

Jenny Poxon
Head of Planning Delivery and Conformity
01924 331601
jenny.poxon@yhassembly.gov.uk

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David Williams
Forward Planning Manager
Planning Services
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

Dear David

**Scarborough Borough Council Local Development Framework
Core Strategy and Housing Allocations DPD: Issues and Options**

The Yorkshire and Humber Assembly welcomes the opportunity to comment on the Scarborough Core Strategy and Housing Allocations Development Plan Document (DPD) and to continue its involvement in the development of a coherent spatial planning framework for the region. The comments offered in this letter are intended to be within the spirit of continued and productive joint working.

At this stage, the Assembly's response to the consultation document is a set of officer comments. The aim is to highlight where issues related to general conformity with the Regional Spatial Strategy might arise. When the Core Strategy and Housing Allocations DPD are submitted to the Secretary of State a formal Assembly view on its general conformity with the Regional Spatial Strategy will need to be given.

The following officer comments are made in relation to the existing Regional Spatial Strategy for Yorkshire & the Humber (based on the selective review of RPG12 issued in December 2004) and the Draft Regional Spatial Strategy – the

Yorkshire and Humber Plan (submitted to the Secretary of State in December 2005).

The comments place emphasis on the draft Regional Spatial Strategy (RSS), which reinforces and develops the general thrust of existing RSS. It is also more up to date and is gathering 'weight' as it passes through the preparation process. The Panel Report of the Examination in Public of the Yorkshire and Humber Plan has now been published (May 2007). 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 this response are noted within the following paragraphs.

The Panel Report 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 by the end of September. It is important to note that 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". It will therefore be important to consider how the Proposed Changes to the draft RSS will impact on the emerging DPDs. The Assembly will be able to pick up on any such issues in responding to the next round of consultations and will be happy to offer any advice on this in the meantime.

General Conformity with the Regional Spatial Strategy

As you know, the Planning and Compulsory Purchase Act 2004 introduced mechanisms to help ensure that Development Plan Documents (DPDs) drawn up by local authorities as part of the Local Development Framework (LDF) are in general conformity with the Regional Spatial Strategy (RSS). The intention is to ensure that DPDs are contributing to the delivery of the RSS and that the two strands of the Development Plan for an area (the RSS and DPDs) are mutually supportive and not in conflict.

We are therefore pleased to see that our previous comments have been taken into account and that references to the RSS, including an explanation of the need for 'general conformity' between the RSS and the LDF, are now made at the start of the document. This demonstrates the need for a strong links between the LDF and the RSS and also helps to clarify the significance of references to the RSS throughout the document.

In addition, it would be helpful if the dates and status of the current and draft RSS were explained in the DPD. For clarification, current RSS was published in December 2004 and draft RSS was published in December 2005. Paragraphs 2.4 to 2.7 offer a useful guide to the RSS preparation process and it is particularly helpful

that the most up-to-date figures from the RSS Panel Report of the Examination in Public (published May 2007) have been included here. The Yorkshire and Humber Plan should be published in early 2008.

Summary of comments

Overall, the DPD reflects the policy direction of current and draft RSS. In particular, the Assembly supports:

- The introductory explanation of the RSS and the need for general conformity
- The settlement hierarchy and roles identified for Scarborough and Whitby
- The recent publication of a Strategic Housing Market Assessment
- Commencement of a Strategic Housing Land Availability Assessment

The Assembly would wish to see changes to the DPD to ensure that:

- References to current and draft RSS and the RSS Panel Report are clarified
- Any inclusion of windfall housing sites is justified by robust local evidence
- The allocation of sites is based on the RSS (Policy YH8) Core Approach

These points are expanded on in Annex A.

I trust that these comments are helpful to you as you prepare Preferred Options for the Core Strategy and Housing Allocations DPD. If you wish to discuss any of the points made here please do not hesitate to get in touch. We look forward to continuing to work with you on your DPD.

Regards



Jenny Poxon
Head of Planning Delivery and Conformity

Annex A

How much additional housing land do we need to allocate?

Paragraph 3.1 states that the draft RSS proposes a housing provision target of 8610 dwellings. The Assembly welcomes the inclusion of the most up-to-date figures from the RSS Panel Report. However, it would be useful to clarify that the housing target figure given in paragraph 3.1 is taken from the Panel Report (published May 2007), not from draft RSS (published December 2005).

We are aware that the Borough Council is about to commence work on the early stages of preparing a Strategic Housing Land Availability Assessments (SHLAA) and this is to be commended. We note that at the time of writing, guidance on SHLAA had not yet been released; however, this practice guidance has since been published by CLG in its final form. The guidance reiterates the PPS3 requirement for Local Planning Authorities not to include an allowance for windfalls in the first 10 years of land supply unless there are justifiable local circumstances that prevent specific sites being identified. Section 10 of CLG's practice guidance sets out how Local Planning Authorities should take into account the housing potential of windfall sites, where justified by genuine local circumstances. It is important that if Option A1 is taken forward in the next stage of the DPD, there is a robust evidence base to support this choice.

We welcome the reference to the previously developed land target for housing provision in draft RSS (see Table 13.2), which for Scarborough is 65%. It should be noted that the RSS Panel Report acknowledged concerns that this target may be too high but did not make recommendations to change this target. The Panel Report also states that the regional target of 65% for re-using previously developed land will still be achievable with the proposed higher housing numbers (see paragraph 5.50 of the RSS Panel Report).

How should additional housing be distributed across the Borough?

Policy C1 of draft RSS seeks to strengthen the role of Scarborough as a Sub Regional Centre and develop the role of Whitby as a Principal Service Centre. It should be noted that the Panel Report considers that Policy C1 sets an appropriate strategic direction for the sub-area and effectively contributes to the delivery of the Plan's Core Approach.

The Yorkshire and Humber Assembly supports the overall settlement hierarchy identified in Chapter 4 of the DPD. The Core Strategy and Housing DPD should locate the majority of new housing in the main urban area of Scarborough. A smaller amount of development should be located in Whitby to help to enhance the town's role as a Principal Service Centre, whilst protecting its historic setting. Finally, a limited amount of development should be allocated to the Service Villages

to sustain their role as Local Service Centres. Options D2 or D3 on page 19 appear to best support this approach but it will be important that the option chosen is based on a clear assessment of land availability in sustainable locations and housing needs. The percentage allocations therefore perhaps need to be treated with a certain level of caution at this stage in the preparation of the DPD.

Where should additional housing be located in and around settlements?

Draft RSS Policy YH8A sets out the approach for the distribution of development across the region and focuses the majority of new development on the Regional and Sub Regional Centres. This is followed by a sufficient level of development in the Principal Service Centres to enable them to fulfil their service centre role and then by limited development in Local Service Centres with a focus on meeting local needs for affordable housing and economic diversification.

Policy YH8B sets out a sequential approach to the allocation of specific sites for development and in determining planning applications. The sequential approach gives first priority to the re-use of previously developed land and buildings and the more effective use of existing developed areas within these centres; second priority to other suitable infill opportunities within these centres; and third priority to planned growth areas on the periphery of or well related, in public transport route terms, to these centres.

Policy YH8C requires local planning authorities to adopt a transport-orientated approach to the identification of development sites to ensure that development makes the best use of existing transport infrastructure and capacity; is focused along existing or planned public transport corridors; maximises accessibility by public transport, walking and cycling; and maximises the use of rail and water for uses generating large freight movements.

In addition, the Regional Transport Strategy (RTS), within the draft RSS sets out accessibility criteria that supplement the Core Approach of the RSS (Table 16.8). Together, the accessibility criteria and Policy YH8 of the draft RSS should be the approach adopted by the Core Strategy in determining the type and location for growth and new development in Scarborough's Sub Regional, Principal and Local Service Centres.

What specific sites have been suggested for housing development?

No further comments, in light of the points made above regarding principles for allocating land.

The methodology for assessing sites

PPS3 requires Local Planning Authorities to identify a 5-year supply of specific deliverable sites and a further 6-10 years supply to enable the 5-year supply to be topped up. Beyond this 10-year supply, Local Planning Authorities are required to indicate broad locations for future growth. Practice Guidance has now been published by CLG on how to carry out Strategic Housing Land Availability Assessments. Chapter 7 of the Practice Guidance sets out how assess the suitability of sites for housing development and how to overcome potential constraints.

The methodology to be used for assessing sites for inclusion in the Local Development Framework should take into account the factors highlighted by CLG in their practice guidance and should follow the sequential approach of the draft RSS as set out in Policy YH8. The LDF should also consider the accessibility criteria set out in Table 16.8 of the Regional Transport Strategy.

Managing the release of new housing sites for development

Current RSS housing policy sets out an approach to managing the release of housing land. Policy H3 states that local development plans should include measures to manage the release of housing land, taking into account the need to control the pattern and speed of urban growth in accordance with the regional spatial strategy; ensure new infrastructure is coordinated with new housing development; deliver the local authority's recycling target and liaise with adjoining local authorities.

Draft RSS Policy H1 also adopts a plan, monitor and manage approach to housing land and phases house building rates over the plan period with housing policy break points at 2011 and 2016. This reflects the overall Core Approach of the draft RSS to direct new housing to the region's urban areas over time, as planned regeneration strategies take effect and out-migration from urban to rural areas reduces. In line with this urban transformation approach, the annual housing provision target for Scarborough increases in the third plan period (2016-21) from 430 to 560 dwellings per annum.

It should be noted that the RSS Panel Report of the Examination in Public brings the phasing in the draft RSS forward. Where the draft RSS steps-up housing provision from 2016, the Panel Report raises the target from 2011. The RSS Panel Report therefore recommends that Scarborough's annual housing provision target of 430 dwellings per annum in the first plan period (2004-2011) increase to 560 from 2011 onwards.

What mix of housing is needed?

The Regional Housing Strategy 2005 identifies affordable housing need in the North Yorkshire districts as high. Both current and draft RSS provide guidance on housing mix. Recommendation 5.9 of the draft RSS Panel Report recommends amendments to Policy H4 of draft RSS and requires local plans and strategies to provide for a range of homes in terms of size, type and tenure of household that reflects the needs of the area. The Yorkshire and Humber Assembly therefore welcomes the publication of a borough-wide Strategic Housing Market Assessment. This assessment should be used as part of a robust evidence-based approach to inform the next stage of the DPD.

Policy H5 of draft RSS identifies the need for local authorities to undertake a local assessment of the housing needs of Gypsies and Travellers, the results of which should feed into the preparation of Local Development Frameworks. Therefore, it is pleasing that the DPD recognises the need to meet the housing needs of gypsies and travellers and we are pleased to see that a sub-regional study has been commissioned to inform further policy work on this issue.