



# South Cave Parish Council

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Forward Planning  
Room FS32  
East Riding of Yorkshire Council  
County Hall  
Beverley  
HU17 9BA

26<sup>th</sup> March 2013

Dear Sir/Madam

The Parish is disappointed in the process East Riding has adopted, which despite all national discussions on Neighbourhood planning and localism still ignores the views of the community and carries out lip service to consultation. Your own Constitution page 4 states that *"The Council considers the role played by the 168 Town and Parish Councils within its area as extremely important in informing its decision making process at the local level."* Something that appears to be forgotten.

We once again write in response to your exercise, however we have little expectation the East Riding will engage in real and meaningful consultation. There is a complete lack of respect for the public viewpoint which is exemplified by the latest half hearted attempt on "consultation" of this version where publicity has been issued a day after the plans were put on a short period of planned display, giving in effect one 3 hour slot on a Saturday for anyone who works in the Dale Ward a chance to attend the drop in session.

On a constitutional issue, we note that in the work carried out so far with regard to the LDF/Local plan;

1. The adoption of the Statement of Community Involvement was taken to Planning committee on the 25/10/12 after public consultation began,
2. the SHLAA, Land Assessment Methodology and the 2012 draft consultation LDF and latterly Local Plan have all been approved by Cabinet without any prior reference we can find to the Planning Committee or to the Overview and Scrutiny Environment and Regeneration sub Committee. (on the 26 April 2012 Planning Committee considered a report on the National Planning Policy Framework, and on the 15 March 2012 the Joint Minerals Development Plan Document - Site Selection Consultation was considered 3 days before consultation ended (which shows inconstancy in approach even if again these were after Cabinet had determined it's approach)
3. The only reference to any form of Planning Committee input we find is that on 15 Dec 11 the Local Development Framework: Core Strategy a further Consultation report was resubmitted that had been considered by the Planning Committee at its meeting on 30 November 2011. This again was after the public consultation was started and after the 18 October when Cabinet considered the matter.

The above events lead us to believe that the Council has not complied with its own constitution in relation to Planning. We set out our observations below.

Given that;

- specifically under Articles of the Constitution Part 3 section 1.1 Town and Country Planning and Development Control is identified as a non- executive function and
- that Part 3 section 1.2 states decisions relating to the functions referred to in 1.1 shall be made by the non executive committees listed in Article 8 and
- the Planning committee is a Non-executive committee under Part two, Article 8.01 and
- Responsibility For Functions set out in Part 3 section 3 specifically excludes Cabinet from making decisions on all the Council's functions referred to in Section 1 of Part 3 as does section 5 Terms of Reference for the Cabinet (which is to discharge all those functions not discharged by Non-Executive Committees), and
- notwithstanding a reference to "guide the Council in the formulation of its policy framework", which clearly in the context of the constitution as a whole, excludes non-executive functions,

it is clear that the Cabinet cannot consider planning policy (other than as advised by the Planning Committee).

The reference on page 51 of the constitution to a "Cabinet Working Group - Planning Policy" which is to advise The Cabinet on the Local Development Framework and other Planning Policy issues is somewhat ambiguous as this group has no constitutional functions and appears to usurp the Planning Committee's constitutional position.

Article 6.02 sets out the Environment and Regeneration Sub-Committee functions which are to review (amongst other matters) Planning and Forward Planning matters and at Page 54 its terms of Reference states; it is to review the general policies, Planning and Forward Planning, Despite this, not once since December 2010 (and probably earlier) has this committee considered the LDF or Local Plan.

On pge 66 of The Constitution, the Planning Committee Terms of Reference are stated as, to guide the Council in the formulation of its policies relating to Town and Country Planning, and to advise The Cabinet on:- Policies relating to Town and Country Planning, including preparation of Regional Planning Guidance, the Joint Structure Plan and Local Plans. It is a matter of record that the Planning Committee have only been partly consulted and only after a decision by Cabinet and have therefore been unable to fulfil its constitutional function.

We wonder at what point your Members will be properly engaged in this process through a formal adoption process, i.e. in accordance with your constitution and we would be pleased to receive a response on this particular issue

We now briefly summarise our position with regards to the proposed Local Plan

You have ignored any planning policy issues this Parish has put forward and spent all efforts in maintaining the old Beverley Borough Plan dispersed development which in our view is a backward step from the Joint Structure Plan, and which East Riding watered down from the Inquiry Inspectors report and has made every effort to ignore.

It is with little surprise therefore, that we find your final draft consultation is at odds with our communities wishes. In our residents questionnaire we had overwhelming rejection of housing development in South Cave and where housing was unavoidable small sites were the preferred option. What does ERYC propose? One large development plot with a number of dwellings in excess of "requirements" in order for some open space to be provided. It is normal to allocate open space not increase housing land on the grounds space will be provided and this is opposed in the strongest possible terms. We unfortunately have no faith whatsoever that ERYC can control this and as usual we will end up with just more housing. You are reminded the original 1980's appeal application for the Stray included shops, open space as well as the school which miraculously have all disappeared from view. The SCAV7 plot has always been allocated for School Playing field, The School buildings being within the proposed built up field mainly allocated as SCAV6. Partly this was about providing facilities and partly because bordering on the dale of high landscape value this broke up the village edge. We now are to have merely more commuter housing. We object to the inclusion in SCAV6 and SCAV 7 for reasons given to you in our previous responses and in the response to the Planning Application for SCAV 6

We have already informed you of our views of the unsuitability of South Cave for further allocations, and we attached relevant extracts from our responses at appendix 1

Your proposed settlement Policy is unsound and unfortunately it appears to us that we will have to rely on the Inquiry to obtain any sort of voice. You have put forward no policy reasons for a combined Primary Villages category and cannot explain the function of such diverse villages (other than to receive housing allocations), Such reasons are even less than Hinterland villages which was tenuous at best and clearly an afterthought to include more villages which could receive housing allocations and clearly those where there is developer pressure as the most desirable to build for greatest profit Your policy clings to the need to sustain or improve local services, none of which have been borne out through hard empirical evidence and such arguments were rejected at the IEP for the JSP. We remind you Brough was included as a town at the start of this process only to encourage commercial growth which had not been brought forward by massive Housing overdevelopment and now you simply add further housing (albeit with further commercial allocation). Clearly this is something our village has got to look forward to.

Your final housing site allocations are not transparent. We have already addressed the shortcomings of your methodologies in previous responses to the SHLAA all of which have been ignored, however it is of great concern that previously allocated housing sites are discounted and a new sites entertained without robust and sound reasoning set out

You have not involved Parishes in the SHLAA process other than for sites "fact finding" contrary to planning Guidance and your Statement of Community Involvement. There has been no transparency in offering Members a real choice on how allocation sites are chosen and after a pseudo scientific process designed to confound real engagement, the choice of allocated sites has no foundation whatsoever. You have not consulted the Parish with regards to the community's wishes in coming to a final allocation from the long list of bids

We also point out the issue of Hull City Council offering sustainable sites on the boundary of the City which are preferable locations to rural villages which begs the question of the co-operation between the two Authorities which is a legal requirement.

You have ignored the constraints on the proposed allocated sites in South Cave ranging from access to increasing flooding risk to areas in Flood zone 3. You have been told of these constraints but choose to ignore them.

We note the Council has amended the development limit without prior notification or discussion and further it is not highlighted in your documents. We note the inconsistencies in which parts are include/excluded and object to four areas being included which we highlight on the attached plans at Map 1, two of which should not be included on the grounds that the grounds are big enough to develop further windfall housing. One is as a consequence of not including SCAV 6 and 7 as allocations and last one SCAV 12 is in flood zone 3. The links on the web site for the public to comment on individual sites is not publicised and we could have included this in our leaflets at an earlier stage if asked.

It is clear to us that you are allowing the central edict of increased housing to override all other considerations. Your policies talk of focussing on the larger settlements and Haltemprice villages, however the proposed allocations belie that policy. Once again you are reminded South Cave is an unsustainable location reliant on the motor car for all activity, work and education with no chance of improved public transport services.

You will forgive the exasperated tone of our letter but we have no confidence in the East Riding to propose anything other than the very first proposal you had which was to allocate substantial housing in South Cave. Everything else is superficial. This Parish has tried to participate in a very complicated process and has conceded the fact that there will always be some windfall sites in the village (infrastructure capacity and flooding issues apart) which actually easily provide the housing figures over the plan period that you intend to allocate. We will only accept a designation of Hinterland village with minor windfall and infill sites of less than 5 dwellings.

Yours faithfully



Mrs Lyndsey Fielding  
Clerk to South Cave Parish Council

Cc: Stephen Hunt – East Riding of Yorkshire Council, Forward Planning  
Alan Menzies – East Riding of Yorkshire Council, Director Planning and Economic Regeneration  
Councillor Symon Fraser – Portfolio holder Environment, Housing and Planning  
Cllr John Wilkinson – Chair of Environment and Regeneration Overview and Scrutiny Sub Committee  
Nigel Pearson – East Riding of Yorkshire Council Chief Executive  
Councillor Pollard - Chairman of Planning Committee

Areas in which the development limit should not be extended or should not be included.

