

The Lodge
98 Throxenby Lane
Scarborough
YO12 5RE



Clerk to the Newby and Scalby Parish Council
c/o Scalby Library
Scarborough
YO12 6EE
10th March 2016

Dear Mrs Marley,

Ref: Planning Application 16/00110/FL, 54 residential units on land off Lady Edith's Drive, Newby

Please find enclosed the Throxenby Residents Group objections to the above planning application.

I am extremely grateful for the Council's offer to defer consideration until we have made our views known, and apologise for misunderstanding the exact workings of the process.

i would also like to take this opportunity to extend an invitation to all Councillors to visit us at the above address to see the visual impact of this development on local residents.

In view of the fact that many, though by no means all, of our concerns re this application are generally addressed see our Local Plan submission to Councillors, we have taken the liberty of enclosing this document as a reference should Councillors need to remind themselves of its content.

Please feel free to contact me either:

By email at charles.betty@gmail.com

Or by telephone at 01723 363365

Or by mobile at 07831 279908

With thanks for your forbearance,

Yours sincerely,



Charles Betty

Chairman Residents Group

Accompanying documents:-

- a. Local Plan Submission to Newby and Scalby Parish Council, 3.12.15
- b. Objection to Planning Application 16/00110/FL 10.3.16 from Charles Betty, Chairman of Throxenby Residents Group
- c. Objection to Planning Application 16/00110/FL 10.3.16 from Meryl Bennett, Secretary of Throxenby Residents Group and Brian Bennett, Committee Member of Throxenby Residents Group

Submission to Newby & Scalby Parish Council

Representation to the Proposed Submission Scarborough Borough Local Plan that will be made to Scarborough Borough Council Forward Planning.

THE LOCAL PLAN IS 'UN SOUND' BECAUSE THE INCLUSION OF SITE 'HA5' IN THE LOCAL PLAN IS NOT JUSTIFIED

The Proposed Submission Scarborough Borough Local Plan does not meet the requirement of 'Soundness' as the inclusion of site HA5 for development is not 'justified'. The site should be removed from the Local Plan.

The area of land referred to as HA5 in the Proposed Submission Scarborough Borough Local Plan is a greenfield site on the extreme edge of the existing housing development in Scarborough and any development on this land will create considerable detriment to the character of the local area as outlined in the bullet points within this document.

The Strategic Housing and Employment Land Availability Assessment (SHELAA) document (page 41) concludes with a density of 40 dwellings for HA5 and the Housing Land Selection Methodology and Assessment Paper (HLSMA) has 60 dwellings so they are at odds with each other. Furthermore, based on the original yield of 20 dwelling per hectare the calculation for the yield of the 1.4 hectare part of the site covered by the promoters concept plan could be as few as 28 dwellings.

Using the various figures from the Local Plans and supporting documentation, the calculations for the yield for the site and parts of it are explained in more detail in the section titled 'Housing Density relating to the Site' at the end of this document.

The yield for site HA5 or parts of it varies from 28 to 65 dwellings, which would account for between 0.29% and 0.67% only of the total target of 9681 additional dwellings over the whole period of the Local Plan. Given this relatively small contribution to the overall target there are better alternatives that would have a much less detrimental impact and not conflict with so many of the protective policies and statements contained within the Local Plan.

There are a range of excellent policies and statements within the Local Plan that seek to minimise the detrimental impact of development. The protective measures of many of these policies and statements will be severely compromised if site HA5 is developed. For example Policy ENV6 (Page 124), states the character of the open countryside will be protected, maintained and where possible enhanced. This is in direct opposition to developing HA5. Policy ENV 7 (Page 126). Proposals should protect the distinctiveness that contributes to the landscape character of a particular area. Development of HA5 would destroy the integrity of the area (page 19).

The following are some of the main concerns and reasons why HA5 should be removed from the Local Plan and not be developed.

- **ENCROACHMENT ON THE SURROUNDING COUNTRYSIDE** - HA5 is not an infill site but a greenfield site on the extreme edges of the existing housing development in Scarborough and if it were developed it would extend housing in Newby into the countryside; encroaching towards the National Park. It would be creeping urbanisation, extending urban sprawl into one of the Borough's greatest assets; its countryside, stunning landscapes and open spaces. Due to its location the area is highly sensitive to development.
- **LOSS OF AMENITY** - As an entrance to the town, and gateway to the National Park, Lady Edith's Drive is one of the most picturesque in the entire Borough, bordering on the North York Moors National Park and passing through the mature sylvan setting of Forge Valley on to Raincliffe Woods and Throxenby Mere; an area of peace and tranquillity, used by walkers, horse riders and cyclists and enjoyed by locals and visitors alike for many years. The area contributes to the Tourism product of Scarborough Borough. Development would create considerable harm with regard to the impact on the countryside and would not only be viewed at road level, but would also be visible from the higher levels of Raincliffe Woods and Forge Valley.
- **TRAFFIC AND SAFETY** – Lady Edith's Drive is a narrow country road at this point without pavements and minimal street lighting and there are significant pedestrian and traffic safety concerns in this neighbourhood. The development of the site would create a substantial increase in traffic flow in the immediate vicinity of a secondary school, college and nursery and substantially increase traffic flow in the roads in the locality adding to the congestion at the junction of Lady Edith's Drive and Scalby Road and to the traffic light junction of Throxenby Lane/Green Lane and Scalby Road. A significant percentage of the traffic congestion arises as a result of vehicles going to and from the school site, college and nursery and also coincides with the busy period for pedestrians in the locality, particularly with children and young people arriving or leaving the educational establishments. The vehicles involved at peak time include buses and coaches that are of a significant size in relation to the road and footpath infrastructure. The current traffic system struggles to cope with the existing housing density, particularly at the main junctions onto Scalby Road from Lady Edith's Drive and Throxenby Lane. Increasing the traffic density would increase this congestion exponentially. The HLSMA question 23 'Impact of Local Highway Network' states "No anticipated impact on local highway network ..." What survey has been undertaken to reach this conclusion with which we strongly disagree? It

is important that any traffic survey should include periods covering 'peak' times leading up to the beginning of the school day and at the end of the school day.

- **FLOODING** - In the SHELAA Site Assessment supporting document it states that the site is in a drainage sensitive area as identified in the SFRA. The Environmental Risk Proposals seek to avoid development in high flood risk areas. Significant mitigating measures would need to be incorporated into any development to ensure that the flooding of the beck at the junction with Scalby Road and further downstream into the Peasholm Park Lake and onto the Peasholm Gap highway roundabout and adjacent roads and footpaths is not exacerbated.
- **WILDLIFE** - The site, which contains springs, a pond, hedgerows and mature trees, has a diverse range of wildlife which contributes to the character of the area. Wildlife includes: aquatic animals such as frogs, toads and newts; many species of bird including barn owl, tawny owl, sparrowhawk, tree creeper, nuthatch and woodpecker; and mammals such as bats, fox, badger, hedgehog, squirrel and deer. Page 122, The Natural Environment, Policy ENV5. Any development on HA5 would adversely affect bats, newts and a wide range of other animals leading to a loss of biodiversity contrary to Policy ENV5.
- **TREES** - Seven groups of trees and eighteen individual trees around Throxenby Hall have Tree Preservation Orders (TPOs), many border HA5. Trees along the southern border of HA5 are of a similar age and maturity. These trees and hedgerows make an important contribution to the setting and character of the area. The Local Plan states that HA5 should have a substantial verge and tree planting scheme along the frontage of the site to retain the character of Lady Edith's Drive; and a substantial landscape buffer to the western edge of the site respecting the site's relationship with the wider rural landscape.
- **HISTORIC BUILDINGS** - Policy DEC 5 (Page 49) states historic environments will be conserved. Development on HA5 would affect the open setting of the Grade II Listed Building (Lodge Cottage, 96 Throxenby Lane) on the eastern boundary of the site and Throxenby Hall, which is deemed to be an Asset of Local Historical Importance on the northern boundary of the site. The SHELAA states that the development of the site would not be considered an unacceptable impact on the historic environment and also states that Historic England has confirmed satisfaction with this response. This appears to be at variance with the representations made by Ian Smith of Historic England on

8/8/14 where he made some important points about the importance of the historical settings in his representations on the Draft Local Plan.

- **ARCHAEOLOGICAL REMAINS**

The proposed site is in the area of the medieval village of Hatterboard; a known archaeological site. Any proposed development could destroy archaeological evidence so an archaeological assessment should be conducted on this site. HA5 possibly lies over the site of medieval remains and it appears that no assessment was made of the site when the decision to include HA5 in the Local Plan was made.

- **LIGHT POLLUTION** - Light pollution will have an adverse effect on dark skies in this area. The area currently benefits from relatively dark skies and this would be adversely affected by any housing development on this site. 'Dark skies' is an area which the Campaign for Rural Protection is concerned about and campaigns for.

- **ALTERNATIVES TO HA5** – Alternatives to the development of HA5 would be to take action to reduce the 1,300 vacant properties (page 14) in the Borough, use of brownfield sites, develop other less sensitive sites and revise the estimate from windfall sites. McCarthy & Stone are planning two developments in Scarborough that will far exceed the number of dwellings proposed for site HA5. The inclusion of HA5 as a housing development site does not fulfil the requirements to utilise brown field and other sites as a first option and for all the above stated reasons we strongly object to the, in our view, unjustified inclusion of site HA5 in the Proposed Submission Scarborough Borough Local Plan and request that it be removed.

AIMS OF THE LOCAL PLAN (PAGES 21/22)

How is a proposed location for up to 60 dwellings compatible with the Aims of the Local Plan? (pages 21/22)

- i) "to minimise the impact of the built environment on climate change and mitigate associated local impacts"
- ii) "to safeguard and reinforce the distinctive character of the various settlements"
- iii) "to safeguard, enhance and realise the potential offered by the natural, built and historic environment"

POLICY DEC1 - PRINCIPLES OF GOOD DESIGN

Under Policy DEC1 (Principles of Good Design). How could such a proposal be commensurate with the requirement that;

- 5.1. a i (page 40) "the proposal reflects the local environment and creates an individual sense of place with distinctive character" and

a iii "that the proposal has taken account of the need to safeguard and enhance important views and vistas" and

5.6 (page 41) "It is essential that local character is safeguarded"?

POLICY DEC4 - PROTECTION OF AMENITY (Page 48)

We are unable to reconcile the requirements of Policy DEC4 Protection of Amenity, in relation to the submission of site HA5 for building purposes, when it states that "Proposals for development should not give rise to unacceptable impacts by means of:

a) overbearing impact

b) overlooking and loss of privacy" and 5.40 (page 48) where it states that "It is considered essential to protect existing residents and occupants from intrusive or disturbing development"

Any development on HA5 would cause disturbance to existing nearby residents due to an overbearing impact, or by overlooking properties resulting in loss of privacy, or by causing light and noise pollution. This would be exacerbated due to the topography of the site and the relatively low lying neighbouring properties.

In conclusion it is proposed that site HA5 be removed from the Local Plan. This would make the Local Plan justified and therefore pass the 'Soundness' criteria.

Housing Density relating to the Site

In the 1999 Draft Local Plan the site was referred to as HA4 and was 2 hectares in size with an indicative yield of 40 dwellings (20 dwellings per hectare).

The area of the site was subsequently amended and reduced to 1.78 hectares in Proposed Submission Local Plan. Based on the original indicative yield of 20 houses per hectare this would bring the indicative yield for the whole of the 1.78 hectare site down to 36 dwellings.

The promoter has produced a concept plan that seeks to utilise 1.4 hectares of the site and based on the original indicative yield of 20 houses per hectare this would bring the indicative yield for use of a 1.4 hectare site down to 28 dwellings. This is the lowest number of dwellings calculated using the original indicative yield per hectare.

The highest number of dwellings being 65 is mentioned in the SHELAA Site Assessment supporting document produced in September 2015 which was based on the 2 hectare size site in the 1999 Draft Local Plan. On page 42 it states: -
"Densities: - Early indicative master-planning from the promoter suggests 57 on the larger part of the site. A further 8 could be accommodated on the upper section. Notwithstanding this it is considered that a density of 40 dwellings would be more appropriate on this site". This latter statement brings it back into line with the original indicative yield.

In the latest version of the Local Plan (November 2015), HA5 has been allocated for residential development with an indicative yield of 60 dwellings. The indicative yield for HA5 is based on the site promoter submitting an initial site layout relating to the larger portion of the site and with an estimate for the remainder of the site, (see page 162).

Newby and Scalby Parish Council

98, Throxenby Lane

Newby

Scarborough

YO12 5RE

10th March 2016

Dear Councillor,

Ref: Planning Application 16/00110/FL 54 residential units on land off Lady Edith's Drive, Newby

May I also (re letter from Mr Zoeller to the Parish Councillors) begin by offering some further background information on the site which is the subject of the Persimmon proposal.

As far back as 1992 an application for development on this site was refused permission. Subsequently St Catherine's Hospice was interested in acquiring it, against which there was no local opposition; and in 2002 an application was made for a private hospital which did find opposition. Although the proposal was passed, albeit only by the then planning Committee Chairman's casting vote, the plan was 'called in' and the developer withdrew. This site was dismissed in fact in November 2009 as a site for development for the following reason (ref 5.135) "Lady Edith's Drive is an attractive entrance into Scarborough from the National Park and is a popular tourist route characterised by extensive mature trees and hedgerows latterly interspersed with dwellings along Lady Edith's Drive. The site, although adjoining the edge of Scarborough, contributes to the open countryside setting in which it is situated and forms an important part of the transition into the open countryside and the National Park beyond."

Only in the proposed new Local Plan does this site (HA5) reappear, and of course, still requires formal approval and adoption unlikely to happen, if at all, until late 2016/early 2017. It is into this vacuum that Persimmon's application arrives, using the Government's National Planning Policy Framework (NPPF) as a precedent to overrule local planning safeguards that seek to minimise the detrimental impact of development. It is also categoric that this proposal is a departure from the current development plan. Via a Public Notice in the Scarborough News, Scarborough Borough Council states that "The proposed development does not accord with the provisions of the Development Plan in force in the area in which the land to which the application is related is situated." Therefore, in view of the site's planning history and the dearth of detail in the revised Persimmon application, we consider this exactly the right time to state our objections both individually and collectively.

Specifically we contend that the NPPF's Planning Practice Guidance (Design: Paragraph 023) has not been followed by the applicant. This paragraph relates to the question "How should buildings and the spaces between them be considered?" and states that "where appropriate the following should be considered":-

1. Layout – the way in which buildings and spaces relate to each other
2. Form – the shape of the buildings
3. Scale – the size of the buildings
4. Detailing – the important smaller elements of buildings and spaces
5. Materials – what a building is made from.

With regard to 1. Layout, the NPPF states that "The layout of areas, whether existing or new, should be considered in relation to adjoining buildings, streets and spaces, the general topography, the general pattern of building height in the area, and views, vistas and landmarks into and out of the development site. Designs should ensure that new and existing buildings relate well to each other."

With regard to 3. Scale, the NPPF states that "the size of individual buildings and their elements should be carefully considered as their design will affect the overshadowing of others, local character, skylines, and vistas and views. The scale of building elements should be both attractive and functional when viewed and used from neighbouring streets, gardens and parks".

We contend that neither the layout, scale, nor style of urban dwelling proposed is in any way compatible with the semi-rural nature of this site and its surroundings. It would seem that the opportunity to deliver a quality development on a sensitive site has been completely thrown away in favour of yet another estate of almost identical boxes.

The Persimmon application relates to 54 dwellings on a 1.62ha. site. Whilst this amounts to a 5% reduction in density from the 57 dwellings in their 'concept plan', the actual site area has increased by a miraculous 15% from the 1.41ha. that SBC planning department have confirmed as the actual area of the site. Therefore if SBC are correct the application is flawed. The SHELAA (Strategic Housing and Employment Land Availability Assessment) sub-group recommended that a density of 20 dwellings per hectare (i.e. 28 or 32 dwellings dependant on actual site area) would be more appropriate on this site, and concluded "although the early master-planning work has suggested a high density scheme of circa 65 dwellings this may be too much for this site. To protect the entrance to the town from the National Park, the setting of the listed building and Throxenby Hall, a more modest private-affordable scheme of a low-medium density may be appropriate".

In their application Persimmon also maintain that "suitable separation distances between the existing and proposed properties have been applied to mitigate the loss of privacy for existing residents in Throxenby Lane." In fact, in one instance Persimmon cite a three bedroom dwelling of 10 to 12 metre overall height within one

metre of the site boundary directly in front of a 6.5m high Georgian house, and other examples of unsympathetic layout abound.

The application is characterised by significant lack of detail, not only of the dwellings but also of site – associated matters.

1. Traffic and Safety – the proximity of Graham Lower School, and the probable allocation of 100 further dwellings on the Yorkshire Coast College site leading to substantially increased traffic flow in the vicinity.
2. Surface Water Run-off – Flood Risk Assessment deemed to be inadequately covered by the application.

These factors together with issues such as wildlife, trees, the natural environment, historic and archaeological associations require further investigation and assessment before this site is lost for ever as an amenity for all.

Of course, new housing will be required in the future but whether of the magnitude of almost 10,000 dwelling in the next fifteen years is debatable. Jobs in the North Sea and Potash industries are slow to come forward and, whilst there are encouraging signs at Weapness, Hull University's Scarborough Campus is closing. Ultimately Tourism will continue to be the mainstay of the local economy, and so we need to protect the natural beauty of our environment against its despoliation by developers who have no empathy with, or consideration of, local feelings and needs. It would be a sad day indeed were this peaceful, pleasant green field site to be lost for ever just for the sake of providing less than one half of one per cent of Scarborough's nominal housing requirement for the next 15 years.

In conclusion we would ask the Parish Council to continue to support us in our efforts to have this development refused.

Yours sincerely



Charles Betty

Chairman of Throxenby Residents Group

Lodge Cottage
96 Throxenby Lane
Newby
Scarborough
YO12 5RE

01723 364225

10th March, 2016.

Dear Councillors,

Re: Planning Application 16/00110/FL Land off Lady Edith's Drive

Please see below our objections to the above planning application and note that this document is an attachment to the document put forward by Charles Betty on behalf of local residents who are opposed to development on Lady Edith's Drive.

We hope you will take our particular views into account when you make your decision.

Yours faithfully,



Mrs Meryl Bennett
Secretary of Throxenby Residents Group



Brian Bennett
Committee Member of Throxenby Residents Group

Objections to Planning Application 16/00110/FL Land off Lady Edith's Drive

1. We believe the application should be rejected as the "Consultation" held by Persimmon in advance of the plans being submitted, did not include all the nearest neighbours. In particular Graham School was not informed (Raincliffe County Modern School is mentioned throughout the application though no such school has been in existence for several years) and the residents of Throxenby Hall were not informed of the process, only finding out by accident of the proposals. This error in Consultation means the application is flawed and should be thrown out.
2. No comments from those people who did respond to the consultation were taken into account therefore "no meaningful engagement and collaboration with" the neighbourhood took place so the application should be thrown out.
3. According to the Public Notice in the Scarborough News 3.3.2016, the proposal is a departure to the Local Plan, "the proposed development does not accord with the provisions of the Development plan in force in the area in which the land to which the application is related". There are many objections to the inclusion of this land in the new Local Plan (yet to be adopted) and until a decision is made, consideration of this planning application should be deferred. The development site is outside the development limits of the town and is in the countryside so this planning application should be rejected.

4. There are numerous errors within the application and its supporting documents. At one point it is mentioned that in response to comments the "school building has now been retained". This is a complete nonsense as no school building is on the proposed site. As the application is full of errors it should be thrown out.
5. Throughout the application the site is variously referred to as 1.6 hectares, 1.4 hectares and 1.1 hectares. As neighbours we dispute the size of the plot. Before any application be considered it should be exactly established just how large the site is; this will, of course, determine the number of viable houses the plot can stand. Because of these anomalies the application should be rejected.
6. As neighbours we contest Persimmon's statement that the development will "enhance the character of the area" as the plan is too cramped, 54 or 55 houses (the application documents refer to both figures) is overdevelopment of the site; the houses are too high being either 10 or 12 metres in height (the latter height being the two and a half storey houses planned) with some of the tallest houses planned to be built on the crest of the hill; these will be overbearing to neighbouring properties which are of a much lower stature, it will also be overbearing to the surrounding area. A quarter of the houses are planned as terraced houses (which the developer refers to as "cottage type") which is not in keeping with the local area; the houses are of bog standard design that are not in keeping with the nearest local vernacular, no materials and facings are listed so we assume they would be built of brick and not stone and so will not reflect the houses bordering the site which are either built of stone or are faced in stone. In an area where existing properties are spread out and low lying to suit the rural scene, the proposed development would overbear on, overwhelm and detract from the spacious housing already present and would ruin the pleasant amenity of Lady Edith's Drive therefore the application should be refused.
7. There will be adverse effects on the surrounding homes in the area. The developer cites there will be approximately two cars for every household therefore there will be over an hundred vehicles coming and going on site. This does not take into account development of neighbouring fields. Persimmon has clearly included roads that lead into the next fields. This is to make use of future opportunities to build on land not currently designated for building. Should this ever go ahead it would mean many more vehicles gaining access via an entrance road that is too near existing properties. By building on this field all other fields in the vicinity will be put under threat and pressure from builders. For this reason and because of the press of vehicles driving onto a small area this application should be refused.
8. Persimmon states there will be no adverse effects of this development on surrounding homes. We contest this and say there will be a great traffic impact on Throxenby Lane and on Lady Edith's Avenue, both used as rat runs. This will occur particularly at Graham School opening and closing times when there will be a risk of increased traffic accidents around the school and wider area. This week one of our cars, parked on Throxenby Lane in front of our house, was hit by another vehicle and our wing mirror was broken off. The other vehicle did not stop. This is the second time our car (a Daihatsu Matiz, so not a large vehicle) has been hit. Many more accidents like this will occur with an increase in local traffic should the development go ahead. For this reason the application should be refused.
9. The developer cites there is a need for local housing but with one university closing and the plans for the Potash Mine still up in the air this need is unproven. Because of the closure of the Hull branch of the University there is likely to be an exodus from the area of students and lecturers and no new incomers to replace them. It is highly unlikely that local people will be employed on site as Persimmon will bring in their own teams from outside the area. Government policy encourages the building of new homes but not at the detriment of the local area. The adverse impact of the scheme will outweigh the benefits therefore the application should be rejected.

10. The scheme adds nothing to local distinctiveness and does not represent good design and should therefore be refused.
11. In Persimmon's Design and Access Statement they declare the plan should have regard to conservation issues yet at no point in their documents have they recognised the viable large pond in the north-east corner of the site. The only time the pond is honestly mentioned is in the Archaeological Field Evaluation accompanying the Planning Application where it is mentioned "the pond survives but is rather overgrown" and it is shown on figure 2, page 57. This pond (see attached photograph) is referred to by Persimmon as dried up. This is obviously not the case. The pond is a mature pond and is overgrown but is a large key feature of the field. There is a well-worn animal track leading to it and there are many species of amphibians that use it (see Arboricultural Survey). The Ecological Assessment states it was taken at the wrong time of year to check whether Great Crested Newts are using the pond but as the whole Scarborough area is known to be populated with Great Crested Newts we can assume there will be some newts that return annually to this pond. Also of importance is the fact Persimmon intend to place a row of terraced house on the site of the pond. We have grave doubts over the placing of any housing on the former site of a pond as we believe such buildings would be subject to subsidence, damp and other similar problems in future. Such a placement would not give rise to quality homes. Persimmon have been criticised in the past by the BBC, amongst others, of paying scant attention to Persimmon home buyers' complaints concerning poor drainage in gardens. It is not known why there is a pond on site; it is sited on the highest ground on the field so it could be acting as a reservoir for water drainage from land on the Throxenby Hall domain. Any demolition of the pond may cause adverse effects on surrounding land. By developing the land the biodiversity of the area will be destroyed. The application should be refused as it is proposed to destroy this important pond habitat.
12. One of the nicest characteristics of Lady Edith's Drive is the lovely cover of trees and hedgerows on the proposed development site. The Arboricultural Survey states that all the trees are of good quality and have many years left in them. One tree was suggested for removal in the north of the site, bordering the pond, but this tree is used by the many birds that roost on the site and is an amenity providing privacy to nearby residents. Persimmon does not state how many trees they will fell to extend their proposed entrance to the site. The development is a clear threat to the local tree cover and the application should be refused.
13. The northern hedgerow bordering the site (composed mainly of Holly (Ilex), 5m tall) protects the Throxenby Hall garden. The application shows housing planned for this area. As all gardens at this spot will be heavily overshadowed by the hedge any rear gardens in this spot would be north facing and overshadowed by the hedge rendering them dark and probably damp. This does not make for quality housing. Also housing at the southern part of the site will be overshadowed by the trees along Lady Edith's Drive for most of spring, autumn and winter, rendering these houses also dark and damp. For this reason the design is flawed and the application should be refused.
14. The Flood Risk Assessment is supplied by the client and is therefore biased; much of the information is desk based. There appears to have been little or no field walking to assess how wet and boggy the ground is. It is noted that though the site itself is not considered to be at risk of flooding the neighbouring properties, which lie at the bottom of the land to the east, may be flooded and adversely affected if the site is built upon. Persimmon has not addressed this problem. There will be an impact on the existing water systems and drainage for example the level of water in the ancient well at 98 Throxenby Lane may be affected (either overfilling or dropping off altogether) and the gardens of all neighbouring properties may become sodden should water run off the development site towards Throxenby Lane. Section 5.3.1 of the flood Risk Assessment states "the risk of flooding from water falling on

site and not being able to leave is relatively high. The impermeable area of the site will increase due to development and this would increase run off from the site. This would increase the flood risk to downstream properties". For these reasons the application should be refused.

15. The Map Archaeological Practice Report does not have the author's name to it. Furthermore it is desk based and uses out of date and incorrect information. It states the development will have a neutral effect on grade II listed Lodge Cottage but we dispute this. The writer arrived at this point of view because they erroneously state there is a 10m buffer between the gardens of Throxenby Lane and the development. In actual fact the properties on Throxenby Lane have gardens that reach to the development site; there is no buffer zone. The report states "the development will mitigate for the impact of the Development by the a pasture buffer east between the existing gardens and the proposed development and the planting a hedge along its eastern boundary (sic)" No such buffer is shown on the plans. For this the application should be refused.
16. The Map Archaeological Practice Report states the "Impact of development on the setting of the monument 'within an appropriate setting'" should be considered. However the setting of grade II listed Lodge Cottage and Throxenby Hall, a building of local note, would be adversely affected by this proposed development. If it went ahead the cottage would be removed from its ancient position in a rural setting and would become marooned in a sea of buildings squashed together and cramped. Such loss of historic agricultural and green setting would adversely affect the listed building. It is pointed out that the "Historic environment is a non-renewable resource. Fragile and finite nature is a particularly important consideration in planning." It should be taken into consideration that once built on, this land is lost for ever and the setting of the listed building would be lost forever too. The criteria of sensitivity is high for a listed building but the developer has shown scant respect for Lodge Cottage in its plans, even though Persimmon's representative Nyasha Mapanga at the consultation agreed with us as homeowners that Lodge Cottage should be protected. She herself suggested that to prevent the cottage being overwhelmed it would be better to plan for bungalows near the listed building rather than high two storey detached houses. However the developer plans to position seven detached houses and a row of three terraced houses nearby many of which will directly overlook the cottage. The heights of the houses planned (10-12m high opposed to the cottage's height of approximately 6m) and the fact they stand on a hill overlooking the cottage at the bottom of the hill on the east site of the proposed development, mean the listed building would be overwhelmed by the surrounding proposed buildings.
17. As homeowners we object to the great loss of privacy that will adversely affect our day to day lives and the lives of future custodians of the grade II listed building Lodge Cottage by the proposed plans. One detached house will directly overlook the cottage and every room in it, while two others will overlook the cottage obliquely. Three others on the southern part of the site will overlook the garden obliquely taking away any enjoyment we currently enjoy in being on our land. This is unacceptable. There has been no acceptance or understanding of our right to privacy by the developer and in this regard the scheme is extremely flawed. Of course we are not the only neighbours to be directly overlooked. Everyone else on the west side of Throxenby Lane adjacent to the proposed development will be affected by houses looking directly and obliquely into their properties, with number 84 having houses planned to be built on their actual garden boundary. Numbers 94, 92 and 90 Throxenby Lane will be directly affected by higher placed detached houses, or a high terrace of three houses, all overlooking their properties and gardens. It is important to note that the houses planned that are two or three storeys high will overbear on houses that are one and a half storeys high, with bedrooms wholly or completely in the roof space. Because of the poor quality design of the proposed development, showcasing an unsympathetic respect towards

our basic privacy, we would like the application to be refused and we hope Parish Councillors will be sympathetic to our arguments.



a. The proposed site seen from the upstairs of Lodge Cottage, showing the rising topography falling to the the gardens of Throxenby Lane.



b. The pond, with water, February 2016; the proposed site of three, three storey high terraced houses which will overlook lower rise properties on Throxenby Lane.



c. Nos. 94, 96 & 98 seen from the proposed site,



d. The rear of Lodge Cottage seen from the proposed site.



11 March 2016

Chairman & Members
Newby & Scalby Parish Council
St Laurence's Church Rooms
Scalby

Dear Sir/Madam

Proposed Housing on land at Lady Ediths Drive, Scarborough

I write to offer a little background information relating to your consideration this evening of the planning application submitted to the Borough Council by Persimmon Homes on land which I own in Lady Ediths Drive.

First of all, I would remind everyone that the site was put forward for development as long ago as 2002. At that time, the Councillors resolved in Committee that the site could and should be built upon to create a new private hospital. This very large building and its car park only failed to materialise because the health provider decided at the last minute to take their investment to another town rather than Scarborough. The Local Planning Authority's historical and documented commitment to the principle of putting buildings on the site is a significant material consideration when looking afresh at alternative development proposals.

On the strength of this public commitment to an alternative land use, I put the site forward for housing development in the Strategic Housing Land Availability Study (SHLAA) in 2004 as part of the proposed new Local Plan for the area. The draft housing strategy has been the subject of the proper, formal consultation procedures by the District Council, including all of the parish councils across the Borough. This was the time when all interested parties would have had the opportunity to make representations about the principle of development on the site as part of the process of public consultation.

Having taken into account all relevant matters about the suitability of this site (and many others) for housing development, at the end of a very lengthy process, the Borough Council has decided that the site should form part of its proposed Housing Allocations for the plan period. It seems to me, therefore, that the time for making any objection to the principle of building on the site has now passed.

Like me, you may have seen the comments from the local neighbourhood group in the Scarborough newspaper, and some of the residents may have conveyed their views to

you as parish councillors. I can appreciate the concern being expressed by those people, who have the prospect of a significant local change close to their properties and how this would motivate them to try and prevent it from happening. However, there are two sides to every coin.

The chronic shortage of housing, both nationally and locally, is well-documented and the Government is highly focussed in ensuring that all local Councils meet their housing targets. In common with many others, Scarborough Council falls well short of doing so; being unable to provide nearly enough housing sites to meet existing demand let alone future requirements.

The Borough Council has difficult choices to make. It does not encourage green field development, seeking first to ensure that previously developed land is re-used for housing; and the planning authority's historical success in this regard is evident throughout the town. But this alone is simply not enough to meet the ever-growing demand for future new homes and, sadly, building on some areas of open land has become a necessity. National planning policy recommends that urban extensions to existing settlements should initially be examined, in advance of land beyond the towns and villages. The site at Lady Ediths Drive is just such a location, surrounded on three sides by existing built up areas, a recently erected agricultural building and timber building on the fourth, and closely associated with the existing urban infrastructure (see the attached plan showing an aerial view of the locality).

Much is being made of the likely effect of the proposed houses on traffic conditions on the local highway network. You should be aware that a traffic impact assessment was undertaken as part of the proposal for the private hospital. This report concluded that the development would have no harmful impact upon the local road network and this was accepted unequivocally by the Highway Authority. I can also advise that these same traffic issues were raised with me as part of the SHLAA and a detailed report was prepared by a specialist highway consultant and submitted to the Local Highway Authority. Again, it was acknowledged that housing here would have no detrimental impact on highway safety and circulation and the site allocation was permitted to proceed. All of the highway experts agree that the proposed dwellings would have less of an impact on the local road network than the proposed hospital, which has previously been accepted.

Casting Persimmon as the villain here, as the local pressure group has done, is unfair. If everyone is to have a home, this has to be undertaken on a scale and to a timescale which precludes the odd house being put up here and there by local builders. Persimmon Homes are one of several large national companies who happen to be in this specialist business, operating in towns and cities across the land. Unsurprisingly, like all commercial organisations, they make a good profit from what they do. But they will leave behind over 50 homes of various sizes, occupied by over 50 households. Rightly or wrongly, this is the current way of things in a world where the Council can no longer build houses itself on behalf of the community.

So, if enough houses are to be built to allow local people to enjoy the same benefits bestowed upon those who are fortunate enough to already have a home in the Throxenby area (or elsewhere) house-building has to take place somewhere. The Residents of Throxenby against Development seem to be suggesting that this necessary housing should be somewhere else, anywhere else except the site in question – where it would be someone else's problem, perhaps? The plain fact of the matter is that lots of new housing is needed in the area and this site will provide a range

of homes of different sizes and prices, including rental, for over 50 households in a very desirable part of the town.

Much has been made in the representations on the application about the harmful impact of the proposal on the landscape character of the nearby National Park and the approach to and from it, although a short walk along the street from the dual entrance to Graham School, past the field adjacent to the east, as far as Row Brow Farm will quickly dispel the romantic picture being painted by the local pressure group depicting the site as being an unspoilt rural gateway into the town/National Park. Interestingly, I have recently had sight of the National Park Authority's comments on the proposed allocation of the site in the Local Plan. National Park Officer, Caroline Skelly wrote, and I quote: ***"....the site is well contained and will effectively fill in the gap in the built up form of Newby. For these reasons, the NPA do not have any concerns about the allocation of the site in the Local Plan"***. I do not think that any more needs to be said.

Other issues raised by some residents are simply inaccurate – for example, there is no evidence to support the entirely false assertion that there are protected species on the site and none of the trees on the site are subject to a Tree Preservation Order.

Since the meeting last Wednesday, I have been looking at recent national research on the effects of new housing on the local economy. Two relevant statistics stand out; first, the research demonstrates that for every new house erected, it has an effect, directly and indirectly, of creating two new jobs within the local area. Secondly, it has been shown that every new household creates an annual spend with local shops and services of £20,000. Moreover, these economic advantages are not just one-off events, they are ongoing into the future.

It is also important and relevant that the new households living on the site will be able to enjoy the advantages of this sustainable location, with easy walkable access to schools, the college, local shops, medical facilities and one of the largest local employers in the town at the hospital. They will also be only a short stroll from Throxenby Mere and the footpath network along Row Brow into Raincliffe Woods. In other words, the site represents a very attractive, desirable and convenient place for people to live.

Yours sincerely

Colin Zoeller



Throxenby Lane
houses

Graham School

barn