yield of the site, a secondary access for emergency use may be required. This should be gained from Overgreen Lane;
4. Should an emergency access be unable to be established to the site via Overgreen Lane, the yield of the site would be reduced to a level that would not require a dedicated emergency access route.

Site HA 34

Land to north of Limestone Road, Burniston

The site is situated adjacent to The Limes and Ashdown Rise to the north of Limestone Road. The site has been allocated for residential development with an indicative yield of 40 dwellings.

Issues and Requirements:

1. The site should be accessed from Limestone Road and/or Ashdown Rise and The Limes;
2. The realignment of Development Limits to incorporate Limestone Grove and land between the allocation and the aforementioned street may offer the opportunity for a wider development;
3. The site lies within an area defined as being at 'risk of flooding from surface water'. Any proposal will have to be accompanied by sufficient evidence to demonstrate how

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the proposed solution will mitigate against surface water flooding including means of surface water disposal.

Site HA 35

Land to south of Limestone Road, Burniston

The site is situated on the southern side of Limestone Road opposite Limestone Grove. The site has been allocated for residential development with an indicative yield of 40 dwellings, based on an initial site layout submitted by the site promoters.

Issues and Requirements:

1. The site will be accessed from Limestone Road.

Site HA 36

Land to south of Priory Place, Eastfield

The site is situated off Osgodby Lane to the south of Priory Place and west of Shepherds Drive. The site has been allocated with an indicative yield of 30 dwellings.

Issues and Requirements:

1. The site will be accessed off Osgodby Lane;
2. Consideration of views from the south to be factored into the design of the southernmost edge of the site including appropriate landscaping;
3. The substantial hedgerows and screening along Osgodby Lane should be retained and development set-back from the eastern boundary;
4. It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site will not adversely affect the groundwater resource.

Site HA 37

Land at Cayton Low Road, Cayton

The site is situated on the southern side of Cayton Low Road between Cayton and the Business Park to the west and adjacent to the Bowling Club. The site has been allocated for residential development with an indicative yield of 110 dwellings.

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Issues and Requirements:

1. The development should consider and respect its functional and physical relationship with the South of Cayton Strategic Allocation (Policy SGA1);
2. The site will be accessed of Cayton Low Road. Linkages with Site SGA1 may facilitate additional or alternative access points;
3. It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site will not adversely affect the groundwater resource.

Employment Land Statements B

B Employment Land Statements

B Employment Land Statements

This Appendix provides information to supplement Section 7: Economic Growth (Policy EG3 and EG4) and sets out the main issues and requirements associated with the employment sites allocated. The lists included under each site are not exhaustive. For example, where sites have the potential to affect a listed building or conservation area this will not normally be listed but will continue to be fully considered at planning application stage using the appropriate Local Plan policy or national guidance.

Planning permission will be granted for development of the following sites provided that the issues listed in addition to any other pertinent issues not listed are satisfactorily addressed and that the scheme accords with other policies within the Local Plan and/or supporting documents or guidance.

Site EMP-A 1

Land to the North East of Burton Riggs, Scarborough Business Park

The site is located to the north east of Burton Riggs, and south of Dunslow Road. The site has been allocated for E(g)(i), E(g)(ii) and E(g)(iii) uses and is approximately 1.1ha.

Issues and Requirements:

1. The site will be accessed via the existing access point to the north that connects on to Dunslow Road;
2. The site is in a groundwater Source Protection Zone (Zone 1). It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site and any associated activities will not adversely affect the groundwater resource and the drinking water abstraction points for Scarborough;
3. Appropriate landscaping and/or buffer should be incorporated into the site to ensure any development does not adversely affect the Site of Importance for Nature Conservation at Burton Riggs to the south and west of the site.

Site EMP-A 2

Land at Hopper Hill Road, Scarborough Business Park

The site is located at the southern end of Hopper Hill Road, to the west of Seamer Carr Road. The site has been allocated for E(g)(i), E(g)(ii) and E(g)(iii) uses and is approximately 0.9ha.

Issues and Requirements:

Employment Land Statements B

1. The site will be accessed via Hopper Hill Road;
2. The site is in a groundwater Source Protection Zone (Zone 1). It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site and any associated activities will not adversely affect the groundwater resource and the drinking water abstraction points for Scarborough.

Site EMP-A 3

Land to east of Hunmanby Industrial Estate

The site is located to the east of the existing Hunmanby Industrial Estate. The site has been allocated for E(g)(i), E(g)(ii) and E(g)(iii) uses and is approximately 3.4ha.

Issues and Requirements:

1. The site will be accessed via the Industrial Estate road;
2. The site is in a groundwater Source Protection Zone (Zone 1). It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site and any associated activities will not adversely affect the groundwater resource and the drinking water abstraction points for Scarborough.

Site EMP-A 4

Land to north and south of Cayton Approach, Scarborough Business Park

The site is located to the north and south of Cayton Approach, bounded by the existing Business Park to the north. The site has an extant outline approval for E(g)(i), E(g)(ii) and E(g)(iii) uses and other ancillary and complementary uses that are appropriate within the Business Park environment and comprises approximately 24.2ha of developable land.

Issues and Requirements:

1. The site will be accessed from existing roads within the site including the main spine road, Cayton Approach;
2. It will have to be demonstrated that the development of the site and any associated activities will not adversely affect the water source potentially through the submission of a Hydrogeological Risk Assessment;
3. The sites that run alongside Cayton Approach should be designed in a way that reflects its location as a 'gateway' in to the expanded Business Park area.
4. Attention is drawn to Informative 3, below, regarding the archaeological evaluation and mitigation that is likely to be required.

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Site EMP-A 5

Land to south of Plaxton Park Industrial Estate

The site is located to the south of the existing Plaxton Park Industrial Estate and to the east of Cayton Approach. The site has an extant outline approval for E(g)(i), E(g)(ii) and E(g)(iii) uses and comprises approximately 11ha of developable land.

Issues and Requirements:

1. The site will be accessed from the west by Cayton Approach, which will be extended through the development site to its eastern boundary in order to provide direct access to land to the east;
2. It will have to be demonstrated that the development of the site and any associated activities will not adversely affect the water source potentially through the submission of a Hydrogeological Risk Assessment;
3. The sites that run alongside Cayton Approach should be designed in a way that reflects its location as a 'gateway' in to the expanded Business Park area.
4. Attention is drawn to Informative 3, below, regarding the archaeological evaluation and mitigation that is likely to be required.

Informative 3

Archaeological Informative for Scarborough Business Park (including the area covered by Policy EG4).

The site encompasses the Business Park and the areas of future expansion. As a result of the high probability of important archaeological remains in this area, it is considered appropriate to set out further information and advice on this specific matter.

Background:

The site lies adjacent to the Strategic Growth Area to the south of Cayton; an area identified as having a high likelihood of archaeological deposits (including waterlogged deposits with organic preservation) dating to the early prehistoric period (notably the Mesolithic) but also later prehistoric. Based upon the understanding gained during the excavations of the nearby Internationally-important Scheduled Monument at Star Carr and through accumulated research work around the former Lake Flixton (including recent and on-going work at Wykeham Quarry), there is a high probability that many of these remains will be of national importance. The NPPF makes it clear that non-designated archaeological remains that are demonstrably of equivalent significance to Scheduled Monuments (such as the ones which are likely to be present in this area) should be considered as if they were a designated heritage asset - i.e. that substantial harm or total loss should be wholly exceptional.

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It is essential that any development proposals are informed by a robust archaeological assessment of this area in order to fully understand the potential implications which the development of this area might have not just upon important archaeological remains but also the associated costs that archaeological mitigation might involve. Such assessments will assist in increasing the knowledge and understanding of the wider Mesolithic landscape around the former Lake Flixton and the Vale of Pickering.

Implications:

Should, as Historic England suspect, that any desk based archaeological assessments result in the requirement for more substantial investigations the following information provides the basis for successfully meeting the likely requirements of Historic England.

- a. An archaeological assessment would likely require the inclusion of:-
 - i. An evaluation of the proposed development site in its wider prehistoric and historic landscape context;
 - ii. Following any desk-based assessment, the below-ground archaeology and palaeo-environmental potential of the proposed development site should be assessed through a staged-programme of evaluation. This could include the following elements:
 - Auger survey to supplement deposit and stratigraphic information contained in existing archaeological and geotechnical datasets, if required.
 - Core sampling (or monoliths samples from exposed test pit sections) to assess palaeo-environmental potential and scientifically date stratigraphic sequences.
 - 3D deposit model (using RockWorks or similar software programme), based on existing information, supplemental auger survey and core sampling data, to develop a predictive tool to aid the identification of early Mesolithic activity areas, etc.
 - Geophysical survey (utilising techniques appropriate to the type and depth of deposits present) to identify below-ground anomalies associated with human activity.
 - Trial trenching to ground-truth the 3D deposit model and geophysical survey results.
- b. An evaluation how the proposed development is likely to impact upon the archaeology of the site and the likely continued survival of deposits in the surrounding area including the potential for de-watering through changes to the hydrology and degradation through geochemical changes.

No development will be allowed to commence until an appropriate mitigation strategy has been agreed with the Local Planning Authority (in consultation with Historic England) which will set out a framework for managing, recording, archiving and publishing the results of any archaeological evaluations and interventions.

B Employment Land Statements

Regeneration Site Statements C

C Regeneration Site Statements

C Regeneration Site Statements

This Appendix provides information to supplement Section 7: Economic Growth (Policies TC3 and TC4) sets out the main issues and requirements associated with the regeneration sites allocated. The lists included under each site are not exhaustive. For example, where sites have the potential to affect a listed building or conservation area this will not normally be listed but will continue to be fully considered at planning application stage using the appropriate Local Plan policy or national guidance.

Planning permission will be granted for development of the following sites provided that the issues listed in addition to any other pertinent issues not listed are satisfactorily addressed and that the scheme accords with other policies within the Local Plan and/or supporting documents or guidance.

Site RS 1

Aberdeen Walk / Balmoral Centre, Scarborough

The site is approximately 1.0 hectare in area and currently contains a number of mixed uses including, a small shopping arcade with a large anchor store, an NCP car park, Post Office including parcel delivery office and a number of retail units along the frontages. Redevelopment of the site would offer the opportunity to open up the town centre to the more recent developments that have occurred to the east of the site.

Issues and Requirements:

1. The Post Office on Aberdeen Walk and 112-114 Westborough are grade II Listed Buildings. Development proposals for this site will be required to reuse/adapt the Listed Buildings on the site and to safeguard those elements which contribute to the significance of the Scarborough Conservation Area and other heritage assets in this part of the town centre;
2. The site apart from the footprint of the car park is within the Conservation Area. Those buildings within the Conservation Area that make a positive contribution to its character should be retained;
3. There may be archaeological remains within the site as the eastern part of the site includes the line of the medieval town ditch, which potentially included some stone structures and is also close to the believed site of St Thomas's Church and Hospital.⁽¹⁾ An archaeological desk based assessment and evaluation report will be required to assess impacts.
4. The post office and delivery office are currently operational and the re-provision / relocation of Royal Mail's operation will be required prior to any redevelopment.
5. The site is in multiple ownerships.

1 See "An Archaeological Survey of Scarborough" Trevor Pearson, 1996 and other subsequent investigations.

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Site RS 2**St Thomas Street Car Park and Adjoining Buildings, Scarborough**

The site is approximately 0.64 hectares in area, the majority of which is in use as a car park with the remainder along St Thomas Street in commercial uses including a night club, a pub and retail units. The majority of the St Thomas Street frontage consists of 1960's and 1970's developments, where demolition and redevelopment could provide a welcome improvement to the street scene.

Issues and Requirements:

1. A number of properties to the east of the site are listed including three which are designated as grade II*. The site is also adjacent to but outside the Conservation Area. Development proposals for this site will be required to safeguard those elements which contribute to the setting⁽²⁾ significance of the adjacent Scarborough Conservation Area, the Listed Buildings on Queen Street, other heritage assets in its vicinity and distant views of Scarborough Castle and St Mary's Church;
2. There may be archaeological remains within the site as the whole of the site lies within the "Newborough" laid out in the 13th Century and buildings are known to have existed under the car park and open areas prior to 1725 and subsequently demolished⁽³⁾ The northern end of the site lies close to the Damyot stream, which whilst believed culverted has left waterlogged remains. An Archaeological desk based assessment and evaluation report will be required to assess impacts.
3. Potential loss of town centre parking;
4. The site is in multiple ownerships.

Site RS 3**Former St Mary's Hospital, Dean Road, Scarborough**

The site is approximately 0.59 hectares in area. The site is a former hospital site which has been cleared of buildings and is in a single ownership. There are two buildings remaining set along the northern Dean Road frontage in the north-east and north-west corners of the site. The site is bounded by Trafalgar Street West to the west by a brick retaining wall along the frontage. The two remaining boundaries are formed by the rear of terraced residential property which face on to Victoria Street to the south and Clifton Street to the east.

Issues and Requirements:

1. There is a significant slope down from the southern boundary to Dean Road.
2. Both the Ellis Centre (18 Dean Road) and The North Yorkshire County Council Buildings (14-16 Dean Road) which adjoin the site, whilst not listed, are considered to be heritage

² For advice on setting see " GPA3 - The Setting of Heritage Assets" Historic England March 2015.

³ See "An Archaeological Survey of Scarborough" Trevor Pearson, 1996 and other subsequent investigations.

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assets of significance. They are of late Victorian / Edwardian design, retain much of their historic brick and stone detailing, attractive windows and boundary walls and railings. They and their setting should be respected in the development, particularly those parts which adjoins them an any infill along Dean Road should include buildings of similar quality design and scale and / or attractive boundary walls and railings.

Site RS 4

Scarborough Station Gateway, Scarborough

The site comprises the Railway Station and attached buildings, the former Comet building, Poundstretcher and Pavilion House. It is bounded by Tesco to the south and the Stephen Joseph Theatre to the north and sits at the western end of Westborough.

Issues and Requirements:

1. There are a number of listed buildings within the site including the Railway Station and associated structures on within the site;
2. There are a number of listed buildings and structures adjacent and close to the site including the Stephen Joseph Theatre;
3. The site buildings all lie fully within the defined Conservation Area.

Site RS 5

Market Square and Former Argos Building

This site consists of the large partially vacant building which includes an operational convenience store, the former Argos unit and former offices above. The site also includes St Helens Square and several of the buildings fronting on to it.

Issues and Requirements:

1. Potential for archaeological deposits on the site;
2. The majority of the site lies adjacent to the Conservation Area (east, west and southern sides) with St Helen's Square lying within the Conservation Area;
3. There are listed buildings surrounding the site including the market hall and buildings opposite both along Newborough and Queen Street.

Policies superseded by the Scarborough Borough Local Plan D

D Policies superseded by the Scarborough Borough Local Plan

D Policies superseded by the Scarborough Borough Local Plan

Whilst new policies have been added only Policy TC4 has been deleted from the Local Plan 2017 through this review.

Housing Trajectory E

E Housing Trajectory

E Housing Trajectory

Housing Allocations	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37	37/38	38/39	39/40	TOTAL
HA1 Land off Springhill Lane, Scarborough								20	20									40
HA2 Westwood Campus Site, Valley Bridge, Scarborough (has PP - see below)																		0
HA4 Land at Yorkshire Coast College, Lady Edith's Drive, Scarborough (has PP - see below)																		0
HA5 Land at Dean Road, Scarborough (remaining section)						35												35
HA7 Land to east of Lancaster Park, Scalby					70	70	70	70	70	70	70	70	70	70	70	70	60	900
HA8 Land north of Middle Deepdale (east of Deep Dale Valley), Eastfield (has PP - see below)																		0
HA9 Land to west of Middle Deepdale, Eastfield						35	35	30										100
HA10 Land north of Middle Deepdale (west of Deep Dale Valley), Eastfield						75	90	90	90	90	65							500
HA12 Land to west of Church Lane, Cayton (has PP - see below)																		0
HA13 Land to east of Church Lane, Cayton (has PP - see below)																		0
HA14 Land to South of Cayton																		0
- HA14 - Phase 1 (A)		50	50	50	50	50	50	25										325
- HA14 - Phase 1 (B)			25	50	50	50	50	50										275
- HA14 - Phase 1 (C)				50	50	50	50	50										200
- HA14 - Phase 2 (A)						25	50	50	50	50								225
- HA14 - Phase 2 (B)							50	50	50	50								200
- HA14 - Phase 2 (C)							50	50	50	50	25							225
- HA14 - Phase 3 (A)											50	50	50	50	50	50	50	350
- HA14 - Phase 3 (B)											50	50	50	50	50	50	50	350
- HA14 - Phase 3 (C)											50	50	50	50	50	50	50	350

Figure 4 Housing Trajectory (1 of 5)

Housing Trajectory E

Housing Allocations	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37	37/38	38/39	39/40	TOTAL
HA15 Land off Rimington Way, Osgodby	30	30	30	36														126
HA16 Land off Stakesby Road, Whitby						60												60
HA18 Land opposite Whitby Business Park and to the south of Eskdale Park, Whitby (not permissioned section)						35	35	35	35	27								167
HA19 Land adjacent Captain Cook Crescent, Whitby (has PP - see below)																		0
HA22 Land at Whitby Golf Club (East), Whitby						30	30											60
HA23 Land to north of Scarborough Road, Filey (not permissioned section)						20	20	20										60
HA26 Land at Brigg Road, Filey (not permissioned section)						20	18											38
HA27 Land off Outgaits Lane, Hunmanby		10	30	20	10													70
HA28 Land off Sands Lane, Hunmanby		18	20	20	20													78
HA29 Land between Stonegate and Sheepdyke Lane, Hunmanby						10	10											20
HA30 Land to North of Beacon Road and West of Napier Crescent, Seamer (has PP - see below)																		0
HA32 Land to south of Racecourse Road, East Ayrton						30	30	30	30	20								140
HA33 Land to west of The Grange, High Street, Burniston			20	20	10													50
HA34 Land to north of Limestone Road, Burniston						18												18
HA35 Land to south of Limestone Road, Burniston (has PP - see below)																		0

Figure 5 Housing Trajectory (2 of 5)

E Housing Trajectory

Planning Permissions	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37	37/38	38/39	39/40	TOTAL
St Thomas Hospital, Foreshore Road, Scarborough				12														12
Westwood Campus Site, Valley Bridge, Scarborough (HA2)	28	22																50
Yorkshire Coast College, Lady Edith's Drive, Scarborough (HA4)						15	30	30	30	25	10							140
Pavillion House, Valley Bridge Road, Scarborough	55																	55
Hylands', Filey Road, Scarborough	22																	22
Villa Esplanade, Esplanade, Scarborough	26																	26
The Breece', West Street, Scarborough	20																	20
5 - 6 Esplanade Gardens, Scarborough	10																	10
Land off Mill Way, High Mill, Scalby (Full Permission)	50	24																74
Land off Mill Way, High Mill, Scalby (Outline)		30	50	50	50	40												220
Danes Dyke, Newby		10																10
Land to west of Church Lane, Cayton (HA12)	6																	6
Land to east of Church Lane, Cayton (HA13)	30	36																66
Middle Deepdale (East), Eastfield (Kebbell Phase 4)	35	14																49
Middle Deepdale (East) Outline Remaining			35	35	35	9												114
Middle Deepdale (West), Eastfield 16/00873/RM	36	36	36	36	36	36	36	28										280
Middle Deepdale (West), Eastfield 20/02231/RM	30	34	30															94
Land to North of Middle Deepdale (east of Deep Dale Valley), Eastfield (HA8) (Full Permission)	35	35	37															107
Land to North of Middle Deepdale (east of Deep Dale Valley), Eastfield (HA8) (Outline)				58	90	90	90	90	75									493

Figure 6 Housing Trajectory (3 of 5)

Housing Trajectory E

	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37	37/38	38/39	39/40	TOTAL
Planning Permissions																		
Land at Broomfield Farm, Stainsacre Lane, Whitby (Part of HA18)	20	50	50	50	50	13												233
Land adjacent Captain Cook Crescent, Whitby (HA19)	15	35	12															62
Land at Brigg Road, Filey (HA26)		20	22															42
Muston Road, Filey	30	30	27															87
Beacon Road, Seamer (HA30)	50	50	25															125
Rear of 38 High Street, Burniston		17																17
Land to South of Limestone Road, Burniston (HA35)			20	26														46
Land at 69 Carr Hill Lane, Briggeswath		10																10
Electricity Building, Filey Road, Gristhorpe	10																	10
All other Planning Permissions (less than 10 units)	100	100	50															250
Under 10 (Outline where evidence)						10												10
Known Sources of Housing																		
Filey Road Sports Centre, Scarborough						20	20											40
Former Argos Building, Newborough, Scarborough			95															95
HA3 101 Prospect Mount Road, Scarborough						30												30
North of Lingham Crescent, Eastfield						12												12
Former Scarborough Rugby Union Football Club, Scalby Road, Newby (Updated Position)						40	20											60
Whitby Hospital Site, Whitby						60												60
Land at Rievaulx Road, Whitby						30												30
HA20 Residential Care Home, 1 Larpool Lane, Whitby						20												20
HA25 Silver Birches, Station Avenue, Filey						30												30
Scarborough Road / Pasture Lane, Seamer (expired pp)						30												30
Electricity Building, Filey Road, Gristhorpe (Phase 2)						15	15	10										40
Applications under consideration (less than 10 units)																		0

Figure 7 Housing Trajectory (4 of 5)

E Housing Trajectory

	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37	37/38	38/39	39/40	TOTAL	
Windfall																			
Windfall (150 per annum)				150	150	150	150	150	150	150	150	150	150	150	150	150	150	150	2100
TOTAL	638	661	664	663	671	1263	999	828	650	532	470	370	370	370	370	370	360	360	10249
Annual Requirement	354	354	354	354	354	354	354	354	354	354	354	354	354	354	354	354	354	354	354
Annual Over or Under Supply (this year)	284	307	310	309	317	909	645	474	296	178	116	16	16	16	16	16	16	6	6
Carried Forward Over or Under Supply (from Previous Year)	0	284	591	901	1210	1527	2436	3081	3555	3851	4029	4145	4161	4177	4193	4209	4225	4225	4225
Five Year Requirement (+5% or +20%)	1859	1859	1859	1859	1859														
Plus Undersupply (+5% or +20%)	0	0	0	0	0														
Five Year Requirement	1859	1859	1859	1859	1859														
Actual Five Year Supply	3257	3922	4260	4424	4411														
Buffer over 5 Year Supply (as a %age)	77.40%	111.03%	129.22%	138.04%	137.34%														
Years Supply as a %	9.3	Years																	

Figure 8 Housing Trajectory (5 of 5)



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