

**Matter 1**  
**Consultee ID: 757414**  
**Date: 21<sup>st</sup> July 2016**

## **SCARBOROUGH LOCAL PLAN SITES AND POLICIES** **EXAMINATION**

### **Matter 1: Plan-Making Process**

1. The following hearing statement is made for and on behalf of the Home Builders Federation. This statement responds to selected questions set out within Matter 1 of the Inspector's *Schedule of Matters, Issues and Questions* (exam ref: EX-10).
2. The Inspector's Issues and Questions are included in bold for ease of reference. The following responses should be read in conjunction with our comments upon the submission version of the Local Plan, dated 18<sup>th</sup> December 2015. The HBF has also expressed a desire to attend the examination hearing sessions to debate these matters further.

### **Issue 1.1: The Duty to Cooperate**

#### **Question 1. Has the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and regulation 4 of the 2012 Regulations been complied with, having regard to relevant national policy and guidance?**

3. Prior to final stage of consultation on the Scarborough Local Plan the Council had not published any significant evidence upon compliance with the Duty to Co-operate (the Duty). It was, therefore, difficult to gauge whether or not the Council had fulfilled its requirements in this regard. The Council has subsequently published its '*Duty to Co-operate Statement*' (examination ref: SD-1), dated April 2016.
4. The *Duty to Co-operate Statement* identifies that meetings and discussions have taken place with relevant bodies and whilst details are not provided suggests memorandums of understanding and statements of common ground have been agreed (paragraph 3.4). The statement also identifies a number of cross border strategic matters including housing.
5. The statement (paragraph 2.6) notes that the Council is planning to meet its own housing needs within its own boundary. Paragraph 2.7 goes on to note that the Council has not been formally approached, at this stage, to meet the needs of neighbouring authorities. This appears to suggest that the Council has taken a passive approach to meeting the housing needs of neighbouring authorities rather than actively investigating whether it will be required to assist neighbouring authorities over the plan period.
6. In terms of neighbouring authorities the Council is bordered by Ryedale, Redcar and Cleveland, East Riding of Yorkshire and North York Moors National Park Authority (NYMNP). Ryedale adopted its *Local Plan Strategy* document in 2013. It is noted that the plan sought to meet its own housing needs and was deemed to have complied with the Duty by the Inspector. Following adoption of the *Ryedale Local Plan Strategy* document an update to the *Strategic Housing Market Assessment* was published in April 2016 which whilst untested suggests a slightly higher housing need within the area.
7. Redcar and Cleveland are reliant upon an out of date local plan, adopted in 2007, and are only at the early stages of plan making. The most recent consultation upon their Local Plan was a scoping consultation undertaken in late Summer 2015. Given

the early stage of plan-making there is significant uncertainty regarding the level of housing need and whether this could be accommodated within the Council area.

8. East Riding of Yorkshire adopted its *Local Plan Strategy Document* in April 2016. Whilst the plan does not seek to meet all of its needs within its own boundaries this is largely due to the presence of a cross boundary housing market area with Hull. The HBF understands that there is no requirement for Scarborough to meet any needs from the East Riding.
9. Similar to Redcar and Cleveland the NYMNPA is in the early stages of reviewing its out of date plan, adopted 2008. It is noted within their submission response to the Scarborough Local Plan that they are likely to request assistance from neighbouring authorities to meet their needs. Whilst it is recognised that this is may be relatively small, given the nature of the national park, it does pose a problem in how Scarborough will meet this request. Paragraph 2.8 of the *Duty to Co-operate Statement* suggests that;

*“...bearing in mind that the Submission Local Plan aims to meet the full level of objectively assessed needs through the identified sources of housing delivery, the intrinsic flexibility that is built in to the policy approach by not including additional sources of housing supply should allow any such requirement to be met without the need to allocate further housing sites.”*

10. Whilst the HBF recognise that the plan does provide a ‘delivery buffer’ we do not consider this adequate to provide the flexibility the plan requires to meet its own needs, let alone further needs from outside of the area (further detail is provided within our comments upon the submission plan as well as other hearing statements). Given the uncertainties with neighbouring authorities and in particular NYMNPA and Redcar and Cleveland the HBF recommend that the plan provide a clear trigger mechanism for review and greater flexibility to provide adequate opportunity to assist in meeting the needs of neighbouring authorities should this be required.
11. In conclusion, whilst the HBF does not doubt that meetings and discussions have, and will continue to take place, it is the efficacy of meeting the cross-boundary issues that are questioned rather than strict compliance with the duty. The *Planning Practice Guidance* (PPG) is clear that;

*“Cooperation between local planning authorities, county councils and other public bodies should produce effective policies on strategic cross boundary matters. Inspectors testing compliance with the duty at examination will assess the outcomes of cooperation and not just whether local planning authorities have approached others.”* (PPG ID 9-010)

12. To improve the efficacy of the plan in relation to housing provision and the potential requirement to meet the needs of neighbouring authorities the HBF suggest that greater flexibility is provided within the plan to accommodate greater levels of development, if required, as well as clear mechanisms which would trigger a full or partial plan review.

Yours sincerely,

*MJ Good*

**Matthew Good**  
**Planning Manager – Local Plans**  
Email: [matthew.good@hbf.co.uk](mailto:matthew.good@hbf.co.uk)  
Tel: 07972774229