

## **STATEMENT OF OBJECTION TO THE PROPOSED DEVELOPMENT OF LAND AT CHURCH CLIFF DRIVE FILEY**

You will be aware that Scarborough borough council have adopted a new local plan that includes land at Church Cliff Drive for residential development. This site is known as ha23.

This was despite significant objection from local residents. Over 80 residents took the time to register their disapproval. This included well documented and researched written submissions to councils and the inspector.

However, the residents were over-ruled and much to our disappointment this cherished part of the countryside is now on the cusp of being developed.

We have a situation where more Filey residents objected to development of the site than those locals, town planners etc, who wish to see the site developed.

In respect of the development on HA23, the Town Council wished the site to be developed after completion of the Filey Flood Alleviation Scheme and that the development should be single storey.

Local residents feel that despite assurances to the contrary by a Local Councillor, the Filey Flood Alleviation Scheme and the development of HA23 are intertwined. It cannot be coincidental that the FAS have not moved forward because deals with the Land Owners have not been finalised. Perhaps the Land owner is awaiting a successful Planning application for the site before agreeing terms thus holding SBC to ransom.

McCarthy & stone have acquired an interest in the site and held meetings with a selected number of local residents and local councillors prior to the public exhibition.

Flooding is a major issue on the site and full flood risk assessments will be required together with calculations for approval by YWA and the Environment Agency. These will require close scrutiny by residents as the ability for SBC to assess flood risk proposals are far from robust. Contrary to National Planning Policy Framework a site earmarked as a flood storage area has been allocated for residential development.

It is disappointing that McCarthy & Stone used the recent public display as a marketing tool and actively directed potential customers to this development. Also start dates for the scheme were indicated. Thus assuming that Planning Consent will be granted.

On the assumption that the Developers have had pre-application discussions with Planning Officers and/or Councillors they should have been aware of the SBC Local Plan Policies. Any assessment of the scheme must be measured against these policies. Clearly there are major flaws in the present scheme that make it entirely unacceptable. If Planners intend to disregard or distort the interpretation of the policies this will again bring into question the whole process and raise very disturbing questions regarding the professionalism and integrity of Officers and Councillors.

As stated above, Filey Town Council in their response to the Local Plan Proposals indicated that any development on this site should be single storey. This was also the view of SBC Conservation Officer.

Therefore it is questionable why a multi-storey block of flats is proposed.

Turning to the relevant Planning Policies, the aims of the Local Plan include:

To achieve the vision in a sustainable manner, support will be given to achieve the following aims:

To safeguard and reinforce the distinctive character of the various settlements. **Clearly the proposal for a large multi storey block of flats is contrary to this.**

To promote good design that reflects and, where appropriate, reinforces the distinct local character of the coastal towns, rural villages and rural hinterland. **Clearly the introduction of a large multi storey block of flats is contrary to this.**

POLICIES DEC 1, DEC 2, DEC 3, DEC 4, SGA 1 are relevant in this instance

Policy DEC 1 Principles of Good Design. Good design will be expected in order to create attractive and desirable places where people want to live, work and invest, and to reduce carbon emissions from development. All development will be required to meet the following principles of good design by demonstrating

a. that an analysis of the constraints and opportunities of the site and the function of development has informed the principles of design, including

i. that the proposal reflects the local environment and creates an individual sense of place with distinctive character; **On the basis of the scheme as currently proposed it does not in any way reflect the single storey and courtyard layout of the properties on Church Cliff Drive**

ii. that the detailed design responds positively to the local context, in terms of its scale, form, height, layout, materials, colouring, fenestration and architectural detailing; **On the basis of the scheme as currently proposed it does not in any way reflect scale of the single storey and courtyard layout of the properties on Church Cliff Drive or the bungalows on the Wooldale estate**

iii. that the proposal has taken account of the need to safeguard or enhance important views and vistas. **The site is adjacent to the Country Park and will be very prominent when approaching the park entrance. A dominating multi storey block in this location will be very detrimental to the street scene in this sensitive location.**

b. that the layout, orientation and design of buildings (where these factors are not otherwise constrained) helps to reduce the need for energy consumption, and, how buildings have been made energy efficient thereby reducing carbon emissions from development, **The Local Plan projection is for 30 dwellings on the site. Almost double this number will make greater demands on energy.**

c. that the proposal provides suitable and safe vehicular access and suitable servicing and parking arrangements; d. that any elements of public realm have been designed to reinforce or complement the distinctive character of the local area and to ensure that they are attractive, safe, accessible and well connected to their surroundings, including through the provision of walking and cycling routes to and within the development to encourage their use; e. that any associated landscaping scheme has been developed to enhance both the natural and built environment, retaining existing features of interest where possible.

The proposed access to the site is on the main route for vehicles and pedestrians entering and leaving the Country Park and Caravan site. These will be mostly holiday makers or visitors to the town many of which will families with small children. This must be acknowledged and considered by SBC as there is potential for conflict between the proposed elderly drivers and other road users.

The car parking provision for the flats does not appear to provide the minimum of 39 parking spaces for residents or any for visitors. This will encourage on street parking thus increasing the potential danger to pedestrians and other road users.

Policy DEC 3 The Efficient Use of Land and Buildings Proposals will be required to make efficient use of land and/or buildings and the re-use of land (brownfield) will be supported where this accords with other plan policies. The density of development (including any associated elements of green infrastructure) should be in keeping with the character of the local area. Higher densities will be more appropriate in the central areas of Scarborough, Whitby and Filey. Lower densities may be considered acceptable in instances where there are site-specific constraints, a need to provide additional levels of infrastructure or where the current character or appearance of the area necessitates a development of a lower density.

The current proposals are over development with no justification.

Settlement Hierarchy Statement 3 Filey

Filey will be enhanced as a place that provides services in the southern part of the Borough, where development should meet local needs and maintain the distinctive character of the town. In seeking to deliver the plan's spatial objectives at a local level, development should a. recognise and reinforce the town's joint role with Hunmanby in providing services in the southern part of the Borough and the wider area; b. maintain the town's distinctive 'seaside resort' character; c. retain and improve local services and facilities, and promote accessibility by means other than the private car; and d. secure an appropriate mix of new housing, an element of which will help to meet locally generated housing needs.

The proposals do not recognise and reinforce the distinctive sea side resort character. On the contrary the out of scale flats are entirely out of character in this location.

4.14 Over the years Filey has retained its "seaside resort" character and is an important tourism asset. It is essential that its Victorian seaside character and natural setting are protected, whilst also delivering a level of housing to meet local needs and a more diverse and higher quality tourism offer.

The natural setting of the Country Park and the rural character of the properties on Church Cliff Drive is threatened by the proposed inappropriate development.

5.2 The built environment is diverse; varying between the historic coastal towns of Scarborough, Whitby and Filey, the more modern sub-urban residential areas, the rural villages and buildings within the wider countryside and the open coastline. Given that development across these locations may require distinctly different design solutions, detailed design proposals should be based around an understanding of the opportunities and constraints presented by the site and the area in which the development is taking place.

5.3 Developers will be required to carry out contextual site surveys, which should be used to inform the design concept. Applicants should be able to demonstrate how the principles of good design have been applied in terms of influencing the function, scale, detailing and character of development in addition to the materials used in construction and the quality of the public realm. Innovative design solutions will be encouraged where appropriate within the context of the above policy provisions.

**It is apparent that no contextual site survey has been undertaken to inform the design concept.**

5.5 Natural and physical features such as the topography of an area, the pattern of streets and public spaces, the street scene, the density of development, the scale and form of buildings and the materials used in construction all help to define local character and identity. **The proposals do not meet this aim.**

5.6 Local character and key features within the built environment, such as listed buildings and other heritage assets play a significant role in promoting economic and social prosperity by providing attractive living and working conditions. **It is therefore essential that local character is safeguarded.**

5.7 The design of new development should reflect and reinforce locally distinctive features, thereby contributing to the character of the surrounding area in a positive manner. **The proposals do not meet this aim.**

#### Policy DEC 4

Protection of Amenity Proposals should ensure that existing and future occupants of land and buildings are provided with a good standard of amenity. Proposals for development should not give rise to unacceptable impacts by means of a. overbearing impact; b. overlooking and loss of privacy; c. disturbance arising from such things as noise, light pollution and other activities; d. emissions including smells and other pollutants; or e. overshadowing or loss of natural light. The criteria listed above are not exhaustive and development that causes significant harm to amenity by means of these or other impacts will not be permitted.

**The amenity of properties on Church Cliff drive will suffer significant harm in terms of outlook and overlooking arising from the block of flats.**

**The amenity of the residents of the proposed development will be harmed by the noise levels arising from the caravan park. This is particularly noticeable well into late evenings in the summer months**

**In addition the proposed development will adversely affect the levels of amenity currently enjoyed by visitors to the caravan park.**

Policy DEC 5 The Historic and Built Environment Historic rural, urban and coastal environments will be conserved and, where appropriate, enhanced and their potential to contribute towards the economic regeneration, tourism offer and education of the area exploited, particularly those elements which contribute to the areas distinctive character and sense of place. In order to ensure this:

a. Proposals affecting a designated heritage asset (or an archaeological site of national importance) should conserve those elements which contribute to its significance. Harm to such elements will be

permitted only where this is outweighed by the public benefits of the proposal. Substantial harm or total loss to the significance of a designated heritage asset (or an archaeological site of national importance) will be permitted only in exceptional circumstances;

b. Proposals affecting a Conservation Area should preserve or enhance its character or appearance especially those elements identified in any Conservation Area Appraisal;

The site is adjacent the Conservation area and as such the harm caused by the proposed development, and in particular the multi storey block of flats is unacceptable as it does not preserve or enhance its character or appearance. On the contrary it will have a seriously detrimental effect upon the conservation area

**IN LIGHT OF THE ABOVE IT IS APPARENT THAT THE PROPOSALS ARE CONTRARY TO PLANNING POLICY AND REQUIRE MAJOR RE-DESIGN TO MEET THE STANDARDS REQUIRED.**

However the earlier actions of SBC give the Local Residents no confidence that appropriate checks and balances will be applied. Thus fuelling the rumour of malpractice in relation to HA23.

The Local Residents will continue to oppose development of this site, particularly in its present format.

It should also be noted that your list of 'benefits' arising from your development as set out on the mail shot are spurious.

There is no evidence that specialised retirement living is much needed. It should also be noted that the costs of residing in a McCarthy & Stone development are well beyond the financial means of many elderly local residents.

The local services, particularly Doctors and Dentists are currently over-stretched. The influx of around 90 elderly residents cannot be accommodated.

The design does not contribute positively to the local area. In fact it is totally inappropriate.

Will local residents have access to the garden areas? This is unlikely leading to the assumption that the development will be gated. Thus making the scheme inward looking, alien to passers-by and causing potential highway congestion at the entrance.

It is not clear how it has been assumed that there will be low levels of car ownership or that the development of almost 60 dwellings will generate low traffic levels.

It would appear that a footpath is shown leading to the agricultural land to the north of the site. Why has this been included as there are currently no footpaths along the northern boundary of HA23? Will this be open to the public?