

**COUNCILLOR STEPHEN BRADY**  
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Our Ref: SB/

1 September 2014

Councillor Simon Fraser  
East Riding of Yorkshire Council  
County Hall  
Cross Street  
Beverley  
HU17 9BA

Dear Simon

## **DUTY TO COOPERATE**

I write in response to your letter from Jon Palmer of the 17<sup>th</sup> July 2014 addressed to the City Planning Manager (Alex Codd). Given the level of interest the Council has with your local plan and the level of involvement I have had regarding strategic planning matters I thought it appropriate as the Leader to respond formally to yourself. This will ensure that during the examination of your local plan the Planning Inspector is very clear of the Council's position and that it reflects a member and officer perspective.

I will not be attending any of the public hearing sessions; the Council will be represented at these sessions by the City Planning Manager.

We have met on numerous occasions to discuss the progress of our respective plans and have raised a variety of matters where we have been able to reach agreement and discussed a number of other matters where this has not been possible. However what is clear is the dialogue at a member and officer level has been positive in taking these matters forward. As a result I consider you have engaged with the City Council in the production of the local plan as we have with the production of ours.

Both councils have a strong track record of working together on planning issues including the production of the joint waste and minerals plan, joint stakeholder meetings regarding our respective housing market assessments and joint project teams working on flooding, employment, infrastructure, viability and specialist housing matters. Many of these matters are summarised within the Joint Planning Statement. Both Councils have also agreed a joint strategic planning application protocol which ensures each Authority is formally consulted on significant planning applications within the Central sub area of the Joint Structure Plan.



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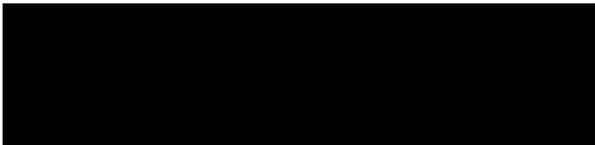
Hull City Council, The Guildhall, Alfred Gelder Street, Hull, HU1 2AA

There have been a number of areas where the Council's positions clearly differ and it is important to highlight these as I expect these matters will require further examination at the public hearing session of the local plan. These are:

1. Allocations at Hedon and Cottingham – the two sites the City Council has submitted for housing and mixed use development at Hedon should both be allocated. At no point has an adequate justification been provided for their non-allocation.
2. The designation of Key Open Areas – The Council is not supportive of this designation or the way it has been defined and drawn.
3. Flood Risk – The approach taken to allocating sites with regard to flooding has not followed a consistent approach across the East Riding and the non-allocation of any sites at Hedon seems inappropriate whilst further drainage studies are undertaken.
4. The Council is concerned that planning application decisions can on occasions be made which appear contrary to the existing local plan. In order to effectively manage this it is important the strategic planning application protocol is updated to reflect the new local plan. This is of specific importance regarding the impact certain development types may have on the functioning of Hull City Centre (for example retail).

It is for the Inspector to determine whether that level of cooperation has been sufficient to fulfil the duty to cooperate and provided the Inspector assesses this as a duty to cooperate rather than a duty to agree I consider that test has been met.

Yours sincerely



**COUNCILLOR STEPHEN BRADY  
LEADER OF HULL CITY COUNCIL**

Copies: Stephen Hunt, John Craig, Jon Palmer