Kirkbymoorside Town Council

Application No: 17/01449/MREM

Applicant: Gladman Developments Ltd

Westfields, Kirkbymoorside

Kirkbymoorside Town Council notes the application by Gladman Developments Ltd for consent of the following reserved matters: proposed development of up to 225 (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 would raise the following observations:

i. **Access - highway improvement works and associated works (site area 11.6Ha).**

Of great concern is the failure by Gladman Developments Ltd to address the anomalies of the design and functionality of the proposed access arrangements, as identified by the Planning Inspectorate in the Appeal Decision associated with Appeal Ref APP/Y2736/A/14/2217803.

The suggested form the highways junctions should take to accommodate the adjacent access to the school and operation of the nearby recycling facility has not been modified from the original proposal and remains inadequate. The inspector identified that 'an acceptable form of junction layout can be achieved on land in the Appellants' control or within the public domain and that no party would be adversely affected by adopting this approach.' However the plans provided do not account for any adjustment to the access arrangements.

The proposed access arrangements submitted in application 17/01449/MREM, Appendix A (2017 Proposed Access Drawings), demonstrate minimal variance to those detailed in application 13/01314/MOUT, drawing 1271/05 at the end of the Transport Assessment, as per Appendix B (2012 Proposed Access Drawings). The only variance that is evident is the proposed pedestrian crossing on the A170 via a splitter island to access the proposed westbound bus stop. The sites of the proposed bus stops raise a number of safety concerns not least being the close proximity to two junctions, the requirement to traverse the A170 to access the westbound bus stop and the absence of any shelter/protection for pedestrians afforded by nearby structures or foliage.

The following faults in the junction design, as identified by the Inspector, remain in evidence on the access drawings:

a) It is difficult to reconcile the design standards in accordance with the Design Manual for Roads and Bridges (DMRB) and the layout on the submitted plans;

b) The scheme access is to the A170 and incorporates two right turn features, a shared cycle and pedestrian route, two bus stops and access to the school and recycling facility. This presents clear potential for vehicle/pedestrian/cycle conflict; and

c) The access onto the A170 is situated where the speed limit is at a change point from a 40mph to the national 60mph speed limit, where there is no street lighting.

As part of the Appeal process a site traffic assessment was carried out around the entrance to the Primary School. The Inspector identified problems if the existing access design for the appeal scheme was pursued, as there was considerable congestion caused by motorists entering the lay-by from both ends. Furthermore, in the morning there was consistent abuse of the keep clear zone, with many drivers seeming to view this as an invitation to stop, forgetting that it is there to maximise the visibility of and for children crossing the road. The right turn into the lay-by from the site access road was similarly identified as problematic, especially with children emerging from waiting vehicles on both sides of the lay-by.

The Inspector identified the safety hazard posed by uncontrolled use by cyclists and pedestrians of the emergency access immediately to the east of the school. The new plans make no accommodation for the use of opening or demountable guardrails as a safeguard and the problems on the stretch of Westfields nearer the town centre, where footways are narrow and the street heavily parked, remain valid.

Of additional concern is the allocation of space for the Recycling Bay. Presently the recycling containers are located in the lay-by. The container for plastic recycling measures 4.75m by 2.30m and requires access from both sides. Additionally there are other bins for card/paper and glass that range in size up to 2.0m in depth. The design drawings propose the introduction of a 2.5m wide recycling bay for service vehicles/cars and 2.0m hard standing area designated for the recycling bins with a proposed 2.0m wide footway passing behind the recycling bay. This allocation is inadequate to accommodate the recycling facility, manoeuvrability of the recycling service vehicles, through traffic and pedestrian access and it will require broaching the area of foliage that acts as a buffer to the Community Primary School from the noise and pollution of the traffic on the A170. The design layout of the layby is entirely unrealistic.

ii. **the provision of expansion land to Kirkbymoorside Community Primary School (use class D1)**

The school roll as at January 2018 is 246 pupils aged 3 to 11 years, a 16% increase from the 206 registered in January 2013. 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 171 school pupils from the proposed new dwellings. This forecast methodology suggests an overall increase in the school roll to in excess of 400 pupils over the next 15 years.

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 additional 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.

iii. **landscape**

The planting schedule detailed on drawing 4751-L-101 denotes that all planting and turfing is to be undertaken within the first planting season following the completion of construction of the development. However, this is contrary to the requirement stipulated in the draft S106 Agreement to have public open space and play area for a phase to be available once half of any phase is occupied. The boundary vegetation to the north, west and south should be planted prior to any development to ensure that the view of Kirkbymoorside remains rural and the development is

obscured by vegetation so as not to expose it as a building site. The eastern boundary should be planted as each building phase begins.

iv. **open space**

Condition 7, as detailed in the Appeal decision, has not been satisfied in entirety. Specifically, the areas laid out as formal Public Open Space on the Site Layout drawing G/K/SL/01 does not equate to at least 1.5ha. Furthermore, whilst two areas have been allocated for play, there is no allocation for Public Open Space which is suitable and available for ball games. The condition specifies that the design of this area should be submitted to and approved by Local Planning Authority prior to the commencement of the development.

v. **proposed development of up to 225 (use class C3) residential dwellings**

Kirkbymoorside Town Council reiterates the concerns raised in response to previous planning applications 12/00599/MOUT, 13/00342/MOUT, and 13/01314/MOUT, submitted by Gladman Developments Ltd, that the detrimental effect of such a large site on the character of the town remains of fundamental importance. 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 site lies on the edge of National Character Assessment 25 (NCA25): North Yorkshire Moors and Cleveland Hills and just to the north of the NCA26: Vale of Pickering. Its Local Character Assessment is of undulating farmland, comprising three fields down to grazing and one in arable use with field boundaries consisting of a mixture of hedgerows and trees. The Inspector identified that with the loss of openness the sites character would change fundamentally if developed. The rural open appearance makes a positive contribution and the loss of open aspects remains a strong objection. The Town Council would reiterate the Inspectors assessment that the resultant change in view from the south, where the town would appear greatly extended to the west for a long time, rests uncomfortably alongside LPS Policy SP2 and carries appreciable negative weight to the application.

In addition to the loss of good quality agricultural land this proposal would have a considerable adverse effect on the environment. The Inspector acknowledged that 'the land is agricultural classification 3a and 3b, meaning that some is the best and most versatile farmland.' 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 Town Council remains concerned about the effect of such a significant number of houses on the town's infrastructure. While it notes that Gladman Developments Ltd will contribute, via CIL Compliant Section 106 Agreements, to education, highways and a Travel Plan, affordable housing, open space and subsequent management of the site, following completion of the development, there is nevertheless concern in relation to the impact on the education and medical services in particular and the inadequate public transport.

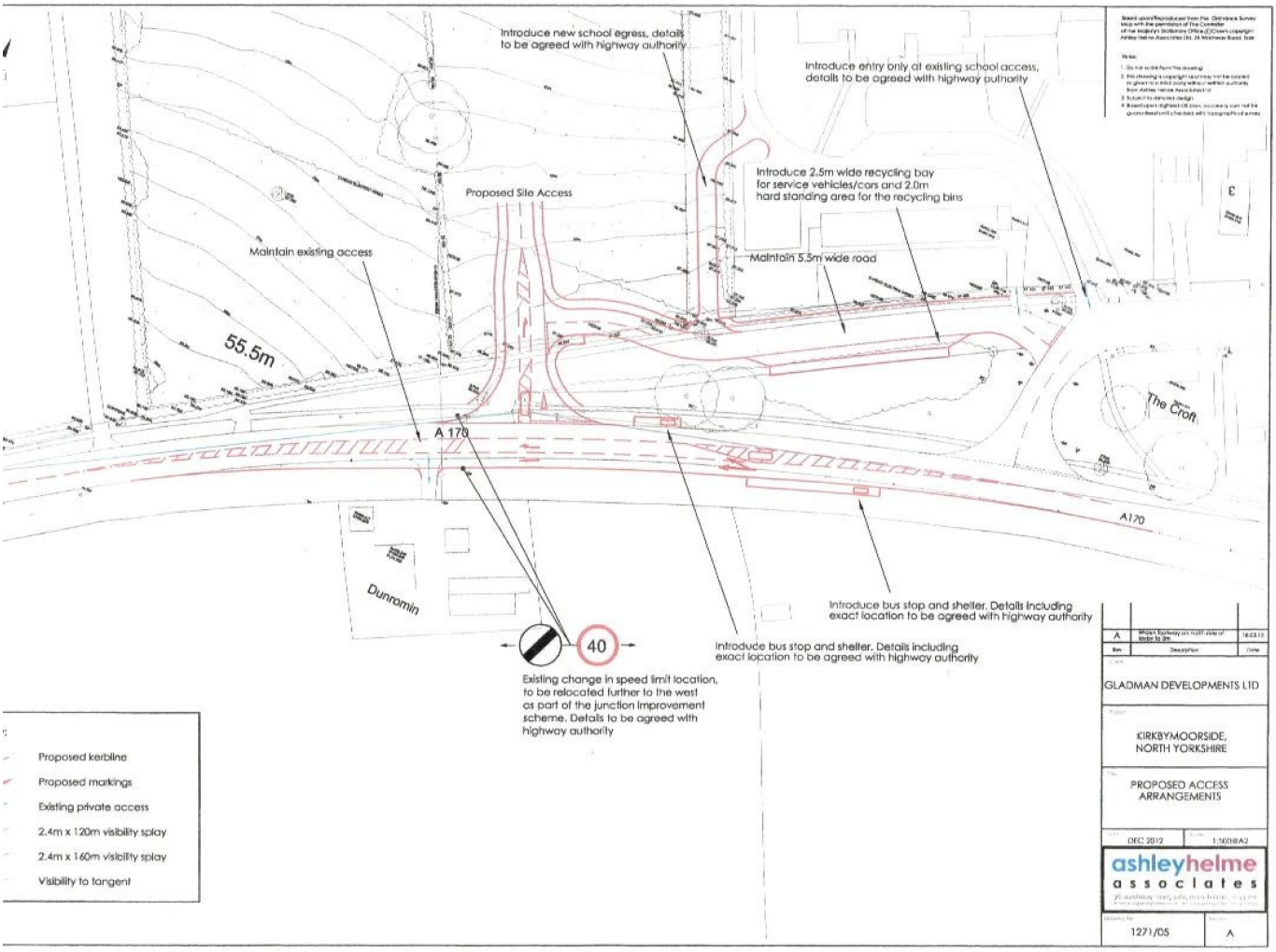
Medical services

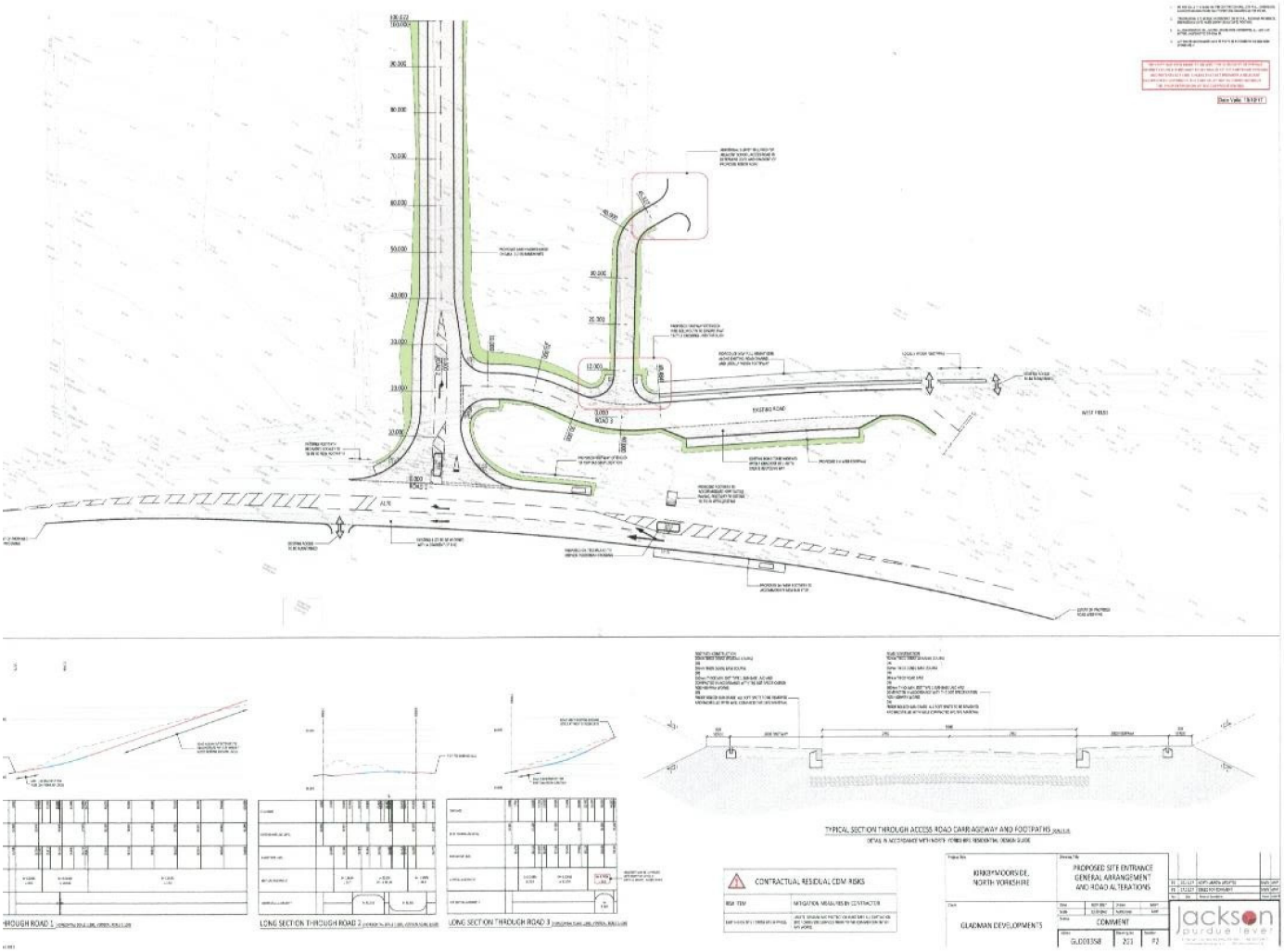
The Town Council remains concerned that the influx of 225 new families into the town would create significant pressure on the Doctors Surgery and Dental surgery. Both surgeries are located in the town centre, on Tinley Garth and West End respectively. There is no room for expansion for either premises and both practices are already stretched in terms of patient numbers and staff supply. An increase in population of this scale will put additional pressure on these services.

Public transport

Concerns raised with regards to the public transport must be reiterated and are reinforced by the Inspectors agreement that the situation at present is that residents on the appeal site would find it difficult, if not impossible, to travel by public transport to jobs in the lager centres of Malton and Norton, York and Scarborough as the bus timetables just do not allow this. Whilst it would be helpful for the shortfall to be addressed by money invested in improving the level of service through the mechanism of the s.106, the Agreement means that the bus subsidy could end well before the site was built out, with about a third of the dwellings still to be constructed. This would leave the bus operator in the position of being unlikely to know if the continuation of the service improvements would be viable. Moreover, the newer residents would be unable to benefit fully from the Travel Pack proposed for the site. The Inspector stated that 'these factors temper the positive weight of this transport offer on the overall balance.'

The Town Council is disappointed in the process of public consultation in respect of this application. The letter sent to the Town Council and residents neighbouring the site provides no explanation that the Application is for Approval of Reserved Matters Major neither does it explain that the purpose of the application is to address the information excluded from the initial outline planning application. Furthermore in December the notices of the Application were only posted on the School noticeboard and in the Town Centre and not at the site entrance. The timing of submission of the Application has afforded minimal opportunity for members of the public to access the information due to the opening hours of the Primary School, community library and Town Council office over the Christmas period. It is noted that subsequent to complaints by members of the public the notices have been re-sited in January and the deadline for observations extended.


Introduce new school egress, details to be agreed with highway authority
Introduce entry only at existing school access, details to be agreed with highway authority
Introduce 2.5m wide recycling bay for service vehicles/cars and 2.0m hard standing area for the recycling bins
Proposed Site Access
Maintain existing access
Maintain 5.5m wide road
55.5m
A 170
The Croft
Dunromin
Introduce bus stop and shelter. Details including exact location to be agreed with highway authority
Introduce bus stop and shelter. Details including exact location to be agreed with highway authority
40
Existing change in speed limit location, to be relocated further to the west as part of the junction improvement scheme. Details to be agreed with highway authority
Proposed kerbline
Proposed markings
Existing private access
2.4m x 120m visibility splay
2.4m x 160m visibility splay
Visibility to tangent
GLADMAN DEVELOPMENTS LTD
KIRKBYMOORSIDE, NORTH YORKSHIRE
PROPOSED ACCESS ARRANGEMENTS
DEC 2012
1:500@A2
ashleyhelme associates
1271/05
A



EXISTING ROAD
WEST FIELD
ALTE
HROUGH ROAD 1
LONG SECTION THROUGH ROAD 2
LONG SECTION THROUGH ROAD 3
TYPICAL SECTION THROUGH ACCESS ROAD CARRIAGEWAY AND FOOTPATHS
DETAIL IN ACCORDANCE WITH NORTH YORKSHIRE RESIDENTIAL DESIGN GUIDE
CONTRACTUAL RESIDUAL CDM RISKS
RISK ITEM
MITIGATION MEASURES IN CONTRACTOR
KIRKBYMOORSIDE, NORTH YORKSHIRE
PROPOSED SITE ENTRANCE GENERAL ARRANGEMENT AND ROAD ALTERATIONS
GLADMAN DEVELOPMENTS
COMMENT
GLD00358
201
P2
jackson
purdue lever