YORKSHIRE AND HUMBER ASSEMBLY
The Regional Strategic Partnership

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Our Ref: ME/AJ/East Riding, Mixed Use Dev, Flemingate, Beverley – Jan 08

21 January 2008

Philip Parker
Head of Planning and Development Control
East Riding of Yorkshire Council
County Hall
Beverley
East Riding of Yorkshire
HU17 9BA

Dear Philip

Planning Application Number: DC/07/03326/STOUTE/STRAT/JC2

Mixed use development including offices (Use Class D2), College (Use Class D2), Retail (Use Class A1), Hotel (Use Class D1), Leisure (Use Class D2), Residential (Use Class C3), Food and Drink (Use Classes A3, A4 and A5), Assembly and Leisure (Use Class D1) and non residential institution (Use Class D1), with associated offsite highway works, car parking (including multi-storey car park), pedestrian and vehicular access, servicing and landscaping (access, scale and non-residential layout to be considered) at Development Land North Of Flemingate Beverley East Riding of Yorkshire.

Thank you for consulting the Assembly on the above application. Due to the fact that the nature of the application has not changed significantly from the original application we commented on the Assembly will not be forwarding any additional comments. Please refer to our original response for the application dated 19 July 2007 (Contained in Annex A).

If you have any queries on the types of applications the Assembly wishes to comment on, please do not hesitate to contact me.

Yours sincerely

Andy Haigh
Acting Head of Service
Planning Delivery and Conformity

Annex A

YORKSHIRE AND HUMBER ASSEMBLY
The Regional Strategic Partnership

Contact: Jenny Poxon
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Our ref: 40b – Planning Conformity/final responses/East Riding Mixed Use Flemingate Jul 07

19 July 2007

Philip Parker
Head of Planning and Development Control
East Riding of Yorkshire Council
County Hall
Beverley
East Riding of Yorkshire

Dear Philip

Planning Application Number: DC/07/03326/STOUTE/STRAT/JC2

Mixed use development including offices (Use Class D2), College (Use Class D2), Retail (Use Class A1), Hotel (Use Class D1), Leisure (Use Class D2), Residential (Use Class C3), Food and Drink (Use Classes A3, A4 and A5), Assembly and Leisure (Use Class D1) and non residential institution (Use Class D1), with associated offsite highway works, car parking (including multi-storey car park), pedestrian and vehicular access, servicing and landscaping (access, scale and non-residential layout to be considered) at Development Land North Of Flemingate Beverley East Riding of Yorkshire.

Thank you for consulting the Assembly on the above. 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 has now been published (May 2007). This contains recommendations to Government that may or may not be reflected in the Proposed Changes to the Plan that are due to be published for consultation in the summer. The Panel Report backs the Plan's overall approach and strategy. It also includes recommendations for changes or additions to policies. Any points from the Panel Report that are particularly relevant to the Assembly's comments on this application are noted in this response. The Yorkshire and Humber Plan should be published in early 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).

In seeking the implementation of these policies across the region, the Assembly therefore offers the following comments on the proposed urban mixed-use development.

The proposed development does raise a number of serious issues for the implementation of the RSS that need to be considered. The most significant of these are in relation to the proposed location of the development given its scale and nature.

Regional Policy context

Policies in the current RSS (December 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, E1, SOC3, T1, T2).

Policies in draft RSS (December 2005) build on these principles. The Core Approach (Policies YH1 – YH9) makes it clear that most new development, and high trip generating uses, should be focused on Regional and Sub-Regional Centres and that away from these sufficient development should be permitted in Principal Service Centres (of which Beverley is one) to enable them to fulfil their role as service centres (Policy YH8 building on policies YH5, YH6 and YH7 and Policies E2 and T1). The Panel Report (May 2007) does not challenge this Core Approach.

Scale and nature – role of Beverley

Beverley is identified in the draft RSS (December 2005) as a Principal Service Centre. Policy YH6 of draft RSS states that away from the Region's Regional and Sub Regional Centres, Principal Service Centres will be the main local focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities.

Policy HE1 E of draft RSS (2005) states that most development in the Humber Estuary sub area should be focussed on the main urban areas of Hull, Scunthorpe and Grimbsy/Cleethorpes, with smaller scales of development at Goole, Beverley and Driffield to ensure the regeneration of the sub area's three main urban areas.

This is a relatively large scale of development for a centre the size of Beverley. During the preparation of the draft RSS (2005) it was not possible to quantify the current retail offer in the different centres across the region and to assess what scale of future development would be appropriate. From a regional perspective it is therefore difficult to state whether or not the proposed development is 'too big' for Beverley.

<u>Scale and nature – location in Beverley</u>

The proposed development is located directly to the east of Beverley Town Centre. Policies P1 and E4 of current RSS 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 (December 2004) requires a sequential approach to site selection. YH8B of draft RSS (December 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. 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. The Panel Report (May 2007) supports this sequential approach. The applicant states that a sequential test has been carried out and there are no sequentially preferable sites available to accommodate this development.

Town Centre Uses

Policy E1 of current RSS (2004) provides for existing city and town centres to be the main focus for shopping, cultural, social, leisure and business services. Policy E2 of draft RSS (December 2005) reiterates that city and town centres will to be the main focus for office, comparison shopping, health, education, casino, leisure, recreation, entertainment, cultural, public services, business services and other uses which generate a high level of people movements.

The development proposes a relatively high level of office use, Policy E4 of current RSS (2004) specifically states that "offices should be located in town and city centres" and Policy E2 of draft RSS (December 2005) reinforces these principles by stating, "city and town centres will be the main focus for office…and other uses which generate a high level of people movements." Policy E3 of draft RSS (2005) further reinforces that office use should mainly be located in or adjacent to town or city centres.

It should be noted that the Panel Report (May 2007) considers 'that Policy E2 represents the most appropriate strategy for guiding new town centre type development' (paragraph 4.49, page 44).

The inclusion of the college is a positive aspect of the development. Policy SOC2 of current RSS (2004) recognises the importance of educational infrastructure in the region to promote both social inclusion and economic growth and regeneration. It also recognises the importance of locating educational and learning facilities in locations that are accessible by good public transport and in accordance with the locational criteria set out in Policies P1 and P2. This site is accessible by public transport. The Core Approach of the draft RSS reinforces this policy approach and is not challenged by the Panel Report.

The Assembly recognises that the proposed hotel, college, and leisure facilities due to their scale and nature are all particular uses that would be particularly difficult to locate within Beverley town centre. However, the development raises particular concerns especially over the proposed B1 office space and retail element, as these are particular uses that the RSS seeks to promote within town centres (Policies P1 and E1 of existing RSS and Policies YH5, and E2 of draft RSS). The development proposes a relatively high level of office use and retail. Therefore the Assembly would be concerned if these uses were to undermine the vitality and viability of Beverley town centre.

Housing

It is anticipated that approximately 162 dwellings will be developed on a site totalling 2.4 hectares at a density of 67.5 per hectare. The mix of dwellings is proposed as 65 apartments (1 and 2 bedrooms) and 97 town houses (2 to four bedrooms).

The level of affordable housing to be provided within the development is not specified in the application. Current RSS encourages local authorities to set targets for the provision of affordable housing based on housing needs assessments (Policy H4). Draft RSS (December 2005) identifies East Riding as falling within an area of 'high need' for affordable housing (based on the Regional Housing Strategy, 2005). Policy H3A of draft RSS suggests that in areas of high need, up to 40% of homes should 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. Given this context, the local authority is encouraged to consider what would be the appropriate mix of housing in this development.

It should be noted that the Panel Report (May 2007) recommends changes to Policy H3 and Policy H4 (see pages 80 – 85 and recommendations 5.9, 5.10 and 5.11).

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. Given the scale of the proposed development, we would expect that at least 10% of the energy to be used would come from on-site renewable energy sources, in line with policy ENV5 of draft RSS. The Panel Report recommends that this policy should be applied to developments of 10 houses or more, giving an indication of what is deemed to be 'sizeable'.

Accessibility

Ensuring the accessibility of development by non-car modes is a key principle of regional planning policy. The proposal is a high-trip generating 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 RSS (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. The Panel Report (May 2007) does not suggest changes to these criteria.

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

Parking Standards

Policy T2 of the draft RSS states that maximum parking standards for new developments must be in line with Table 16.5. There is not sufficient detail provided with the application to assess whether this will be the case.

Conclusion

Given the comments set out above, it has been concluded that:

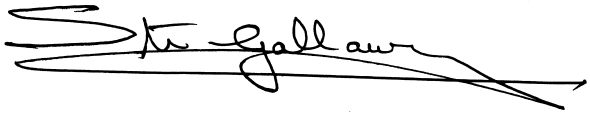
- Whilst the Assembly would point out that this is a relatively large scale of proposed development for a centre the size of Beverley, overall, the Assembly feels that some aspects of the development should be welcomed.
- The Assembly recognises that the proposed development of the leisure facilities, hotel and college, due to their scale and nature, may not be able to be located within the town centre of Beverley. The proposed site, being

immediately adjacent to the town centre is therefore an appropriate alternative.

- However, the proposed retail and office uses are all particular uses that the RSS seeks to promote within town centres. The local authority should consider how the amount of mezzanine floorspace will increase the amount of retail space being proposed. The implementation of the RSS would be adversely affected if the proposal were to undermine the vitality and viability of Beverley town centre.
- The Assembly would encourage the local authority to:
  - Secure an appropriate mix of housing, including affordable housing, on the site.
  - Require at least 10% of the energy to be used in the development to come from on-site renewable energy sources.
  - Ensure that there is adequate public transport provision and provision for walking and cycling to meet the accessibility criteria of current and draft RSS.
  - Ensure car-parking standards are in line with the RSS.

If you have any queries about these points, please do not hesitate to contact Jenny Poxon on 01924 331555.

Yours sincerely



Stephen Galloway
Chair, Regional Planning Board
Yorkshire and Humber Assembly