
**NEW SCARBOROUGH BOROUGH LOCAL PLAN
'PROPOSED SUBMISSION' VERSION**

**OBJECTION TO THE INCLUSION OF SITE OS 10 (LAND NORTH OF
CHURCH CLIFF DRIVE, FILEY) AS AN ALLOCATED OPEN SPACE
SITE**

17 December 2015

SUMMARY OF OBJECTIONS

The new Scarborough Borough Local Plan has progressed to the 'Proposed Submission' stage (the Local Plan), and has been published for representations.

Under Policy HC 16, the Local Plan proposes to include Site OS 10 (Land North of Church Cliff Drive, Filey) (**previously not included in the draft Local Plan**) as an allocated open space site.

This Document presents a number of key issues, and associated objections, relating to the inclusion of Site OS 10 as an allocated open space site.

In summary the key issues, and associated objections, are:

- The way in which the allocation has appeared in the Local Plan;
- The absence of information on the reasoning as to why the allocation has been made;
- The absence of information on what proposals could be brought forward on the allocation; and,
- The deficiency of consultation which was undertaken surrounding the proposed allocation.

In summary, the way in which the allocation has appeared between the 'draft' and 'proposed submission' stages of the Local Plan is considered to represent a deceptive, sneaky and secretive way to allocate this space without the majority of residents being aware.

1 BACKGROUND

1.1 New Scarborough Borough Local Plan

The new Scarborough Borough Local Plan¹ has progressed to the 'Proposed Submission' stage (the Local Plan), and has been published for representations.

In terms of the proposed location of 'open space', under Policy HC 16 (Open Space and Sports Facility Allocations), the Local Plan states that: *"the following sites as shown on the Policies Map have been allocated for the development of uses identified in the "Proposed Use" column"*.

Under Policy OS 10, the Local Plan proposes to include Site OS 10 (Land North of Church Cliff Drive, Filey) (**previously not included in the draft Local Plan**) as an allocated open space site.

1.2 Purpose of this Document

This Document presents a number of key issues, and associated objections, relating to the inclusion of Site OS 10 as an allocated open space site.

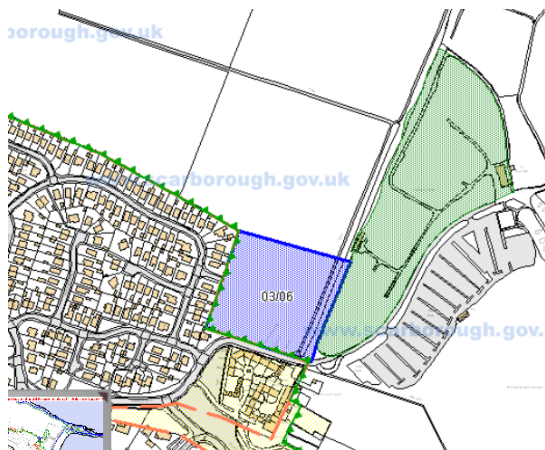
2 OBJECTION: HOW THE ALLOCATION HAS APPEARED IN THE LOCAL PLAN

Under proposed Policy ENV 5 it is stated that: *"the character of the open countryside will be protected, maintained and where possible enhanced. Outside the defined development limits, new developments will be limited to those for which a countryside location is essential"*.

Previously, both Scarborough Borough Council and the Planning Inspectorate have deemed that the use of a site adjacent to Site OS 10 (Site HA 23, proposed to be allocated in the Local Plan for new housing delivery) would be outside the defined development limits. Indeed, this was one of the key reasons for the refusal. Furthermore, both the March 2014 SHELAA and the September 2015 SHELAA for Site HA 23 state, under 'Other Constraints', that the: *"site is located outside Development Limits"*.

Figure 1, extracted from the existing Local Plan Proposals Map from 1999, shows the existing defined development limits (the green dashed line). Proposed Site OS 10 is **not shown**. Proposed Site HA 23 is shown on this plan as the blue shaded area. Both Site OS 10 and Site HA 23 are **outside the defined development limits**.

FIGURE 2: LOCATION OF EXISTING DEFINED DEVELOPMENT LIMITS



Defined development limits enable a different approach to be taken between the towns / villages and the countryside. Therefore, in planning terms, the defined development limits provide a clear distinction between those parts of the settlement where development is acceptable, in principle, and those parts of the settlement which should be treated as open countryside where development

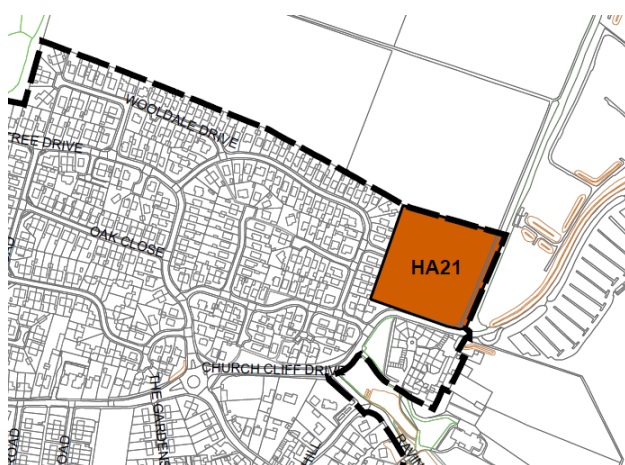
¹ Available at: <http://www.scarborough.gov.uk/home/planning/planning-policy/local-plan/new-local-plan>

should be restricted. Through reducing the outward expansion into the countryside, development limits help to retain the character of the area and assist in more sustainable development.

In terms of the existing defined development limits, it has been determined that Site HA 23: *"performs a valuable role in providing physical and visual separation of the Country Park from the urban area of Filey"* (Planning Inspectorate Reference Number T/APP/H2733/A/91/180817/P8). Therefore, this is a key reason why the existing defined development limits do not include both Site OS 10 and Site HA 23.

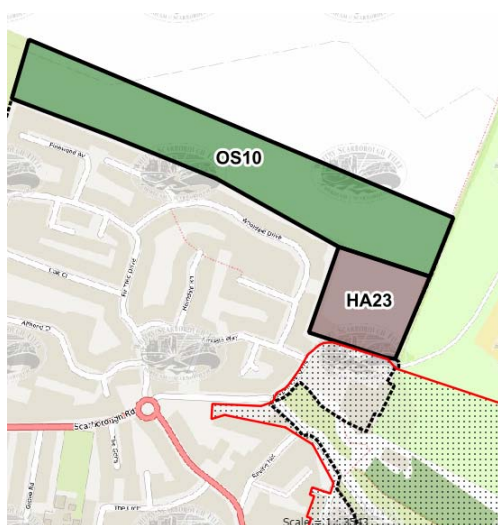
However, Figure 2, extracted from the draft Local Plan Proposals Map, shows slightly re-defined development limits specifically to include Site HA 23 (then Site HA 21). Proposed Site OS 10 is **not shown**. Proposed Site HA 23 (then Site HA 21) is shown on this plan as the orange shaded area. Site OS 10 still remains **outside the defined development limits**.

FIGURE 3: PROPOSED LOCATION OF RE-DEFINED DEVELOPMENT LIMITS IN DRAFT LOCAL PLAN



Yet, Figure 3, extracted from the Proposed Submission Local Plan Proposals Map, shows **wholly re-defined development limits** specifically to include Site OS 10 and Site HA 23.

FIGURE 3: PROPOSED LOCATION OF RE-DEFINED DEVELOPMENT LIMITS IN PROPOSED SUBMISSION LOCAL PLAN



This re-definition of the defined development limits is particularly alarming, especially considering:

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- There is **NO** information or justified reasoning on why the allocation has been made.
 - As the allocation appeared between the 'draft' and 'proposed submission' stages, there has been **NO** consultation on the proposed inclusion of this site in the Local Plan.

In summary, the way in which the allocation has appeared between the 'draft' and 'proposed submission' stages of the Local Plan is considered to represent a deceptive, sneaky and secretive way to allocate this space without the majority of residents being aware.

This is considered to be an inappropriate way to allocate open spaces (or indeed any site) within the Local Plan.

3 OBJECTION: THE ABSENCE OF INFORMATION ON THE REASONING AS TO WHY THE ALLOCATION HAS BEEN MADE

The Local Plan states (at paragraph 6.105) that: *"in order to plan effectively for open (green) spaces, and audit of green spaces within the Local Plan area, which comprised an assessment of the quantity, quality and accessibility of existing provision. The audit sought to identify areas of deficiency and surplus, making recommendations as to where facilities could be improved or redeveloped and where new green spaces could be provided to address localised quantitative and accessibility deficiencies".*

The audit referred to is the 'Green Space Audit' (Scarborough Borough Council, May 2014).

As the proposed use of Site OS 10 is deemed to be 'natural and semi-natural green space', the review of the audit is concentrated on this type of space. Therefore, specifically concerning Natural Parks and Green Space (which includes 'natural and semi-natural green space'), the audit states (at paragraphs 7.20 to 7.23) that:

- *"Although there are only 2 Natural Parks and Green Space sites within Filey, they cover an area of approximately 43 hectares. This equates to 6.17 hectares of provision per 1,000 population (population of 6,980), which is above that required by the local standard for the urban area (2 hectares per 1,000 population). As such, there is a quantitative surplus of approximately 29 hectares. However, this surplus alone is not a valid reason for the removal of sites.*
- *Access to Natural Parks and Green Space within Filey is good, with no identifiable areas of deficiency. The Country Park and 'Parish Wood' serve the area to the north of the railway line, with 'The Dams' serving the majority of residents to the south of the railway line.*
- *Using the local standard as a benchmark for the quality of sites, it is evident that both of the Natural Parks and Green Spaces within Filey are of sufficient quality to meets the needs and aspirations of local communities".*

Specifically concerning the recommendations for Natural Parks and Green Space (which includes 'natural and semi-natural green space'), the audit states (at paragraphs 8.18, page 93) that the Local Plan should:

- *"Maintain the overall level of Natural Parks and Green Space provision within the town to ensure that current and future residents are able to access to natural forms of green space.*
- *In recognition of their overall importance, safeguard the Country Parks and ensure that they continue to be maintained to a high standard to encourage further public use.*
- *Ensure that all current and future Natural Parks and Green Spaces are maintained to the required quality standard".*

In summary, the audit does not recommend the creation of additional natural parks and green spaces within Filey. Only continued maintenance of the existing Natural Parks and Green Space. Indeed, based on the information contained within the audit, **there is a greater than 300% 'over provision'.**

Therefore, it is information supporting the Local Plan does not justify why the allocation of Site OS 10 is required to be made.

Furthermore, the Local Plan indicates that Site OS 10 would support the allocation of Site HA 23, and Appendix A (Housing Allocation Statements) to the Local Plan for Site HA 23 it is stated (under issues and requirements) that: *"As shown in Open Space Allocation OS 10, land to the north of the area allocated for residential development should be provided as an area of natural and semi-natural green space that link to Parish Wood (and beyond) to the west and the Country Park to the east"*.

It should be noted here that there are a number of objections to Site HA 23 being allocated for new housing delivery.

Outwith this issue, there is no associated assessment or justification as to why the allocation of Site OS 10 is required to be made.

The obvious point is that the space is currently outside the development limits of Filey and is already 'open space' (the proposed Site OS 10 currently comprises farm land). Therefore, it is unclear what the allocation would be protecting or preserving.

4 OBJECTION: THE ABSENCE OF INFORMATION ON WHAT PROPOSALS COULD BE BROUGHT FORWARD ON THE ALLOCATION

The Local Plan states (at Policy HS 16) that: *"proposals on the allocations listed above will be permitted where they are for the identified uses and are in accordance with other relevant policies set out in the Local Plan"*.

However, there is a complete absence of information on what these 'proposals' could be.

The audit states (at paragraphs 3.5 to 3.6) that:

- "Sites which can be described as "Natural and Semi Natural Green Spaces" include areas of woodland, urban forestry, scrub, grasslands (e.g. downlands, meadows and commons), wetlands, nature reserves, wastelands and bare rock habitats (e.g. cliffs, quarries and pits). They are spaces of benefit for wildlife conservation, biodiversity and environmental education / awareness.
- Although natural and semi natural open space plays a key role in wildlife conservation and biodiversity, the recreational opportunities provided by these spaces are also important. In this respect, natural and semi natural open spaces play a similar role and function to that of amenity green space, green corridors and parks and gardens. Equally, there may be elements of natural or semi natural provision within other typologies such as outdoor sports (playing fields). To this end, there may be some sites classified predominantly as other typologies that also provide a natural and semi natural function, thus highlighting the overlap between typologies".

This obviously represents a wide range of proposed uses, therefore there is a lack of information on what proposals could be brought forward on the allocation.

Again, the obvious point is that the space is currently outside the development limits of Filey and is already 'open space' (the proposed Site OS 10 currently comprises farm land). Therefore, it is unclear what the allocation would be protecting or preserving.

5 OBJECTION: THE DEFICIENCY OF CONSULTATION WHICH WAS UNDERTAKEN SURROUNDING THE PROPOSED ALLOCATION.

As the allocation appeared between the 'draft' and 'proposed submission' stages, there has been **NO** consultation on the proposed inclusion of this site in the Local Plan. No drop-in sessions / question and answer are understood to have been held.

In summary, the way in which the allocation has appeared between the 'draft' and 'proposed submission' stages of the Local Plan is considered to represent a deceptive, sneaky and secretive way to allocate this space without the majority of residents being aware.