

RYEDALE DISTRICT COUNCIL

APPLICATION NOs 11/00927/MOUT, 11/00919/FUL and 11/00412/MOUT.

**REQUEST FOR CALL IN BY COUNCILLOR PAUL ANDREWS,
WARD MEMBER FOR MALTON**

SUMMARY OF APPLICATION

The purpose of this note is to briefly summarise the reasons for my request for the call-in of this application. Further detailed explanations are provided in the full text of the Request for Call-in which accompanies this note.

My reasons for requesting the call-in of this application can briefly be summarised as follows:

- The application 11/00927/MOUT requires referral to the Secretary of State under the Town and Country Planning (Consultation)(England) Direction 2009 because either its floor area exceeds 5,000 sq. m., or its floor area exceeds 2,500 sq.m., and when aggregated with existing retail space within a 1 mile radius (notably Morrisons , Castlegate, Sainsbury's local and town centre convenience shops), the aggregated floor space exceeds 5,000 sq.m. Application no. 11/00919/FUL is a related application and Application No. 11/00412/MOUT is a competing application.
- The development proposed in Application No. 11/00927/MOUT will have a wider than local impact, notably on the sub-regional centres of York and Scarborough, but also on other district centres such as those at Driffield, Thirsk, Easingwold, and Pickering – because the intention is to extend the convenience retail catchment area of Malton outside its natural overall catchment.
- The site for Application No. 11/00927/MOUT (Wentworth Street Car Park, lower deck) is outside the saved commercial limits of the Ryedale Local Plan, and is situated in Malton which is a small country market town within a sparsely populated district.
- Wentworth Street Car Park is currently owned by Ryedale District Council, which has a vested financial interest in granting planning consent. The site of Application 11/00927/MOUT has been sold by the Council to the Applicant for not less than £5M subject to planning consent. It is therefore unsafe to leave the decision with Ryedale, as the Council is likely to be motivated by political considerations instead of taking the decision on the basis of the planning merits.
- The proposals contained in Application No. 11/00927/MOUT will prejudice due consideration of the Malton and Norton Neighbourhood Plan which is currently being finalised by Malton

and Norton town councils. It is one of the key elements of this plan to support new convenience retail in the Cattle Market Area which is not one-stop, and to retain Wentworth Street Car Park as a long stay car park. It will also prejudice the due consideration of Ryedale's LDF, the Ryedale Plan.

- The site in Application 11/00927/MOUT is one of three competing sites: Wentworth Street Car Park, The Showfield, and the Cattle Market Area (11/00412/MOUT). It is a major application and it is important that all three sites should be considered together at the same enquiry before an independent, impartial, government inspector.
- The proposal to redevelop Wentworth Street Car Park is most likely to substantially undermine the vitality and viability of Malton town centre contrary to Para. 76 of the government's draft New Planning Policy Framework. It fails the sequential test as against the Cattle market Site. Three consultants' reports, respectively dated 2006, 2008 and 2009 make it clear that there is insufficient quantitative need for a new convenience outlet of the size of the proposal, the 2009 Report recommends a need for additional convenience retail capacity of 417 sq.m. for 2008-2013; 2,164 sq.m. for 2008-2021, and 2,801 sq.m for 2008-2026. This would suggest a phased approach. In other words, need for convenience retail quantitative capacity is not expected to be 417 sq.m. on 31st December 2013 and then soar to 2,164 sq.m. (or even 2,801 sq.m) on 1st January 2014.
- However, the Council's LDF, the draft "Ryedale Plan", rejects the phased approach recommended (as described in the last paragraph) by their own consultants in the said 2009 RTP Report. Policy CS7 on page 63 of the draft Ryedale Plan states: *"Approximately 2,801 sq.m. of food retailing space will be directed to Malton. Any proposal that subsequently exceeds this figure will be required to demonstrate impact on existing town centre uses."* In other words, if this policy is adopted, 2,801 sq.m. food retail can be built in Malton tomorrow without any examination of the impact on the vitality and viability of Malton Town Centre. This is clearly contrary to consultants' advice and hence to government policy as set out in Para 76 of the Draft National Planning Policy Framework 2011.
- A new consultants' report has recently been issued in July, which is understood to contradict the three previous reports by the same consultants. The purpose of this is clearly to make the best case for what Ryedale wants, instead of giving a purely objective assessment.
- There is a continuing need to retain Wentworth Street Car Park as a long-stay car park. At present the car park is often underused as a result of Ryedale pricing itself out of business by imposing extortionate fees.
- Wentworth Street car park is accessed through the town centre by a network of narrow roads dating back to Mediaeval times, and there is no direct access planned from the A64 via Broughton Road. If the application is successful, there will be a catastrophic impact on the local highway network.

- The Malton bypass is dual carriageway with single carriageways at either ends. In the holiday peak periods it becomes heavily congested and backs up. A new superstore in Malton will exacerbate these problems.
- The Council's sale of Wentworth Street car park may not represent best value.