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Ripon Road,  
Boroughbridge.  
York.  
YO51 9DP

13/09/17

Mr. Mike Parkes  
Principal Planning Officer  
Harrogate Borough Council  
PO Box 787  
HARROGATE  
HG1 9RW

Dear Mr. Parkes

**OBJECTION: Planning Application: 17/03414/EIAMAJ - Proposed MSA at Kirby Hill**

I refer to the above planning application, to which I strongly object and think the application should be refused, on the following planning grounds:

**1. Site Planning History**

The proposed development is contrary to the Secretary of State's decision in respect of planning application APP/E2734/A/09/2102196, in his letter dated 16 October 2012. The Secretary of State's Decision Letter was issued following an extensive Public Inquiry, held after the applicant appealed the Council's refusal of planning permission for an MSA at this site in 2008. The required MSA provision on this stretch of the A1(M) has already been determined by the Secretary of State. Moto's new MSA at Wetherby is operational. The additional permission the Secretary of State gave in his 2012 Decision Letter, to upgrade the existing Leeming Bar services to full MSA status, is about to be implemented.

The Secretary of State's 2012 Decision Letter should be the Council's starting point when assessing this new application by Applegreen. It would be premature to grant planning permission for another MSA, until both MSAs already approved by the Secretary of State are operational and it is clear whether the Secretary of State was correct in his view that these two sites will fully meet the need. Indeed, approving a new MSA at Kirby Hill in the absence of a demonstrated increase in need may adversely affect the viability of the two MSAs already approved by the Secretary of State and undermine his decision.

**2. Need for an MSA**

The Secretary of State determined that two MSAs, at Wetherby and Leeming Bar, would meet the need. There has been no material change in need since the 2011/12 Public Inquiry. There is no need for an MSA at Kirby Hill and therefore nothing to justify the significant harm that it would inevitably cause.

### 3. Local Plan Policies

The proposed development is contrary to Harrogate District Local Plan policies. Specifically:

- a) The proposals contradict saved policy T7 of the Local Plan, which provides that there should only be one MSA in Harrogate District.
- b) The proposals conflict with the Harrogate District Landscape character assessment, which describes the large-scale, open, rural character of the site (which is treasured by local people) and says that major development cannot easily be integrated into this landscape.
- c) The proposals are contrary to the emerging Harrogate Local Plan. Draft allocations for major development (housing) north of the existing Kirby Hill development limit were removed from the emerging Local Plan at consultation stage. After consultation, the draft Local Plan reflects the strong local view that the countryside between Kirby Hill and Marton-le-Moor should be protected and should not be the site of major development. Having agreed this with our Council as part of the Local Plan process, any change to this position, such as approval of a major MSA development at this site, would be robustly challenged, including if necessary at the Local Plan Inquiry.
- d) The proposed site is outside of the agreed Development Limits.
- e) In view of the above issues, the proposed development is in conflict with Local Plan policies, contrary to Section 38(6) of the Planning & Compulsory Purchase Act 2004.

### 4. Environmental Impact

The proposed development would have a huge adverse impact visually from my home and the surrounding community.

### 5. Road Safety

The location of the proposed rear access of the proposed development is highly dangerous.

It lies almost at the bottom of two converging downhill sections of the 60mph B6265 Ripon road, at a known accident blackspot, as is illustrated by the mapping of road accident statistics shown below (from [crashmap.co.uk](http://crashmap.co.uk)).

Given the number of staff and delivery vehicles that would use it 24 hours a day, plus up to 250 HGVs entering and exiting the site per day during construction, as a daily user of the B6265 to access my home, the risk for me personally, or a close friend, relative or neighbour, of a serious or fatal accident as a direct result is totally unacceptable.

In view of the information above, I would respectfully ask you please to recommend refusal of this planning application.

Yours sincerely,

Kind regards

Mr G. J. Harris

BSc (Hons), CEng

