

## Criteria for Identifying Applications of Regional Significance



### Assembly as a statutory consultee

1. The 2004 Planning and Compulsory Act and accompanying regulations make the Assembly a statutory consultee for applications likely to affect the implementation of the Regional Spatial Strategy (RSS) or relevant regional policy (defined as a draft RSS once submitted to the Secretary of State). This means that local authorities have a duty to consult the Assembly on such applications and the Assembly has a duty to respond. To identify which applications might be of regional significance, criteria have been drawn up. These have been prepared in consultation with local authorities and regional partners and agreed by the Regional Planning Board. This note includes explanatory text and a set of revised criteria as agreed by the Board in December 2007.

### Assembly Protocol for commenting on Strategic Planning Applications

2. Further information on how the Assembly will respond to consultations on strategic applications and manage its role is set out in a protocol agreed by the Regional Planning Board in December 2007. This protocol also sets out what local authorities will need to do to ensure the smooth operation of the system. A copy of the protocol is available from the Planning Delivery and Conformity Team at the Assembly.

### Purpose of the criteria

3. The purpose of the criteria is to **identify** those applications that the Assembly might wish to comment on. It is not the purpose of the criteria to actually judge the impact of any given proposal on the implementation of the Regional Spatial Strategy (RSS) or a relevant regional policy. This will be assessed once the Assembly is consulted on the application.
4. It should be noted that the Assembly's response would relate to the development's potential impact on the implementation of the RSS as a whole and not just the criteria that has triggered the consultation with the Assembly.

### Reasoning behind the criteria

5. The criteria have been drawn up to capture those applications that by virtue of their location, scale and/or nature are likely to impact on the implementation of the RSS or relevant regional policy (defined as draft RSS once submitted to the Secretary of State). This means that their location across the region as well as in relation to urban centres will be particularly relevant. This is the reason for having the location specific criteria. The settlement network in the draft RSS – as amended by the Secretary of State's Proposed Changes (September 2007) - is used as the basis for the criteria as this is felt to be a useful way of differentiating between those applications that are likely to be more significant for the implementation of regional planning policy.

6. The reasoning contained in the grey boxes helps to explain the rationale of each criterion. It is not part of the criteria. A list of the settlements that currently form the first three tiers of the regional settlement hierarchy in the emerging RSS is included as Annex A for reference. Annex B contains the text of current RSS policy P1 and draft RSS policies YH8 and E2 – as amended by the Secretary of State's Proposed Changes (September 2007) - that are specifically referred to in the location specific criteria.

### **Apply to outline and full applications**

7. These criteria are intended to apply to outline and full applications. It is unlikely that reserved matters or minor amendments applications will be of regional significance, however discretion is advised.

### **Only a guide**

8. All criteria are a guide only, and planning authorities should exercise judgement in identifying applications of potential regional significance. In any case of uncertainty the local planning authority should ask the Assembly whether it wishes to be consulted on the application.

### **Cumulative impact**

9. When applying all criteria, a judgement on the cumulative impact of directly related applications needs to be made (i.e. those that are submitted concurrently on adjoining sites or where the local authority is aware of other imminent applications), taking into account the overall quanta of development identified to be regarded as regionally significant.

### **To be kept under review**

10. The criteria will be reviewed annually by the Assembly. Any comments on how they are being applied or how they might be changed should be sent to Jenny Poxon at the Assembly via [jenny.poxon@yhassembly.gov.uk](mailto:jenny.poxon@yhassembly.gov.uk)

Jenny Poxon  
Head of Planning Delivery and Conformity  
Yorkshire and Humber Assembly  
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## OVERALL GUIDE

The Assembly should be consulted on any development that would be of major importance for the implementation of the Regional Spatial Strategy or a relevant regional policy (defined as a draft RSS after submission to the Secretary of State), because of its scale or nature or the location of the land.

### Reasoning

This wording is taken from Circular 08/2005. The criteria generally are only intended as a guide to identifying regionally significant applications. There may be other applications that are not identified which are of relevance to the implementation of RSS policy (both contributory and contrary to the RSS), and the views of the Assembly should be sought on these.

## LOCATION SPECIFIC CRITERIA

**The local authority should consult the Assembly on applications for the following types of development above the size thresholds set out below.**

To determine which thresholds to use, the following question needs to be answered:

**Is the development consistent with the locational policies of the RSS by being “well related” to a regional or sub-regional city or town or principal town?** (A list of centres is included in Annex A and relevant policies and guidance are set out in Annex B.)

**If YES, then refer to the appropriate settlement-specific application thresholds.**

**If NO, then use the thresholds for ‘all other locations’ in the final column.**

Type of Centre in the Regional Settlement Network Type of Development	Regional City*	Sub-regional City or Town*	Principal Town*	All Other Locations, including Local Service Centres and those not well related*
<b>Residential Development</b> Housing development in excess of the figures stated <u>within or immediately adjacent</u> to the following types of urban areas.	500+ dwellings	250+ dwellings	150+ dwellings	50+ dwellings
<b>Employment Development (B1, B2, B8)</b> Employment land development in excess of the figures stated <u>within or immediately adjacent</u> to the following types of urban areas.	12,500m <sup>2</sup> (gross)	10,000m <sup>2</sup> (gross)	10,000m <sup>2</sup> (gross)	5,000m <sup>2</sup> (gross)
<b>Retail, Leisure, Mixed Use, Public Facilities and B1(a) (office) Developments**</b> Office, retail, leisure (including cultural), mixed use and public facilities development in excess of the figures stated <u>within</u> the following types of city and town centres***	12,500m <sup>2</sup> (gross)	10,000m <sup>2</sup> (gross)	10,000m <sup>2</sup> (gross)	5,000m <sup>2</sup> (gross)

\* These terms relate to the contiguous urban area of the settlement not the local authority area as a whole – for freestanding settlements within the Leeds local authority area, for example, the thresholds for the Principal Towns or Local Service Centres will apply (see Annex A).

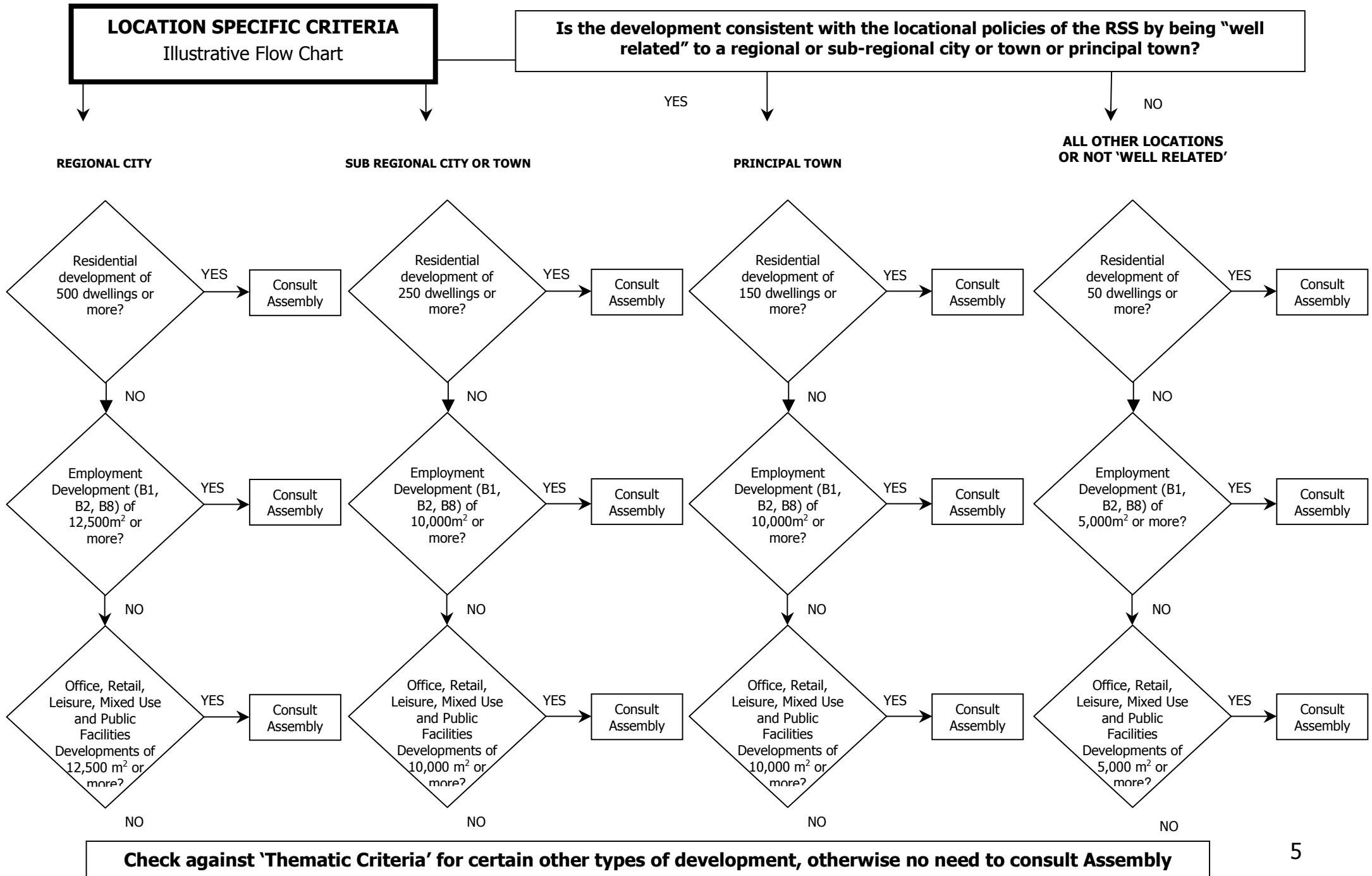
\*\* Public facilities include schools, colleges, universities, hospitals and health facilities; playing fields/recreation areas and training grounds are excluded from this definition for the purposes of consulting the Assembly as they are unlikely to raise regionally significant issues

\*\*\* City and town centres should be the focus for these types of development (see Policy E2 Draft RSS – as amended by the Secretary of State’s Proposed Changes – September 2007) so it is important that the Assembly is consulted on a proposal above the lowest threshold if it is not within a city or town centre

**Reasoning**

This matrix-based filter is intended to ensure the Assembly only sees those applications that may have an impact on the objectives of the RSS through applying locational policies, the regional settlement network and related Economic, Housing, Environment and Transport policies. The thresholds share as much commonality as possible (including a basic minimum threshold of 5,000m<sup>2</sup> in common with the Yorkshire Forward criteria). Policies P1, YH8(B) and E2 are used to inform the rationale on the relationship to Centres.

A diagram is shown overleaf which presents the same process as a flow chart.



## THEMATIC CRITERIA

**The Assembly should be consulted on applications that fall within the following criteria:**

### ENERGY

All new energy generation schemes with a generating capacity of 10MW or more.

#### Reasoning

10MW is considered to be a reasonable level, particularly in the context of District level renewable generation targets (ENV5) and similar provisions in existing RSS. All power generation proposals are suggested for inclusion to ensure all aspects of energy policy can be considered.

### TRANSPORT

Development that impacts on the operational capacity (increase or decrease) of any of the region's passenger airports.

Development that impacts on the operational capacity (increase or decrease) of any of the region's major ports.

Proposals for 'major' (in excess of £5m) transport proposals or packages of proposals (such as corridor schemes), including private sector investments, for new or improved infrastructure or services, that will impact on delivery of RSS policy.

#### Reasoning

The outcomes based transport priorities in the emerging RSS make scheme-specific criteria unhelpful. A £5m scheme threshold is consistent with the DfT threshold for LTP 'major' schemes. These criteria help to ensure applications applicable to key aspects of the RTS are identified. Infrastructure projects which essentially consist of renewal or maintenance of existing assets (rather than upgrades) would therefore not meet the criteria irrespective of cost.

### MAJOR INFRASTRUCTURE PROJECTS

Any development that is designated as a 'Major Infrastructure Project' by the Secretary of State, in accordance with the guidance set out in ODPM Circular 04/2006.

#### Reasoning

There are a number of major, usually one-off projects (such as major transport infrastructure developments, pipelines, power schemes or reservoirs) which will be of regional significance and be relevant to a number of RSS policies. Whilst such schemes are likely to be ultimately called-in by the Secretary of State, the Assembly's views on these will be important.

### LEISURE AND TOURISM

Any proposal for a small, large or regional casino in excess of 750m<sup>2</sup> (total customer area), irrespective of location.

Tourism and visitor attractions proposals for developments expected to attract in excess of 75,000 visitors per year.

#### Reasoning

'Small', 'Large' and 'Regional' casinos are defined in ODPM Circular 02/2006 outlining changes made to planning regulations for casinos. The casino criterion is intended to ensure that casino proposals of relevance to policy E2 in particular are identified. Many casinos are likely to be part of larger mixed-use developments.

The tourism and leisure criterion ensures that small floorspace 'honey pot' tourist and leisure developments are identified to ensure that they are consistent with Policy E6 and the principles of sustainable tourism. The threshold is based on an assessment of visitor numbers to key existing attractions in the region.

## **SAFEGUARDING EMPLOYMENT LAND**

Proposals for development other than for employment uses (classes B1, B2 or B8) on employment land or building(s) identified for safeguarding (either through site-specific policies or by meeting safeguarding criteria) in the development plan, which the local planning authority considers would compromise the safeguarded status, in accordance with policy E5.

### **Reasoning**

This criterion is intended to help to identify applications that could be a threat to employment land identified for protection by local planning authorities in accordance with policy E5. The reason for consulting the Assembly would be for the local authority to have support for safeguarding land for employment that might otherwise be lost. The Assembly's consultation response would therefore be intended to help the planning authority's case in such instances. By implication, it is intended that this criterion will include ancillary uses.

## **MINERALS AND AGGREGATES**

New sites or expansion of existing facilities, relating to the extraction or throughput of an additional 250,000 tonnes or more per annum.

New or expanded mineral and aggregates sites above 25,000 tonnes in National Parks and AONBs.

### **Reasoning**

These criteria will help to identify applications relevant to policy ENV4 in particular, but also wider consideration of the objectives of the RTS and other Environment policies. In strict policy terms RSS policy relates only to sand, gravel and crushed rock (aggregates).

## **WASTE**

New sites, or expansion of existing waste management/disposal facilities processing more than 50,000 tonnes of waste per annum, or 25,000 tonnes per annum of waste from outside the region.

All proposals for new or expanded landfill facilities that are not exempt from waste management licensing.

New sites or expansion of facilities for hazardous waste management facilities processing more than 5,000 tonnes of waste per annum.

### **Reasoning**

These criteria will help to identify applications that could impact on regional waste management objectives (ENV12, 13, 14) and similar provision in existing RSS. In particular there is a strong policy on expansion of landfill capacity in the region.

## Annex A: Regional Settlement Network

The draft RSS – as amended by the Secretary of State’s Proposed Changes (September 2007) - identifies a settlement network for the region based on the following identified settlements. This helps to provide a way of identifying how developments in different places are likely to impact on the implementation of regional planning policy and is the basis for the table set out in the location specific criteria. These lists are those contained in the Secretary of State’s Proposed Changes to Draft RSS (September 2007) and might change in the final version. However at present they form the basis for the criteria.

### Regional Cities

Leeds  
Sheffield  
Hull

### Sub Regional Cities and Towns

Barnsley  
Bradford  
Doncaster  
Grimsby  
Halifax  
Harrogate  
Huddersfield

Rotherham  
Scarborough  
Scunthorpe  
Wakefield  
York

### Principal Towns\*

Batley	Knaresborough
Beverley	Malton
Bridlington	Mexborough
Brighouse	Northallerton
Castleford	Penistone
Chapelton	Pontefract
Cudworth	Richmond
Dewsbury	Ripon
Dinnington	Selby
Driffield	Skipton
Goldthorpe	Stocksbridge
Goole	Thirsk
Holmfirth	Thorne
Hoyland	Wetherby
Ilkley	Whitby
Keighley	Wombwell

\* The Secretary of State’s Proposed Changes to Policy YH6 states that local authorities may exceptionally identify other Principal Towns in their LDFs. Where a local authority does identify other Principal Towns in its LDF, these will need to be included in this list for the purposes of this consultation criteria.

## Annex B: Key Locational RSS Policies

Policies in current (Policy P1) and draft RSS (Policies YH8 and E2) set out the need for development to be focused on urban centres and for a sequential approach to development in relation to these centres.

If development proposals will not help to implement the policies set out below, or does not meet the locational criteria, then they should be treated as 'not well related' proposals and the Assembly should be consulted in accordance with the lower-thresholds that apply for 'not well related' development.

### Policy P1 (current RSS): Strategic Patterns of Development

#### Locational principles

- a) Policies should be developed which minimise the need for greenfield development and the need to travel. Land use and transport policies should be integrated and development located where it is accessible to a range of transport modes. Development plans and, where appropriate, local transport plans, should include policies and proposals which support the delivery of urban renaissance, regeneration and the concentration of development.
- b) Wherever possible development should be located within urban areas. Development plans should adopt a sequential approach to meeting development needs which should start with the re-use of suitable previously developed land and buildings within urban areas.
- c) Where suitable sites to meet the range of identified needs cannot be accommodated within urban areas, consideration should be given in development plans to integrating provision of transport, housing and industry within urban extension sites accessible by good public transport, and then if necessary around nodes in good quality 'public transport corridors' radiating from within main urban areas.

In the interests of brevity, only the most relevant parts of Policy P1 (a to c) are included above.

### Policy YH8 (Secretary of State's Proposed Changes to Draft RSS – September 2007): Location of Development

#### A

After determining the distribution of development between cities and towns in accordance with policies YH5 and YH6, local planning authorities should allocate sites by giving:

- i) First priority to the re-use of previously developed land and buildings and the more effective use of existing developed areas within the relevant city or town
- ii) Second priority to other suitable infill opportunities within the relevant city or town
- iii) Third priority to extensions to the relevant city or town

B In identifying sites for development local planning authorities should adopt a transport-orientated approach to ensure that development:

- i) Makes the best use of existing transport infrastructure and capacity
- ii) Complies with the public transport accessibility criteria set out in tables 16.8 and 16.9 and maximises accessibility by walking and cycling
- iii) Maximises the use of rail and water for uses generating large freight movements

Policy E2 (Secretary of State's Proposed Changes to Draft RSS – September 2007): Town Centres and Major Facilities

Plans, strategies, investment decisions and programmes should strengthen the role and performance of existing city and town centres.

A The Regional City and Sub Regional City and town centres will be the main focus for offices, retail, leisure, entertainment, arts, culture, tourism and more intensive sport and recreation.

B Development, environmental enhancements, accessibility improvements, and town centre management and promotional activities should take place to create a distinctive, attractive and vibrant sense of place and identity for each centre. Priority will be given to addressing the worst performing centres as identified through the regular monitoring by Local Planning Authorities.

C No further development of new, or expansion of existing, out-of-centre regional or sub regional shopping centres, should be permitted.

D Sheffield and Leeds will be the preferred locations for any future regional casinos and related development. Any proposals should demonstrate support for the health of the city centre including its night-time economy. Regional Cities and Sub Regional Cities and Towns will be the preferred locations for any large or small casinos.