



Cllr Simon Myers

Executive Member for growth and culture, leisure, sport, and housing

North Yorkshire Council

Sent by e mail: Cllr.Simon.Myers@northyorks.gov.uk

26 January 2023

Dear Cllr Myers

Harrogate District New Settlement Proposal

We represent parishes bordering the proposed site of the New Settlement.

We refer to your announcement on behalf of the new North Yorkshire Unitary Authority made on 13 December of last year, describing the next steps for various strategic planning policies and documents. In essence, NYC instructed the existing district councils to defer further work on the preparation of strategic documents, such as the review of Local Plans for districts, until the new authority has assumed these functions on 1 April 2023. The intention is that such issues will be considered as part of a Local Plan for North Yorkshire as a whole, to be prepared over the next few years.

Certain exceptions were made for a small number of schemes which were said to be at an advanced stage of development. One of these was the proposal for a new settlement for the Harrogate District. This was referred to in the announcement as "Malkiln", although that name assumes that the location for development has already been identified. It is true that Malkiln, based around Cattal station, is the recommended development site as currently drafted but this has no planning status until the DPD has been adopted. This is projected to happen late in 2023, following a review of responses to the recent public consultation and examination by the planning inspectorate.

Our villages are among those most affected by the new settlement proposals. It will be built on our doorstep. We understood the logic for NYC's decision to allow certain schemes to proceed. The decision was, however, based on the assumption that these schemes, including Maltkiln, were indeed close to fruition.

An application for outline planning consent for the Maltkiln scheme, first submitted in 2019, is also suddenly being pursued, apparently with a view to a decision on planning being made before the new NYC takes over planning functions on 1 April. We are not sure why Harrogate BC intend to determine the application before adopting the DPD which would legitimise it as this is clearly in breach of National Planning guidance and is obviously unsound.

A few days ago, Harrogate Borough Council announced that it was suspending work on its DPD for an unspecified period. It turns out that the recommended scheme as described in the current draft DPD (which has just been subject to detailed consultation) cannot in fact be delivered owing to the withdrawal of the owner of one of the parcels of land on which development is to take place.

It is not clear what is happening regarding the planning application. A statement has been released by the developer but this does not expressly confirm if the application is being withdrawn or pursued as it stands. It is hard to imagine how the application could be approved in the absence of land on which to build it and in the face of objections not only from local Parishes and residents, but a number of statutory consultees, but both HBC and the developer are studiously avoiding giving a direct answer to a simple request for clarification.

The following matters are however, crystal clear:

1. The DPD process and the Maltkiln planning proposal have lost all credibility and their time is up. HBC should stop work now and concentrate on making the handover to NYC as orderly as possible.
2. The developer should be invited to withdraw its application and an indication given (formally or informally) that, if it insists on pressing for a determination, a refusal is inevitable, in the circumstances.
3. At some point in the future, perhaps HBC and the developer will be called to account for how they managed to choose a preferred site for a flagship development without taking steps to control the land required for building it, with consequent waste of public money. Meanwhile, it's high time NYC stepped in and called time on this, before any more mistakes are made (the consequences of which NYC will inherit).

4. Now it has become clear that a substantial part of the land for this development is not actually available, it is obvious that this project is not, after all, at an "advanced stage". On the contrary, it is back to the drawing board and a complete re-think is required. NYC should therefore reverse its decision on 13 December to allow "Maltkiln" to proceed and should deal with it as part of the general decision to pause strategic proposals across districts.

Please confirm what action NYC proposes to take and confirm it will do so promptly. This is an opportunity to show our residents that 1 April 2023 is the start of a new era in planning matters.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Townsend', with a horizontal line underneath.

Paul Townsend, Chair, Kirk Hammerton Parish Council

pp Clare Beckett, Chair, Whixley Parish Council

pp Kevin Bramley, designated representative, Cattal, Hunsingore and
Walshford Parish Council

pp Martin Simpson, Chair, Green Hammerton Parish Council

pp Robert Tomlinson, Chair, Moor Monkton Parish Council

cc County Cllr Arnold Warneken, Ouseburn Division