



Kirkbymoorside Town Council

Planning Proposal Reference 13/01314/MOUT (Gladman Developments Ltd):

Westfields, Kirkbymoorside

Submission to Ryedale District Council – The Planning Authority

1 Introduction

Kirkbymoorside Town Council notes the application by Gladman Developments Ltd for permission to develop land at Westfield, Kirkbymoorside as follows:

‘Up to 225 no. (Use Class C3) residential dwellings, the provision of expansion land to Kirkbymoorside Community Primary School (Use Class D1), landscape, open space, highway improvement works and associated works (site area 11.6ha).’

The Town Council has discussed the current application in the light of ‘The Ryedale Plan – Local Plan Strategy’ adopted in September 2013, upon which Ryedale’s planning policy is to be based over the next 15 years and concludes that ***IT IS NOT COMPLIANT WITH THE GOVERNMENT APPROVED LOCAL PLAN.***

The Town Council would note that whilst Gladman Developments Ltd undertook a ‘discretionary’ public consultation during the development and preparation of previous planning application 12/0005999/MOUT no subsequent consultation has been carried out to support applications 13/00342/MOUT and 13/01314/MOUT. However, members of the public and the Town Council itself have been required to repeatedly submit their observations for each application. ***The Town Council strongly suggests that a public consultation be carried out in respect of the current application with a meeting being held in the Memorial Hall, Kirkbymoorside and public notice served in good time to allow the residents to make representation.***

As you will be aware from the response to applications 12/0005999/MOUT and 13/00342/MOUT many submissions have been made by residents of the town and having listened carefully to the views of residents in Kirkbymoorside and considered aspects of planning application reference 13/01314/MOUT, detailed herein, the Town Council is unable to support the application. Subsequently, the Town Council wish to record serious concerns in relation to the proposed development ***and respectfully request that these observations be circulated to all members of the Planning Committee for their consideration.***

Observations include updated statistics and attention to the following aspects of the proposed development:

- i) Background - Non-compliance with ‘The Ryedale Plan – Local Plan Strategy’
- ii) Effect on the Character of Kirkbymoorside & Surrounding Area
- iii) Critical Assessment of Identified Sites by Gladman Developments Ltd
- iv) Employment
- v) Housing Supply Estimates

- vi) Greenfield and Brownfield Sites
- vii) Environmental Impact
- viii) Infrastructure
- ix) Meeting Local Need
- x) Affordable Housing
- xi) Traffic & Safety
- xii) Public Transport

The Town Council's concerns fall into a number of important policy areas as set out above. The application is considered to be at considerable variance with a number of statements of policy in the Local Plan. Furthermore, Ryedale District Council have confirmed that there is currently a 5-year supply of development land available such that this development is not required at present. Work on sites selection should be completed before this application is considered.

The Design and Access Statement provided by Gladman is wrong in alleging that they meet all the criteria. Crucially, there are a number which are not met:

- i) it is questionable that the accommodation will be affordable to local people;
- ii) there is limited public transport, not the regular transport stated by Gladman. For example, it is impossible to get to Scarborough by bus before 9.55am, and there are no evening or Sunday buses;
- iii) the scheme does not, and will never, integrate with existing development due to there already being a clear linear boundary to the town's western edge;
- iv) adoption of public open space within this development by either the Town Council, District Council or an Investment Company – there has been no consultation on this.

2 Background

The Council notes from 'The Ryedale Plan' that policy will be directed at sustainable development and will help to support the delivery of new homes, jobs and shops to address the needs of local communities and it will look to ensure that these are carefully co-ordinated with the services and facilities that communities rely on and which are essential to well being and quality of life.

However, the planning application proposed by Gladman Developments cannot be described as sustainable as it does not satisfy the most frequently quoted definition of *sustainable* from 'Our Common Future', also known as the Brundtland Report as follows:

"Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two key concepts:

- *the concept of **needs**, in particular the essential needs of the world's poor, to which overriding priority should be given; and*
- *the idea of **limitations** imposed by the state of technology and social organization on the environment's ability to meet present and future needs."*

All definitions of sustainable development require that we see the world as a system—a system that connects space; and a system that connects time."

The Ryedale Plan will also protect those things that are important in this area and which are highly valued by local people. In this regard, Kirkbymoorside would highlight the need for the Planning Authority to take full account of the views being expressed by local people concerned with their own needs and those of the community they live in.

The introduction to The Ryedale Plan also states that while reflecting National Planning Policy, 'it establishes a local policy approach which reflects local issues, needs and requirements. This strategy aligns with national priorities...while at the same time addressing the aspirations and opportunities that have arisen throughout a lengthy consultation process with local people.' Thus the need to take account of local views and concerns is a clear policy aim.

The Ryedale Plan also points to an increasing population and increased housing need in the area in the coming 15 years due to:

- i) Inward migration of working couples, families;
- ii) Retiring households and an increasing elderly population;
- iii) Decline in the size of households;
- iv) Separations.

In this regard, the Town Council urges the Planning Authority to place the needs of the local population and community at the forefront of its decision-making, rejecting any approval that might favour inward migration with all related consequences.

3 Effect on the Character of Kirkbymoorside & Surrounding Area

While Kirkbymoorside Town Council has a number of specific concerns about the proposed development by Gladman, it has a fundamental concern about the effect of such a large site on the character of the town. The addition of 225 new dwellings and their occupants on a single site will result in a large increase in the size of the town which will impact significantly on its character.

The proposal by Gladman is a large development and not suitable for Kirkbymoorside. It contravenes local planning policy – both the previous Ryedale Local Plan 2002, and the newly adopted Ryedale Plan – both of which state that Kirkbymoorside is suitable for small to medium sized developments. The Ryedale Plan defines the scale of development as Small: less than 30 dwellings; Medium: 30 to 100 dwellings; Large: 100 dwellings or more. The Gladman proposal of 225 dwellings is far in excess of what is suitable for Kirkbymoorside, and what can be supported in the town in respect of the infrastructure and services, and therefore the proposal contradicts the policy set out in section 4 (SP2) which states that the pattern and distribution of site allocations for Kirkbymoorside will constitute 'Small-medium sized sites predominantly to the north of the A170 and to the east and west of the town avoiding coalescence with Keldholme'. The policy to restrict development to those of a small or medium scale is also related to the amount of employment in the locality, and the plan for employment land, which is just 5% of the allocated employment land in the new Ryedale Plan.

The Ryedale Plan is clear that development should not erode special local qualities (para 2.22): 'The District's high quality environment is integral to its character and appearance. Decisions over the location and amount of new development and land management need to be balanced with the need to protect and enhance the area's landscapes, townscapes and natural assets and not to undermine or erode these special qualities'.

The Town Council believes that the location of the proposed development is in conflict with both local and national planning policy. Local Plans state that development should take place within current development limits. Kirkbymoorside has a very clearly defined Western boundary, with housing right up to the development limit. The whole of the Gladman proposal is outside of current development limits.

The site is currently high grade agricultural land. The National Planning Policy Framework (NPPF) states that lower grade agricultural land should be developed before high grade land. There is low

grade agricultural land suitable for development in Kirkbymoorside that should be used rather than losing high quality and valued green fields.

The Town Council has concerns about the area allocated for the expansion of the primary school. The published plan shows the increased area allocated to the school, however it does not show the Children's Centre, which was built in 2011, and it therefore appears that more land is available for future development than is really the case.

The proposed Gladman development will increase the roll of both the school and preschool by approximately 37%. The school roll as at January 2013 is 205 pupils aged 4 to 11 years plus Nursery children. Using the NYCC guidance of applying a standard pupil yield factor of 1 Primary aged child for each new dwelling of 2 bedrooms or more it is predicted that there will be an additional 75 school pupils from 300 new dwellings. This forecast methodology suggests an overall increase in the school roll to 332 pupils over the next 15 years. This takes account of the existing demographics, those dwellings which have planning permission but not yet built and a possible 300 new allocations.

This increase in the school roll will lead to a situation where there would be no further room for the school to expand. This would inevitably result in a second school being built on another site causing problems for parents similar to those currently experienced in Pickering. Further, there are no plans to mitigate the congestion around the school at arrival and departure times. A further road junction at the end of the existing lay-by will compromise safety. The Town Council firmly believes that the school should have room to expand on the current site in order to meet the needs of the community for very many years to come and does not wish to see it surrounded by this development.

Furthermore The Ryedale Plan's Vision for the future of Market Towns states that they will be 'vibrant service centres and centres of social activity for local residents and visitors. They will act as a network of accessible and sustainable centres serving their wide rural hinterlands. The focus of new homes jobs and shops: they will have each retained their individual and unique identities.... Kirkbymoorside will remain the relatively small and busy local market town that it is today, focussed on providing for the everyday needs of local people...'

Reference has already been made to the local population increasing due to inward migration. The definition of 'local people' therefore needs to be carefully weighed in relation to this application. In this regard, the primary focus must be on existing residents and not those attracted into the area to live (while working elsewhere) by the creation of a large residential development.

4 Critical Assessment of Identified Sites by Gladman

There are a number of issues with this document:

- i) This document has been compiled by a consultant working on behalf of Gladman, and is therefore a biased view of the other sites in Kirkbymoorside, written to support Gladman's application rather than an objective view. The District Council should complete their site selection methodology process, which includes looking at brown field sites that could provide up to one third of the development land needed in Kirkbymoorside, and use this to provide a list of sites suitable for development. In the absence of this, it is viewed that there are sufficient alternative sites to provide the required development land without using prime green field land outside the development limit.
- ii) The document lists proposed development sites in Kirkbymoorside and then gives various reasons why, in the consultant's view, these are unsuitable, suggesting there is insufficient land suitable for development. RDC Forward Planning officers do not substantiate these assumptions.
- iii) The Critical Assessment of Identified Sites report commissioned by the applicant is at variance with the SHLAA which views the other sites in a much more positive light. It wrongly states that the Manor Vale site, (recently sold by NYCC) is in commercial use.

- iv) The consultant ignores the fact that the Local Planning Authority (LPA) can make an allowance for windfall sites in its allowance for providing sufficient sites for development.
- v) In summarising, the consultant says that if a site is suitable and the proposals are acceptable, then planning permission has to be granted.

5 Employment

There has been considerable discussion about the need for new development on the scale of the Gladman proposal in the light of:

- i) the current employment situation in Ryedale and, specifically, in the Kirkbymoorside area and;
- ii) the present macro-economic situation which continues with an uncertain outlook.

While the policy aims within 'The Ryedale Plan' are to be commended in terms of objectives to expand employment opportunities and create work for younger people, there is doubt as to whether, in present or any future circumstances, the growth in employment opportunities in the immediate area can keep pace with housing provision on the scale suggested. In this context, the Town Council notes that 37 ha of additional employment land is allocated to meet need in the district, 5% of which is for the Kirkbymoorside and Helmsley area. This allocation appears to be out of proportion with the allocation of 10% of housing requirement in the coming 15 years (300 houses) to Kirkbymoorside.

Inward migration will be the result of oversupply of housing in relation to employment opportunities by people wishing to continue to work in Leeds, York and Scarborough but who choose to live in attractive surroundings (para 2.24 Ryedale Plan: 'The area is accessible to centres of employment in York, Leeds and Scarborough and proves an attractive location for those who wish to commute to work elsewhere'). To encourage commuting to a significant extent by approving a development of this type would only lead to additional traffic, congestion and pollution especially as public transport links from the town are recognised to be poor at present (para 2.34):

'Ryedale is characterised by low levels of public transport provision....Ryedale is one of the least accessible areas of the sub-region in terms of ability of residents to access employment and services by public transport'

6 Housing Supply Estimates

The Gladman proposal provides for up to 225 residential dwellings. The Ryedale Plan establishes a level of house building of an annual average completion rate of 200 units in order to deliver at least 3,000 new homes in the period 2012-2027. Within this figure it sets an objective for Kirkbymoorside of 300 houses in the 15-year period on sites that are:

- i) within current development limits and;
- ii) small-medium sized sites predominantly to the north of the A170 and to the east and west of the town avoiding coalescence with Keldholme.

The Gladman proposal would supply the 225 dwellings over some 6-8 years, fulfilling 75% of the Kirkbymoorside target on a single site. This objective must be questioned especially in the light of the Ryedale Plan's statement that developments in Kirkbymoorside are to be on 'Small-medium sized sites' and 'Within current development limits'. In this regard it is appropriate, again, to consider the size of the development in relation to the size of the town overall: whereas a site of 260 homes over a period of 6 years may be considered small in relation to the size of Scarborough or York, it is exceptionally large in relation to Kirkbymoorside. As previously stated, the size of this

proposed development is outside the scope of the policy set out in the Ryedale Plan which defines a 'large' development as 100 dwellings or more. Approval of the application would therefore appear to be at variance, once again, with policy.

The figure of 300 houses for Kirkbymoorside included within the Housing Supply Estimates does not take into account the provision of so-called 'windfall' sites, which add to capacity and the potential to further increase the extent of development in the town. The Ryedale Plan points out (para 4.11) that in 2002-11, 82% of the 1442 homes built in Ryedale originated from unanticipated 'windfall' sources. In recent years, the Town Council estimates that close to 100 houses have been built in Kirkbymoorside alone on windfall sites in addition to those identified by planners. On the assumption that this trend will be maintained, the total number of houses that could be built in Kirkbymoorside in addition to the Gladman development, if approved, could be substantial leading to even greater enlargement of the town and consequent problems.

7 Greenfield and Brownfield Sites

Evidence suggests that there is a substantial availability of brownfield sites in the Kirkbymoorside area that could and will be developed in the coming years. Figures obtained from Ryedale District Council show that, excluding Russell's Yard for which development permission was granted in 2012, there are estimated to be brownfield sites in Kirkbymoorside with sufficient capacity for around 200 houses. This represents two thirds of the requirement for the next 15 years! To these would certainly be added further 'windfall' sites. We conclude from this that there is likely to be a sufficient supply of development land without considering the use of farmland.

The Ryedale Plan recognises that while the number of brownfield sites is necessarily limited, preference is to be given to the development of such sites (para 3.7):

'The redevelopment of Brownfield sites will generally enhance their [the 5 Towns] appearance, reduce the need to use greenfield land and provides an opportunity to clear contamination'.

In this context, applications to redevelop Brownfield sites in the town should receive priority over the development of high quality farmland on the edge of town in accordance with the recommendations of national and local plans.

Furthermore, we note that a public right of way crosses the farmland that is the site of the proposed development. The NPPF states that developments should protect **and enhance** public rights of way. While we note that the footpath is protected, we question whether it could be enhanced by the construction of 225 dwellings.

8 Environmental Impact

In addition to the loss of good quality agricultural land this proposal would have a considerable adverse effect on the environment. The site is easily seen when approaching the town from the west, and existing development on the boundary is all single storey. This development will have two storey buildings so the impact will be greater. Also, the site slopes upwards from south to north, so the buildings would be easily viewable from the south, including from the Howardian Hills.

The Plan also states that new buildings are erected only where these would not materially detract from the open rural character of the countryside – which this development obviously does.

Furthermore the understanding is that this size of development should not feed into a mixed drainage system particularly as flooding is an issue in the area, with Kirby Mills and Keldholme affected by river and surface flooding, made worse by the inability of the drainage system to cope with water in Kirkbymoorside. The existing waste water treatment works and the sewerage system do not have the capacity to cope with the waste water from this development, as identified by

Yorkshire Water. Even if the development meets the restrictions placed by Yorkshire Water, there remains a concern that this size of development would make existing problems worse. The NPPF states that public rights of way should be enhanced and protected. Changing a public footpath from a route across fields to a concrete / tarmacked pavement is not protecting and enhancing public rights of way.

9 Infrastructure

The Town Council has been greatly concerned in its discussions about the proposed Gladman development on the effect of such a significant number of houses on the town's infrastructure. While it notes that contributions from developers to infrastructure and services via Section 106 Agreements and going forward the proposed implementation of CIL funds seek to overcome such concerns, there is nevertheless concern in relation to flooding as well as provision of education and medical services in particular.

In the past year considerable work has been carried out by Yorkshire Water to attenuate the surface water drainage systems in certain areas to ensure alleviation of future flood risks. The proposed Gladman development would create a huge area of tarmac and concrete, which would concentrate rainwater drainage into a relatively small soakaway area, which could easily increase flooding risk in new areas of the town and surroundings.

The Ryedale Plan recognises difficulties being imposed on us by climate change and especially flooding:

'A changing climate causes changes to weather patterns and there is forecast to be greater extremes of weather: from heavy rain, which causes river and flash flooding.'

Given the known problems of flooding in the area it seems unwise to proceed with such a large single development, which can only exacerbate a flooding risk, which is already recognised to be significant. It is recognised that creation of large developments may not always lead to flooding problems in the immediate vicinity of the development itself; the risk may be displaced to other areas where flood waters accumulate. Given the size of this proposal, such risk must be significant and we question whether existing drainage and pumping arrangements will be able to manage the larger concentrated amounts of rainfall now being seen and projected for the future.

The Town Council is also concerned that the influx of perhaps 225 new families into the town would also create significant pressure on education and medical provision in the town. It requests the Planning Authority to consider and advise the Council on how such pressure would be met such that the educational needs of young people and medical needs of all would not be compromised. In relation to the school, adequate room for future expansion must be retained on the present site that currently affords children a pleasant and open environment. Moreover, it is important that all levels of educational provision are maintained on the same site from nursery and pre-school, children's centre and through to the end of primary. It does not appear sensible to box the existing school in to the extent where future provision might have to be considered in terms of split sites or completely new construction when adequate space now exists. It is also important to note that the Government supports the need for schools to have sufficient space and playing field area to underpin the opportunity for children to develop sporting excellence in the coming years. Such opportunity must never be denied children in Kirkbymoorside.

10 Meeting local need

At this stage, detailed planning permission is only requested for access and outline planning permission for the residential development that consists of properties in a range of sizes and

tenures. It is questionable as to whether there has been sufficient consultation over the details of the residential development, and particularly whether the properties will meet local need and affordable housing requirements. Planning permission should not be given where there is uncertainty that local needs will not be met.

11 Affordable Housing

In principle, Kirkbymoorside Town Council welcomes provision of affordable housing where this:

- i) Genuinely services the needs of local people. It is vital that the number of affordable dwellings to be provided meets current and anticipated need among local families and young people. It is unacceptable that local people in need are obliged to reside elsewhere due to inadequate supply; equally it is unacceptable that people from other areas should be housed where supply exists: this can only lead to disquiet among those involved and unnecessary pressure on facilities in the area they are housed.
- ii) Reduces homelessness
- iii) Supports economic activity through the provision of housing to local workers otherwise unable to afford to stay in the area. Supporting people's wish to work and remain in the area and avoid 'brain drain' is an essential objective of affordable housing, linked to providing opportunities for work and for accessing transport within the local area as well as other services.

The Council notes the SP3 policy statements in the Ryedale Plan which stipulate that provision of 35% of new dwellings should be of the affordable type. Information obtained from Ryedale District Council shows a current need in the Kirkbymoorside Ward for 10 affordable houses and a further 6 per annum over the next 5 years, making a total of 40. On the assumption that the figure of 225 dwellings is used to calculate the requirement for affordable units at the 35% level, 79 units would be created. This represents an oversupply of 39. Spare capacity would undoubtedly fulfil part of Ryedale's overall need but would unnecessarily exacerbate inward migration into Kirkbymoorside with consequent pressure on facilities and services.

In setting any conditions on future affordable housing to be built in the Kirkbymoorside area, the Town Council seeks assurances from Ryedale District Council that:

- i) supply will be balanced with local demand;
- ii) restrictions would be placed on those who could reside in affordable housing, favouring those from the local area and;
- iii) Kirkbymoorside Town Council would be consulted on the type of affordable housing to be provided in order to ensure a proper balance be achieved between rented housing schemes and/or shared equity schemes.

12 Traffic & Safety

The Town Council is concerned that the proposed development would lead to an unacceptable increase in the level of traffic in the Kirkbymoorside area:

- i) between the new estate and the town given the relative distance between the two (especially also in the light of the recent decision to grant Tesco permission to build and open in the town);
- ii) between the new houses and the school (despite the proximity) and consequent parking and congestion problems around the school;

- iii) between the estate and secondary schools in the area and;
- iv) to and from the town to the new residents' places of work which, as pointed out above, would often be distant from Kirkbymoorside.

There would be consequent effects on parking in the town that is already congested, in addition to health & safety issues at junctions (onto the A170 and at the school).

The Ryedale Plan recognises this growing problem:

2.7 Ryedale has one of the highest rates of road accident injuries and deaths in the country and

2.35 There are [also] notable congestion problems in some of the Market Towns that arise from a combination of increased traffic, a constrained historic fabric, seasonal and 'through' traffic. This results in environmental problems and impacts on quality of life, health & safety. Congestion also detracts from the appearance and experience of the Market Towns.

The proposed Gladman scheme has failed to take account of traffic and vehicle movement issues in Kirkbymoorside. The Town Council is unable to understand how the Gladman application can be considered in the absence of a decision on the junction with the A170 as this is such a key element of the proposal and failure to resolve this in advance of consideration could lead to serious consequences for the town from congestion and for through traffic as well as safety in the coming years.

The additional traffic resulting from 225 dwellings would all be using a single entrance/exit onto the busy A170 directly next to the local school and the playgroup & After School Club building. There is likely to be an adverse effect on highway safety as a result, as well as a risk to users of the school and playgroup & After School building. Congestion is already a problem at busy times, which would be exacerbated by this development. Another factor is the narrowness of the two main access roads into town from this development: West End and Tinley Garth.

Traffic and road safety issues are of concern in Kirkbymoorside already. A large development of the size proposed would add to these problems to the extent they could become unmanageable. Environmental problems would be increased, congestion would be multiplied and the health and safety of residents and visitors to the town compromised.

13 Public Transport

Consultation for the recently proposed cuts to bus service subsidy has again highlighted the inadequacy of public transport serving Kirkbymoorside and peripheral areas. This relative lack of public transport provision to and from Kirkbymoorside has been of concern for a long time. Communications with Malton (and therefore the railway to York, Leeds and Scarborough) are indirect and difficult while the bus service along the A170 is slow and infrequent.

Having examined all the bus routes currently serving Kirkbymoorside, it is clear that:

- i) they do not meet the requirements of people who work in Scarborough or even Pickering, it being impossible to travel by bus in the mornings in time to start work at or before 9am;
- ii) direct bus communications with York similarly do not allow people to travel to and from work and;
- iii) the twice weekly service to Malton is likely to support only the infrequent needs of shoppers.

There is growing concern that a reduction in public transport would result in isolation for certain parts of the community. Reductions to the 174 and 177 bus services will restrict travel between Kirkbymoorside and the surrounding villages. This is especially implicit for those who need to travel

further afield and rely on buses to connect to the mainline railway station at York. The 31X is directly relevant to Kirkbymoorside because it is our connecting service to York. Passengers use the EYMS 128 to do the journey between Kirkbymoorside and Helmsley in order to use the 31X. The 128 is not under threat, but one of the 31X services is, leaving only one return service per day, which gives about 2 hours shopping time in York and severely restricts choice of train services.

An additional point of concern is the revision to the Coastliner timetable for the No. 840 bus service (Thornton-le-Dale/Pickering/Malton/York/Leeds) which now departs Pickering Eastgate at 9.04am as opposed to 9.18am. This earlier departure means that residents of Kirkbymoorside and peripheral villages along the A170 to Pickering are no longer able to access the No.840 because there is only a 2 minute window between the connecting bus EYMS No.128 which arrives at Pickering Eastgate at 9.02am. The next bus to depart from Pickering is 2 hours later and subsequently if you have the misfortune that the No.128 is delayed by 120 seconds the earliest time you can expect to arrive in Malton is after 11am.

In summary public transport to and from Kirkbymoorside is inadequate to meet current need. Significant expansion to the transport facilities would be required to offset the demand created by a very large new housing development which includes a high proportion of affordable housing. Our conclusion is that granting of planning consent would lead to greater congestion due to an increase in car traffic; isolation for certain parts of the community unable to access adequate transport services; increased pollution from car traffic; and a reduction in road safety and increase in accidents.

In summary the Council members believe that the proposed development is not suitable as:

- it is too large for the size of the town;
- it is on good quality agricultural land, it is entirely outside of development limits;
- there are issues over the infrastructure and access and safety onto a busy highway and proximity to the school;
- there is no assurance that it will meet the needs of local people.