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Our ref: General/40b – Planning Conformity/Final Response/Scarborough Residential Development Filey May 07

31 May 2007

Gordon Somerville  
Head of Planning Services  
Scarborough Borough Council  
Town Hall  
St Nicholas  
Scarborough  
YO11 2HG

Dear Gordon

**Application reference: 07/00547/OL**

**Proposed residential development with open space and means of access at Land to East of Muston Road Between 113 and Mill Farm, Muston Road, Filey, North Yorkshire.**

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 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 by the end of 2007.

Current and draft RSS support an urban focus for development and housing that meets local needs, including the need for affordable housing. Filey was identified as a Principal Service Centre in the Regional Settlement Strategy that fed into the preparation of the draft RSS. Policy YH6 of draft RSS states that away from the Region's Regional Centres such centres will be the main focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities. Policy YH8 of draft RSS states that Principal Service Centres should provide for sufficient development to enable them to fulfil their service centre role.

It should be noted that the Panel Report (May 2007) recommends changes to Policy YH6 (see pages 26 – 27 and recommendation 3.16).

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 H3A of the draft RSS suggests that in areas of 'high need' (including Filey) up to 40 % of homes (on sites of 15 homes or more) needs 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. Policy H4A of draft RSS also emphasises that larger coastal towns in the Region would particularly benefit from a change in the current mix of housing provision.

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).

In the light of the above, our comments on the proposed development are that:

- The Local Authority will need to consider the findings of their Housing Needs Assessment when determining an appropriate level of affordable housing. Draft RSS suggests that up to 40% of the dwellings should be affordable and should be shown to be meeting a local need.
- The Local Authority will need to consider the appropriate housing mix for this particular 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

A handwritten signature in black ink, appearing to read 'Jenny Poxon', written in a cursive style.

Jenny Poxon  
Head of Service Planning Delivery and Conformity