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Harrogate Borough Council  
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September 14th, 2017.

Dear Ms Daly

**Ref: 17/03414/EIAMAJ – Proposed Motorway Service Area**

This letter is a formal objection to the above proposal submitted by Applegreen.

The bottom line in considering this application is that it is not needed. Demand for MSAs, as defined by Highways Agency guidelines, have already been met by Moto Services at Kirk Deighton and the approval for the upgrade of Leeming Bar Services.

In his decision letter of 2012, the Secretary of State accepted that the inquiry inspector had considered the spacing between Barton and Moto Services at Kirk Deighton, near Wetherby, and endorsed his conclusion that one MSA would fulfil the need. Having considered a range of options, including Kirby Hill, he ruled out the others and granted permission for Leeming Bar Services to be upgraded to an MSA.

Construction of Motorway from Dishforth Interchange to Barton will be complete by the end of 2017. Although motorway construction from Leeming Bar to Barton was interrupted while the Government reviewed its policy, there is no reason to believe that Leeming Bar MSA will not soon be upgraded. The site, formerly owned by County Councillor Carl Les, has been sold to an MSA developer. Having paid several million pounds for the site, it is inconceivable that it will not be developed as an MSA.

The distance from Moto Services to Leeming Bar is 26.79 miles. Moto Services to Kirby Hill is 12.32 miles. Applegreen's argument that Government policy allows the construction of an intermediate site at Kirby Hill should be rejected.

Since 1996 three applications by Applegreen's partners, Heather Ive Associates, for MSA's at Kirby Hill have been rejected. This should have been an end to considerations in relation to this site. It is not just the local community which does not want an MSA. Three Secretaries of State from Labour and Conservative Governments have confirmed the opinions of public inquiry inspectors that Kirby Hill is not an appropriate site.

An MSA to the west of the motorway and north of the B6265 flyover at Kirby Hill with changes to 650 metres of the A168 to allow southbound traffic to access the site, would have an adverse impact on local residents.

It involves moving the A168 to the east to accommodate a self-contained roundabout and flyover so that southbound motorway traffic has access and egress to the MSA on the opposite side of the A1M.

We can already hear traffic on the motorway even though it is in a cutting to the west of the village. Any loss of existing trees to relocate the A168 would add to this disturbance. I am aware that Applegreen's "masterplan" includes the planting of trees, but one only needs to look at Moto Services to know how long these can take to mature.

Since the motorway was built we are experiencing problems with sleeping in bedrooms on the north side of our home because of lighting on the elevated roundabout where the B6265 and A168 meet at the eastern end of the motorway flyover. Many of us question the need for some of this highway lighting – especially when the A1M/A59 interchange at Allerton Park has no lighting whatsoever.

Manor Drive is the cul-de-sac on the northern edge of Kirby Hill, looking towards Dishforth Airfield. There are belts of mature trees, but it is still possible to see, and with the use of binoculars read, the motorway gantry signs south of Dishforth Interchange. We can also see the red marker light on top of a mast near the air traffic control tower at the north end of Dishforth Airfield.

If southbound traffic had to cross the motorway to access and leave the MSA it would be elevated above the cutting and an increase in noise is inevitable. Elevation of traffic would add disturbance from vehicle headlights. We expect there would be an increase in light pollution from the MSA no matter what mitigation measures were put in place.

Local people also have concerns about Applegreen's proposal to have an access off the B6265 Kirby Hill to Ripon road for use by delivery vehicles and staff. This access would also be used during the construction period when Applegreen say there would be 42 lorry movements per day.

The section of the B6265 between the motorway flyover and Skelton-on-Ure windmill has a poor accident record and a new junction to service the MSA would make this more dangerous. Traffic travels at speed downhill from the windmill towards the motorway and the line of sight to the east from the proposed junction is restricted. Traffic leaving the proposed new junction would be travelling uphill and therefore slow moving. Conflict with vehicles travelling from Ripon seems likely.

The sewage treatment works for Boroughbridge and surrounding villages is already at capacity. Several large housing estates are either under construction or are being considered for planning approval. The treatment works needs upgrading before any consideration is given to accepting effluent from an MSA. It is understood that tankers are already transporting sewage from Boroughbridge treatment works to be processed at Ripon.

Currently Dishforth Airfield is occupied by 6 Regiment, The Royal Logistics Corps, so is not in use for flying. However, the hangars and runways are serviceable and it is possible that a change in Ministry of Defence policy could see the Second World War Bomber Command airfield restored to flying use.

At the time of the last public inquiry in relation to MSA proposals at Kirby Hill, Dishforth Airfield was still in use by helicopters from 9 Regiment, Army Air Corps, and by Tucano training aircraft from RAF Linton-on-Ouse, which used the runways for take-off and landing practice, including night flying.

At the 2011 public inquiry, the Inspector heard from Mr Andy Ormshaw, Safety Manager at Leeds Bradford International Airport and a former air traffic controller at Dishforth Airfield, of his fears about air safety if an MSA was built close to Dishforth Airfield.

His were not isolated concerns. A previous public inquiry into proposals backed by Heather Ive Associates received a letter from Lt Col Tim Goble, the then Commanding Officer of 9 Regiment Army Air Corps, who wrote a personal letter of objection in which he made it absolutely clear that safety would be compromised and there was a real risk of an aircraft crash landing on the MSA

At a special sitting in Boroughbridge during the 2011 inquiry, the naturalist Colin Slator argued that the construction of a MSA at Kirby Hill would attract seagulls and other scavenging birds. The Inspector was told these would be an air strike risk to helicopters from Dishforth Airfield and the training aircraft from RAF Linton-on-Ouse.

The people of Kirby Hill have had their properties blighted by the threat of MSAs since 1996. A series of speculative MSA applications by Heather Ive Associates has affected the wider community of Boroughbridge for more than 20 years. Three public inquiries have been held into Heather Ive appeals and decisions have twice been challenged in the High Court.

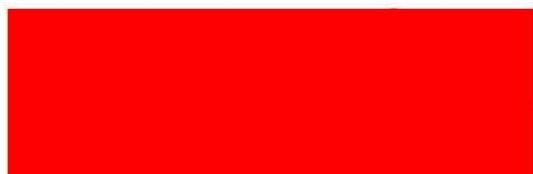
The 18 miles of motorway in North Yorkshire between Wetherby and Dishforth Interchange have seen nearly 20 speculative MSA applications, which have wasted hundreds of thousands of pounds of Borough Council resources, including fighting appeals and dealing with at least three High Court actions.

The local community welcomes Harrogate Borough Council's previous determination to oppose the MSAs and we hope councillors will continue with this policy even though the Applegreen proposal is likely to be called in by the Secretary of State or refused with the probability that another public inquiry will result. These are difficult

financial times for local authorities, but I hope Harrogate Borough will continue to oppose an MSA at Kirby Hill.

Heather Ive Associates and their partners appear to be attempting to wear down the Borough Council by attrition. Please do not give in. It is time that Mrs Ive got the message that her MSA proposals are not acceptable to residents, the Borough Council or the Government.

Yours sincerely



Brian E. Dooks.