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Forward Planning Manager  
Forward Planning and Conservation  
Ryedale District Council  
Ryedale House  
Malton  
North Yorkshire  
YO17 7HH

12<sup>th</sup> March 2019

Dear Jill,

**RYEDALE SITES LOCAL PLAN – LAND AT SWINEHERD LANE, KIRKBYMOORSIDE – W&W ESTATES - SITE REF. SD7 – RESPONSE TO MAIN MODIFICATIONS**

We write on behalf of our client W&W Estates to provide Ryedale District Council (RDC) with their response to the Sites Local Plan Main Modifications consultation. The comments are made in association with their land interest at Swineherd Lane, Kirkbymoorside, which we maintain is a deliverable residential development site that should be retained as a housing land allocation within the emerging Ryedale Sites Local Plan.

Our client fully supports the retention of Site Allocation Ref. SD7 within the Sites Local Plan. They do however object to RDC's latest rejection of the proposed expanded site area as a potential housing allocation.

Both the proposed site allocation area and the proposed expanded site area can deliver a number of community benefits to meet the needs and aspirations of the local area over the plan period.

W&W Estates land interest at Kirkbymoorside is located in a suitable and highly sustainable location in respect of existing settlement form and there are no technical or environmental (built and natural) constraints that would preclude the development of the site.

At the examination in public we also provided evidence to demonstrate that the development of the expanded site option would not create issue of coalescence with Keldholme on account of existing landscape boundary features and the existing settlement boundary of Kirkbymoorside.

The evidence previously submitted to demonstrate the deliverability of both Site Ref. SD7 and the proposed expanded site area remains valid. As does the justification provided to argue for the need to release the expanded site area to meet the District's identified housing needs. For this reason we will refer the Council to our previously submitted hearing statements, rather than repeat them here.

However, given nearly 6 months has passed since the submission of our hearing statements and the examination in public, we consider it pertinent to provide an update on the delivery of those sites which we previously identified question marks over.

**DELIVERABILITY CONCERNS WITH THE PROPOSED HOUSING ALLOCATIONS IN KIRKBYMOORSIDE**

At the time of writing, no planning application has yet to be submitted at Site Ref. SD8 Land to the North of Keld Head Close, Kirkbymoorside. At the hearing sessions objections were raised in respect of the allocation of the site. No developer was present at the hearing sessions to defend the site either. There

can therefore still be some doubts placed against the delivery of the site. Or at least a potential delay to the site's delivery by approximately 18 months associated with the landowner seeking outline planning consent themselves, followed by land negotiations with a housebuilder and the subsequent need for the housebuilder to submit a reserved matters planning application to deliver their own preferred scheme.

More seriously, the continued absence of developer commitment could be due to the site not being considered deliverable by housebuilders at this stage. Issues that are not a consideration in respect of the W&W Estates' expanded site option at Swineherd Lane, Kirkbymoorside, so providing greater certainty of contributing to RDC's housing delivery targets within the settlement in the plan period.

### **DELIVERABILITY CONCERNS WITH EXISTING RESIDENTIAL COMMITMENTS**

The Sites Local Plan includes two existing Gladman Developments planning consents located in Kirkbymoorside and Sherburn. Sites which have benefited from planning permission for some time and which still show no signs of being developed at the point of writing this statement, almost 6 months since the hearing sessions took place.

With regards to the site at Kirkbymoorside, the reserved matters application submitted in November 2017 is no closer to being determined. We are also still not aware of any developer interest in the site. Therefore, whilst the risk that the site will never come forward for development is very real, due to the continued delays associated with the site's delivery, a stronger case can now be made that the whole of the development will not be delivered before the end of the Ryedale Local Plan Strategy plan period of 2027.

Due to the site's size, there would be one development/selling outlet delivering new homes at the site. It is therefore anticipated that the development will deliver a yield of at least 35 homes per annum, which would mean that subject to the delays to commencement of development identified above, the site would still have remaining dwelling capacity beyond 2027.

We anticipate that the site is still at least 18 to 24 months away from commencing development due to the need for an agreement to be reached with a developer; for that developer to secure planning permission for their own house types; and due to the lead in time associated with initial site infrastructure works. Consequently, if the site should come forward, we would expect first dwelling completions to take place no earlier than the monitoring year 2021/2022. The shortfall in homes from the site within the plan period would also translate to the reduced delivery of affordable homes as well.

For the avoidance of any doubt, on account of the site's planning and development history, we are still of the clear view that there are substantial question marks associated with whether the site will be delivered at all. A view shared by the majority of the development industry.

As a consequence, there remains a question mark as to whether the Sites Local Plan can ensure the delivery of the identified market and affordable housing needs of Kirkbymoorside established in the Ryedale Local Plan Strategy document.

The same deliverability issue can also be raised for the Gladman Developments site located at Manor Farm, High Street, Sherburn. No reserved matters application was submitted to RDC ahead of the required November 2018 deadline. Accordingly, this permission has now lapsed. Consequently, it is our view that reference to this site/permission within the Sites Local Plan should be removed. Creating a deficit of 73 homes.

The combined number of homes from the two sites equates to **298 homes** that RDC have included within their current housing delivery calculations, which we still believe are unlikely to come forward.

We therefore maintain our view that RDC should seek to replace these sites with sites that are demonstrably more capable of delivering housing in sustainable locations within the District. Our client's expanded site option at Swineherd Lane, Kirkbymoorside, which could deliver an additional 35 homes (80 homes in total including existing proposed allocation Site.Ref.SD7) of the 298 homes within the next 5 years, would be one such site.

Relying on existing committed developments that do not provide certainty of delivery will result in the loss of the socio-economic benefits associated with the delivery of these homes, including the provision of up to **105 affordable homes**, which are of course in great need and demand in the District.

The evidence provided completely justifies our continued request for RDC to allocate our client's expanded site option at Swineherd Lane, Kirkbymoorside prior to the final adoption of the Sites Local Plan.

## CONCLUSION

Our client's Swineherd Lane, Kirkbymoorside proposals represent a deliverable residential development that will create a sustainable, high quality and accessible development which will provide significant social and economic benefits to Kirkbymoorside and the wider Ryedale District area.

We maintain our view that RDC should identify our client's expanded site option at Swineherd Lane, Kirkbymoorside as a housing allocation within the Ryedale Local Plan Sites in order to contribute to the potential shortfall of homes on account of deliverability concerns associated with other housing sites currently identified within the Sites Local Plan. Specifically, Site Ref.SD8 and the two Gladman Development sites located in Kirkbymoorside and Sherburn.

Finally, as the additional homes that could be provided by our client's expanded site proposals would only amount to 1% of the District's total housing requirement, providing further flexibility should other potential sites not prove deliverable in future years.

We trust that the information provided will be taken into consideration in the preparation of the final Ryedale Sites Local Plan prior to its proposed adoption. Should you need any further information or wish to discuss any of the points made in these representations further please do not hesitate to contact me.

Yours sincerely



**PAUL BUTLER**

Director

