*From Councillor Paul Andrews, Malton Ward*

**PAUL ANDREWS**

2 The Beeches, Great Habton

York YO17 6RS



Telephone 01653-669023 Website [www.paul-andrews.net](http://www.paul-andrews.net)

e-mail: [paul.p.andrews@btinternet.com](mailto:paul.p.andrews@btinternet.com)

5th May 2012

Dear Jill,

**Implications of the Release of the National Planning Policy Framework**

Please accept this letter, together with the attached form as my representation in regard to the above. This letter is written on my own behalf as ward councillor and in no other capacity.

As ward councillor for Malton ward, I do consider that it is necessary for me to participate in the oral part of the examination in public. This is particularly important as my ward and the adjacent Norton ward have been singled out to bear the greater part of the development proposals in the draft plan. I am also a Malton Town Councillor and have been personally involved in the preparation of the Malton and Norton Interim Neighbourhood Plan.

I repeat and confirm all previous representations made by me. In some instances in my earlier representations there is specific reference to the draft NPPF, and where the draft NPPF is not referred to, I wrote my representations with them in mind. This is why my representations contain frequent references to the Malton and Norton Interim Neighbourhood Plan, when Neighbourhood Plans are not the subject of any earlier planning guidance of which I am aware. So my first point is that one of the implications of the NPPF is to require the Malton and Norton Interim Neighbourhood Plan to be taken into account in the draft Ryedale Plan. This has not been done, and so the draft Ryedale plan is therefore unsound.

I appreciate that the NPPF makes Neighbourhood Plans subordinate to the district plan. However, the only district plan currently in force is the saved policies of the old Ryedale Local Plan. The Malton and Norton Interim Neighbourhood Plan is broadly consistent with this, but the draft Ryedale Plan contains some radical departures from the principles and policies of the old Ryedale Local Plan. These mainly concern the imposition of a huge quantity of unsustainable development on Malton and Norton. In my view, the onus is on the council to show the need for these departures and not on the Town Councils of Malton and Norton to show the need to maintain current policies. The onus should be with the authority or stakeholders which want change to prove the need for change.

Further, the Malton and Norton Interim Neighbourhood Plan has its own evidence base. This has not been taken into account in the draft Ryedale Plan, and where there is a difference, the evidence base for both plans should be tested and compared at the Examination in Public.

Further, the Interim Neighbourhood Plan was only adopted after the town councils had conducted their own public consultation. The Interim Neighbourhood Plan was amended to take the outcome of the public consultation into account. So it represents a clear statement of public opinion, and should have been referred to in the Council’s evidence base for the draft Ryedale Plan. In fact, the Council have ignored this altogether.

The Council have given the Malton and Norton Interim Neighbourhood Plan little weight. Their reasons for this are firstly they say it lacks an evidence base. This is not correct, as there is an evidence base which was prepared with the assistance of a consultant, and there is also a consultant’s report on the public consultation which was carried out under her professional direction.

Their second reason is that Ryedale say the Interim Neighbourhood Plan is not at an advanced stage and the consultant has recommended further work. Although it is accepted that further work is required, it is not agreed that the Interim Neighbourhood Plan is not at an advanced stage. Ryedale has made it clear that their district plan will be in two parts – the second part dealing with site selection. They will probably argue that they can’t deal with site selection until the draft Ryedale Plan document has been approved. In the same way, the Malton and Norton Interim Neighbourhood Plan cannot progress until the conflicts between some of its policies and those in the draft Ryedale Plan have been resolved, because clearly there is no point in authorising further work on a plan which contains policies which are in dispute and could be changed following the Examination in Public. Clearly the Interim Neighbourhood Plan is at a sufficiently advanced stage where its policies can be properly considered against and compared with those of the draft Ryedale Plan at the Examination in Public.

In failing to acknowledge this, Ryedale are in breach of para 183 of the NPPF which makes it clear that Neighbourhood Planning should give communities a shared vision for their neighbourhood. Ryedale is not interested in that shared vision. Ryedale is only interested in the vision which they intend to impose on my ward, whether ward residents like it or not.

**Specific Matters**

I repeat all earlier representations made, as I believe these are in conformity with the NPPF and show where the draft Ryedale Plan is not in conformity with it. I would make the following points:

**Housing**

Para 48 indicates that authorities may make an allowance for windfall sites, when calculating the 5 year supply. However, Ryedale have made no provision for windfall sites when assessing the need for new housing in Ryedale. I believe the percentage of windfall sites in Ryedale over the years is very high – perhaps as high as 80%, but you will be able to provide your own figures on this to the inspector.

Para 50 requires Ryedale to plan for a mix of housing based on future demographic and market trends and the needs of different groups in the community. This is not the way Ryedale sees it. Geographically Ryedale comprises 550 sq.miles, but is sparsely populated (about 51,000 residents). There is a political divide between town and country and between Malton and Norton and everywhere else. The country members don’t want any more houses in their villages or open areas, and take exception to the fact that, over the period of the last plan, 46% of new houses have been built in villages or the open countryside, whilst only 56% have been built in the towns. They have therefore concentrated nearly all new housing on Malton and Norton (1,500 houses plus 500 unbuilt but with permission). That is 2,000 out of at total of 3,000 over the plan period. There is no other name for this than NIMBYism, and my understanding is that this is exactly what the presumption of sustainable development was designed to stop. The policies in the draft Ryedale Plan on housing distribution are therefore unsound. I have indicated in my previous statement how this should be changed to reflect the wishes of the community (as evidenced in the consultation results under the Neighbourhood Plan), by reducing the number of new houses to be built in Malton/Norton over the 15 years after 2009 to 1,000.

**Retail**

Para 23 requires policies which should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality. My previous statement shows how the Council’s intentions, as promoted in the draft plan, will result in a huge superstore on Wentworth Street Car Park which will be the death not only of Malton and Norton town centres, but also of the town centres in the other Ryedale market towns. I attach a copy of a report by Paul Beanland and myself which provides further discussion on this.

Para 160 requires local planning authorities to have a clear understanding of business needs and to work closely with the business community to understand their changing needs etc. Ryedale has singularly failed to do this. In fact they have ignored every representation made by the business community. Ryedale simply decided that if they sold Wentworth Street Car Park, Ryedale would get £5M, and the impact on the business community was of no concern to them. Exhibits 20 and 21 in the retail section of my earlier statement clearly demonstrate the attitude of Ryedale’s council leader in this respect.

For these reasons much of Policy SP7 in regard to town centres and retailing is unsound, and this should be amended to take into account the wishes of the community as expressed in the Interim Neighbourhood Plan.

**Employment**

Policy 161 requires an evidence base to assess the existing and future land supply for economic development. An assessment has been made, but this is highly optimistic and again far too much new development is proposed for Malton and Norton. I will not repeat the arguments previously made, but would simply suggest that in the circumstances the draft Ryedale Plan is also unsound in respect of the policies which deal with the quantity and distribution of new employment development.

**Infrastructure**

It is quite clear from the NPPF that there is a presumption of sustainable development. New development cannot be sustainable unless the necessary highway and other infrastructure is in place. Malton is a country market town with a historic Georgian town centre and a maze of narrow mediaeval streets. My earlier statement deals with this in some depth. To summarise this, the Council’s Strategic Transport Assessment is unsatisfactory because it assumes that development which is not yet committed will take place, and therefore provides a false base for assessing highway and junction capacity. In essence the Council is determined to impose overdevelopment on Malton in a way which is not sustainable or fair, and for this reason the draft Ryedale Plan is unsound in regard to Malton and Norton, and its policies should be changed to reflect and be consistent with those set out in the Malton and Norton Interim Neighbourhood Plan.

Please confirm that this letter and the accompanying papers will be forwarded to the inspectorate.

Yours sincerely,

Councillor Paul Andrews

Malton Ward

Jill Thompson

Ryedale District Council

Ryedale House

Malton

North Yorkshire

YO17 7HH