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Our ref: 40b – Planning Conformity/Final Responses/NE Lincs 450 dwellings, Yarborough Estate, Grimsby Oct 07

25 October 2007

Phil Wallis
Development Control Manager
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Knoll Street
Cleethorpes
North East Lincolnshire
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Dear Phil

Planning Application Number: DC/957/07/YAR

Residential redevelopment of the Yarborough Estate being Phase 1 Outline application for the erection of 67 dwellings including 2 live work units (B1 use class), public open space, new road layout, scale, appearance, access & landscaping to be considered. Phases 2-7 Outline application for residential development with all detailed matters reserved for subsequent approval.

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.

The Panel Report of the Examination in Public of the Yorkshire and Humber Plan was published in May 2007. The Panel Report backs the Plan's overall approach and strategy. Any points from the Panel Report that are particularly relevant to the Assembly's comments on this application are noted in this response.

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".

Once the Proposed Changes are published, 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, should be noted that the Assembly itself will be making comments on proposed changes and that the final version of the new RSS is expected early in 2008.

The proposed development is supported in principle but may raise a number of issues in relation to the implementation of the RSS that need to be considered. The most significant of these are in relation to the nature and accessibility of the development.

Location

Policies in the current RSS (2004) seek to focus development on the region's town and city centres, reduce the need to travel, ensure that development is accessible by a range of transport modes and support the renaissance and regeneration of the region's urban centres by promoting high quality developments that reflect the scale and character of the centres to which they relate (see, for example, Policies P1, S4, SOC3, T1, and T2).

Policy YH8A of draft RSS (2005) specifically states that the majority of new development and redevelopment should be concentrated within Regional and Sub Regional Centres, with sufficient development in both Principle and Local Service Centres to fulfil their prospective roles. Grimsby is identified under Policy YH5 as a Sub Regional Centre. Policy YH5 states that Sub Regional Centres will be the prime focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities in the region.

It should be noted that Secretary of State's Proposed Changes to draft RSS (2007) replaces the terms "Regional Centres" with "Regional Cities", "Sub Regional Centres" with "Sub Regional Cities and Towns" and "Principal Service Centres" with "Principal Towns". The Core Approach of draft RSS is not changed by the Proposed Changes.

The proposed development is located within the Sub Regional Centre so is therefore supported in principle. Policies P1 and E4 of current and YH8 of draft RSS provide for an urban-focussed, transport-orientated approach to development. Policies P1 (b) and E4 (a) of current RSS state that, wherever possible, in considering development proposals preference should be given to land within urban areas.

Policy P1 in current RSS (2004) requires a sequential approach to site selection. YH8B of draft RSS (2005) also makes it clear that a sequential approach should be taken in determining applications to ensure that developments are either reusing land or buildings within centres, infilling sites within centres or are sites that are well connected on public transport routes and that can maximise accessibility by public transport, walking and cycling. The proposed application reuses previously developed land and is therefore supported in principle.

Policy YH8C requires a transport-orientated approach to ensure that development makes the best use of transport infrastructure, is focussed along existing or planned public transport corridors and maximises accessibility by public transport, walking and cycling. It is not clear that a sequential approach to alternative site selection has been carried out. The local authority should be satisfied that the proposed development is in line with a transport-orientated approach.

Accessibility

Ensuring the accessibility of the development by non-car modes is a key principle of regional planning policy. The proposal is for a high-trip development and it is essential that access by non-car modes to the site is a reality. Accessibility criteria are set out in both the current and draft (Table 7.1 and 7.2 of current RSS and Table 16.8 and 16.9 of draft RSS). These tables include acceptable walking and overall journey times for the population that would be travelling to the site. It should be noted that the Secretary of State's Proposed Changes to draft RSS (2007) makes no recommendations with regard to these criteria.

It is not clear from the application whether or not an assessment against the accessibility criteria has been carried out.

Scale

Current RSS (December 2004) sets an average annual net completion rate of 880 dwellings for North and North East Lincolnshire between 1998-2016 (i.e. a joint target).

Draft RSS (December 2005) sets an average annual net completion rate of 310 dwellings for North East Lincolnshire between 2004 and 2011, 420 dwellings between 2011-2016 and 510 dwellings between 2016 and 2021. It should be noted that the Secretary of State's Proposed Changes to draft RSS recommends an annual average net addition of 310 dwellings between 2004-2008 and 510 dwellings between 2008-2026.

Housing Mix

The proposal consists of approximately 470 dwellings. Housing mix will need to be a key consideration in this development. Existing RSS encourages local authorities to set targets for the provision of affordable housing based on housing needs assessments (Policy H4). Draft RSS (2005) identifies Grimsby as an area of 'low need' for affordable housing (based on the Regional Housing Strategy, 2005). Policy H3A of draft RSS suggests that in areas of 'low need' (including Grimsby) up to 29% of homes (on sites of 15 homes or more) need to be affordable. Policy H4 in draft RSS (December 2005) emphasises the need for the current mix of housing in the Region to change so that it better supports the creation of more sustainable communities. The Secretary of State's Proposed Changes to draft RSS (2007) recommends that LDFs should set targets for the amount of affordable housing to be provided. Provisional estimates of the proportion of new housing that may need to be affordable in Grimsby is up to 30%.

Given this context, the local authority would be encouraged to consider what would be the appropriate mix of housing in this development if it were minded to approve the application. The applicant encouragingly does states in the Planning Statement that a minimum of 20% of these units will be comprised of affordable units. Although this could increase to a maximum of 40%, depending upon funding from the Housing Corporation.

Energy

The sustainable use of resources is a key theme of both current and draft RSS. Policy P6 of current RSS encourages new development to maximise energy efficiency and minimise resource demand. Policies in draft RSS build on this and state that at least 10% of the energy to be used in sizeable new development should come from on-site renewable energy sources. It should be noted that the Proposed Changes recommends that the 10% target is removed from the RSS Policy but requires Development Plan Documents to set an appropriate local target for on-site renewable energy generation, bearing in mind the 10% standard and considering how they can expect far greater percentages where it is feasible and viable. (RSS Proposed Changes Paragraph 15.37A).

The Assembly would like to offer the following officer comments. If the local authority were to approve the application:

- The housing mix should reflect a local needs assessment and the need for an appropriate housing mix.

- There should be adequate public transport provision and provision for walking and cycling to meet the accessibility criteria of current and draft RSS.
- A proportion of the energy to be used in the development should come from on-site renewable energy sources.

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

Yours sincerely

A handwritten signature in blue ink, appearing to read 'J Poxon'.

Jenny Poxon
Head of Service
Planning Delivery and Conformity