

	<p><b>REPORT TO PLANNING &amp; DEVELOPMENT COMMITTEE TO BE HELD ON 9 JUNE 2017 AND CABINET ON 13 JUNE 2017 AND FULL COUNCIL ON 3 JULY 2017</b></p>
	<p><b>Key Decision</b>                      <b>YES</b></p> <p><b>Forward Plan Ref No</b>      <b>SP&amp;T4</b></p>
<p><b>Corporate Priority: The Local Plan is relevant to and affects all aims contained within the Corporate Plan.</b></p>	<p><b>Cabinet Portfolio Holder</b>                      <b>Cllr J Plant</b></p>

**REPORT OF DIRECTOR (TW) – 17/127**

**WARDS AFFECTED: “All”**

**SUBJECT: ADOPTION OF THE SCARBOROUGH BOROUGH LOCAL PLAN 2011-32**

**RECOMMENDATION (S):**

1. That Members agree to the adoption of the Scarborough Borough Local Plan 2011/32 under Regulation 26 of The Town & Country Planning (Local Planning) (England) Regulations 2012.

**REASON FOR RECOMMENDATION (S):** The Planning and Compulsory Purchase Act (2004) and the National Planning Policy Framework (NPPF) require local planning authorities to prepare and adopt local plans documents that form part of the statutory development plan and are the basis for land use decisions, allocations and the determination of planning applications. Following the completion of the examination in public into the Local Plan, the appointed Planning Inspector has concluded that, subject to a series of recommended modifications, the Plan provides an appropriate basis for the planning of the Borough.

**HIGHLIGHTED RISKS:**

The main risk arises from the failure to adopt the Local Plan, and the consequent continued reliance on the 1999 Local Plan, which is increasingly out of date. The implications of this would be:

- i) Increased susceptibility to speculative planning applications, especially for housing, within locations that are not considered to be the best and most sustainable options for development. The lack of an adopted plan makes it more difficult to resist such proposals and could result in development taking place in an unstructured and uncoordinated manner making infrastructure delivery more difficult;
- ii) Potential intervention of Central Government who, in a drive to ensure all local planning authorities have an up to date plan in place, have reserved the right to intervene and arrange for Local Plans to be written. This could take decision making powers away from the Local Authority and limit the extent to which they can shape the future development of their areas.

## **1. INTRODUCTION**

- 1.1 The National Planning Policy Framework (and the online Planning Practice Guidance) sets out the requirement for Local Plan documents and must be adhered to when preparing both planning policy documents and making planning decisions. The Planning Practice Guidance website suggests that Local Plans should be *'focused, concise and accessible. They should concentrate on critical issues facing the area..... in drafting policies the local planning authority should avoid undue repetition, for example by using generic policies to set out principles that may be common to different types of development. There should be no need to reiterate policies already set out in the National Planning Policy Framework.'*
- 1.2 This report recommends the adoption of the Scarborough Borough Local Plan to replace the Plan that was adopted in 1999. The report provides an overview of the process that has led to this point, a brief summary of the Examination in Public, the consultation on the Inspector's recommended Main Modifications that took place in late 2016 and the Final report issued by the Planning Inspectorate into the soundness of the Local Plan. This Inspector's Report issued is the final report into the soundness of the Plan and allows the Council to adopt it.
- 1.3 A presentation on the Local Plan was held on 9 March 2017. All Members are encouraged to read the Inspector's Report and the Local Plan to appreciate the breadth of the issues.

## **2. CORPORATE OBJECTIVES AND THE COMMUNITY PLAN**

- 2.1 The Local Plan is an all-encompassing plan that covers a wide range of issues. It is one of the primary documents that will assist in realising the vision, aims and objectives of the Corporate Plan and the Sustainable Community Strategy. As such it is closely aligned with these documents.

### **3. BACKGROUND AND ISSUES**

- 3.1 The issue for Members consideration is the adoption of the Scarborough Borough Local Plan as modified by the report of the Planning Inspectorate (dated 9<sup>th</sup> February 2017) under Regulation 26 of The Town & Country Planning (Local Planning) (England) Regulations 2012.

### **4. CONSULTATION**

- 4.1 The document has been prepared with substantial stakeholder consultation and involvement. All stages of plan production have been aligned with considerable stakeholder and community engagement, with exhibitions, drop-in sessions, meetings and briefing sessions.
- 4.2 Since the previous report considered by Members in October / November 2015 (PSM15/238), there has been further consultation in the form of a six week consultation on the Proposed Submission Local Plan and on the Main Modifications to the Local Plan in September 2016; again a six week consultation. Interested parties, including objectors and supporters also had the opportunity to appear at the Hearing Sessions with the Planning Inspector and this is covered later in the report.
- 4.3 The comments received at various stages of consultation remain relevant and have been drawn on in shaping the final version of the Local Plan.
- 4.4 Member involvement in policy formulation has been continuous through the Local Plan Members Working Group which has, and continues to meet regularly to discuss evolving policy, allocations and the overall content of the plan. The Plan submitted to Government for examination was endorsed by Cabinet and Full Council.

### **5. ASSESSMENT**

- 5.1 The assessment will look at the production of the Local Plan from the point of its submission to the Secretary of State in May 2016 to date. For clarification the Local Plan covers those parts of the Borough outside the North York Moors National Park.

#### **The Hearing Sessions**

- 5.2 Following the submission of the Local Plan to the Secretary of State in May 2016, an independent Planning Inspector was instructed to carry out the examination into the soundness of the Plan.
- 5.3 The Inspector's role is to assess the soundness of the Plan as a whole. To assist in this, the Inspector set out topics for specific discussion at hearing sessions, and these revolved around the chapters contained within the Plan in addition to the general procedural matters including the duty to cooperate, legal compliance and consultation matters. These matters are covered below.

- 5.4 The hearing sessions took place over August and September 2016 with a further session held in January 2017. Participants comprised Council Officers, representatives of other organisations, and those with particular interest in specific parts of the Plan, most commonly those wishing to speak for or against the development of particular sites.

### **The Main Topics**

- 5.5 This report will not go through all aspects of the Plan but will concentrate on the main issues, set out what modifications have been proposed to the Local Plan by the Inspector as well as confirm where there was agreement from the Inspector.
- 5.6 The paragraphs referred to below relate to numbering within the Inspectors Report (Appendix 3).

### **Legal Compliance and Duty to Cooperate**

- 5.7 All Local Plans must be prepared in accordance with the Duty to Cooperate. This means that issues affecting the Plan area should not be considered in isolation. Where there are strategic cross boundary issues these should be addressed with neighbouring authorities and/or other relevant parties. In respect of Scarborough Borough (Plan Area) there are relatively few cross boundary issues other than the A64, housing and landscape issues within and adjacent to the National Park and to a lesser degree the socio-economic impacts of the proposed Potash Mine.
- 5.8 A Duty to Cooperate Statement was produced and submitted to the Secretary of State confirming that the Council has engaged with all Duty to Cooperate bodies. The Inspector confirmed (Para 14) that it was clear from the evidence submitted that the Council had sought to engage constructively and on an ongoing basis and that he was satisfied that the duty had been met.
- 5.9 In addition the Council must show that it has met its duties in the engagement of the community and other relevant bodies. The Council submitted a Consultation Statement to satisfy this requirement. The Inspector accepted that statutory consultees and other organisations had been engaged successfully. There were a small number of participants at the hearing sessions that were critical of the Council's engagement process, however, the Inspector confirmed (Para 20) that there is no evidence to suggest that the council has failed to comply with relevant legislation, policy, guidance or its own Statement of Community Involvement.
- 5.10 He added that whilst this matter had been successfully covered, consideration should still be given to addressing some of the concerns raised and reviewing the future approach towards consultation and engagement. This comment is noted and officers are looking to review the Statement of Community Involvement with the input of local communities to further improve consultation techniques and the reach of future engagement.

- 5.11 The Local Plan must also be supported by a Sustainability Appraisal and an Appropriate Assessment under the Habitats Regulations appraisal process. Further work was carried out to satisfy Natural England that the effects of policies and allocations contained within the Plan would be negligible with appropriate mitigation. The Inspector concludes in Paras 21 and 22 that the submitted documents satisfied the requirements
- 5.12 This confirms that the Inspector is content that the Local Plan has been produced in accordance with the relevant rules and regulations.

### **Settlement Hierarchy**

- 5.13 The Local Plan set out a hierarchy of settlements for the Borough based on their respective role and function with the expectation that the scale and location of new development will be shaped and influenced by that hierarchy. This was set out in Policy SH 1 of the Local Plan. Few objections were raised in relation to the proposed hierarchy. The main objection was from a single site promoter who contended that Filey should occupy the same level of the hierarchy as Whitby. The Inspector concluded (Para 28) that Filey is considerably smaller than Whitby in terms of services, facilities and job opportunities and that it was appropriate for the two towns to be categorised differently within the Plan.

### **Housing Requirement – Objectively Assessed Need for Housing**

- 5.14 One of the main issues addressed at the hearing session was that of the housing requirement; the number of homes to be provided over the Local Plan period. There is no set way to calculate the housing requirement and the officers carried out the assessment in-house as opposed to procuring the services of a planning consultant, many of whom have designed their own methods of calculating housing need.
- 5.15 Following updates to household projections, a modification to the Local Plan proposed an annual requirement of 450 dwellings; down from 461 in the version of the Plan that was submitted. This was based on a realistic but aspirational job creation figure of 5,000 over the Plan period. This was challenged by a number of consultants representing landowners and housebuilders. Alternative requirements were put forward for circa 550 dwellings and in one case over 600 dwellings per annum.
- 5.16 The Inspector considered the views of representors proposing a higher figure but concluded that it was not appropriate to inflate the figure even further to respond to market signals, vacant or second homes especially as household size in the Borough is one of the lowest in the country (Para 46 - 49).

### **Housing Requirement – Five Year Housing Requirement**

- 5.17 Whilst the Local Plan proposed allocations that would contribute to meeting the required level of homes (9450 dwellings) it must also demonstrate at the time of examination that there is a sufficient supply of housing to ensure a five

year supply. The five year requirement should also include a buffer of 20% and for any under-delivery from 2011 to date. The five year figure was set at 3,678 and this was agreed with the Inspector (Paras 50-51).

- 5.18 Where a five year supply of housing cannot be demonstrated the Local Planning Authority must consider other sites not necessarily allocated within the Local Plan. The Inspector proposed a modification to Policy HC1 to set this out clearly. This amendment states that when a five year supply cannot be demonstrated, sustainable housing sites that would make a positive contribution to meeting need and that are well related to the development limits of settlements will be supported where they are consistent with the other relevant parts of the Local Plan.

### **Housing Supply**

- 5.19 With the actual housing target agreed along with the five year requirement figure, the Local Plan must demonstrate that there is a sufficient supply of potential housing development opportunities available to meet that target.
- 5.20 The supply was set out in the Plan and included a contribution from a number of sources, namely; completions 2011/16, extant planning permissions, other 'known' sources and proposed housing allocations.
- 5.21 Whilst the Local Planning Authority considered the above to be sufficient to meet identified need, numerous site promoters disagreed and sought to promote their own specific site(s) that had not been included in the Plan.
- 5.22 The Inspector agreed with the completions (2011/16) and the expected delivery from sites with planning consent in line with the proposed discounting procedure. The contribution from 'known' sources of housing was modified downwards during the examination and agreed with the Inspector. This leaves the contribution from allocated sites.
- 5.23 The Local Planning Authority considered that the allocated sites put forward were sufficient to meet the outstanding balance of housing need. However, during the examination a small number of site promoters amended their delivery timetables that meant that whilst the Plan included enough housing for the Local Plan period up to 2032, it fell short of meeting the five year supply figure (174 dwellings short). The Inspector provided interim guidance and requested that the Local Planning Authority propose a number of further housing allocations to make up this shortfall. These would be consulted upon through the Main Modifications consultation and, if required, be the subject of a further hearing session. The further session was required and two sites were considered in January by the Inspector. These further sites are covered below. It should be noted that the Inspector found all of the initial proposed allocations sound (paragraphs 71 and 115).
- 5.24 The additional sites proposed were:

- Extended site at west of Napier Crescent/north of Beacon Road, Seamer;
- Extended site at south of Racecourse Road, East Ayton;
- Land to south of Brigg Road, Filey; and
- Land at Dean Road, Scarborough.

Land to West of Napier Crescent/north of Beacon Road, Seamer (Paras 119 – 126)

- 5.25 This site was originally included as an allocation for 60 dwellings. The site was proposed to be increased to partially meet the shortfall in housing identified by the Inspector. The amendment was to increase the size of the allocation to circa 225 dwellings extending the site north of Beacon Road and taking access of Stoney Hags Road.
- 5.26 Approximately 70 objections were raised on this increased site. Consequently, the Inspector considered this site at the hearing session in January 2017 with around 10 to 15 local residents partaking in the session. The main issues of concern were the coalescence of Seamer and Irton, education capacity, impact on local highway safety and impact on landscape and the character of the village.
- 5.27 On these matters the Inspector concluded that:
- the perceived physical and visual separation of the two settlements would be retained (and the Plan explicitly required this);
  - the land in question has no special designation or status and would not cause significant harm to the wider rural landscape;
  - the local highways authority is satisfied, with appropriate mitigation, that the local road network could accommodate the development;
  - the loss of agricultural land was limited; and
  - there are options to address the identified capacity issues with the local school that would not delay development.
- 5.28 The Inspector concluded that the site is suitable for inclusion and could make a contribution towards the five year supply.

Land to south of Racecourse Road, East Ayton (Paras 127 – 130)

- 5.29 This modification was to extend a proposed housing allocation and to partially meet the shortfall in housing identified by the Inspector. The initial proposal was for circa 100 dwellings and the expansion would allow for a further 40 dwellings. Few objections were raised on this modification, however, the further hearing session covered this site with participation from East Ayton Parish Council.
- 5.30 The Inspector agreed with the location of development along Racecourse Road as opposed to going deeper into the site towards Seamer Road. The main area of concern revolved around the capacity of the existing school and the need to accommodate additional playing field. There are a number of

potential options to accommodate this and it was therefore concluded that the site was suitable for residential development.

Land to south of Brigg Road, Filey (Paras 131 – 132)

- 5.31 This modification was to allocate a new site to partially meet the shortfall in housing identified by the Inspector. This site was submitted too late for inclusion in the Submission Local Plan. The site, when assessed, scored well and is well related to the existing built up area of Filey.
- 5.32 The site was discussed during the August hearing sessions and the Local Planning Authority raised no substantial objections to the site if the Inspector considered further housing land was required. As the Inspector did require further housing sites, this site was put forward and accepted as being able to contribute towards the five year supply.

Land at Dean Road, Scarborough (Paras 133 – 134)

- 5.33 The final site added to help meet the shortfall identified by the Inspector was land at Dean Road in Scarborough. This currently undeveloped site has potential to be developed for mixed use scheme, with housing forming a component. This addition was considered to represent a suitable option for housing development by the Inspector.
- 5.34 With the addition of these sites, the Inspector concluded (Paras 135 - 137) that the level of identified housing need, both over the full Plan period and over the initial five years, can be successfully met.
- 5.35 A number of participants put forward a case for the inclusion of other additional sites. The Inspector dismissed the inclusion of any further sites (Para 142) on the basis that the housing assessment methodology was fair and proportionate and that sufficient sites (including the modifications) had been identified.

**Other Housing Policies**

Affordable Housing (Paras 144 to152)

- 5.36 The policy as included in the submitted Local Plan needed to be revised to take account of changes to national guidance and latest viability evidence. Revised national guidance lifted the site threshold for affordable provision to more than 10 dwellings thereby eliminating any contributions on schemes for 1 to 10 units.
- 5.37 The modifications also revise the proportion of affordable contribution to the following levels:

Area	Previous Level	Modified Level
Scarborough Urban Area	20%	10%
Filey, Hunmanby and southern parishes	20% (10-14 dwellings) 30% (15 and over)	15%
Whitby, northern and western parishes	20% (5-9 dwellings) 30% (10-14 dwellings) 40% (15 and over)	30%

5.38 In practice the modified percentages referred to above have been used in the consideration of planning applications for some time. The Affordable Housing SPD will also be updated accordingly over the coming months.

5.39 The Inspector found that the affordable housing policy as modified was sound.

#### Policies on Housing Mix and Older Persons Housing (Paras 154 and 156)

5.40 Policy HC5 on housing mix was deleted as some of the references were out of date (such as 'lifetime homes') and the remaining parts of the policy were either considered to be unrequired or lacking specificity. The Inspector agreed with the proposed modification and the deletion of Policy HC5.

#### **Employment, Tourism and Retail**

##### Expected Job Growth and Land Supply (Paras 170 to 180)

5.41 The Inspector concluded that the projection of 5,000 net additional jobs to be created over the Plan period was a reasonable assumption.

5.42 A correction was made to the overall level of employment land provision to not include land at Whitby Business Park that is within the North York Moors National Park area.

5.43 The main objection to the employment chapter within the Local Plan came from the main landowner/developer at Scarborough Business Park, and was in relation to the fact that some sites were identified in the Plan as being 'allocated' and others as being 'committed'. The reasoning for this was that the 'committed' sites already benefitted from a valid planning consent and the 'allocations' did not. There was some concern from the objector as to whether different approaches would be taken with these designations and whether 'committed' sites would be renewed if planning permissions lapsed. That was not the intention; however, to avoid any future debate or confusion the 'committed' sites are recommended to be modified to 'allocated' sites.

5.44 Submissions were also made seeking to re-classify land to the south of Plaxton Park to allow some form of housing. This was not supported by the Local Planning Authority as this is considered to be the strategic location for the future economic growth of Scarborough and that there is a potential conflict between the development of housing and that of potentially heavy industry. The Local Planning Authority would seek to avoid any future

situation whereby economic development could be stymied due to the impact on the amenity of nearby housing within the Business Park. The Inspector concluded that the allocation of this land for employment purposes was justified and that as sufficient land is identified to meet housing needs, it is not necessary to modify the Plan to allow residential development at this location.

- 5.45 A further submission objected to the safeguarded land under Policy EG4 on the basis that it was not an 'allocated' site and that it was outside of the defined development limits of the town. The reason this was shown in this manner was that the area was identified for future expansion and should only be released for development prior to the existing 'serviced' Business Park for operational reasons. Examples of this would be a 'bad neighbour' business or if the scale of any proposal would prevent development from being accommodated on the existing Business Park. Notwithstanding this, the Inspector considered that the policy would be ineffective unless the development limits were drawn around this safeguarded area. As such this is a proposed modification; however, the Policy itself still maintains the stance of a sequential approach to development with this land only being considered appropriate if there are no allocated sites available on the existing Business Park. The aim of the policy was clarified through a proposed modification to its title.

#### Retail Development (Para 184)

- 5.46 The Local Plan, through Policy TC2, set out the requirements for the consideration of retail developments. It proposed that retail developments with a floorspace of 500m<sup>2</sup> and above that have met the sequential test must demonstrate through an impact assessment that they will not have a significant adverse effect on the viability or vitality of defined centres. For other town centre uses this was set at 2,500m<sup>2</sup>.
- 5.47 The Inspector concluded that this was consistent with national policy and is justified by the Council's evidence.

#### New Tourism Facilities (Para 166)

- 5.47 The policy as submitted was not fully justified as the policy was worded such as to suggest that that tourism related developments should reduce the seasonal nature of tourism. Whilst this is a definite aim for the area it should not be at the expense of other forms of tourism development. As such a small amendment as agreed by the Inspector addressed this matter.

#### Visitor Accommodation and Facilities in the Countryside (Para 167)

- 5.48 The policy itself has not been modified; however, the supporting text provides some greater clarification on the policy. The policy was initially very limited in respect of the existing screening referring to natural topography and/or established screening. The modification simply acknowledges that in some cases existing vegetation could be augmented with further appropriate planting.

## **Environment and Renewables**

### **Renewable Energy and Small Scale Wind Energy (Paras 187 to 195)**

- 5.49 During the production of the Plan, further guidance in the form of a Ministerial Statement was released on wind energy. This brought in a more restrictive approach to wind energy provision with requirements for Local Planning Authorities to identify appropriate areas for such developments within their Local Plans. The Scarborough Borough Local Plan takes a different approach and separates out large scale wind proposals (wind farms) from the small scale proposals that are often on farmsteads.
- 5.50 Subject to a number of modifications the Inspector concluded that the Plan area has very limited opportunities to accommodate large scale wind turbines and that the policies proposed, both for larger scale wind turbines and for smaller turbines were appropriate. A specific reference to what constitutes a small wind turbine was added and referred to a height of up to 35m.

## **Transport**

- 5.51 Very limited modifications were proposed to the transport chapter and the Inspector concluded that the policies and supporting text in this chapter were sound.

## **Other Policies**

### **Electric Vehicle Charging Points (Para 157)**

- 5.52 The Local Planning Authority sought to incorporate a policy on this matter to future proof the Local Plan. Electric vehicles are increasing in number year on year and the provision of a means of charging at future housing and non-residential developments was seen as a positive step forward. A number of objections were put forward by housebuilders with the view that this could affect the viability of housing schemes. This is a view that the Inspector did not share. The report concludes that the policy would not be unduly onerous or likely to make development unviable.

## **The Main Modifications**

- 5.53 The above matters were subject to a six week consultation from September 2016. This set out the proposed main changes to the Plan to take into account the comments and direction from the Inspector during the Hearing Sessions. These modifications were considered to be those that were required to make the Plan sound.
- 5.54 Minor changes to wording and other small changes (those that do not affect the soundness of the Plan) are not consulted upon as these can be made without the need for further consultation.

- 5.55 A total number of 218 comments were received from 133 contributors. Many of these responses (72 in total) related to the proposed increase in the size of the housing allocation at Seamer (Napier Crescent/Beacon Road).
- 5.56 Taking into account the responses received, the Inspector decided to re-open the Hearing Session and a further day was added to allow a discussion on the proposed increase in the size of the housing sites at both Seamer and East Ayton. These have been covered under paragraphs 5.24 to 5.29 of this report.

### **The Inspector's Report**

- 5.57 The Inspector's Report was issued on 9<sup>th</sup> February 2017, and concluded that the Local Plan was sound subject to modifications. This is the end of the involvement of Planning Inspectorate in the process, and it is for the Borough Council to take the plan forward to adoption.

### **High court challenge**

- 5.58 There is no right of appeal when it comes to the adoption of a Local Plan. The only course of action available is to challenge the decision to adopt the Local Plan through a High Court Challenge within six weeks of its adoption. This course of action would need to be taken in accordance with section 113 of the Planning and Compulsory Purchase Act 2004. This sets out that a:

*'A person aggrieved by a relevant document may make an application to the High Court on the ground that -*

- (a) the document is not within the appropriate power;*  
*(b) a procedural requirement has not been complied with.*

### **What Next?**

- 5.59 Subject to adoption the document will become the Local Plan for the Borough for the period up to 2032 and will be the basis for the determination of planning applications. The current Local Plan from 1999 will be no longer form part of the development plan.
- 5.60 The Plan must be kept under continuous review and will be subject to annual monitoring to determine the effectiveness of the policies. There is also an expectation that plans will be reviewed every five years, as set out in the recent Housing White Paper. Such reviews may relate to the Plan as a whole, or focus on specific parts of the Plan. It is most likely that any early review of the Local Plan will be in the form of a partial review with updates to housing policy; dependent on the upcoming changes to national policy and how delivery of housing measures up to the targets within the Local Plan.
- 5.61 The Forward Planning section will continue to monitor, review and update the Local Plan as well as start to produce and review supplementary planning documents and other guidance notes. These will be discussed with the Local

Plan Members Working Group prior to being brought to Planning and Development Committee, Cabinet and Full Council.

## **6. IMPLICATIONS**

### **(a) Policy**

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

### **(b) Financial**

- 6.2 The Forward Planning budget takes into account the production of, and consultation on, the Local Plan. There are resource implications for the Examination in Public of a Local Plan in respect of the cost of the Planning Inspector and an independent Programme Officer. The cost of the Examination was circa £65,000 which has been taken from the Local Plan budget.

- 6.3 There will be a need to ensure reserves are held for future updates and reviews of the Local Plan as any update will be subject to an independent Examination, albeit these may be shorter in nature if only a partial review of the Plan is undertaken.

### **(c) Legal**

- 6.3 The Town & Country Planning Act places a duty on local planning authorities to produce and adopt a Local Plan. The Plan will replace the current Borough Local Plan, adopted in 1999.

### **(d) Planning Implications**

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

### **(e) Staffing Implications**

- 6.6 The work carried out to date and that planned for is to be carried out within existing staffing budgets.

### **(f) Environmental Implications**

- 6.7 The Local Plan has been subject to sustainability appraisal, strategic environment assessment and appropriate assessment to ensure the plan is environmentally, socially and economically sustainable. The Plan is also in accordance with the principle enshrined within the National Planning Policy Framework of the 'general presumption in favour of sustainable development'.

**(g) Crime and Disorder**

6.7 The Local Plan provides the basis to ensure that planning decisions address issues in respect of designing out crime.

**(h) Co-operation with Health Authorities**

6.8 Parts of the Plan refer to health and specifically GP Surgeries. There has been engagement with the relevant surgeries and the local health bodies (Clinical Commissioning Groups).

6.9 I have considered whether the following implications arise from this report and am satisfied that no identified implications will arise from this decision in relation to Health and Safety implications, Equality implications or the Human Rights Act.

**7. ACTION PLAN**

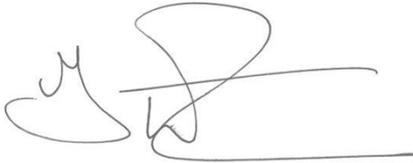
7.1 Arising for the consideration of the issues, the following action plan is proposed:

**Objective**

Adoption of Scarborough Borough Local Plan  
Withdrawal of existing Local Plan (1999)

**Target**

July 2017  
July 2017



**Trevor Watson**  
**Director of Service Delivery**

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**Background Papers:**

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

All documents relating to the production and consideration of the Scarborough Borough Local Plan. These can all be viewed on the Examination Library webpage at:

[www.scarborough.gov.uk/examination](http://www.scarborough.gov.uk/examination)

## RISK MATRIX

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/Responsible Officer	Action Plan
1	June 2017	Council does not adopt the Local Plan	This would leave the Council with an outdated policy base for determination of planning applications, producing uncertainty for local communities and potential investors, and potentially result in ad hoc planning applications and infrastructure investment.	Adopt the Local Plan.	D4	B4	Mr D Walker / Mr S Wilson	None
2	June 2017	Council does not progress with replacement Local Plan prior to early 2017	If the Plan is not adopted by 2017 a recent Government announcement indicates that they may intervene in Plan and take over its production, taking decisions on this key strategy away from the Local Planning Authority	Adopt the Local Plan.	D4	B4	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 1: The Scarborough Borough Local Plan 2011-32

Appendix 2: The Scarborough Borough Local Plan 2011/32 (Policies  
Map)

## Appendix 3: The Planning Inspectors Report and Appendices/Annexes