

Our ref: 40b – Planning Conformity/Final Responses/East Riding/Two B8 warehouses

02 May 2008

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County Hall
Beverley
East Riding of Yorkshire
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Dear Philip

Application reference: DC/08/01720/STPLFE/STRAT/DHE

Erection of 2 no. Distribution Warehouses with ancillary facilities and associated landscaping and engineering works and construction of Phase 2 Spine Road at Capitol Park, Rawcliffe Road, Goole

Thank you for consulting the Assembly on the above. I am pleased to forward the following officer comments to you, based on the current and draft RSS.

The Assembly, as the Regional Planning Body, has been asked to comment on this development as its nature and location mean that it could have an effect on the implementation of the Regional Spatial Strategy (RSS). The current RSS for Yorkshire and Humber (based on the Selective Review of RPG12) was issued by the Secretary of State in December 2004. The RSS has the status of a Development Plan Document and forms part of the framework for decisions taken under section 38 of the Planning and Compulsory Purchase Act (2004), which means that decisions on all applications have to be taken in accordance with the Development Plan unless other material considerations indicate otherwise.

The Planning and Compulsory Purchase Act (2004) and Circular 08/2005 make it clear that a draft RSS submitted to the Secretary of State is a relevant regional policy against which strategic applications can be considered. This Assembly response therefore also highlights relevant issues that arise from the Yorkshire and

Humber Plan (draft RSS) December 2005 – the RSS submitted to the Secretary of State.

Please note that the Secretary of State's Proposed Changes to Draft RSS have now been published (September 2007). Government guidance (paragraph 4.19 in PPS12) states: "Where the regional spatial strategy...has been through an Examination in Public, and the proposed changes have been published, considerable weight may be attached to that strategy because of the strong possibility that it will be published in that form by the Secretary of State".

Assembly responses to consultations on strategic applications will therefore have to make it clear how the Proposed Changes impact on the policies quoted and to point out to local authorities that 'considerable weight' will need to be attached to them by the decision-making body and by Inspectors at Examinations of DPDs and application Inquiries. At the same time, it should be noted that the Assembly itself has made comments on the Proposed Changes and that the final version of the new RSS is expected in May 2008.

Both the existing and draft regional spatial strategies aim to achieve a more sustainable pattern and form of development, investment and activity across the region, putting a greater emphasis on matching needs across the region with opportunities and managing the environment as a key resource. Within the detailed policies of current and draft RSS, the value of developing renewable energy resources is recognised in policies S6 and R12 of current RSS and policies YH2A and ENV5 of draft RSS.

Comments

Nature of the Development

Proposed Changes to Draft RSS (2007) Employment Policies seek to create a more successful and competitive regional economy, by supporting economic growth targets in locations where development will have maximum benefit and by promoting important sectors.

Draft RSS (2005) Policy E4 supports regional priority sectors in line with the Regional Economic Strategy. Proposed Changes to Draft RSS Policy E4 gives more explicit support for logistics. To that end, the Assembly welcomes in principle the proposed use as being of benefit to the Yorkshire and Humber economy.

Rail Infrastructure

Draft RSS Policy YH8C notes a transport-oriented approach should ensure that proposed development makes the best of existing transport infrastructure and capacity, is focussed along existing public transport routes, maximises accessibility, and maximises the use of rail and water for uses generating large freight movements. Proposed Changes to Draft RSS retain the spirit of this approach.

Draft RSS Policy T4 states that storage/distribution development with high levels of freight and commercial traffic should be located close to intermodal freight facilities, rail freight facilities, airports, ports and wharves or roads managed as traffic distributors. Policy T4 also states that development should *maximise* the use of rail or water freight movements. Proposed Changes to Draft RSS maintain this approach.

Notwithstanding the fact that the proposed development is close to rail infrastructure the Assembly would recommend that East Riding Council ensure that rail freight facilities are *maximised* in association with this development prior to a grant of planning permission.

Renewable Energy

Policy P6 of current RSS encourages new development to maximise energy efficiency and minimise resource demand. Policy ENV5 of Draft RSS requires that at least 10% of energy to be used in sizeable new development is to come from on-site renewable energy sources. Proposed Changes to Draft RSS removes this threshold, instead noting that greater use of local renewable energy in new development should be promoted and that far greater percentages should be secured. East Riding Council should ensure that renewable energy is promoted and secured in the proposed development to at least a level of 10% or more if local circumstances are favourable.

Conclusions

Given the comments set out above, the Assembly has concluded that the proposed development raises no strategic issues provided that:

- It maximises the rail infrastructure in proximity to the site, and
- It provides at least 10% of its energy from renewable on-site resources.

If you have any queries about these points, please do not hesitate to contact me.

Yours sincerely,

Martín - Elliot

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