

# North Ferriby Parish Council

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16 October 2013

Peter Ashcroft

Head of Planning and Development Management

East Riding of Yorkshire Council

County Hall

Beverley

HU17 9BA

Dear Mr. Ashcroft

**Your Ref 13/02860/STOUT**

I am writing in response to your letter dated 24 September inviting the Parish Council's views on this outline planning application. The Planning Committee met on 14<sup>th</sup> October to discuss this application and its decision is detailed below.

The Parish Council recommends that this application should be REFUSED, for the following reasons:

1. The proposed housing development is contrary to the central strategy of the statutory Joint Structure Plan for Hull and the East Riding (JSP) adopted in June 2005. The JSP's priorities in the Central sub-area include reversing development trends in Hull and adjacent parts of the East Riding, to relieve pressure on historic towns and villages, and to promote investment and regeneration in the Hull Urban Area (policies DS1, 2 and 3). Limited development is to be allowed in existing villages (policy DS4). Housing development in existing villages should be limited in scale, with a preference given to previously developed sites, infill plots and conversions (H7). Development of this site will clearly prejudice this strategy; not only because of its sheer size of 390 houses but also because of the precedent will it set for other green field developments in the County.

Paragraph 214 of the National Planning Policy Framework (NPPF) adopted in March 2012 clearly applies to the JSP, and full weight should be given to its policies.

2. The proposal would contravene the intentions of JSP policy SP1, regarding the promotion of sense of place, the protection and enhancement of the character and distinctiveness of settlements, and the special consideration to be given to important edges and settings to settlements. It would create a new village without the appropriate range of facilities that such a village should have, and create a dependency on surrounding settlements, particularly North Ferriby, as well as encouraging travel further afield for services. The integrity and character of existing villages would be lost, and a continuous urban sprawl created through the coalescence of Brough, Welton and North Ferriby, which is not the intention of any Local or Strategic plans ever contemplated for this area.

3. The approval of this application would deprive local communities of the opportunity presented in JSP policy SP3 to identify strategic open areas at the Local Development Framework (Local Plan) stage. Local communities have awaited this opportunity to protect their character and identity, and we believe there is a case for identifying a strategic open area here. The JSP says that the scale of development in such locations should not offer a serious threat to the community identity of adjoining settlements, and the scale of development should not significantly challenge the separation of, or materially obstruct the views offered by, such areas. This development would clearly be contrary to these aims, and prevent a serious discussion of the local communities' aspirations in the Local Plan.
4. The proposal is clearly contrary to the policies for housing development in the emerging East Riding Local Plan (ERLP). Three phases of public consultation on this Plan have already been completed, and the East Riding Council has agreed the policies, which it wishes to take forward towards adoption. At none of these stages, in April 2008, May 2010, and March 2012, has significant housing development been seen as needed in Melton, Welton or North Ferriby. Draft policy SS3 proposes that Melton and Welton are villages where no new housing allocations are proposed, and only a very small scale of housing on a single dwelling basis would be supported where it does not detract from the character and appearance of the village. North Ferriby is proposed as a Primary Village where allocations for around 5 houses per annum would be needed; these can be found within the Parish without serious damage to its character. A major exercise to identify potential housing development sites in the wider area has been completed. Development here should be judged alongside these alternative proposals; there is no need, and it would be prejudicial, to consider it as a priority before them. It is clear there is a vast pool of potential sites to draw on without the need for this one.

The additional housing development would provide an over-supply of houses in the Hunsley sub-area. Whilst Brough has been selected for substantial growth, the approved housing levels already exceed those planned for, and the school, shopping and other facilities, as well as the local highway network, are not able to cope with further demand.

Paragraph 215 of the National Planning Policy Framework (NPPF) is also applicable to the emerging ERLP, and indicates that weight can be given to these policies according to its stage of preparation, the extent of unresolved objections, and the degree of consistency with the policies in the NPPF. As the plan is to go forward for adoption very soon, after extensive consultation; as the main priorities regarding location of development and settlement hierarchy are largely uncontested except in matters of detail; and as the plan is largely consistent with the sustainable development objectives of the NPPF and the JSP, this suggests a very high level of weight is due to the draft Local Plan in considering this proposal.

5. The proposal is contrary to the policies in the NPPF regarding the protection of agricultural land. Paragraph 112 indicates that the economic and other benefits of the best and most versatile agricultural land should be taken into account, and that Local Planning Authorities should seek to use areas of poorer quality land in preference to that of a higher quality. This land is in active agricultural production; it is not needed for housing development; and no analysis has been presented to address priorities should agricultural land be needed to achieve the wider strategy. Whilst Paragraph 22 of the NPPF is also relevant, in this case there is no local need for the development; the proposal would undermine rather than support the sustainable local communities objective; and it is clearly contrary to the agricultural land policy.
6. The proposal will have a serious negative impact on local character and identity, contrary to the North Ferriby Parish Plan adopted in April 2011. Impacts on traffic and congestion, road safety, and the village school, community facilities and open spaces will add to the loss of identity caused by an unplanned urban sprawl between Brough and North Ferriby. The Parish Plan household survey achieved a 40% response rate, and 81% of respondents identified the importance of protecting the general character of the village. Local reaction suggests that the majority of residents feel that this proposal would very seriously damage this character.

7. The development would cause severe increases in traffic and consequent road safety problems in North Ferriby. Up to 1,000 extra vehicles would be likely to use the shops, school, pub, church, Post Office, village hall, and other facilities of the village. There have been no estimates made of the impact of additional traffic movements on the Melton Road/ High Street/Church Road areas of the village, which already suffers heavy congestion and parking difficulties. The use of the primary school presents particular difficulties in this respect, as all children from the new development will inevitably be delivered to and collected from school by car, and this part of the village already suffers extreme congestion and illegal parking at these times.

The NPPF paragraph 32 states that development should only be refused on traffic grounds where the residential cumulative effects are severe. A 30% or more increase in population and traffic use, without any ameliorative measures being practicable, and with concentration around the school site, surely constitutes a severe effect.

8. The proposals for the expansion of local schools to accommodate this proposal would have serious local impacts and damage strategic investment and regeneration priorities elsewhere. The Hunsley Academy secondary school is already too large, will expand further to deal with growth in Brough, and cannot reasonably accommodate further unplanned growth. All the additional demand for primary places will have to be accommodated in North Ferriby. No mention is made of how or where the proposed £500,000 expected investment for the primary school would be spent, or whether it would be adequate. Whilst there are substantial playing fields, these are used by the community as well as the school, and the Parish Plan identified the need to protect them from development, particularly as there is a serious shortage of playing fields generally both in the village and the surrounding area.

The school proposals illustrate the damaging strategic effects of the application as a whole. It will draw people and investment away from the priority regeneration areas, making it more difficult to justify or secure the much needed educational improvements for those fewer and relatively less well off people who have no choice but to remain. At the same time it will create further unnecessary pressures on the smaller local communities affected.

9. The proposed arrangements for industrial development and housing will create the potential for conflict between residents and existing and future business users of the adjacent business park, for which the access arrangements were designed.
10. The development proposed would prejudice the future of other sites in the area, particularly the land immediately to the south, down to the Humber foreshore. The longer term implications for the whole open area need to be properly planned, to ensure local character is protected, as promised in the Joint Structure Plan. We have long held that the creation of a continuous urban development between North Ferriby and Brough is not consistent with the Joint Structure Plan and is not needed to deliver increasing development and regeneration.
11. The proposal does not satisfy the main intentions of the planning system as a whole, as set out in the NPPF. It is not plan led. It does not empower local people to shape their surroundings; rather it denies them this (NPPF 17). The developer's local consultation was extremely biased as it started from the presumption of a large-scale housing development, which was unreasonable in view of the strategic and local planning framework. No alternatives were offered. A shared vision (NPPF 69) has been impossible in these circumstances. The need for cooperation between LPAs on planning issues that cross administrative boundaries, particularly housing and jobs, (NPPF 178) has been ignored by the applicant. It undermines the priority for the use of previously developed land, and above all it presents an unnecessary and unsustainable form of development. It is clear that the local community is very firmly against this proposal. For the first time ever in our village, a lobby group has been formed to oppose it, and we understand it has received support from approximately 1,000 households from a village of less than 1,600 households. Their views are being submitted separately.

The Parish Council recommends most strongly that the application be REFUSED. In view of its importance we assume there is no doubt that it must be considered by the full Planning Committee of the East Riding Council.

If the ERYC is inclined to approve the application, or if it is approved on appeal, we recommend that the following conditions should be applied:

- The delivery of the necessary education facilities and the replacement of any playing fields lost should be secured by a planning condition linked to a Section 106 agreement.
- The potential contamination of the land should be subject to further more detailed investigation and appropriate treatment. Arrangements might also be desirable to cover the local authorities against subsequent damages claims should the treatment prove to be ineffective.
- The extent of playing fields provision within the development, and their ownership and/or management, needs to be subject to a S106 agreement and the involvement of local communities/parish councils.
- Further consideration should be given to the requirements for medical facilities and for community hall provision. The statements in the application regarding medical services are not accurate. A community hall for this size of development may not be viable. A better solution would be to improve the current facilities in North Ferriby to cope with the additional demands, and would again need to be subject to a S106 agreement and the involvement of local parish councils.
- Drainage and sewerage capacity and provision to prevent flooding need to be secured, particularly as parts of the site are known to be subject to flooding at present. A sustainable urban drainage scheme should be required.
- The further enhancement of Long Plantation should be secured in order to protect local residents and provide improved nature conservation and wildlife value.
- The footpath link to Plantation Drive should be not approved.
- The internal road network should be required to be of adoptable standard before properties are occupied, and in view of the heavy industrial traffic, wheel washing facilities should be required.

We must also raise a further issue pertaining to the validity of this and other applications on the site. The extensive documentation received contains no Environmental Impact Assessment as we believe is required under the Environmental Impact Assessment Regulations 2011. The site is within a very short distance of the Humber Estuary, which is a SSSI and RAMSAR designated site of European if not worldwide importance. The proposed development is large scale, 39 acres and includes both residential development for 1000 people and industrial/business development of an unspecified nature. We formally request you to confirm in writing to us the ERYC's views of this requirement and explain your position to us as a matter of urgency, as we believe an EIR is required in this case. We are also writing separately to you regarding the implications of the Regulations for the current appeal and for previous applications on the site.

Yours sincerely

John Mabbett  
Chairman  
North Ferriby Parish Council

John Halmshaw  
Vice Chairman  
North Ferriby Parish Council