

	<p align="center">REPORT TO PLANNING & DEVELOPMENT COMMITTEE</p> <p align="center">TO BE HELD ON THURSDAY, 4 October 2018</p>	
<p>APPLICATION REFERENCE NO:</p> <p>17/02734/FL</p>	<p>TARGET DATE:</p> <p>23 March 2018</p>	<p>GRID REF:</p> <p>511735-481301</p>

REPORT OF THE PLANNING SERVICES MANAGER – PSM/18/215

SUBJECT: Development of Retirement Living Apartments and Lifestyle Living Bungalows for McCarthy And Stone Retirement Lifestyles Ltd (c/o Agent) Site At Church Cliff Drive Filey YO14 9ES

1.0 THE PROPOSAL

1.1 The application site is situated on the northern side of Church Cliff Drive, between the Wooldale Drive estate and the Country Park, opposite the Church Cliff Farm housing complex.

1.2 The site is 1.45 Ha in area and is currently in agricultural use.

1.3 This proposal is for a residential development of 59 dwellings, comprising a 2 story block of 39 flats and 20 bungalows which would variously be detached, semi-detached and terraced. The flats would be 24 x 1 bedroomed and 15 x 2 bedroomed. All of the bungalows would be 2 bedroomed. The applicants describe the proposal as retirement housing, with the occupation of the bungalows restricted to people aged over 55 and, in the case of the apartments, over 60 years old or in the case of a couple one person over 60 and one over 55.

1.4 The apartment block would be sited in the South-eastern portion of the site with bungalows occupying the remainder. The full 2 storey wing of the apartment block would be 5.4m to the eaves and 8.3m to the ridge. A wing containing dormer windows along the Church Cliff drive frontage of the site would be 2.3m to the eaves and 8.1m to the ridge. The bungalows would be approximately 2.6m to the eaves and 5.3m to the ridge. All walls would be constructed in brick. As proposed, the apartment block and 8 bungalows would be roofed in pantiles, with the remainder roofed in a "slate effect roof material".

1.5 The single access to the site would be taken from Church Cliff Drive. It is proposed that the roads and footpaths within the site would remain private and not put forward for adoption by the Highway Authority. Thirty five parking spaces would be provided for the apartments and each bungalow would have 1 dedicated parking space. 4 visitor parking spaces would be provided within the site.

1.6 The apartment block would be set in landscaped grounds and all but 2 of the bungalows would have an enclosed rear garden area. A central area of public open space, described as an "activity lawn" would be provided and an open amenity area, described as a "linear park" would extend along much of the western boundary of the site.

1.7 The layout of the proposed development has been amended since the original submission in order to avoid water and sewer mains which cross the site and in response to the comments of your Officers regarding the impact on the amenities of neighbouring residents. The amended layout has been subject to reconsultation with relevant consultees and the public.

1.8 The application has been accompanied by a draft legal agreement offering unspecified financial contributions to off-site affordable housing, off-site public open space and the provision of on-site public open space.

1.9 The following supporting documentation has also been provided: Housing Needs Report; Statement of Community Involvement; Ground Investigation Report; Transport Statement; Flood Risk Assessment; Ecological Report; Planning Statement; Archaeological Assessment; Design and Access Statement; Heritage Assessment; and a Financial Viability Assessment (confidential).

2.0 SCREENING OPINION REQUIRED?

2.1 No

3.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

3.1 McCarthy & Stone has stated that it is committed to consulting with the local community regarding its proposed development. Residents and stakeholders were given the opportunity to provide their feedback regarding the proposal at all stages of the public consultation via many different channels. A Freephone information line and dedicated website were made available throughout the course of the consultation programme, and was to be available following submission for interested parties to receive further information and provide their feedback to the project team. Consultation included offering early one-to-one meetings with elected representatives, neighbouring residents and third-party groups to enable stakeholders to view the proposals prior to them being displayed to the wider community; these were offered on an appointment basis. A public exhibition was also held to which 993 local residents and businesses were invited to attend. On the day 127 individuals attended the public exhibition, and feedback forms were available for attendees to record their views. Overall, 46 pieces of feedback were received during the consultation process, which represents a 4.7% response rate. There were 31 objectors, 9 supporters and 6 non-committed. All comments received were reviewed by the project team and, where possible and appropriate, amendments were made to the proposal. Feedback was also given at the exhibition and questions were answered. Many of the issues raised are covered in the application documents. The main topics were: concern over flooding; concern over multi-storey buildings; concern over pressures on local infrastructure; concern over parking near the site; concern over access to the site; and, concern over traffic. McCarthy & Stone states that it remains committed to engaging with the local

community and, following the submission of the application, will ensure that interested parties and stakeholders remain informed and updated about the proposal.

4.0 CONSULTATIONS AND COMMENTS

The following is a summary of the key and relevant comments received from consultees and interested parties. Their full comments and any accompanying documentation are available to view on the Council's website.

4.1 Filey Town Council - Object. No properties should be built in this location until the flood alleviation scheme has been installed and proved to work. Any future buildings on this site should consist of only bungalows to blend in with the existing properties.

4.2 Highway Authority - The proposed development is acceptable in principle. The access should be constructed to the specification of the local highway authority. Two dropped tactile crossings would be required at the Church Cliff Drive/Arndale Way junction and across Church Cliff Drive between the development and Arndale Way to improve the access for pedestrians and mobility scooters to the facilities within Filey town centre via the footbridge over Church Ravine and to the closest bus stop on Scarborough Road. The provision of these two crossing facilities will provide a safe, sustainable connection for the local residents to the local facilities and a link to the local public transport. The internal roads will be privately owned and maintained. The following observations are for information. There are some concerns regarding the design of some of the internal fencing which is immediately adjacent to the carriageway surfaces, compromising vehicle manoeuvrability, particularly on the cul-de-sac to the north-eastern corner of the site and around the central green space area. The landscaping is showing trees in very close proximity to the dwelling accesses off the main access road which will obscure residents' visibility. Recommends conditions concerning the specification of the access to the site; and, provision of parking spaces.

Comments on the revised Layout - The layout of the site has changed, however, the internal roads will be privately owned and maintained and will not be offered for adoption to the local highway authority. The following observations are for the information. The layout plan shows a 1.1 metre high metal railing fence with planting to the rear immediately adjacent to the carriageway of the main spine road of the development, this will give the impression of a reduced carriageway width especially as the planting matures and becomes established and will reduce vehicle manoeuvrability. The landscaping still shows trees in very close proximity to carriageways and at the northern end of the site which could reduce visibility. The vehicle parking for dwelling numbers 16 to 21 appear to be short and immediately in front of the front door to the bungalows. A parking space on a driveway should allow 6 metres to allow the vehicle to be parked and the resident to be able to open the door, without the vehicle overhanging the carriageway. As this development is specifically targeted at older retirement living these residents may have or develop restricted mobility and therefore adequately sized parking spaces should be provided. Recommends an additional condition requiring details of the parking arrangements.

4.3 Lead Local Flood Authority - Finalised drainage layout drawings are requested. The flood risk to site has been mitigated, however the Finished Floor Levels of properties still seem inadequate and it should be demonstrated that the proposed buildings on the site have been raised above the associated 1 in 100 year storm event.

The applicant has demonstrated that the surface water runoff from the land north of the site will be mitigated with a bund. Attenuation for the remaining landscaped area within the site has been established for the 1 in 100 year storm event but this doesn't take into account climate change (40%) and due to the sensitive nature of the development, it might prove beneficial to have this included. It is also requested that the applicant confirm if the swales are balanced. An exceedance plan has been submitted. It is requested that any exceedance routes are directed away from properties. The applicant has submitted a maintenance plan for the development and associated assets. The proposals and submitted documents demonstrate a reasonable approach to the management of surface water on the site. Conditions concerning the following are recommended: Submission and approval of drainage details including proposals for restricting surface water discharge rates; submission and approval of exceedance flow routes; approval of finished floor levels.

4.4 Yorkshire Water - The Flood Risk Assessment is not acceptable. In summary, the report states that surface water will discharge to the public combined sewer. There is a dedicated public surface water sewer in Church Cliff Drive which should be used for surface water disposal. The means of surface water management has not been properly considered within the FRA report. Yorkshire Water requires further information regarding the means of draining surface water from the development. There is a separate surface water system available. The drainage details submitted are not acceptable to Yorkshire Water. A building stand-off from the rising mains and telemetry duct that cross the site of 6 metres is required. The off-site connection point to the combined sewer is unacceptable. Recommend conditions be attached to any planning permission requiring: separate systems for foul and surface water disposal; a 6 metre stand-off of any buildings from existing water infrastructure on the site. Submission and approval of surface water drainage details.

4.5 Drainage and Coastal Engineers (SBC) - No response.

4.5 Environmental Health (SBC) - No objections on housing grounds. Recommend conditions relating to construction work.

4.6 County Archaeologist - The developer has submitted an archaeological desk based assessment with the planning application. I do not agree with the conclusions of the report, particularly the assessment of archaeological potential. The report states that there is moderate potential for archaeological material dating to the medieval period and low to nil potential for all other periods. I would suggest that there is a moderate to high potential for prehistoric activity with later Neolithic and Bronze Age monuments such as burial mounds known along the length of the Yorkshire coastline. A number of local examples are in fact mentioned in the desk based assessment. There is a similar potential for prehistoric settlement activity, particularly from the Mesolithic and Iron Age periods. The development area therefore has archaeological potential, the significance of which cannot be established by desk based assessment alone. I recommend that a scheme of archaeological field evaluation should be undertaken to identify and describe the nature and significance of any surviving archaeological remains within the proposed development area, and enable an understanding of the potential impact of the proposal upon their significance. Further comments - The developer has provided additional information including the results of an archaeological field evaluation in the form of a geophysical survey and trial trenching. The evaluation revealed a small rectangular enclosure of prehistoric date in the south-western part of the development area. The archaeological deposits

associated with the enclosure are of local significance but are not of such interest as to preclude development. Further archaeological investigation would enhance our understanding of the feature in its own right and of prehistoric activity along this stretch of the coast. I advise that a scheme of archaeological mitigation recording is undertaken in response to the ground disturbing works associated with this development proposal.

4.7 Police Architectural Liaison Officer - The development lies within an area with relatively moderate crime levels and relatively high anti-social behaviour levels. Any new development has the potential to increase these levels if the designing out of crime is not considered and implemented. The Design & Access statement includes a section on Safety & Security; however, this appears to focus mainly on the Sheltered Housing aspect of the development and what crime prevention design features have been incorporated into this part of the development. There are additional references regarding crime prevention included throughout the document and this is welcomed. The Design & Access statement states that each bungalow will be provided with defensible space to the front and that public and private areas will be clearly demarcated by the use of estate railings and this is welcomed. Defensible space also requires the clear demarcation of private spaces to dwelling frontages, as failure to provide this can lead to neighbour disputes over ownership or maintenance. This has been provided for some, but not all plots. The Design & Access statement indicates that the boundary treatments to the rear gardens of the bungalows will be 1.8m in height with sub-divisional treatments of 1.5m and access control to the rear garden will be provided by a gate. However, this is not reflected on either the Site Layout or Landscape drawings, where a number of rear gardens are enclosed with only a 1.5m fence and some have no access control. The proposed parking provision for the bungalows is to be commended as it complies with best practice by either providing a garage, or having in curtilage parking and avoiding the use of rear parking courts. The communal parking area for the Sheltered Housing is appropriate and is provided with good levels of natural surveillance from within the building. As indicated in the Transport Statement it is accepted that the demographic of the residents of this development are less likely to use cycles as a form of transportation. However, the document indicates that cycles could be stored within the storage area for the mobility scooters and those residents of the bungalows that have a garage could store cycles in the garage. Therefore, the developer should ensure that all garages are large enough to accommodate both a vehicle and cycles. For those bungalows without a garage consideration should be given to providing a secure outbuilding, where both cycles and garden equipment could be stored. All external doors should be illuminated with vandal resistant security lighting. The Design & Access statement states that the communal parking area for the Sheltered Housing will be illuminated by bollard lighting. This type of lighting should be avoided as it does not project sufficient light. Consideration could be given to the installation of a CCTV system to cover the main entrances to the sheltered housing. The proposed landscaping details are appropriate and raise no concerns in relation to designing out. All utility meters for the bungalows should be external at the front of the property or if on the side elevation as close to the front building line as possible and in front of any boundary protection to the rear. This removes the need for access into the property to read them. Should this application be granted I would ask that a planning condition be placed on it requiring that prior to the commencement of any works that the applicant provides full written details of how the issues raised by the Police Designing Out Crime Officer are to be addressed.

4.8 Ecologist (SBC) - The Biodiversity Plan submitted with the application offers some adequate mitigation and enhancement features for local biodiversity, namely in bird and

bat boxes and use of native species 'wherever possible' in the landscape plans. Also they propose a sensitive lighting scheme for minimal adverse impact upon foraging of bats. Whilst I endorse the proposals which are included, I would make the following suggestions: that the plan specifies annual checks and where appropriate replacement of the bat and bird boxes each year; that consideration is given to Hedgehogs. These can be accommodated by a suitably worded condition.

4.9 Housing Strategy and Development (SBC) - We are disappointed to see note that the applicants have not proposed any affordable housing on the scheme, which is in direct contradiction with the Council's Supplementary Planning Document (SPD) for Affordable Housing. This is particularly disappointing as the mix of the scheme with bungalows and flats does lend itself to the provision of some of the bungalows as on-site affordable housing. The applicants have included a report on Housing and Care Needs as part of their planning submission. The report aims to make the case for the development being for sales only by stating that there is an under-provision of retirement housing for sale in the Borough, whilst in contrast there is an over-provision of rented housing for elderly persons in the Borough. We are concerned that the report contains a number of flaws and inaccuracies, especially in terms of the evidence base, which has a bearing on the conclusions of the report, and some care should be taken in taking on board its findings. We would expect that in any case any assessment of the need for affordable housing should be based strictly on the viability of the scheme and whether this allows for any affordable housing provision. Dependent on the outcome of the viability assessment, we would be prepared to accept on-site affordable provision in respect of the bungalows and a financial contribution in respect of the flats

4.10 Publicity - Consultation period expired on 23 July 2018.

4.11 45 letters of objection to this application have been received from local residents. Some of these are signatories at the bottom of a standard letter. The same letter has also been used as a petition containing 46 signatories. The points made in objection to the application are summarised in the following paragraphs.

4.12 Concern that the building is on open land / flood plain and the effect it will have on flooding in Filey along with the increased demand on water / sewage. More so when we have storms which increases the amount of water in the drainage system which currently struggles to cope.

4.13 Loss of open space will also be a great loss to the wildlife in the area something which attracted me and many others to the area to visit and now live in.

4.14 Please also look into the buildings only being 1 storey, not higher.

4.15 I have looked at this type of property in the past and found them very expensive and believe they are not for Filey.

4.16 The Government have asked farmers to produce more, yet McCarthy and Stone are going to concrete over farmland that has been producing crops for many years.

4.17 The proposal does not follow NPPF, PPG or the Strategic Flood Risk Assessment guidance with regard to flood risk areas.

4.18 The proposed plan is not consistent with the guidelines in the Housing Land Selection Methodology and Assessment report. Specifically, Question 13 on Historic Environments states: "Design considerations should be placed upon proximity to listed Church Cliff Farm" and that "for development here not to have adverse effect on the heritage assets it needs to be one of three alternatives." The plan is a combination of bungalows and a large L shaped 2 storey apartment block. This does not meet the criteria of the HLSMA.

4.19 As the overwhelming majority of properties in the area are single storey the proposal for a two storey apartment block is inconsistent. The proposed location of the two storey complex will undermine the character of the area and will gain a position of prominence that will be to the detriment of existing properties.

4.20 The proposed development is not sympathetic to Church Cliff Farm, which is a heritage asset.

4.21 The Strategic Flood Risk Assessment (SFRA) for Northeast Yorkshire States no development to be in this area. The area is identified as a recognised flood management zone.

4.22 In 1990 and 1991 this scheme was considered to be inappropriate for development by the Borough Council and Planning Inspectorate.

4.23 The HLMSA gives an indicative yield of 30 dwellings on this site; this proposal involves 29 additional units, or a 49.1% increase.

4.24 All development on this site should be single storey development.

4.25 The application incorrectly identifies 3 properties within the Church Cliff Farm complex, 8 properties along Wooldale Drive and Arndale Way as being 2 storeys; in fact they are single storey.

4.26 This area is a Critical Groundwater/Surface Water Runoff Zone, a Critical Drainage Area and a Reported Sewer Flooding Area.

4.27 There are inadequate separation distances between the backs of properties on Wooldale Drive and the new development which will result in overlooking.

4.28 Parish Field House is the only property on two levels in Church Cliff Farm running adjacent to this site. Parish Field House sits considerably lower than Church Cliff Drive so does not appear as imposing as a very large L shaped apartment block would do which will rise up away from Church Cliff Farm.

4.29 Whilst I appreciate that the Borough Council has been directed to make available sites for housing allocation, this site in particular and Filey as an area does not require this additional development. Over recent years more and more houses that have come on to the market have been purchased as second homes.

4.30 Most dwellings are likely to be purchased by people relocating to the area. The strain on the doctors' surgery in Filey would be immeasurable.

- 4.31 The development will have a detrimental impact on the rural character of the local environment and may also lessen the value of it as a tourism asset. This part of the cliff top, at present, is uninterrupted by development. We feel this apartment block will change the nature of this environment and may be the harbinger of further development towards Filey Brigg; an SSSI.
- 4.32 Our bungalow has a conservatory to the rear which is not on the plan. It extends to 6.1 meters from the fence which abuts site.
- 4.33 The current approach to the Country Park, Filey, is one of the subtle jewels in Filey's impressive crown. This delightful approach will be grossly affected.
- 4.34 McCarthy & Stone's bland block that ignores vernacular architectural style, will be a permanent blot. Visually, it will intrude in terms of roofline height & sheer bulk.
- 4.35 Environmentally, it will add considerably to ground water run-off.
- 4.36 The wildlife, particularly migrating birds which use Filey Brigg's promontory as a landing point after crossing the North Sea will be adversely affected.
- 4.37 Traffic for residents, staff, services & visitors will conflict with visitors & short term stayers at the Country Park caravan & tenting site. Emergency vehicles will also be obliged to use the single access road, with obvious safety implications.
- 4.38 The need to protect landscaped areas has increased to an extent where unnecessary development should be discouraged.
- 4.39 The drainage strategy and drawing shows engineering works and flood water storage capacity to the north of the site beyond the red line boundary. This work, associated with the drainage strategy also falls outside the town development limits. The area of works necessary for the development to be constructed in its current form must be within the red line application boundary.
- 4.40 The scale and location of the development will significantly harm the street scene.
- 4.41 The catchment tanks are undersized. The assumption that any surplus surface water from the landscaped areas could be taken up by planting lacks credibility. Works to restrict surface water run-off from the open land to the north of the site lie beyond the site boundary. It is apparent that insufficient consideration to the flood risk associated with this site has been given. This will, no doubt, set the alarm bells ringing with local residents. This will particularly relate to residents of Church Cliff Farm, who were fully expecting a flood alleviation scheme to be implemented that would eliminate their fear of future flooding. It is well known that the existing surface water drainage system in the area fails to accommodate high flow rates during prolonged periods of rainfall or heavy storms. Flooding has occurred along Church Cliff Drive and the sewer capacity in Church Ravine is inadequate. This results in the water pressure lifting manhole covers during 'normal' storm conditions. The effect on the system in a 100 year event would be devastating. The proposal for 59 properties plus other developments in the town and surrounding areas may well require an increase in the capacity of the sewage works.
- 4.42 The site lies on the edge of the Conservation Area and, as such, it is vital that a bespoke design should be required. The design as submitted appears to comprise

standard house types from an urban development that have been arranged around the site perimeter and a two storey block of flats situated on the edge of the country park. The Church Cliff Farm complex opposite the site is an important feature and reference point so any site assessment of the surroundings should pay particular attention to the architectural style, massing and layout. Notwithstanding the fact that the development on this site is undesirable in any form, there is an opportunity here to provide a quality scheme of up to 30 dwellings in single storey form to preserve the quality of the Conservation Area.

4.43 Bearing in mind the severe detrimental impact development of this site will have upon the residential amenity of residents on Wooldale Drive the separation distances proposed are inadequate.

4.44 The submitted plans do not show adequate access or turning facilities for a fire appliance. Parking provision does not appear to include sufficient space for the parking of vehicles, particularly disabled persons, and visitors. Parking to the flats is in close proximity to the country park and caravan site. This is likely to cause disturbance to visitors who will, no doubt, want to visit Filey for a quiet relaxing holiday.

4.45 This development is planned for what is presently a 'buffer' zone between the urban outskirts of Filey and a clearly defined tourist amenity (i.e. The Country Park and the associated caravan park). This is clearly not a suitable arrangement, with new residents almost certainly being subjected to the noise effects of the caravan park and its visitors. Equally the caravanners, who have enjoyed the open rural aspects of the park, will see this development overshadow those, particularly if the flats building proceeds.

4.46 The proposed bund is outside the application site boundary and the Filey Development Limits.

4.47 Yorkshire Water/flood mitigation measures are clearly insufficient.

4.48 NYCC Heritage Services require further archaeological statements.

4.49 There is over provision of rented accommodation for the elderly in the Borough.

5.0 RELEVANT SITE HISTORY

5.1 1990 - Outline planning permission refused for residential development; contrary to policies in the Draft Filey Local Plan, being development in the open countryside and resulting in an over provision of housing. A subsequent appeal was dismissed

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise (in the case of advertisement applications the Advertisement Regulations 2007 are applicable). Attention is drawn to the following Development Plan

and other planning policies and guidance which are considered to be particularly relevant to the consideration of this application:-

Scarborough Borough Local Plan 2017

SD 1 - Presumption in Favour of Sustainable Development

SH 1 - Settlement Hierarchy

DEC 1 - Principles of Good Design

DEC 2 - Electric Vehicle Charging Points

DEC 3 - The Efficient Use of Land and Buildings

DEC 4 - Protection of Amenity

DEC 5 - The Historic and Built Environment

DEC 6 - Archaeology

HC 1 - Supporting Housing Development

HC 2 - New Housing Delivery

HC 3 - Affordable Housing

HC 5 - Older Persons Housing

HC 10 - Health Care and Education Facilities

HC 14 - Open Space and Sports Facilities

ENV 3 - Environmental Risk

ENV 5 - The Natural Environment

INF 5 - Delivery of Infrastructure

National Planning Policy Framework

NPPF6 - Building a strong, competitive economy

NPPF7 - Ensuring the vitality of town centres

NPPF8 - Promoting healthy communities

NPPF10 - Supporting high quality communications infrastructure

NPPF11 - Making effective use of land

NPPF12 - Achieving well-designed places

Scarborough Borough Supplementary Planning Documents

Green Space (Adopted November 2014)

Affordable Housing

Local Planning Policy and Guidance

None relevant

7.0 ASSESSMENT

The Principle of Development

7.1 This site is allocated for housing under policy HC2 of the Local Plan (allocation HA 24). The Local Plan Housing Allocation Statement sets out the following requirements for the development of the site:

- The main or sole access is taken from Church Cliff Drive

- Any proposal should be accompanied by a flood risk assessment containing a surface water drainage strategy. Any development should not prevent or stymie the proposed flood alleviation measures and be required to perform to the same specification.
- Open Space Allocation OS10 to the north should be provided as an area of natural and semi-natural green space.
- The development should be designed to respect the entrance to Filey Country Park and the listed buildings opposite at Church Cliff Farm with the inclusion of appropriate boundary treatment along Church Cliff Drive.
- A landscape buffer between the eastern edge of the site and the Country Park.

7.2 Therefore, subject to meeting these requirements, compliance with other Local Plan policies and satisfying any other material planning considerations, residential development on this site is considered to be acceptable in principle.

7.3 Some objectors to the scheme have made the point that planning permission for residential development on this site was refused in 1990 and a subsequent appeal dismissed and suggested that nothing has changed with the site. What has changed is the planning policy context of the site; previously it lay in the open countryside and there was not such demand for new housing. It has now been brought within the Development Limits of Filey and specifically identified as a site that can contribute to meeting the housing requirement in Filey and the Borough as a whole.

7.4 Although not a specific requirement of the Local Plan for this site, the applicants propose housing accommodation that is targeted at the elderly. Local Plan policy HC5 lends general support to the provision of specialist housing for older people. This site meets the locational criteria for development set out in the policy. As the obligations associated with unrestricted housing, such as provision for education and play space for children, would not be provided with this development, it would be necessary to restrict the age of the occupants by condition.

7.5 The Local Plan gives an indicative threshold of 30 dwellings on this site; the proposal for 59 units is almost double that. It must be stressed however that the threshold in the Local Plan was purely indicative, based on the site area accommodating typical estate development including larger, family sized housing; this development involves small flats and bungalows. There is considered to be no objection in principle to a substantially higher number of houses, provided all material considerations are satisfied. Indeed Local Plan policy DEC3 expects proposals to make efficient use of land, provided it is in character with the local area.

Design: Layout, scale and appearance

7.6 It is considered that the layout of the site will fit well into its surroundings and provide a pleasant residential environment. Bungalows and the apartment block would front onto Church Cliff Drive, behind a 12 metre landscaped buffer, making a positive contribution to the street scene along this road.

7.7 The L shaped apartment block also fronts onto the main spine road of the development, with car parking set behind the building where it is less prominent. A central green is provided with a terrace of 3 bungalows facing onto it. To its north, 3 bungalows back onto it, but have been designed with relatively open areas to the rear leading onto the open space, rather than being isolated from it. Although the bungalows are side on to the main spine road, it is considered that the combination of the

apartment block and open space ameliorates this and an attractive street scene will result. Elsewhere within the scheme, bungalows front onto the estate roads.

7.8 The bungalows would be situated in a well landscaped setting and car parking space is generally provided within the curtilage of the bungalows. Where remote parking is used, it does not exceed four spaces together and, so, the development will not appear to be dominated by car parking.

7.9 Given the immediate surroundings of the Wooldale Drive estate and Church Cliff Farm complex it is considered that any development on this site needs to have a domestic scale. The Local Plan Allocation Statement suggests that bungalow development may be appropriate on this site, but that is a suggestion rather than a requirement. The portion of the site closest to Wooldale Drive comprises small bungalows and thereby closely reflects the scale of adjoining development. The apartment block is obviously larger, but the applicants have used valley gutters to keep roof heights down. With eaves at 5.4 metres and a ridge height of 8.3 metres, this is similar to modern 2 storey estate development. The use of dormers and a lowered eaves line along the Church Cliff Drive frontage results in a building which is more sympathetic to the scale and form of buildings found within Church Cliff Farm opposite. The ridge line of the apartment building is also stepped in response to the increasing site levels from south to north which, together with the use of gabled wings and French windows at ground floor level, helps break up the massing of the building. The overall effect results in a building which is reminiscent of a terrace of 2 and 1 ½ story houses. For these reasons, it is considered that the scale of buildings proposed is appropriate to its setting and location.

7.10 It is also worth noting that the main wing of the apartment building is set approximately 39 metres away from the western boundary of the country park. Tree planting is proposed along the eastern boundary of the site; then there is an 8 metre buffer for agricultural access and the existing very substantial hedgerow along the western boundary of the Country Park. Therefore, it is considered that this development will not be at all prominent from the Country Park or adversely affect its setting or character. This buffer also meets one of the requirements of the Allocation Statement.

7.11 It is considered that the appearance of the proposed buildings is pleasant in their own right and the apartment block and bungalows are in harmony and will appear as a coordinated development. One of the requirements of the Allocation Statement is that the design should respect the listed buildings in Church Cliff Farm. Subject to the use of an appropriate brick for the walls, which can be conditioned, it is considered that this requirement will be achieved. The hipped roof form of the bungalows, the low eaves level of the apartment block with brick walls and pantile roofs respect those buildings. It is considered that, subject to details of the specific material, the use of a grey slate effect roofing material along the northern boundary of the site is appropriate as this will be less strident and prominent from the open countryside to the North (and the adjacent allocated public open space) and from the northern parts of the Country Park, albeit those views will be limited by intervening vegetation.

7.12 It is proposed that two of the bungalows towards the front of the site (plots 6 and 7) would have grey roofs. However, it is considered however that these should be roofed in pantiles in unity with the other frontage development and respect to the Church Cliff farm buildings. If the Committee agrees, this can be required by planning condition.

7.13 Local Plan policy DEC1 expects good design in order to create attractive, desirable places where people want to live. It is considered that the proposed design for this site achieves that in a manner that will successfully integrate with the surroundings.

Amenity

7.14 Local Plan DEC4 requires development proposals to provide a good standard of amenity for existing and future occupants.

7.15 The eastern boundary of the site lies closest to Filey Country Park and the holiday touring caravan and camping site therein. As explained above, it is considered that the separation of the building and Country Park together with the intervening planting and agricultural access track will avoid conflict between users of the caravan site and new residents.

7.16 As previously explained, the main front walls of the new buildings fronting onto Church Cliff Drive will be set back 12 metres from the boundary of the site. There will be a separation of over 24 metres between the buildings and the boundary wall of the Church Cliff Farm development. The front boundary of the application site will also have a native hedgerow planted across its entire length. The carriageway also lies in between. It is considered that there will be no adverse effect on the amenities of the residents of Church Cliff Farm arising from this development.

7.17 Much of the area along the western (Wooldale Drive) boundary of the site is given over to an area of open space, described as a linear park. This will avoid any overlooking or loss of privacy for the existing residents of Wooldale Drive who back onto it. The housing scheme will be gated and not publically accessible so, given the occupancy restriction proposed by the developer, it is unlikely that disturbance from the use of the open space will arise. However, it is proposed to site two detached bungalows towards the south-western corner of the site which will back onto the rear of existing properties on Wooldale Drive. The minimum separation distance between the rear walls of the proposed bungalows and the original rear walls of the existing bungalows on Wooldale Drive is 18.2 metres (with a minimum rear garden depth of 8.2 metres for the new development). Although the Borough Council has not adopted minimum back to back distances or rear garden depths, a minimum back to back separation of 20 metres between 2 storey dwellings is normally considered acceptable to prevent unacceptable levels of overlooking, loss of privacy or an overbearing effect. It is considered that in this case where single storey development exists and is proposed with a 1.8 metre high rear boundary fence, the separation distances are adequate to prevent unacceptable levels of overlooking, loss of privacy or an overbearing effect. The original back walls of the existing bungalows are used to consider back to back distances as the landowners/developers should not be penalised if previous or existing residents have chosen to reduce effective rear garden depths by extending their properties to the rear. The Southernmost bungalow, plot 6, will have a gable end which faces onto the rear/side garden of No 33 Arndale Way. However there will be a separation of 10 metres to the boundary of the property and 19 metres to the house. A hedgerow will be planted along the intervening boundary and behind it, an area of open amenity space with further planting. This will avoid any unacceptable adverse impact on the amenities of the occupiers of that property.

7.18 The layout and design of the proposed scheme will offer a good level of amenity for future residents. The apartment block would sit in spacious, landscaped grounds. All but 3 of the bungalows have enclosed rear garden space. Some of these have gardens that are less than 10m deep, but given the single story nature of the development, the occupancy restriction and the amount of communal open space, this arrangement is considered to be acceptable. The 3 bungalows that do not have enclosed garden areas have been deliberately designed to open onto the central green area; they also have small semi-enclosed patio areas and would be suitable for people who do not want gardens to maintain. Their amenities would not be compromised by this arrangement. The juxtaposition of the new dwellings will not result in any unacceptable levels of overlooking or any overbearing effect.

7.19 It is, therefore considered that this proposal complies with policy DEC4 in respect of its impact on existing residents and neighbouring uses and future occupiers of the proposed housing.

Flood Risk and Drainage

7.20 The application has been accompanied by a Flood Risk Assessment which recognises that the site lies within a Critical Drainage Area, makes reference to the Strategic Flood Risk Assessment, anecdotal evidence and the proposed (and approved) Filey Flood Alleviation Scheme.

7.21 The FRA concludes that the site itself is not at risk of flooding but surrounding areas are susceptible. The FRA proposes that a bund should be constructed along the northern boundary of the site to contain surface water from the north running onto the site and subsequently onto Church Cliff Drive. A bund is shown on the application plan but it lies outside of the application site area and does not form part of this application. Furthermore, there are no other details of the bund or what will happen to the contained water. Subsequently a separate planning application has been submitted for the proposed bund; this is subject to consultation and will be brought to Committee in due course. If the Committee is minded to approve the residential application, it could impose a "Grampian" condition that the residential development should not proceed until the bund is in place. However, as the works required by such a condition must be likely to take place, any planning permission for housing should not be issued unless and until an approval is granted for the bund application. The applicants would, therefore, need to agree to an extension of time until the bund application has been determined. The Lead Local Flood Authority has advised that the surface water drainage proposals adopt a reasonable approach but have recommended that further details are sought by planning condition.

7.22 It proposes that surface water will be stored on site prior to discharge into the existing main sewer further down Church Cliff Drive. Yorkshire Water have requested further detail from the developers to demonstrate that there are no more sustainable methods of draining surface water from the site before they allow discharge into their sewer. They have recommended that this issue be dealt with by planning condition.

7.23 A requirement of the Allocation Strategy is that the development of this site should not prevent or stymie flood alleviation measures. The approved but unimplemented Filey Flood Alleviation scheme includes the construction of a bund along the Church Cliff Drive boundary of the site. The bund that the developers are now proposing to the north of the site is intended to replicate its function. Unfortunately to

date the Borough Councils Drainage and Coastal engineers have not responded to the consultation on this application; they have also have been consulted on the separate application for the bund to the north.

7.24 Foul drainage will be to the existing mains sewer. Yorkshire Water has raised no objection to this proposal.

Heritage

7.25 The site lies outside but adjacent to the Filey Conservation Area. The boundary of the Conservation Area was drawn to include the Church Cliff Farm buildings. A requirement of the Allocation Statement is that the development should respect the listed buildings within that complex. The units directly opposite the application site and which would be seen as part of the street- scene with the new development are not listed. These buildings and the existing boundary wall screen the listed buildings from Church Cliff Drive and, therefore, this development will not adversely affect the setting of the listed buildings within the complex. As explained in the Design section above, it is considered that the design and materials of the proposed development, particularly that along the Church Cliff Drive frontage would complement the Church Cliff Farm buildings opposite. In conclusion it is not considered that the proposal will adversely affect the character or appearance of the Filey Conservation Area.

7.26 The County Archaeologist identified this site as one with high potential archaeological interest and recommended pre determination investigation. This has been undertaken to the satisfaction of the Archaeologist who has confirmed that the findings are not sufficient to preclude the development. He does, however, recommend further survey work in association with the ground disturbing works associated with any development of the site but has confirmed that this can be dealt with by condition.

Access and Highways

7.27 There only access to the site is directly from Church Cliff Drive. No access is proposed from Wooldale Drive and the access arrangements meet the requirements of the Allocation Statement.

7.28 This will be a gated community served by private roads over which the Highway Authority will have no jurisdiction. The Highway Authority is satisfied with the access from the County Highway subject to details of the specification and details of the parking arrangements, to avoid on street parking. They have offered some comments on the detailed design of the site for information. However, the fact that this is a private road allows more flexibility to create a greener environment which is considered more appropriate to the nature and form of this development. Cycle storage is provided in the flats in the same area as the mobility scooter storage and each bungalow is provided with a shed.

7.29 No details of the gated entrance have been provided but these can be required by condition.

Ecology

7.30 The Habitat Survey accompanying the planning application describes the site has having low ecological value and the development has having a neutral to slight negative

impact on biodiversity. Local Plan policy ENV5 advises that proposals should seek to provide a net gain in diversity. The ecological report recommends landscaping and the installation of bird and bat nesting boxes to off-set any harm and enhance the ecological value of the site. The Council's ecologist has endorsed the proposals but wishes to see annual checks on the boxes and provision made within the site for hedgehogs, such as gaps at the bottom of fences. These are considered to be reasonable requirements and can be dealt with by condition.

Public Open Space

7.31 To comply with the Council's Green Space SPD, the scheme generates a requirement for 0.05 ha of on-site Amenity Open Space and off-site contributions totalling £31,834.98. The off-site contributions would be split between "Parks and Gardens" and "Sports Facilities". No contribution would be required in respect of "Children's Play" provided that the occupation of the dwellings is restricted to people aged 55+. It is suggested that the "Sports Facilities" contribution could be directed towards the improvement of the existing facilities at Clarence Drive Playing Field and/or at the Bowling Club on West Avenue. It is also suggested that the "Parks and Gardens" contribution could be directed to the improvement of the Country Car Park or towards the delivery of the allocated area of open space (site OS10) to the north of the site.

7.32 The proposed activity lawn on its own exceeds the requirement for on-site open space added to which is the linear park area.

7.33 The applicants have submitted a draft legal agreement which offers an unspecified financial contribution towards the provision and improvement of off-site public open space. The sum above would need to be included in a completed agreement prior to any planning permission being issued if it is to comply with Local Plan policy. It is understood that the applicants are prepared to do this.

7.34 The Local Plan Allocation Statement refers to the provision of the allocated area of public open space to the North of the application site OS10. It should be clarified that this wasn't a specific requirement of the development of this site, although as noted above, part of the financial contribution could, potentially, go towards this. The proposed application provides sufficient open space in accordance with Plan policy HC14 and the SPD, subject to completion of a legal agreement. Other mechanisms to provide OS10 are currently being explored by the Council.

Affordable Housing

7.35 The scheme involves the provision of dwelling houses, not a care home; therefore an affordable contribution is required in accordance with the adopted Local Plan. Filey is covered by a 15% affordable housing requirement on schemes of 11 dwellings or more.

7.36 The starting point for the provision for affordable housing on this scheme is therefore on site provision of 15% of the bungalows and apartments. This equates to 3 bungalows and 6 apartments. In some instances the policy states that this can be replaced by a financial contribution to off-site affordable housing provision. It is appreciated that there can be practical difficulties in providing on-site affordable units within apartment blocks that are largely in private ownership and these are often not attractive to Social Landlords because of the difficulty of managing them. The Affordable Housing SPD sets out how such contributions should be calculated and confirms that it

should not be financially advantageous for a developer to provide an off-site contribution. A commuted sum should equate to the actual cost of providing units on-site whilst also taking into account any viability matters.

7.37 The initial sum offered by the developer was not considered acceptable in terms of the Affordable Housing SPD. The initial and subsequent revised offers were based on the submission of viability evidence which suggested that the developer had additional costs associated with the model of housing being proposed specifically in relation to higher build costs. Whilst it is accepted that this form of housing may have additional costs compared to a more typical housing estate forms of development, your officers were not satisfied that the sum being proposed had been justified by the viability information submitted and negotiations continued on the basis of uncertainties over:

- o the values; particularly ground rent and the proposed valuation of the bungalows;
- o build costs and the levels being proposed including, at a later stage, excessive costs attributed to externals;
- o empty property costs were high (the cost to the developer of the properties lying vacant during the sales process in terms of utilities and Council Tax liability);
- o finance costs in terms of the proposed commuted sum payment and the required date of that payment.

7.38 Following protracted negotiations with the Local Planning Authority a proposal for a £300,000 contribution for the provision of off-site affordable housing. This is a substantial increase over the initial offer submitted with the planning application and is considered a satisfactory offer in this instance taking into account the information provided in the Viability Appraisal. Therefore, your officers consider that the proposal can therefore be supported in respect of its contribution towards the provision of affordable housing.

Education Provision

7.39 On the basis that the occupation of this development is restricted to people aged over 55 by planning condition, there is no requirement for a contribution to education provision as the development will not accommodate school age children.

8.0 CONCLUSION

8.1 The development is considered to be acceptable in principle, the design is appropriate for the site and its surroundings and there is no objection to the proposed age restriction proposed by the applicant. The scheme complies with the Local Plan Allocation Statement. Most technical issues have been satisfied or can satisfactorily be dealt with by planning condition.

8.2 Planning permission with a Grampian condition attached requiring provision of the bund for flood defence purposes outside of the application site should not be issued until a planning permission has also been granted for the bund; so that there is a likelihood of it being provided.

8.3 Any grant of planning permission should be subject to a completed legal agreement obligating the developer to make provision for off-site public open space and

the agreed affordable housing contribution. The applicant has agreed to an extension of time for determining the application to give time for an agreement to be completed.

POSITIVE & PROACTIVE STATEMENT

The following steps were taken in an effort to achieve a positive outcome to this application.

The applicants and Local Planning Authority entered into pre-application discussions which provided the basis for a successful proposal to be submitted. Subsequently the Local Planning authority has negotiated with the developer over the layout of the site, allowed the submission of further information to overcome technical concerns, and has continued to negotiate over affordable housing provision.

RECOMMENDATION

That, subject to the completion of a legal agreement obligating the applicant to make a £300,000 contribution to affordable housing provision and a £31834.98 contribution to public open space provision, Planning Permission be granted subject to the following conditions:

1 The development hereby approved shall be carried out in accordance with the following plans and documents:

Proposed Site Plan - Draw No: NE-2429-03-AC-07
Elevations A & B - Draw No: NE-2429-03-AC-12
Elevations C & D - Draw No: NE-2429-03-AC-12
Roof Plan - Draw No: NE-2429-03-AC-14
Bungalow Types A1, B1, B2 & B4 - Draw No: NE-2429-02-AC-15
Bungalow Types A, A+ & B3 - Draw No: NE-2429-02-AC-14
Site Location Plan - Draw No: 12156.DB3.S01.DR.A.SK003
Ecological Enhancement Plan V1
Extended Phase 1 Habitat Survey E-13990

Reason: To avoid doubt.

2 All boundary treatments and other means of enclosure shall be provided before the first occupation of the building to which they relate.

Reason: In the interests of the appearance of the area, the amenities of existing and future residents and crime prevention in accordance with Policies DEC 1 and DEC 4 of the Scarborough Borough Local Plan.

3 Before they are erected on site, details of the sub-station, garden sheds and main entrance gates store shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance and amenity of the area in accordance with policies DEC1 and DEC4 of the Scarborough Borough Local Plan.

4 Before the first occupation of the site, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, hard

surfacing and furniture, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within 12 months of the first occupation of the site. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: In the interests of the setting of the buildings and visual and residential amenity of the area in accordance with Policies DEC 1, DEC 4 and DEC 5 of the Scarborough Borough Local Plan.

5 There shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site has been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

The crossing of the highway footway and that part of the access road extending 6 metres into the site shall be constructed in accordance with the Standard Detail number E7;

Provision to prevent surface water from the site discharging onto the existing highway shall be constructed and maintained thereafter to prevent such discharges;

Provision of tactile paving in accordance with the current Government guidance, at Arndale Way and Church Cliff Drive.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

INFORMATIVE

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

6 No part of the development shall be brought into use until the approved parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing (Reference McCarthy and Stone drawing number NE-2429-03-AC-7) and are available for use. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

7 No building or other obstruction including landscape features shall be located over or within 3 (three) metres either side of the centre line of each of the public rising mains i.e. a protected strip width of 6 (six) metres each, that crosses the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

8 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include evidence that other means of surface water drainage have been properly considered and why they have been discounted. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk in accordance with policy ENV5 of the Scarborough Borough Local Plan.

9 Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a maximum flowrate of 2.9 litres per second for up to the 1 in 100 year event. A 30% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere in accordance with policy ENV5 of the Scarborough Borough Local Plan.

10 No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

Reason: To prevent flooding to properties during extreme flood events and to mitigate against the risk of flooding on and off the site in accordance with policy ENV5 of the Scarborough Borough Local Plan.

11 The development shall not commence until details of finished floor levels of the development hereby approved have been submitted and approved in writing by the Local Planning Authority. The details should include levels of all properties adjoining the application site. Finished Floor Levels should be set above the 1 in 100 year plus climate change flood level with an additional 300mm freeboard above the flood level. The development shall be carried out in accordance with the approved scheme satisfying this condition.

Reason: In the interest of amenity of the occupiers of the new and adjoining properties and flood risk mitigation in accordance with policy DEC4 and ENV5 of the Scarborough Borough Local Plan.

12 A) No development shall commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: This condition is imposed in accordance with policy DEC6 of the Scarborough Borough Local Plan as the site is of archaeological significance.

13 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument, amending revoking and re-enacting that Order), none of the following developments or alterations shall be carried out without the prior written approval of the Local Planning Authority:

- (i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks;
- (ii) the erection of house extensions including dormer windows, conservatories, garages, car ports, porches or pergolas;
- (iii) alterations including the installation of replacement or additional windows or doors and the installation of roof windows;
- (iv) the erection of walls, fences or other means of enclosure.

Reason: The relatively small gardens and semi-open plan nature of some plots represent special circumstances whereby the exercise of normal permitted development rights could severely harm the residential amenities of neighbouring residents.

14 Before the commencement of the construction of external walls, samples of the bricks and roof tiles to be used in the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity to accord with Policy DEC1 of the adopted Scarborough Borough Local Plan.

15 The dwellings hereby approved shall only be occupied by persons aged 55 years and older.

Reason: In the absence of this age restriction, the development may have required a financial contribution towards education provision in accordance with policy HC10 of the Scarborough Borough Local Plan and a larger contribution to public open space in accordance with policy HC14.

16 The development shall not commence until the drainage bund approved by planning permission reference 18/01504/FL has been completed.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere in accordance with policy ENV5 of the Scarborough Borough Local Plan.

17 In addition to the recommendations in the Habitat Survey and biodiversity plan submitted with the application, the bat and bird boxes shall be subject to annual checks by a qualified ecologist and replacement and relocation when the checks indicate that is appropriate. Boundary fences shall be provided with 13cm x 13cm gaps at ground level in locations identified by a qualified ecologist to permit the free movement of hedgehogs.

Reason: To enhance biodiversity in accordance with policy ENV5 of the Scarborough Borough Local Plan.

David Walker

Background Papers:

Those documents referred to in this report.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT MR N READ ON 01723 232483 email nick.read@scarborough.gov.uk



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