

BISHOP MONKTON ACTION GROUP (BMAG)

REPRESENTATION OF OBJECTION

to

DEVELOPMENT PROPOSAL

By

Avant Homes

Case No.: ZC24/03358/FULMAJ

Site: Land Comprising Field At 432447 466225 Moor Road Bishop Monkton North Yorkshire

**Proposal: Residential development of 60 dwellings
including access, landscaping and public open space.**

27th November 2024

Policies & References

Policy	Publishing Authority	Acronym
National Planning policy framework (December 2023)	Ministry of Housing, Communities & Local Government	NPPF
Site Specific requirements for BM2 and BM4 - part of Harrogate District Local plan adopted in March 2020	Harrogate Borough Council	HBCDM

Table of Policy Noncompliance

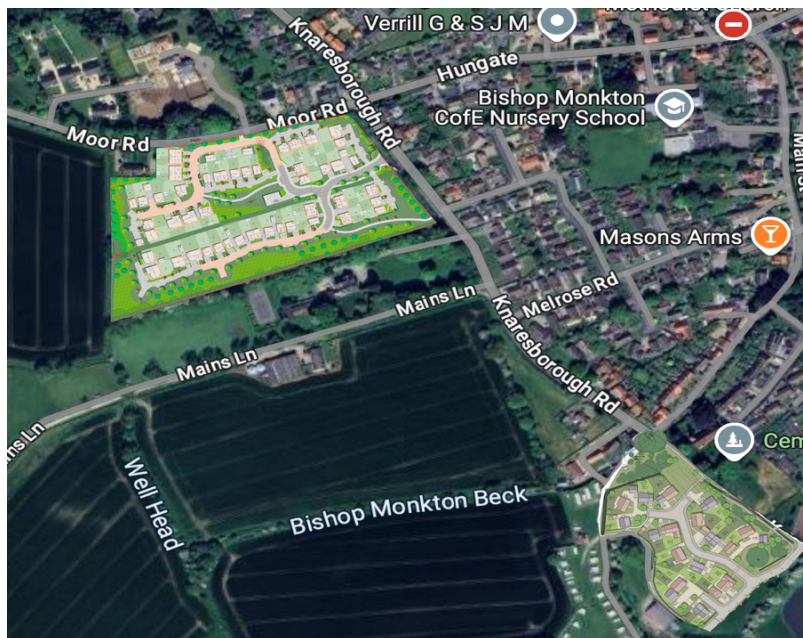
Policy	Reasons	Details
NPPF 83 To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities	It is clear that the proximity of the site to dangerous crossroads along with the narrow often flooded roads into the village impacts the highway safety. In fact crash map data for cross roads, Knaresborough Road and the major road A61 in vicinity indicate the dangerous accident zone. The layout of Knaresborough Road along the village needs multiple traffic calming as it is now a “street” crossed by one in 5 residents of the village to reach amenities in the village	Transport and Road Safety
NPPF (108a) the potential impacts of development on transport networks can be addressed		
NPPF (114b) safe and suitable access to the site can be achieved for all users		
NPPF (114d) any significant impacts from the development on the transport network (in terms of		

<p>capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree</p>		
<p>NPPF (110a) Planning policies should support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities</p>	<p>The public transport provision in the village does not cater to key work based commuting to places like Harrogate, York and further south to Leeds. Lots of high school and sixth form students would also benefit from improving access to bus routes along A61. A pedestrian path along Moor Road is required to meet this policy</p>	
<p>NPPF(116a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use</p>		
<p>HBCDM - The provision of pedestrian footways along the site frontages to Knaresborough Road and Moor Road as well as a pedestrian crossing point on Knaresborough Road will be required</p>	<p>The existing scheme does not meet the requirements</p>	
<p>NPPF (165) Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere</p>	<p>The surface water is attenuated and discharged using new pipes down Hungate lane and on to the beck at the worst possible place that is upstream of the point where the flood risks are the highest. To minimise risks further the discharge point should be further downstream on Boroughbridge road where flooding risks are lower</p>	<p>Flood and Foul Water Management</p>
<p>NPPF (166) Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice</p>		

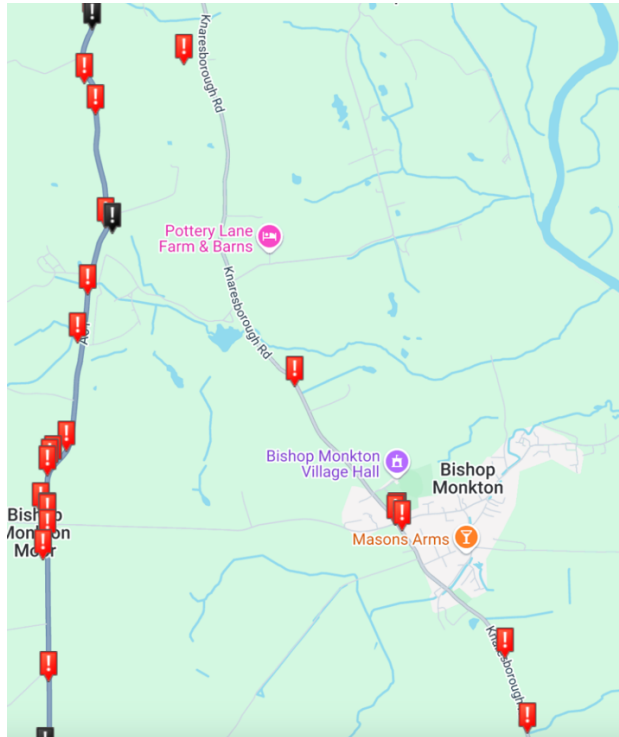
<p>from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards</p>		
<p>NPPF (180e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans</p>	<p>Additional foul water from 60 homes entering existing sewerage would mean increased foul water surcharge from combined sewers, leading to pollution and public health issues.</p>	

Transport and Road Safety

The village will have seen a massive expansion to the west of Knaresborough Road and this development is responsible to bring in almost three quarters of the homes. Post completion of this development and the smaller development in ChurchFarm for 23 homes would lead to a total of circa 95 homes with families crossing Knaresborough Road to access village amenities of Pub, Schools, Church, Playgrounds and Village Hall. That amounts to one in 5 families crossing the road. Knaresborough Road is now effectively a “village street”. The cumulative impact of this development would mean it would start to contravene NPPF 83 without a full safety audit across the Knaresborough Road for pedestrians and appropriate traffic calming and safety measures. Similarly, within the site the provisioning of footpath along the Knaresborough Road and Moor Road are missing. They contribute further in maintaining the vitality of the rural community of the village and enabling the future residents within this development (amount to one in seven) integrate well within the village and thrive. The current crossing point at the narrowest part of the existing footpath is dangerous and is not convenient for families with prams/young children. This contravenes NPPF (114b)



With respect to NPPF 108a and 114d there are plenty of evidences from the road networks in and around the village. The crashmap below is the list of serious and Fatal incidents only.



The total number of such serious and fatal incidents (over 1999 – 2022) are listed below:

1. Along Knaresborough Road till A61 junction towards Ripon total of 9 incidents. 5 of the incidents by the Cross roads of the site
2. Knaresborough Road and A61 junction towards Ripon total of 3 incidents
3. Moor Road and A61 junction total of 6 incidents.

The Highways agency understands the dangers and hence suggested the need to make improvements to the road layout along Knaresborough Road to Ripon. Additionally, the cross roads and the entire stretch of Knaresborough Road will need a proper safety audit and improvements for all road users including pedestrians, cyclists, cars, articulated farm vehicles and horses

Finally with respect to NPPF 110a and NPPF 116a the contravention of the policies stems from the nature of public transport provisions and the adequacy of it. While the village is served by a bus route with services to Ripon and York, the number of services in a day is small and more importantly the duration of travel to key employment places takes multiple hours rendering it ineffective. This is a large development that extends the development limits to the west along Moor Road. A footpath along from the site along Moor Road to improve the access to A61 bus routes will help achieve the objectives of the policy and preserving the sustainability of the village.

Flood and Foul Water Management

The scheme submitted contravenes NPPF 165 specifically around the need for not increasing flood risk elsewhere. When it comes to NPPF 166 it is more towards the cumulative impacts of the development along with the existing flood risks within the village. This is particularly the case with the proposed plan to discharge the attenuated restricted flow surface water into the beck at the worst possible place. This is upstream of the high flood risk zone. Discharging it further downstream at a point where the flooding risks are lower could help alleviate the flood risks and go towards meeting the policy requirements for NPPF 165 and NPPF 166.

When it comes to NPPF 180e the scheme's plans will contravene the policy requirements. The policy applies to both new and existing developments and includes varieties of pollution including soil and water. YW admit in their response to the ChurchFarm planning application in Bishop Monkton that the network is close to capacity and state that "would not expect a development of this size, with sustainable drainage of surface water, would add much pressure to the network". YW also state "There may be issues and sewage escapes that have not been reported to us".

Examples of such sewage escapes (this and plenty other video evidences shared with Yorkshire water)



The key words in YW's response are carefully constructed in their phrase "would not expect" but it is NOT GUARANTEED by any modelling. Additionally, the phrase "There may be issues and sewage escapes that have not been reported to us" is simply a plausible deniability tactic. With the nature of flooding risks during heavy rains residents are concerned for their safety and are focussed on putting up their flood defences and of course will not be telephoning or contacting Yorkshire water to report the sewage escapes on streets. Nevertheless YW have seen numerous videos and pictures of such instances and continue to ignore them.

The surface water management has been thoroughly studied and the models are validated by the LLFA to support the NYC council in assessing the development schemes. However none of the agencies, LLFA or EA and neither the NYC planning team (in its capacity as the LPA) request any such modelling from YW to establish if the foul sewers are fit for purpose. YW continue to elude accountability, are not transparent and their responses are not challenged by EA, LLFA or LPA to be backed with facts like modelling or guarantees but simply waved through. All this despite them not being a Statutory Consultee.

The applicant has the opportunity to minimise the impacts of water pollution by building a new foul sewer pipe and ensuring the foul water from the development site is connected at a point where there are no pressures in the existing YW foul network.

Conclusion

The new scheme has seen some welcome improvements from previous submissions in terms of the layout, public open space and green space. However, BMAG would object to the application as submitted for the specific reasons laid out above where the scheme fails to meet the policy requirements. BMAG have also suggested options to improve the scheme. We hope the applicant will carefully consider the suggestions and collaboratively work with all the statutory authorities and the village residents to improve the scheme.

On behalf of members of BMAG

Helen Bagnall, Kenneth Barker, Jonathan Beer, Raj Selvarajan & Paul Wade