

East Riding of Yorkshire Council
F.A.O Anthony Devey
County Hall
Beverley
East Riding of Yorkshire
HU17 9BA

21st January 2015

Dear Mr Devey

Planning Reference 14/03376/STOUT Outline - residential development for up to 119 dwellings with access, landscape, open space, and associated works. Land East of Little Wold Lane

The Parish considered the application above on the 15th January 2015 with approximately 120 residents present.

The Parish recommends refusal on the grounds of a detrimental conflict with the Local Plan, landscape harm, detrimental impact on the visual amenity of the area and a serious adverse effect on residential amenity having regard to the following material considerations;

The Development limit for South Cave is defined in Policy E2 in the saved policies of the Beverley Borough Local Plan (1996) [BBLP]. It has been further defined in the proposed East Riding Local Plan [ERLP] S3 which has been examined at a Public Inquiry in 2014. The site is outside the defined development limit for South Cave, in open countryside.

BBLP Policy E3 and Policy ERLP S4 states that, to protect the open countryside, planning permission will only be granted for certain specified forms of development. These do not include open market housing as proposed in this application.

A recent appeal decision, Ref APP/E2001/A/12/2185323, dated 5 September 2014. (prior to the ERLP inquiry) At paragraph 87, the Inspector stated that "a five year supply is able to be demonstrated". At the Recent ERLP Inquiry The Inspector did not ask for a revision for the overall housing supply figures. The ERLP in allocating sites for housing, has not relied even in part, for Windfall sites, despite the protestations of the Parish Council. The Parish has historically provided substantial contributions even during the recession of over 5 dwellings per year and there is no reason to doubt that this would not continue through the new plan period.

The Strategic Housing Land Availability Assessment (SHLAA) September 2014 at paragraphs 4.11 to 4.13 and table 11 sets out the five year supply position of housing for the East Riding. The current SHLAA establishes that there is an existing deliverable housing supply across the East Riding of 7.6 years (14,873). It also shows that within the Beverley and Central sub area there is a 7 year supply

In this respect, Policy E3 remains up-to-date.

Gladmans assessment of the housing supply is neither objective nor independent. PPG advises that the weight given to such assessments should take account of the fact they have not been tested or moderated against relevant constraints. Such similar arguments were not carried at the ERLP Inquiry and should be afforded little weight.

The BBLP is therefore not considered out of date in respect of the specific 5 year supply test for the purposes of applying the NPPF presumption in favour of sustainable development. The proposal therefore conflicts with the Development plan defined in the Adopted BBLP and the EYLP submitted draft which has been examined.

Material considerations

We now discuss whether the development would be sustainable, having regard to the 3 dimensions of sustainability set out in the Framework: economic, social and environmental, in particular with respect to:

(i) the contribution of the development to economic growth;

There may well be short term gains to the economy during the construction phase of the proposed development. However during the entire period of the 1996 BBLP as noted by the JSP examination inspector, the deliberate policy of dispersed housing development to support economic growth has demonstrably failed even when development has been on the scale of nearby Brough. Further jobs and businesses are highly unlikely to be sustained by 119 dwellings in this location.

(ii) the distribution of development within the District;

In relation to contributing to the Council's targets, the Adopted Joint Structure Plan, post dates the time expired Beverley Borough plan. NPPF clearly states up to date plans, of which the JSP addressing sustainability at the strategic level complies, can be afforded considerable weight as material considerations, which in this case should take precedence.

Saved policy DS4 states that limited development will be allowed in Smaller Settlements (which are not defined in the JSP but which South Cave forms part) if it meets local needs and contributes to sustaining the role of the settlement. In addition, housing development in existing settlements should conform to the requirements of JSP saved policy H7 "housing development should meet an identified local need, particularly for affordable housing but

also to support existing village services. Development should be limited in scale, with preference given to previously developed sites, infill plots and conversions. Policy H7 goes on to state that development that would result in unacceptable long distance commuting will be resisted.

The Councils preferred options document determined the meaning of “limited scale” for the purposes of JSP policy DS4 as 5 or less dwellings. If the development is to exceed that figure, clear justification for development will be required.

The JSP saved policies DS4 and H7 are not out of date and remain relevant and can be afforded significant weight under the NPPF.

The ERLP purports to aspire to similar locational strategies in Policy S2 table 1 on reducing climate change, which seeks to direct most new development to areas where there are services, facilities, homes and jobs, which reduces the need to travel and where it can be served by sustainable modes of transport. and Policy S3: Focusing development. growth on the Major Haltemprice Settlements, Principal Towns and Towns. This acknowledges that the settlements adjoining the urban area generally have a more comprehensive and frequent public transport offer and a greater likelihood that residents will use it. In addition, the majority of employment opportunities are located within the City of Hull. S3g ensures the delivery of the overall spatial approach in Primary villages by allowing development commensurate with the scale, role and character of the village.

The addition of 119 dwellings this proposal brings to the village will vastly exceed even the new proposed Primary Village allocations. With existing allocations and permissions (not counting the recent windfall sites) this site creates an oversupply of some 212% on the new targets and the site alone and would provide 74% of the entire proposed village requirement outside of the development limits. The distribution of housing in the ERLP has been based on the ability of settlements to accommodate additional growth. While ERYC has changed it’s position regarding allocations, proposing to increase the number of dwellings (now not being a ceiling) of primary villages. the over provision of this proposal undermines the existing and proposed policies locational aspirations to focus supply on the urban conurbations with only limited development in the Primary Villages.

There are two reasons for rejecting the proposal – firstly, it is not necessary for the proper phased development of the village in accordance with the Local Plan, as there is enough development potential without the use of this site, and secondly, the proposed dwellings are not required to meet any housing need, when considered against the other potential developments.

The development is therefore contrary to JSP D4 and H7 and ERLP S2 and S3 and particularly S3g

(iii) the provision of affordable housing;

While there is a need for affordable housing in South Cave, in the current economic climate and with regard to the Government's new appeal rules under the Growth and Infrastructure Act 2013, the affordable housing element of the scheme is highly unlikely to be delivered. There are a number of cases reported recently (some greatly exceeding this quantity) whereby the level of affordable housing has been substantially reduced or omitted altogether at appeal. For example The Guardian 18.9.13 reported a 3 month study established 60% of the largest developments fell short of affordable housing targets. It quotes Michael Edwards, UCL senior lecturer in the economics of planning, as saying: "There are well-acknowledged systemic problems with the viability system. It is not functioning in a way that necessarily reflects economic reality. A few recent examples are;

- A 584 home scheme in Blackpool (APP/J2373/Q/13/2207649) April 2014 had its offsite contribution of £7.184m reduced to £5.07m.
- In Newham a 36 home site requiring 13 affordable units was reduced to a small offsite contribution
- On the 3 September 2014 on two sites requiring 20% and 30% Affordable Housing respectively on a 1082 homes site in Gloucestershire had the requirement reduced to 14.1% (APP/P1615/Q/14/2215840 refers)
- On the 7th August 2014 it was reported by Davitt Jones Bould that Redrow Homes Residential Development in Holsworthy 40% affordable houses was reduced to 24% and in Woolwich a 100 flat scheme with 20% affordable units was removed altogether
- On the 5 January 2015 Planning resource reported that a scheme in Leicestershire for 75 homes had its requirement for affordable homes halved

The provision of some affordable housing at any price is not a position this Parish can support. As the applicant has no intention of developing the site itself and there is no financial appraisal to hand, any reliance on the delivery of affordable housing provision as a benefit to be set aside the demonstrable harm caused would clearly be unsafe.

(iv) the design of the development and the character and appearance of the area;

The proposed development would not respect the distinctive local character of South Cave and its relationship with the countryside and would not take sufficient account of local patterns of development and so would not be sympathetic to its surroundings. Although the proposal intends to plant significantly trees, this would not successfully assimilate the development into its local landscape.

The proposal would significantly harm the open the character and appearance of the setting of South Cave and the special qualities of the landscape that borders it. There would be material conflict with the development plan policy E10 and to one of the core planning principles identified in paragraph 17 of the National Planning Policy Framework (The Framework). This is that planning should take account of the roles and character of different areas and

recognise the intrinsic character and beauty of the countryside. We submit that these material considerations outweigh any “benefits” put forward in support of the proposal.

(v) the countryside and the landscape character of the area;

The effect on the rural landscape, especially the Wolds Area of High Landscape Value [AHLV]

The site is formed from open fields within the AHLV and is completely distinct from the built up area. It consists of grade 2 and 3 agricultural land. The land rises imposingly to a wooded skyline, and forms part of the wider landscape of the steep western edge of the Yorkshire Wolds. The combination of undulating fields, hedges, belts of trees and the largely dry valley which the site forms part characterise this high quality landscape. Although it is bounded on one side by the gardens of existing residential properties, and on the West by Little Wold Lane it is in character and appearance part of the open agricultural land and countryside around the Northern and eastern sides of South Cave. The site is prominently located from nearby perspectives, Little Wold Lane and it's upper reaches, the footpath along the Eastern site Boundary and South of the Woodland trust plantation along the boundary of which forms part of the nationally important long distant footpath, the Yorkshire Wolds Way. Its association with the countryside is evident from more distant viewpoints. It is particularly clear along Beverley Road approaching South Cave and opposite on Steep Hill and the Footpath 24 (The Wolds Way) to Mount Airey, that the site appears as part of the open countryside beyond and in contrast to the linear residential development along Beverley Road and the more recent The Stray and Sheppard's Well developments. The photographs provided by the applicant in the Planning and Design Statement pgs 24,25 are wide angle, distorted from the camera position and do not represent the site topography.

The development proposed would have an adverse urbanising effect on the countryside by extending the boundary of the developed village area outwards in a significant and harmful way. This would cause an unwarranted and unacceptable intrusion into the Countryside and detrimental affect on the existing rural character and visual amenity of the area.

Part of this site has been submitted for consideration but was rejected in the ERYC housing allocation assessment (SCAV2) for the ERLP stating *"that Site would impact on built and landscape character as it is in a very prominent position and on rising land"*.

This brings the proposal into conflict with local plan Policy E10 which seeks to conserve the special character and appearance of the AHLV. Similar provisions exist in emerging Policy ENV2 in the draft local plan.

(vi) highway safety;

The access for all facilities is via the inadequate Little Wold Lane junction. The junction of Little Wold Lane and Beverley Road when first constructed did not conform to the then extant Humberside Highway and Estate Road Design

Guide 1985. As one would expect this junction did not meet the standards set out in Design Bulletin 32. Under Manual for Streets the reduction of the X dimension of 2.4m with a Y dimension of 43m is now seen appropriate. However we understand that the existing substandard vision splay does not belong to the highway authority nor the applicants. Bearing in mind Beverley Road serves an existing large residential area as well as being a busy route out of the village it is likely that there are large vehicle movement rates during peak hours.

Beverley Road at the lower reaches, narrows before the crossroads to single lane 4.9m with a single narrow footpath against a high wall with a drainage beck to the opposite side. ERYC have allowed the inadequate junction of Trinity Fold to be made on the outside bend radius with sub standard vision splays. These conditions are dangerous and are not suitable for a further 240 cars that this development will bring.

We note that the traffic assessment figures carried out by the applicant on the 8th April, in the week before Easter is contrary to recommended industry practice where assessments should not be carried out in the week preceding a non-typical or seasonal travel behaviour which may distort the survey, i.e. School holidays and is clearly not representative.

(vii) drainage and flooding;

The existing village sewage and drainage system does not currently cope well with surface and fluvial flooding. The proposed development will aggravate the current poor situation. A development of this size will further exacerbate the current level of flash flooding and problems at Market Centre, Church Street and properties at the West End of the village. The foul water reservoir recently constructed in Beverley Road above Little Wold Road at great expense to provide a 1 - 30 flood event protection has failed, with the sewers surcharging into the beck at least once every year since installation.

The applicant should be providing a full Sustainable Urban Drainage system which complies with recommended guidance as the current proposal appears to be vastly undersized. Discharging into the existing beck will be inadequate as it has problems within 1km on a regular basis as it becomes culverted and overtops the bank overflowing down Beverley Road and flooding Church Street.

The infrastructure study carried out for the LDF at section 2.3 para (ii) clearly states that surface water infrastructure is up to capacity and the required investment could be up to £1m to rectify, the report states that *“At this stage, the surface water drainage risk that presents a potential constraint to new development in these settlements is not fully understood nor is the potential capital investment required to adequately alleviate constraints. Only detailed hydraulic studies verified against real world flow and rainfall data can help to provide a reasonably accurate picture of the capacity of surface water drainage systems & the specific upgrades which may be required”*

The run off from the development site at the top of the village flows downhill South West to the beck and through flood zones 2 & 3 and causes flooding to the West End during period heavy rain.

We note the applicant has incorrectly identified flood zones within their own site.

viii) accessibility by means other than the private car;

South Cave's location next to the main trunk road is very suitable for private motor car commuting, however it is unsuitable for walking and cycling to Brough the nearest service centre and elsewhere. Public transport is assessed on the TRICS scale of accessibility as poor at one service per hour (good being 6-11 service per hour) and is not conducive to encouraging residents to use the bus instead of car and is unsustainable and cannot, with the housing densities that exist in the village and reductions in subsidies, be made to be sustainable. The local bus company East Yorkshire stated at the 2012 Annual Meeting of the Parish, that they can only make sustainable trips to the City Centre as out of town developments, for example Melton do not generate enough trips to make them sustainable. Although there is a school bus to the local secondary school at South Hunsley, all out of school activities require parents to use the car. All comparison shopping and even supermarket shopping, leisure activities and work all require the use of a car.

The Inspector, in considering an appeal at Water Lane, South Cave (Appeal ref nr APP/E2001/A/02/1097297) while unfortunately in a different policy context importantly found that South Cave was not a sustainable location for a large development due to the over-reliance on the private motor vehicle.

The applicants measurements to a bus stop (and other facilities) are inaccurate and misleading the nearest part of the site using footpaths is 630m away from the bus stop. From the middle of the site a resident will need to walk nearer 886m. The Bus service is inadequate and is not fit for purpose and subsidies are under pressure. There are few conceivable instances that any person food shopping, visiting the dentist, taking children to school will not utilise a private car to access these facilities.

With regards to the inadequate assessment of public transport provided by the applicant. We point out that all of the site is well outside of the recommended 400m travel distance to a bus stop and cannot be shortened. The bus timetable is regular but is still in the poor category and the time taken to reach various destinations was explained in a previous application which was closer to the bus stop by 50% which underestimates the walk to the bus stop but provides the point.

(using transport direct web site);

- it takes 1 hr 35mins by 3 buses and train to get to County Hall Beverley for just before 9am and leaving at 5pm it takes 2 trains and 1 bus 1 hour 52 mins.
- For Hull City Centre it's 2 buses and 1 hour 13 min to arrive 24 mins early if you work from 9am. leaving at 5pm 20 mins wait and its 2

buses and 1 hour 3 mins. This is compared with a car journey of 21 mins

- If you work in Sutton Fields a major employment zone in Hull say Malmo Road this takes 1 hr 32 mins and two buses compared with a car journey of 32 mins.
- Travelling to Melton which is zoned for employment, to get there by 9am takes 1 hour 7 mins with 1 bus and two walks over ten minutes compared by 12 mins in a car. Leaving at 5pm the return journey of 39 mins is better but requires a 44 min wait.
- To attend an evening event at South Hunsley School (the nearest secondary school) only practical route with a 20min walk is a journey of takes 53 mins on one bus the meeting/event must finish at 20:22 to take a 28 min journey back, compared to 14 mins in a car.
- To attend Castle Hill Hospital for 10 am for 1 hour it takes 1 Hour 49 mins with 2 buses getting in 23 mins early with a slightly shorter 1 hour 35 min return journey with two buses. compares with 21 mins each way in a car.
- To access the only general store at Pinfold 2.2km away in the village and allow 40mins to shop, takes 17 mins and 1 bus to get there at 9:06 however one would be obliged then to wait a further 20 mins before a return journey of 19 mins.

Any short term subsidy from the applicant will not materially change the times involved in using public transport and once additional short term services stop residents who may have used the service will have no choice but to revert to the motor car.

The preferred maximum walking distances identified by the Institute of Highways and Transportation are in all cases exceeded, From the middle of the development.(meaning half the dwellings are even further away).

The Dentist, Post office, bakers, bank and newsagents are all about 0.94km away, however;

The primary school is 1.5km

The playing field area is 1.6km

The Small convenience Food retailer is 2.2km

while the doctors surgery is 2.7km

All these are accessed across the busy A1034 and via the narrow and busy Church Street. There is no alternative means of public transport.

The Development would result in unacceptable long distance commuting. there is a considerable amount of commuting from South Cave to work in other places. The 1991 census revealed that nearly 42% of households in South Cave have two or more cars. The 2001 Census showed one of the highest levels of car commuting distance at 23 km one way (nearly twice the ERYC and national average) with 73.8% travelling by car/motorcycle/van/taxi

There is no reason to believe that the provision of more homes in South Cave would alter that position substantially such that the settlement would become more sustainable.

The Development would result in unacceptable long distance commuting and in conflict with JSP policy H7 and the Framework.

(ix) the provision of infrastructure and local services, including education;

Should the applicants position be excepted that the saved policies of the local plan has expired, then clearly the Committee will need to consider whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Whilst The Framework sets out the presumption in favour of sustainable development (paragraph 49) in such cases, We submit that this is outweighed by the significant adverse impacts the proposal would cause as we have outlined above and the undermining of the Council's locational strategy.

If the maximum of 119 dwellings were to be built, the Department for Education's usual formula would give rise to a need for 29 places. This needs to be set against the developments already with extant outline planning permission within the development limit.

Other material considerations

Part of the proposed site lies adjacent to the Area of Search for crushed rock working, Swinescaif within the Draft Joint Minerals plan ref CR8 and is therefore an unsuitable location for such large scale residential development.

Other observations

There are no material considerations which indicate that, despite the conflict with the Development plan, the proposals should be permitted.

We would point out that the applicant has declined to have two pre-application open meetings with the Parish. The consultation leaflet did not go out to all houses (even near the site) and was a superficial and perfunctory attempt to indicate community "consultation" with very few facts and none of the plans and documentation now submitted.

Yours sincerely

Mrs Lyndsey Fielding

Clerk to South Cave Parish Council

CC: Dale Ward Councillors – Galbraith, Hudson & Smith

David Davis MP

Peter Ashcroft – Head of Planning & Development