

25 September 2023

Our ref: MDM/Sajic

THE
BERKELEY DOME CQ
CONSULTANCY

helping businesses solve problems



TO: Inspector Katie Child B.Sc (Hons) MA MRTPI

Dear Inspector

RE: EXAMINATION OF EAST RIDING OF YORKSHIRE LOCAL PLAN UPDATE

I represent Mrs C Sajic and Mr R Crick (CR Partnership) in regard to their land (approx. 12.5 ha) located on the north side of Rawcliffe Road, Goole and I have been in communication with ERYC forward planning since dealing with the 2016 Local Plan which allocated site GOO-A for housing.


Unfortunately, I was notified by ERYC on 21 September (after sending them an email enquiry) that emails to me had not been delivered and the deadline for participation requests was 18 August 2023.

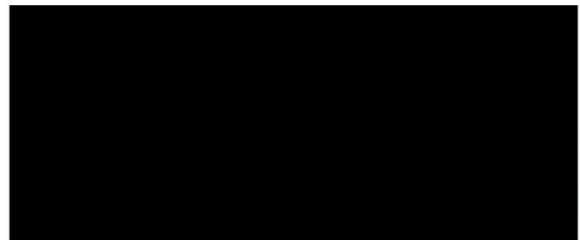
I ATTACH the relevant emails and in particular the confirmation given by the Council on 9 September 2022 that the relevant information had been provided and on behalf of my clients, I seek your discretion in allowing my clients participation albeit the failure to deal with Regulation 19 matters within the time limit.

At the consultation stage, I submitted a formal Response with a comprehensive Hydrology Report (which will be in the ERYC database) objecting to the de-allocation of site GOO-A (on the grounds set out in the Strategic Flood Risk Assessment) but as the proposed de-allocation has not been amended, my clients wish to participate in the Hearings Programme and I have instructions to engage Counsel in this respect.

Undoubtedly, as the de-allocation of land for housing turns on the future integrity of the tidal flood defence system, I anticipate that submissions by the Environment Agency and other parties with land similarly de-allocated will address the relevant issues. However, as my clients land lies immediately to the east of agricultural land that was granted detailed planning consent for housing (now a total of 800+ houses) in August 2023, they feel they have a very significant case for objecting to the proposed de-allocation.

Yours faithfully


Mike Matthews



DRAFT EAST RIDING LOCAL PLAN UPDATE (MAY 2021)

CONSULTATION RESPONSE on behalf of C R Rawcliffe Partnership

Introduction

1. The C R Rawcliffe Partnership owns the land on the north side of Rawcliffe Road, Goole shown on the attached Location Plan which comprises approximately 13 hectares (the 'Site') and has never suffered from flooding.
2. The Site has always been used for agricultural purposes in conjunction with the more extensive area of land adjoining the western boundary for economy of scale.
3. The Site adjoins Rawcliffe Road, the A614 main arterial road to Goole Town Centre which lies approximately 1.3 miles to the East, a driving time of about 6 minutes or 20 minutes walk and just 1 mile to Goole Railway Station.
4. Currently, the Site is within the GOO-A allocation in the Local Plan and identified for residential development. This allocation resulted from submissions made at the Local Plan Inquiry in 2016 and specifies the overall comprehensive treatment of the large area of land within the allocation and the various facilities that require to be integrated.
5. Subsequently, under Planning Reference 15/00305/STOUT permission was granted for residential development on that part of GOO-A nearest to the interchange of Rawcliffe Road with the M62 and is presently being developed by Beal Homes.

Proposals for the Site

6. A considerable amount of preparatory work has already been carried out in regard to the submission of an outline application for the residential development of the the Site in accordance with the current Local Plan policies and following a positive part Pre-Application with ERYC and its consultees. It is proposed to erect 360 dwellings with a mix of housing types, open spaces that also form part of the SUDS drainage system and a link to Shaftesbury Avenue for bus services and to West Park.
7. As part of that process, it was recommended that a flood risk assessment should be prepared and that consultations take place with the Environment Agency. That exercise has been conducted in respect of the SUDS drainage system and it has been established that the installation of a SUDS system as indicated on the attached Surface Water Management Plan will enable all surface water to drain into the existing watercourses from the north-west corner of the Site, in a westerly direction. Consultations have also taken place in this respect with the Goole and Airmyn IDB which manages the watercourses.
8. For information, a copy of the letter dated 9 March 2015 from the Environment Agency to ERYC with regard to planning conditions is attached and our Consultants, Hydro International, have taken all these aspects into account in the preparation of its FRA Report. A hyperlink to the Report is provided. Hydro International continue to liaise with the Environment Agency and informed that the 2 SFRA is EYRC's document.
9. Additionally, the FRA Report includes and addresses all types of flooding and concludes that after mitigation the risk to the Site from fluvial, tidal, reservoir, surface and groundwater is low.
10. Access to the Site will be from the adjoining straight section of Rawcliffe Road and with an extensive road frontage, there is more than ample room to provide satisfactory visibility splays and appropriate traffic control measures to be accommodated.

11. The Site is practically level and has no tree, hedgerow or undergrowth within the boundaries due to it having been cultivated for crops throughout living memory. A preliminary ecological assessment has been conducted and a copy Report is attached.

Sustainability of the Site

12. The Masterplan for the Site has been prepared to take on board the intended comprehensive development of the Land within the GOO-A allocation and, in particular, the requirement for a loop road and the provision of a bus route via Shaftesbury Avenue which adjoins the north-east corner of the Site.

13. Notwithstanding this, the Site is sustainable on a stand-alone basis from its direct access with Rawcliffe Road, proximity to Goole Town Centre and nearby primary and secondary schools and higher education College. There is well established existing residential development adjoining the eastern boundary and West Park adjoins the northern boundary. West Park is the largest public park in the area extending to some 14 hectares and is managed by Goole Town Council and supported by The Friends of West Park to ensure its future maintenance, provision of a wide range of facilities and a full diary of events.

14. In addition, the Site is located within easy reach of Goole Town Centre and benefits from the increasing number of employment opportunities with the immediate vicinity. Further, the close link to junction 36 of the M62 provides additional access to the wider road network.

15. Due to the location, the Site would benefit from its own convenience store as indicated on the Masterplan and this, if permitted, would also cater for the existing properties in Rawcliffe Road and the development now being carried out on the land to the west of the Site. By serving only the localised need, this would not detract from the vitality and wide selection of retailer outlets in Goole Town Centre.

Proposed De-Allocation

16. ERYC appears to justify the proposed de-allocation of that part of GOO-A that does not currently have Planning Permission for development on the sole ground that the existing flood defence system for Goole may not be maintained in the future and/or may be breached as a result of exceptional tidal surges. This is based entirely on the Strategic Flood Risk Assessment ('2 SFRA') and there seems to be a conflict between the views expressed in paragraph 4.1 and the scenario set out in section 6 and it is unclear as to what formal standing this document holds.
17. In placing the Site into this context, it is located approximately two miles from the flood defences and Goole Town Centre lies between. Consequently, if the flood defences were to be breached, taking into account that this would be limited to the surge that overreaches the barrier, several square miles of land would have to be inundated before affecting the Site. Importantly, such tidal surges normally occur for a few days and then limited to the duration of high tides, with the resultant draining away on the ebb of those tides.
18. Albeit that the Environment Agency relies on Government funding for its provision and maintenance of flood defence systems, there is no evidence that Goole has lacked funding in the past. Critically, given the significant consequences for Goole Town Centre if the flood defence system was allowed to become ineffective, the likelihood of underfunding is unconceivable.
19. ERYC has previously maintained its predictions for and delivery of housing so the reductions indicated by the de-allocation will undoubtedly place pressure on other areas which were previously found to be less suitable and less sustainable than the Site.

Conclusion

20. It is submitted that the extremely unlikely withdrawal of funding to the Environment Agency does not substantiate the stagnation of the development of the Site and the substantial value that the proposed development would add to the vitality and sustainability of Goole Town Centre, provision of employment resources and general economy of this region.

21. Moreover, the development would support the existing infrastructure of the locality and in planning terms is immediately deliverable.

Dated: 5 August 2021

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Submitted by:

The Berkeley Domecq Consultancy



on behalf of the C R Rawcliffe Partnership



East Riding Local Plan Land Submission

Please complete the following form and provide a map showing the site boundary, land ownership details and potential access points.

Contact Details		
	Agent or Representative promoting the site <i>(if applicable)</i>	Landowner(s)
Name	Mr Michael Matthews	Mrs Christine Sajic and Mr Richard Crick
Company/ Organisation	Berkeley Domecq Consultancy	CR Rawcliffe Partnership
Address	[REDACTED]	[REDACTED]
Telephone	[REDACTED]	
Email	[REDACTED]	[REDACTED]
Is/Are the landowner(s) willing to see their land developed? <i>(please circle or delete as necessary)</i>		Yes
Site Details		
Site address including town/village		
Land on north side of Rawcliffe Road, Goole		
Size of site (hectares) <small>N.B. Sites that could accommodate fewer than 5 dwellings will not be allocated & may not be assessed</small>		
12.5		
Existing/Proposed Use		
Is the site vacant? <i>(please circle or delete as necessary)</i>	Current/Former use	Proposed use
No	Agricultural	Residential
If 'no', when is the existing use likely to vacate the site?		
On grant of planning consent		

**Access**

Does the site have direct access to an adopted public highway or does access cross over third party land (is there a 'ransom strip')?

Direct access from Rawcliffe Road, Goole

Utilities

Can the site easily connect to utilities? Are there utilities assets crossing the site? Have any discussions with utility providers have taken place?

All utilities available. Discussions have taken place with Northern Powergrid, Yorkshire Water, Environment Agency and IDB.

Constraints

Are there any known constraints, covenants or legal restrictions on the land e.g. environmental, utilities or conservation designations?

No.

Developer Interest

Has there been any developer interest? Is there an option on the land?

Yes but no option granted at this time.

Timeframe

If the site was to be allocated in the Local Plan, what would you consider to be the timeframe for bringing this site forward for development (a start being made on site)? *(please circle or delete as necessary)*

0-5 years				
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Housing to meet specific needs

If the proposal is for housing, is it to be designed to meet the specific needs of identified groups in the East Riding (e.g. first time buyers, older people, self-/custom- build)?

General mixed provision.

Renewable energy/Energy Efficiency

Is the proposal likely to involve forms of renewable (or low carbon) energy generation or energy efficiency measures beyond standard building regulations?

This will be assessed at detailed design stage.

Costs

Is the development of the site likely to be subject to abnormal costs (e.g. remediation, infrastructure)? Please specify



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No.

Viability

Is the site likely to be viable after considering the requirements to deliver (or make contributions to) affordable housing, open space and education provision in line with Local Plan and national policy and taking account of any abnormal costs (e.g. remediation, infrastructure)?

Yes.

Is there any other information that has not been covered by the above that the Local Planning Authority should be aware of?

Following the positive result of a pre-application submission, the landowner consulted with statutory bodies and utility providers, undertook land/drainage/transport surveys and was about to submit outline planning application. This was placed on hold when ERYC proposed de-allocation of site in LDP Review. A response was submitted with detailed Hydrology Report in support. Full consultation / LDP Review Inquiry is awaited.

Please return this form, along with a map of the site, by post or email to:

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

forward.planning@eastriding.gov.uk

We will acknowledge receipt of completed submissions.

How we use your information

If you make a land submission, your details will be held securely. You will be notified of and consulted on the progress of the document that is currently being produced until its adoption. You may also be consulted and informed about the preparation of other planning document(s), such as Supplementary Planning Documents that are reasonably related. Responses will be retained until the document you commented on has been adopted and is later superseded.

Land submissions may be made publically available to view on the Council's website. The Council only redacts personal data in respect of email addresses, telephone numbers and signatures. For more information on how the Council uses information please view the Council's privacy notice <http://www2.eastriding.gov.uk/council/governance-and-spending/how-we-use-your-information/find-privacy-information/privacy-notice-for-forward-planning/>

If you no longer wish to receive updates or withdraw your site, please email your request to forward.planning@eastriding.gov.uk or write to Forward Planning, East Riding of Yorkshire Council, County Hall, Cross Street, Beverley, HU17 9BA.

Planning Obligations



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When submitting a site for consideration, you should be aware of the planning obligations that the council currently seeks. Planning obligations assist in mitigating the impact of development to make it acceptable in planning terms. For sites of a certain size, the council will seek the provision of (or contributions towards) **affordable housing, open space and education**. For affordable housing and open space, the council will require these on sites capable of delivering 10 or more dwellings. For education, the council may only seek contributions for larger sites and where there is likely to be a deficit of school places after accounting for planned development.

The proportion of houses that should be affordable is dependent on which part of the East Riding the site is located within and varies between 5%-25% of the total houses proposed. Details are set out in the East Riding Local Plan Strategy Document as well as an Affordable Housing Supplementary Planning Document (see below). A house builder will not receive the full market value for each affordable house they build. Instead, a 'registered provider' such as the council or a housing association, will purchase the house for a discounted price. This will affect the price a house builder can afford to pay for land.

Different forms of open space provision are required on sites. Amenity space and children's play space should usually be provided on site. Open space for youths and adults, such as playing pitches, can only be realistically provided on large sites. A proportionate contribution to youth and adult space is therefore taken on smaller sites. Guidance on how much open space is required, as well as maintenance charges, is set out in an Open Space Supplementary Planning Document (see below). The space taken up by open space and/or the contribution towards open space provision in the locality will affect the price a house builder can afford to pay for land.

Education contributions are taken on a case by case basis and may vary depending on how the deficit in school places can be addressed. For example, additional school places may be supported through an extension, refurbishment or new build.

There may be other planning obligations (e.g. highway infrastructure) that are required to make the development of a site acceptable. These should be considered alongside potential abnormal construction costs. All of these factors are likely to affect the price a house builder can afford to pay for land and should be considered carefully before submitting land for consideration.

Key documents:

East Riding Local Plan Strategy Document

<http://www2.eastriding.gov.uk/environment/planning-and-building-control/east-riding-local-plan/what-is-the-east-riding-local-plan/>

Affordable Housing Supplementary Planning Document

<http://www2.eastriding.gov.uk/environment/planning-and-building-control/east-riding-local-plan/supplementary-planning-documents/#affordable-housing>

Open Space Supplementary Planning Document

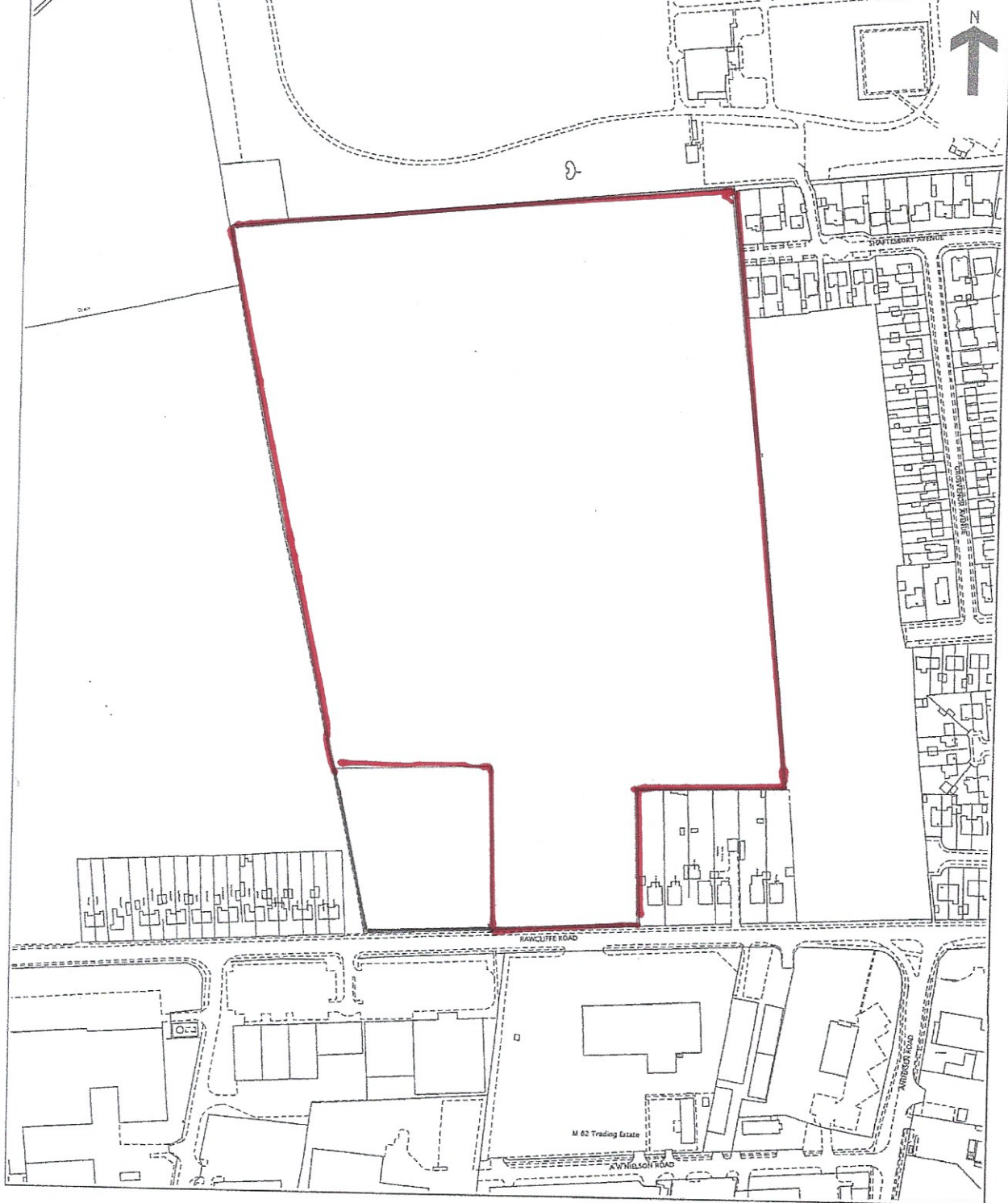
<http://www2.eastriding.gov.uk/environment/planning-and-building-control/east-riding-local-plan/supplementary-planning-documents/#open-space>

Land Registry
Current title plan

Title number YEA18542
Ordnance Survey map reference SE7324SW
Scale 1:2500
Administrative area East Riding of Yorkshire



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