

15 July 2021

Councillor Jonathan Owen, Leader of East Riding of Yorkshire Council
Ms Caroline Lacey, Chief Executive
Mr Alan Menzies, Director of Planning and Economic Regeneration
Mr Stephen Hunt, Head of Planning and Development Management

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

Dear Cllr. Owen, Ms Lacey, Mr Menzies, and Mr Hunt,

Re. complaint about ERYC and its working relationship with parish councils

We, Members of Newbald Parish Council, would like to express our extreme frustration, anger, and disillusionment with East Riding of Yorkshire Council.

Over many years now, we have felt that our opinions have been side-lined and dismissed. This despite the fact that we are the government organisation that is closest to the electorate and best placed to gauge their opinion. We also know our parish intimately in a way that Officers and Council members at ERYC never could.

Surely therefore, we are best placed to understand what would and would not be good for our village. Indeed, that is the purpose of parish councils.

As stands, we feel that the planning system is democratic in name only. In reality, it is a totally biased system, where parish councils have absolutely no influence whatsoever. There is a pretence at consultation. However, planning officers' minds are made up long before they even receive a single comment from us.

ERYC Councillors on the planning committees seem fearful of going against what planning officers recommend in their committee reports. There are exceptions, and we thank them, but the majority simply choose to toe the line. It feels like whatever the Planning Officer decides and recommends is a 'done deal' and the Committee has very much less power than would at first appear.

This perception has been confirmed to us as being totally valid by two ERYC County Councillor members. We are clearly not just imagining this.

As for the Planning Officers, it feels like they work with the developers to find a way to make a development happen, rather than assessing properly whether or not the development is appropriate in the first place. They take every objection we make and see what they can say to get round it, so they can achieve their goal of getting the development passed.

We know that at the heart of the planning system is a 'presumption in favour' of planning applications, which comes down from Government level. However, that should not mean that where planning applications contravene many planning regulations and have multiple material planning considerations speaking against them, that they should get through regardless.

Surely there must be a line beyond which you choose to protect the beautiful East Riding of Yorkshire against totally unsuitable developments rather than pursuing a policy of development at all costs?

Could it be that ERYC is fearful of the money developers have to employ barristers to fight their corner?

As you know, there is no right for objectors to appeal when they think that planning permission has been granted inappropriately. Therefore, it is imperative that the initial planning process is transparent, fair, and balanced.

In the last few months, the parish of Newbald has had planning permission for 2 very significant developments imposed on it. Our historic, rural, and picturesque parish will sadly be all the poorer for it. We await them with dread.

Intensive factory pig farm (20/001149/PLF)

A beautiful wildlife haven on a popular walking route is set to be destroyed to accommodate a toxic and cruel pig facility, which will see pigs kept in small pens indoors with no access to outdoors. The developer avoided the need for environmental assessments and permits by keeping the number of pigs just below the 2000 threshold at 1990.

At a time when climate change is a massive concern for all, this farm will pollute the air, contribute to greenhouse gases, create highway chaos, and destroy residential amenity. This despite the fact that Government policy is to make the country as green as possible, as evidenced by the Environment Bill currently passing through Parliament. This Bill puts into practice the Environmental Plan 'A Green Future' published by the Government in 2018.

ERYC likes to talk about its environmental credentials. Where were these when it passed this development?

There was massive local opposition to this development and the parish council objected strongly and at length. So dismayed were some residents about the approval, despite all the material planning considerations that speak against it and the apparent breach of planning law, that they are now pursuing a judicial review through the courts. However, we know that, even if the judicial review finds in favour of the applicants, it will not actually change the outcome. The development will still most almost certainly go ahead.

Housing Development 20/03469/PLF

A housing development has just been given planning permission right at the very heart of our village.

This will be outside the development limit set by ERYC's own Local Plan and in a conservation area. The properties will be connected to an already overloaded sewage system, which sees our village enduring sewage floods on a regular basis.

The buildings will be made from materials which ERYC's own Conservation Officer deemed to be unsuitable for a conservation area.

Again, Newbald Parish Council objected strongly and at length to this on the grounds of multiple material planning considerations, of which the ones mentioned above are only the start. There were also significant objections received directly from many residents.

Seemingly, the removal of some 'unsightly agricultural buildings' was used to justify this totally inappropriate development being imposed on us.

In giving this development planning permission, ERYC broke many of its own rules.

- 1) This housing scheme is outside the development limits in the Local Plan. Therefore, there should have been a presumption against development.
- 2) There are no exceptional circumstances listed in Policy S4 of the Local Plan to justify the approval of this housing scheme outside of the development limit.
- 3) The Committee report written by the Planning Officer did not accept the Conservation Officer's report which criticised the development. Special regard should have been given to enhancing the conservation area by reason of the Planning [Listed Buildings and Conservation Areas] Act 1990.
- 4) The development breaches Policy H2. No affordable housing will be provided, despite that being what is needed in this village. The promised commuted sum is no substitute.
- 5) The development breaches Policy H1. The housing mix consists only of very expensive 3-4 bedroomed houses.
- 6) There is significant flood risk at the entrance to the new housing development, which is a very important material planning consideration speaking against it.
- 7) The Officer's report stated "...objections do not tip the balance against a favourable recommendation". This was the wrong approach and used the wrong starting point.

How can planning permission be granted to such schemes which are so blatantly not in the village's interest and which breach so many material planning considerations?

How can we possibly have faith in the planning system - that our objections will be heard and truly considered? We take the time to comment extensively to ensure our residents' views are represented, yet our very valid concerns appear to fall on deaf ears.

A huge amount of tax payers' money is spent on creating the Local Plan, only to have your own Planning Officers ride roughshod over it and treat our opinions with contempt. The majority of Councillors on the Planning Committee then just fall into line with whatever the Planning Officer recommends in his/her Committee Report.

Unfortunately, our disillusionment with ERYC stretches beyond the planning system.

We have significant problems with traffic and speeding vehicles in Newbald. We have spoken on many occasions over the years to ERYC Highways department about this.

Our requests for traffic calming measures are always rejected on the basis that Newbald is considered safe because there have been no casualties. On the ground we know that this is not true. There is an accident waiting to happen in our village.

Of course we realise that ERYC has a limited budget and must find a way to decide where to spend it. However, it seems that even when the financial hurdle is removed, ERYC continues to be obstructive. Recently two very generous Newbald residents offered to fund some traffic calming measures themselves. Even with that knowledge, ERYC is still refusing to engage with us in discussions about what might help.

We are constantly referred to the Community Speedwatch Scheme. We are pursuing this. However, with no disrespect to the scheme, which is very laudable, a few people out occasionally in high viz jackets are no substitute for some kind of permanent traffic calming measure. If we as a village are willing to fund this, why will ERYC not consult with us about this?

Newbald Parish Council calls upon ERYC to look at how it engages with its town and parish councils and to consider whether it actually gives their opinions the weight they deserve. We know our villages/towns and our residents extremely well and are best placed to understand, for example, the impact a housing development will have, or the true extent of traffic problems.

Newbald Parish Council members feel very strongly about this. We will be pursuing a formal complaint and intend on engaging with other parish councils about what group action we can take. We would like to arrange a formal meeting to discuss these matters further.

Kind Regards



Suzanne Smith
Responsible officer

On behalf of Members of Newbald Parish Council