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Gary Housden
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North Yorkshire
YO17 7HH

Dear Gary

Application reference: 07/00924/MFUL

Erection of 66 dwellings with garages, parking, public open space, childrens play area and demolition of single industrial premises at Micro Metals Ltd, Ings Lane, Kirkbymoorside, York

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 Spring 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. There is a particular emphasis on achieving the regeneration and renaissance of the region's city and town centres by making them the focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities in the region (for example Policy P1, existing RSS, December 2004 and Policy YH5, Draft RSS, December 2005).

Observations on the proposed development

Both current and draft RSS include policies on housing mix. Policy H4 of existing RSS encourages local authorities to take account of the need for different types and sizes of housing to meet all needs when releasing land for housing. Policy H4A of draft RSS states that local authorities and developers should ensure the provision of homes for a range of size, type and tenure of household that reflects the needs of the area. The Secretary of State's Proposed Changes to draft RSS retains this requirement to achieve a mix of housing to meet the needs of the area. The Assembly is pleased to see a reflection of this in the proposed development.

Both current and draft RSS include policies on affordable housing. Policy H4 of existing RSS encourages local authorities to carry out Housing Needs Assessments, from which targets for the provision of affordable housing can be set. Policy H3B of the draft RSS suggests that in areas of 'high need' (including North Yorkshire) over 40% of homes needs to be affordable. Proposed Changes to RSS retain these targets. Given this context, the local authority is encouraged to consider what would be the appropriate level of affordable housing in this development.

Based on information collected for the RSS Annual Monitoring Report affordable housing provision in the Ryedale District falls considerably short of target for 05/06 and 06/07. In 05/06 only 12 affordable units were delivered compared to 205 dwellings (gross figures). This represents 5.8% compared to 40% target. In

06/07 early analyses of AMR data indicates that 12 affordable units were provided compared to 125 (gross figures). This represents 9.6% compared to 40% target.

In the light of the above, we would strongly recommend that the local authority ensures a greater proportion of the dwellings are affordable, to meet locally identified need. This is especially important given that such sizeable developments are unlikely to arise in Kirkbymoorside very often. The Assembly would further advise that the Local Authority consider how the proposed development accords with the findings of their Housing Needs Assessment or a more up to date Strategic Housing Market Assessment when determining an appropriate level of affordable housing.

Draft RSS Policy ENV5 (A) states that all development strategies, plans and decisions will improve energy efficiency and maximise the efficient use of power sources. This includes requiring the requiring orientation and layout of development to maximise passive solar heating, maximising use of combined heat and power systems and locating development to utilise community-heating opportunities. It should be noted that the Proposed Changes to draft RSS reinforce these requirements. In addition Draft RSS Policy ENV5 (B) states that planning decisions will require at least 10% of the energy to be used in sizeable new development to come from on-site renewable energy sources. It should be noted that the Proposed Changes removes the 10% target but still requires the promotion and securing of a greater use of local renewable energy in new development. Paragraph 15.37A of Proposed Changes to RSS notes that [Local Authorities] should bear in mind the 10% standard being applied locally by some planning authorities to developments of 10 dwellings or more...but consider how they can, for sites or development opportunities in their area, expect far greater percentages where it is feasible and viable". It is not clear from the submission whether the proposal intends to address these requirements.

In the light of the above, the Assembly wishes to make comments on the proposed development, that:

- The Local Authority should seek to ensure a greater proportion of affordable housing on the site to meet identified regional need,
- The Local Authority will need to consider the energy efficiency and use of power sources, including the potential for on-site renewable energy generation, of this proposed development.

I hope that you find these comments useful. If you have any further queries about our response, please do not hesitate to contact me.

Yours sincerely,

Matt - EList

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