

TOCKWITH RESIDENTS ASSOCIATION STATEMENT OF OBJECTION TO:

19/02944/HSC | Application for Hazardous Substances Consent for the storage of up to 35 tonnes of Explosive and up to 50 tonnes of Ammonium Nitrate. | Land Comprising Field At 444708 451665 Rudgate Bilton In Ainsty North Yorkshire

Introduction

The Tockwith Residents Association at present has a growing membership in excess of 100 individuals. The Association to support the conservation and enhancement of the broad locality of Tockwith and Cowthorpe

Tockwith Residents Association (TRA) strongly objects to this planning application

At several meetings of the public in villages across the locality grave disquiet has been expressed by local people at the prospect of an explosives store in their neighbourhood.

People are genuinely extremely worried about having explosives and hazardous materials stored so close to where they live. This fear arises not from worries about a potential hazard but from hard experience gained when the BCB Hazardous waste processing plant exploded a few years ago. BCB had at the time applied for a hazardous waste incinerator - ref. Planning Application 08/00217/CMA.

People were badly frightened by the explosion and fireball, and the contamination that followed. Then, as now, people were told by the authorities it would be safe, not to worry, and that has not been forgotten.

The following comment reflects the justified high level of distrust over this current planning application as expressed by a member of the TRA from that time:

"We were told by the authorities that BCB was safe, we had a meeting with the Environment Agency..., they sent several senior EA staff to meet with us and they continually assured us that BCB was safe, BCB had to comply with all of their regulations and their license would be revoked if they didn't etc. We challenged them on whether the theory was followed by practice because there had already been incidents at BCB, and we were assured it was safe.

BCB then exploded and spewed a chemical cocktail over the village. No wonder residents are now in such a panic about this application"

<https://www.yorkpress.co.uk/pics/galleries/tockwithfire/11/>



Within the context of a plethora of planning applications for housing in our rural locality, this staged explosive store application has received a belated response. This is largely due to a bare minimum of statutory consultation and “planning fatigue”.

(NB. No representatives from any body have carried out any consultations with the community so far.)

The “National Planning Policy Framework” (NPPF) February 2019 states:

Paragraph 40. Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage... They should ..., where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.

The anxiety in the community is a result of failure to follow the NPPF. Far from being engaged, the local community has been side-lined. The applicants have a duty to consult properly with the local community before attempting to pursue their application.

The TRA has made a detailed objection to 19/01923/FULMAJ, the first stage of the planning process regarding storage of hazardous materials. Where applicable the TRA has modified their original objection but refers the case officer to our original comment (appended below)

Security of the site.

A strong legislative and policy framework exists for considering Community Safety as part of the planning process. The Revised National Planning Policy Framework (February 2019) states that planning policies and decisions should aim to ensure that developments create safe environments where crime and disorder, and the **fear of crime, do not undermine the quality of life or community cohesion and resilience.**

This is a recurring concern expressed by residents who have no confidence in the mitigations proposed by the applicants nor in their assumption that an increased police presence will automatically occur. It is therefore recommended that a request is made that the applicant produces a comprehensive Management Policy. This should demonstrate how they have considered crime and disorder and what measures they intend to put in place to reduce the likelihood of an increase in these levels.

Remote site monitoring is not enough to reassure local people, as an existing owner of a company has already tested that method in the vicinity. It was common to have around 4 call outs a week from the control centre due to the cameras dropping out. This is with a dedicated fibre to the company's IT centre in Ripon. There is no higher level of service beyond laying two fibres in two directions. In the end the company got rid of it and employed security guards on patrol.

If there were to be an emergency/explosion on site, foam tenders are in short supply in North and West York's for chemical fires. There is no water source and tenders would rely on water from the adjoining beck which cannot be guaranteed in times of drought.

Landscape and Amenity.

The bridleway which runs alongside nearby Ainsty Beck lies less than 50m from the site boundary. The Tockwith Residents Association accepts the Applicant's claim that the Right of Way would be 140m away from the actual explosives stores at its closest point. However, for users of the bridleway, perception of real danger is very likely to stop them using the Right of Way. Therefore, the applicant's plan contravenes **Policy GS7** of the Council's Emerging Local Plan:

"Development proposals should promote, support and enhance health and wellbeing by:

A. Contributing to a high quality, attractive and safe public realm to encourage ... and facilitate movement on foot and cycle.

G. Providing opportunities for formal and informal physical activity, recreation and play.

I. Improving the quality and quantity of green infrastructure and by protecting and enhancing public rights of way."

Natural Environment

Any walker, or rider on the adjacent bridle track can testify to the movements of roe deer, fox, rabbits, hare, badgers, owls, buzzard and red kites. This countryside setting shows an abundance of species. This application would have a negative impact on the ecology.

Highways

The application is being made with no reference to the vast increase in traffic flows arising from current and permitted planned housing developments in surrounding villages 300+ in Tockwith, approx. 50 in Bilton and Bickerton, 4000 in Harrogate Borough Council's preferred option "Malt Kiln" at Cattal and the thousands of houses in Wetherby. Lorries and vans transporting hazardous substances have no place within this mix.

Access to the site is on a bad bend with inadequate visibility. Previous planning applications to reopen this access has been refused for this reason. – (The removal of 150 metres of hedgerow to improve site lines goes against policy relating to maintenance of rural character and ecological concerns). - Who will then maintain this verge as currently the verges on Rudgate are seldom cut. An existing owner of a company currently shares the pig farm entrance. The company has significant vehicle movements to that site already and are could extend it in the future. There is an average over a year of a minimum of 20 light van movements a day in and out, 30 cars a day in and out and around two 40' tractor - trailer units in and out. They may well want to use the new access point off the Rudgate.

Previously when the industrial building was built on minster hag, there was a condition that the proposed junction was shut, and an alternative entrance found.

(See picture appendices below.)

The Tockwith Residents Association (TRA) objects on the grounds that there is no way the planned access point can be safe for current road users without major road reshaping. The TRA insists that the safety of current users of Rudgate is prioritised over the convenience of the applicants.

Rural Economy

Policy GS5: of Harrogate Borough Council's Local Plan states that "The council will encourage sustainable economic growth in the district by supporting the development aspirations of **indigenous** businesses" ... and, in the context of this application, "specifically by: ... Supporting the rural and agricultural economy and its diversification". Local, indigenous businesspeople, especially the adjacent farmer have strongly opposed the proposal. Would a farmer be likely to start up a free-range pig farm immediately adjacent to an existing explosives store?

There is no positive local economic benefit to be derived from the proposed development. - The proposed development is contrary to Criteria C of Policy E8 of Harrogate Borough Councils Saved Local Plan, which seeks to ensure that new industrial/commercial

development in the countryside does not have a significant adverse effect on the character and appearance or general amenity of the area. - It represents an expansion of industrial activity into a countryside location. Policy E6 of the Harrogate District Local Development Framework expects industrial activities to be confined to existing industrial areas - It is disingenuous to state that a magazine already exists in this location as it was last used 70 years ago.

The employment potential of the proposal is nil. Much is made by the Proposers of the need for explosives within the Harrogate District/Yorkshire. The District is county sized; the explosives will be used far away from Tockwith. The TRA advises that the explosives be stored nearer the area of their use.

The Tockwith Residents Association (TRA) objects on the grounds that this planning application compromises the happy working of pre-existing, indigenous businesses, for no benefit to the local rural economy. It puts extra strain on the infrastructure without providing any employment. It will disrupt economic growth by making lets on the nearby business park less attractive and more difficult to access.

Conclusion

The Tockwith Residents Association notes that this proposal was previously planned for Great Ouseburn: 16/05077/HSC at Lightmire Lane; it was rejected.

Tockwith Residents Association, on behalf of its 100+ members, strongly objects to the storage of 35 tonnes of Explosive and up to 50 tonnes of Ammonium Nitrate only a few hundred metres from habitations and businesses. We ask Harrogate Borough Council to reject the application.

Peter Pozman

Chairman of Tockwith Residents Association

14th August 2019

Picture appendices ref Transport: see below:





