

Ms. K. Trueman,
Programme Officer,
Pendragon House,
1, Bertram Drive,
Meols, Wirral, CH47 0LG.

Dear Ms Trueman,

Malkiln Development proposal – Development Plan Document.

I am the Chair of the above organisation which has previously made representations to the former Harrogate Borough Council (HBC) and also the North Yorkshire Council (NYC) in respect of the above.

I have been made aware of your role and timetable by my colleague Brian Taylor (I.D. 1332097) and am responding on behalf of Mr. Taylor and my organisation. Can I say at the outset Better Wetherby (BW) is surprised and disappointed not to have been contacted directly about this matter having previously made our representations, attached to the covering email.

Due to holidays BW will not be intending to speak at the above hearing, commencing 17th September and therefore wish this written submission to be taken into account by the Inspector, Mr Coyne.

This is a most important proposal which will have a dramatic effect on the area, including especially Wetherby and Knaresborough and several small villages. Wetherby is classed by Leeds City as a 'Major Settlement' which is already struggling under the weight of recent development, including lack of school places, traffic congestion, air quality and the prospect of a further 900 dwellings over the next few years, already consented. Wetherby is some 5 miles and 10 minutes drive from this proposal and has been marketed by the developer as the 'go to' facility.

One further general point before the specifics. I have noted from the NYC Planning Portal that the developer has, in the last 10 days, submitted a whole raft of amended documents and reports. The timing of this could be said to be deliberate as an attempt to prevent proper scrutiny by such as Statutory Consultees and other interested parties such as Parish Councils and ourselves and BW takes a serious view of this action which leaves those affected no time to respond in a meaningful manner. To this end BW requests that the planned hearing date of 17th September is put back and I suspect BW may not be the only party to do so. I think it would be unfortunate if an acceptable delay were to become an enforced delay by actions such as Judicial Review if such a course were to be launched.

Turning to the very helpful 'Matters, Issues and Questions' document issued by Mr Coyne, BW would comment as follows but restricted to the matters which most concern us, others will no doubt do likewise.

"Working to ensure that the physical character of Wetherby and District is protected and developed for the benefit of the community of both current and future generations"

Matter 1- Issue 1 Duty to Cooperate – This is an issue which has failed in the past with HBC / Leeds City and which BW have made attempts to rectify given the impact where Duty to Cooperate could have failed Wetherby. Since then BW has made attempts to obtain better cooperation. In this case we have been advised that the Duty to Cooperate is in place but there is no evidence of the scale or scope of such on the NYC Planning Portal. BW endorses the Inspector’s questions.

Matter 1- Issue 2 – Public Consultation – As indicated BW took part in an initial consultation run by HBC which was overtaken by the NYC merger. As far as BW understands, the developer has run only one Public event on 7th May, 2024 which allowed for feedback. Myself and other BW members attended and were met with a group of P.R. people who were unable to answer the simplest of details, “That’s to be decided yet” was the common answer. I relayed my thoughts in an online document which received, weeks later, a simple suggestion to consult the NYC Planning Portal. As my earlier comment this facility has been updated in the last 10 days thus consulting at the time of the developer’s response was meaningless.

Matter 2 – Vision, Objectives and General Principles – As indicated earlier, others with detailed interest will no doubt raise issues here. BW has understood that following the creation of the expanded NYC, all extant Local Plans would be reviewed over a period but the Maltkiln element of the previous HBC Local Plan would be excluded from such review. That appears not to be the case today.

On 13th August BW received a communication from NYC which states “Following the launch of the Government’s consultation on proposed changes to the (NPPF) and other changes to the planning system it is necessary to take stock and understand the implications for the new local plan for North Yorkshire prior to launching the first major stage of consultation”. The re then followed a brief comment about delay and consultation starting “.... early next year”. This statement appears now to include ALL North Yorkshire, including the Maltkiln proposal which effectively renders the process here as premature and as such should be postponed until the North Yorkshire consultations are complete.

Matter 2 – Issue 3 – Development framework – The question is rightly raised as to what happens now one of the land owners has withdrawn. BW understands from media reports that NYC have said they will use CPO powers funded by the developers to acquire land, however at the moment with this withdrawal the site development reportedly stands at 2,000 dwellings rather than the original of 4,000.

Central Government has indicated it is prepared to support CPO powers but only on brown, grey or 'blue' land, this is agricultural and thus BW struggles to understand how NYC can support its comments.

Matter 3 – Issue 1 Energy, et al – BW has experience of being a party to the development of plans for the now 900 dwellings in Wetherby where work has recently started and make comment. Firstly the national average car ownership is 1.64 per dwelling according to our latest figures. Where are the additional parking spaces accommodated?

Secondly, the Wetherby development will have no mains gas supply being Ground Source heating from and through a central hub. The proposal here for gas lacks imagination and net

“Working to ensure that the physical character of Wetherby and District is protected and developed for the benefit of the

zero fails to go far enough, including the failure (apparently) to recognise the level of car ownership will be higher than stated.

Matter 3 – Issue 3 – Flood risk et al – BW is aware of the objections lodged by the Environment Agency based on flood risk and supports the Inspector's requirement for clarity on mitigation.

Matter 6 – Housing – BW is most concerned here on a number of issues. Firstly, the developer Caddick has stated in media comment (repeated at the public consultation event in May referred to above) that it will not be responsible for any construction on this site, simply 'auctioning off' plots of the site to National housebuilders, in other words this is an opportunistic development and I return to some measures of mitigation at the end of this.

In addition, at a very early stage the former HBC Affordable Housing level of 40% was ditched in favour of 20% on the basis that those needing Affordable would not locate to this site as it was not well served by public transport which those in need of Affordable have to use. A major conflict.

To make matters into greater perspective the Deputy Prime Minister has stated the under new NPPF and other Ministerial issues, Affordable WILL account for 50% of housing on all new developments. That statement does not fit with what is being proposed here.

Conclusions and suggestions – This proposal has many questions to answer as has been rightly identified in the Inspector's document which BW has comment upon in part, others will no likely do similar.

Despite the unseemingly production of additional reports and new documents by the developer, 13th August, there are many points to answer as identified at the Public Consultation in May.

As far as BW is concerned there are still major objections / doubts from Highways England, Environment Agency and no doubt others and the apparent exposure that this is, if approved, to be another development of high priced luxury standard homes, to the dis benefit of Affordable is regrettable and contrary to now Government policy.

The scheme appears to be 'front loaded' with high margin dwellings with such as community service elements coming later, or perhaps never.

The way to mitigate this is to adopt a principle I was personally involved with at Cambourne in Cambridgeshire where the LPA insisted on all infrastructure being complete before the first dwelling of the first phase was occupied. In this context it entailed the construction of all site roads, new major roads and junctions, school (s) and other communal facilities, likewise, together with major retail. To put in context the primary school started up with less than 10 pupils. All of that element was designed to test the resolve of the developer and I leave it at that.

Sincerely,

Roger Owen,

Chair,

Better Wetherby Partnership Ltd.

