

## **Independent Examination of the Ryedale Plan – Local Plan Sites Document**

### **Statement by Adam Purser in response to the Inspector's MIQs**

#### **Matter 3 – Housing**

Specifically Policy SD7 – Housing Allocation – Land to the South of Swineherd Lane  
Kirkbymoorside

In response to the Inspector's over-riding Issue asking whether this site allocation is consistent with the stated Local Plan Strategy, the answer is no. Consequently SD7 should be removed from the Ryedale Plan.

Section 3 subsection 26 (page 24) of the Local Plan Strategy is very specific that “The historic character of each of the three northern Market Towns [Kirkbymoorside, Helmsley & Pickering] is an important feature of them. The ability to assimilate new development at the towns in a way which does not undermine their historic character or surrounding historic landscapes will be a key consideration in the selection of new development sites at these towns.” To protect the historic character and landscape of Kirkbymoorside five Principles are clearly laid out (page 38) under Plan Aspirations and Strategy specifically concerning the choice of sites for future development in Kirkbymoorside. However, examination of SD7 against these Principles shows that it does not comply with three of them.

The first Principle listed states that any development should “Avoid[ing] coalescence with Keldholme and Kirby Mills”. Development of SD7 would considerably reduce the visual separation between all these settlements and move the eastern boundary of the built form and Development Limits of Kirkbymoorside to align with the western boundary of Kirby Mills, with the result that visually the two settlements will appear to merge when approached from either the south (Malton) or the east (Pickering), especially during winter when there are no leaves on the trees (all the surrounding trees are deciduous). In response to my original Representation the Council try to include the sports-field as part of the built form of Kirkbymoorside. However, the sports-field is not, and will not be, within the Development Limits of the town. In addition it has to be remembered that all the permanent structures associated with the sports-field have been carefully positioned to be due south of the existing built form of the town, with only the bowling green, tennis courts, and football/cricket fields due south of SD7. Consequently SD7 does indeed significantly reduce the physical distance between the built form of Kirkbymoorside and Kirby Mills, and most importantly the visual appearance will be that the settlements have merged when approached from Pickering and Malton. Consequently SD7 should not be included in the Plan.

The fourth Principle states that “In accommodating new development the town [Kirkbymoorside] retains its strong, traditional north/south axis and form in the landscape.” However, a major development has already been approved extending the boundary of the town to the west, and SD7 will considerably extend the Development Limits of the town to the east, thus completely undermining this traditional historic north/south axis of the town and its setting and form in the landscape. Consequently SD7 should not be included in the Plan.

The fifth Principle refers to “Safeguarding long distance views towards and across the town and into the Moors.” Development of SD7 will directly affect the long distance views towards and across the town and into the Moors when the town is approached from either Pickering or Malton. These views of Kirkbymoorside were deemed so important that the whole area to the east of the town was given protected status when it was designated as a Visually Important Undeveloped Area (VIUA) and this included the area now termed SD7. Development of SD7 would have a significant impact on these supposedly protected views and more consideration should have been given to the

impact on these views when deciding on the suitability of SD7 for housing development, rather than just removing its protected status. However, removing SD7 from the area designated as a VIUA does not alter in any way the fact that its development certainly will affect the long distance views towards and across the town and into the Moors. The Council themselves confirm this very fact as they only intend to remove SD7 from the VIUA if it is included in the Plan. If it is not included in the Plan then SD7 remains in the VIUA because it meets the relevant criteria for inclusion in the VIUA. A separate Statement will be made concerning VIUAs and the way that SD7 was removed from its protection.

Most importantly it has to be remembered that SD7 is being examined against the Local Plan Strategy, and its development will have a serious impact on the long distance views towards and across the town and into the Moors whatever its VIUA status, so obviously it should not be included in the Plan.

Considering all the above the selection of SD7 is not consistent with three of the five Principles stated in the Local Plan Strategy and its development will seriously undermine the stated historic character of Kirkbymoorside and especially its setting in the surrounding historic landscape.

In response to the Inspector's specific question 3.17 g, one of the most serious adverse impacts of developing SD7 is that it has the very obvious potential to cause a domino effect along the whole of Swineherd Lane right through to the end of the 30mph limit. The potential developer has already indicated in his letter of support for SD7, dated 21<sup>st</sup> December 2017 to Mrs J Thompson, that one of his options would be to include the next field to the east of SD7, originally numbered site 666, in his subsequent planning application, which visually from all directions would then make the coalescence of Kirkbymoorside with Kirby Mills complete, contrary to the Principles stated in the LPS. It is also known locally that the developer, or his representative, has already approached both the owner of the next field to the east of site 666 along Swineherd Lane, and the owner of the fields beyond that, Keldholme Poultry Farm, all the way up to the 30mph limit, which if developed would then make the visual coalescence of Kirkbymoorside and Keldholme complete, again contrary to the Principles stated in the LPS. Under the current very flexible planning rules, with the presumption in favour of development, it is difficult to see how this encroachment along Swineherd Lane can be resisted if SD7 is included in the Ryedale Plan. This vulnerability is emphasised by a Representation made by Nineteen 47 in favour of site 666. In it, it is stated that the inclusion of the site 666 in the VIUA is arbitrary "given its adjoining and similar nature to site 156" (which will only be removed from VIUA status if developed), indicating they do not see this VIUA status as any impediment to obtaining future planning permission. In all other respects site 156 had the same limitations as site 666 – presence within the Fringe of the Moors Area of High Landscape Value, and being part of an identified strip field system – so if site 156 can be developed then why not site 666; the answer of course is that neither comply with three of the five Principles stated in the LPS so neither should be developed.

In response to the Inspector's question 3.17 j, the point seems to have been missed that Swineherd Lane is effectively a cul-de-sac, with all the known concerns regarding single access for emergency vehicles. Swineherd Lane currently serves Yoadwath, the new Ravenswick Hall development and four associated houses, Low Park Farm, and 21 other properties. In addition site SD9 is already in the planning system. The only vehicular access for these 35 properties is from Swineherd Lane, accessed from the junction with Old Road. This junction is inadequate for the traffic already using it because there is a serious problem with the angle of approach of Swineherd Lane to Old Road, being approximately only 40 degrees. Large vehicles therefore have difficulty making the turn and regularly have to mount the pavement, adjacent to the entrance to the local children's play area, just to complete their manoeuvre. As a result this footpath regularly becomes cracked and broken and in need of repair. Intensification of the use of this junction by further development off Swineherd

Lane is only going to increase the obvious danger to the children using this very busy facility. These highways issues do not seem to have been considered when assessing SD7.

In view of all the above issues concerning SD7, it is difficult to understand why this site, with an "Outcome Grouping" of only 2 in the very detailed and comprehensive Site Selection Methodology, has been so actively promoted by the Council. SD7 begins with "no reasonable prospect/very unlikely that concerns identified at Stage 2 of the SSM can be mitigated or sufficiently mitigated or, there are compelling reasons which indicate that a site is not deliverable or developable" (quoted from page 43 of the Kirkbymoorside Background Paper for sites in Group 2). Its progress to becoming the key new site for Kirkbymoorside, accounting for well over 50% of the residual housing requirements, does not seem to have any real public consultation, resulting in the almost complete lack of awareness in the area of its proposed development. Despite extensive research of the available documents it is not possible to ascertain just when, how, or why SD7 became such a favoured site.

Considering all the issues raised, it is respectfully requested that SD7 is removed from the Ryedale Plan .