

East Riding Local Plan Update Examination

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By email via the Programme Officer

2 August 2024

Dear Mr. Bannister,

[East Riding Local Plan Update examination – post hearings letter from the Inspector](#)

Thank you for the Council's contributions and assistance at the Stage 1 and 2 hearing sessions in October/November 2023 and July 2024. Following the completion of the hearing sessions and submission of requested information I am writing to set out my views on the way forward for the examination.

Overall, I consider that, subject to main modifications, the Plan is likely to be capable of being found legally compliant and sound. I am also satisfied that the Duty to Cooperate has been met. A number of main modifications which are necessary for soundness reasons were discussed at the Stage 1 hearing sessions and are referenced in the Council's running list of main modifications/actions from the hearing sessions (document EXAM 25). Other potential main modifications are outlined in the Inspector's initial post-hearings letter (EXAM 26). The proposed changes are not re-rehearsed here.

Following the close of the hearing sessions and the receipt of the post-hearing notes and representations I consider that a small number of further main modifications are necessary for reasons of soundness. The further changes are

briefly covered in Annex 1 below. Full reasoning and conclusions will be set out in my final report.

The Council is now invited to prepare an updated comprehensive set of proposed main modifications for my consideration prior to publication, based on the changes referenced in EXAM 25, my initial post hearings letter and this letter. The modifications will need to be subject to Sustainability Appraisal and Habitats Regulations Assessment as necessary and published for consultation for a minimum of 6 weeks. The documents should also be accompanied by a schedule of any associated changes to the Policies Map.

In producing the proposed main modifications document, the Council is requested to liaise with me via the Programme Officer regarding projected timescales and formatting.

The comments in this letter are based on the submitted written evidence and representations, and all that has been heard at the hearing sessions. However, the examination has not yet concluded, and consultation on main modifications has yet to take place. I will have regard to all comments made during the forthcoming consultation process when writing my final report. Consequently, the findings in this letter are without prejudice to my final conclusions on the Plan.

My final report will set out conclusions on the main issues discussed at the hearing sessions and will be published in due course.

It would be appreciated if you could confirm if the Council is content to proceed on the basis outlined in this letter. Please note that I am not expecting to receive or accept comments from any other parties on the contents of this letter.

A copy of this letter should be placed on the Council's website and made available on request.

Katie Child

INSPECTOR

Annex 1

Employment allocation MELT-B - At the Stage 1 hearings the Council proposed that the site should be extended to incorporate adjoining previously developed land which is now within the ownership of the developer. Evidence in the Council's Post Hearing Note 7 (EXAM 33) indicates that the site is suitable and capable of delivery, and that the boundary change is necessary for effectiveness to align with the area likely to come forward for development. As such I concur that the allocation should be extended and the site area listed in Policy MELT-B should be increased from 3.28 hectares to 4.70 hectares.

Housing allocation HOW-E – At the Stage 1 hearings the Council proposed that the area of HOW-E should be reduced due to concerns about proximity to employment site HOW-H. However, Post Hearing Note 9 (EXAM 35) has subsequently been produced by the Council and suggests that a reduction of HOW-E is not necessary. This is based on advice from Environmental Health officers and takes account of the proposed reduction in the size of employment site HOW-H as set out in EXAM 25. Based on the evidence before me, I am not persuaded that a reduction of the site area of HOW-E is necessary for soundness reasons. Further reasoning will be set out in my final report.

Policy C3 Open Space – The Council's Post Hearing Note 14 (EXAM 39) sets out proposed modifications to the open space requirements per dwelling in Policy C3. I concur that these changes are necessary in order for the policy to be justified and effective and align with the standards in Table 15 in the submitted Plan and current practice.

Proposed additional Gypsy and Traveller allocation COT-L – The Council has proposed this additional site in Post Hearing Note 15 (EXAM 40). The site is allocated in the current Local Plan and would provide an additional 13 pitches. The evidence before me indicates that the site is suitable and capable of delivery and that additional provision is necessary to meet the identified accommodation needs of Gypsies and Travellers. As such I consider that the Plan should be modified to include this allocation site. Further reasoning will be set out in my final report.