

MALTON TOWN COUNCIL

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31st July 2024

Dear Sir/Madam

LETTER OF OBJECTION

Ref 21/01115/MOUTE [Hybrid Planning Application comprising: 1) Full planning permission for the erection of 645no. dwellings comprising of 12no. one bedroom dwellings, 142no. two bedroom dwellings, 273no. three bedroom dwellings, 218no. four bedroom dwellings with parking and landscaping, new link road from Beverley Road to Hugden Way, open space, surface water drainage basins, infrastructure and site access. 2) Outline planning permission for the erection of a primary school (site area 2.1ha). (Total site area 31.96 ha) | Land Adjacent To Norton Lodge Beverley Road Norton Malton North Yorkshire]

With reference to the above planning applications Malton Town Council wish to raise an objection relating to the capacity of the existing Norton foul drainage system to accommodate this development. Our concerns are that there is insufficient capacity in the sewerage system and additional discharges will result in untreated sewage being discharged directly into the River Derwent in periods of heavy rainfall.

The Yorkshire Water response as statutory consultees states in their letter of 25 March 2022 that *"The maximum foul water pump rate shall be restricted to 10 (ten) litres per second, to the public combined sewer network. (In the interest of satisfactory and sustainable drainage)"*. Their letter also states that *"Regarding the foul water proposals, the proposed pumped rate of 31 (thirty-one) litres per second is not acceptable. Accounting for the entire development including the proposed one-bedroom dwellings (which are assumed to have less peak foul discharge per day), we propose a maximum foul pump rate of 10 (ten) litres per second. We have no objection to the proposed point of foul water discharge."*

The Environment Agency (EA) Event Duration Monitoring records for the past five years show that the existing sewer network and sewage pumping stations in Norton and Malton are unable to cope with the volume of sewage produced by the existing population of the towns, and a 'temporary' Malton, Norton and Old Malton Pumping Plan is being operated with increasing frequency by the EA, North Yorkshire Council, and Yorkshire Water, which is **pumping raw sewage directly into the river Derwent**. North Yorkshire Council have released information which says that last winter (2023/2024) was the highest number of times the pumps were deployed for when the pumps were operational for 80 days.

Attached, as Annex 1 are EA EDM records (cross-checked with The Rivers Trust Sewage Map) showing the number and duration of sewage 'spills' in Malton, Norton and Old Malton in 2023. More data is available on: visitmaltonsewer.co.uk. The EA and Rivers Trust figures exclude the volume of raw sewage being pumped into the river as part of the multi-agency Malton, Norton and Old Malton Pumping Plan. A further 20 portable, industrial, pumps (and several tankers) were used between November 2023 and February 2024 to pump combined sewage from Malton, Norton and Old Malton into the river Derwent.

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When the pumps are deployed as part of the pumping plan raw sewage is pumped into the river Derwent. Due to insufficient capacity the Malton and Norton sewerage system is unable to maintain full functionality in all weather conditions, and all the additional waste discharged into the foul sewer as a result of the 645-house development on Land Adjacent To Norton Lodge, will (during periods of heavy rainfall) be discharged into the river Derwent.

In its own report to Members dated 26 January 2018, North Yorkshire County Council (NYCC) as Local Lead Flood Authority, highlighted the effects of the flood risk on the community and economic growth in Malton, Norton and Old Malton, it says;

- 4.1 *When flooding occurs in Malton, Norton and Old Malton residential properties and businesses are at high risk of internal water ingress and associated damage. Businesses in the wider vicinity experience a secondary effect due to inaccessibility caused by the associated road closures, primarily the smaller local businesses on Castlegate. There are consequent related issues with recovery and insurance.*
- 4.2 *When flooding occurs there is additional related disruption experienced by any business in the town which rely on Castlegate, Welham Road or the Old Malton approach from the A64 for delivery or trade.*
- 4.3 *Ryedale District Council initiates the local recovery following a flood incident. The costs of which are estimated by the authority to be approximately £20k following a flood event.*
- 4.4 *Aside from the immediate costs associated with response, insurance and recovery, the repeated flooding leaves residual economic issues, concerning land value and use, the appearance of the immediate area, the transience of its community and its willingness to invest and critically the viability of the area to accommodate businesses.*
- 4.5 *All the inter-related problems in Malton and Norton are in close proximity to each other. The associated closure of County Bridge which connects the towns of Malton and Norton therefore has implications on transport links and connectivity between the two communities.*
- 4.6 *The repeated property flooding has led to a “transient” community in the vicinity of County Bridge and has degraded the quality of the public realm and undermined property values in this area. Flats are leased on short term lets and anecdotal evidence from landlords suggests that following vacation from property after flooding events, the same occupants rarely move back into the flats, the previous occupants having sourced alternative accommodation. As a result some properties do not have the same residents in them for more than one or two years, and there is a reluctance to invest in the property.*
- 4.7 *The residual risk of flooding, coupled with the transience of the community, has led to a “broken windows” effect, surrounding County Bridge, with landlords and property owners feeling a disincentive to adequately maintain properties, which they know are at high risk of water inundation in the future. There are consequently also a number of derelict buildings, including a large office block and a listed property, which further detract from the amenity of the location.*

Since 2018, only very minor works have been undertaken by the agencies responsible for flooding and the problems therefore remain acute. According to the 2018 NYCC report Malton, Norton and Old Malton, presently ranks as the **highest priority location** for the council for investigating flooding in all of North Yorkshire.

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The Water Industry Act 1991, Section 94: requires Yorkshire Water (The Statutory Sewerage Undertaker) *(a) "to provide, improve and extend such a system of public sewers (whether inside its area or elsewhere) and so to cleanse and maintain those sewers [F1 and any lateral drains which belong to or vest in the undertaker] as to ensure that that area is and continues to be effectually drained."*

Malton Town Council propose that permission for the proposed development should not be granted without binding commitments to improve the sewerage capacity.

Yours faithfully

G Cook

Gail Cook

Clerk to Malton Town Council