

Review by R Agus of situation regarding developments on land at Church Cliffe Drive and to the north of Wooldale Drive, Filey at 18th January 2018.

Abbreviations

FTC - Filey Town Council

SBC - Scarborough Borough Council

HA23 - Designation in Local Plan of site for residential development off Church Cliffe Drive

OS10 - Designation in Local Plan of land to the north of Wooldale Drive

CC - Councillor Cockerill

FAS - Filey Flood Alleviation Scheme

HG - Hickling Gray, agents for the land owners

1. The comments below are based on written statements, e-mails and reports and can all be verified as necessary.
2. Planning history for site HA23 shows that earlier applications for residential development have been refused by SBC. These refusals have been upheld at appeal.
3. Since the historic applications were made there have been no changes to the physical environment surrounding the site.
4. SBC included HA23 in their Local Plan.
5. There were discussions between the land owners, their agents and SBC officers in relation to this proposal prior to the completion of the submission version of the Local Plan.
6. Due to severe flooding of the area in 2007, it has been proposed to provide a flood alleviation scheme (FAS).
7. CC has been involved in a leading role in developing the FAS in conjunction with the land owners.
8. Both HA23 and OS10 are within the area required for the FAS.
9. It is not unreasonable to assume that CC has been involved in discussions surrounding these sites. However, he is adamant that he did not discuss HA23 with the land owners prior to its inclusion in the Local Plan and he is not aware who has represented SBC in discussions with HG leading to HA23 being included in the Local Plan.
10. Bearing in mind CC's involvement in the FAS, it is inconceivable that he has not discussed the residential proposal for HA23 in all the years that it has taken to reach this point.
11. HG have consistently linked HA23 and OS10 to the land required for the FAS.
12. CC has consistently insisted that there is no link.
13. Residents are lead to believe that all planning approvals, grants, funding etc has been in place for the implementation of the FAS for a year or more. Indications were that works on the FAS would commence in February 2017. To date, no works have commenced.
14. CC has confirmed that there are some delays to the commencement due to ongoing discussions with land owners. However, he has not confirmed which land owner is responsible.
15. It would appear to be incompetent to obtain funding, tenders etc for the FAS until all associated costs arising from land acquisition and compensation to land owners has been agreed and confirmed.

16. Returning to the issue of the Local Plan, there was significant local objection to the inclusion of this open land for residential development. There are numerous documents prepared by the residents and other interested parties objecting to the proposal. The reasons for objection included issues relating to flooding, planning history, conflict with local policies and directives.
17. The Inspector disregarded all off the residents' objections and included both HA23 and OS10 in the Local Plan.
18. The projected number of dwellings stated by SBC/Planning Officer for HA23 was 30 dwellings.
19. Residents raised the issue of viability of the site with the Inspector but, again, this was for developers to deal with.
20. Indications were during the Local Plan process that any development on HA23 should be single storey and/or reflect the development opposite the site within the Conservation Area.
21. FTC gave little support, if any, to local residents and in their report to SBC concluded that they would wish the site to be developed with single storey properties and that residential development should not commence until the FAS was completed.
22. McCarthy & Stone have now submitted a full Town & Country Planning Application for development on HA23 comprising 20 bungalows and 39 flats in a 2 storey block. Naturally, residents are outraged but many feel that there is little that can be done to prevent the corporate machine rolling into town.
23. As McCarthy & Stone have had pre-application discussions with planning officers and local councillors, including CC, it is likely that the outcome of the application is a foregone conclusion and that SBC will not have the will or backbone to refuse the application.
24. The viability of the site is based on a number of factors, land cost, infrastructure changes including diversion of large diameter rising main, affordable housing and other contributions required by SBC.
25. It is not beyond the realms of possibility that, without a significant overdevelopment of the site regarding dwelling numbers, this site would not be viable.
26. Bearing in mind the number of behind-closed-door meetings between developers, land owners and local councillors (particularly CC), it is not unreasonable to speculate that the land owners, who hold all the cards in respect of land required for the FAS, are delaying any agreement regarding land acquisition, compensation etc, until planning approval for HA23 has been granted and a sale confirmed.
27. Therefore, it is in the interests of SBC, who are responsible for the FAS, to allow this totally unacceptable scheme to be accepted. Thus, once again, dismissing the concerns of local residents.
28. Turning to a separate but related matter, land to the north of Wooldale Drive is included as OS10 on the Local Plan. This is to become an "open space".
29. The reasoning for this given by HG and SBC Forward Planning Officer is that the land remaining after the FAS is too small to be economically viable as arable land.
30. However, the plans and statements submitted for Town & Country planning approval for the FAS clearly show land remaining as agricultural and separated by wooden posts from the bunding etc proposed.
31. When the planning application for the FAS was submitted to SBC, residents were consulted. Several of us raised the question of the necessity for a substantial earth work along the rear boundaries of properties along Wooldale Drive. Water does not run uphill and

it would have to do so for this bunding to be of any use. Despite my written and verbal requests for evidence to support the reason for this bund, the planning officer and SBC planning committee ignored this point.

32. CC has hinted in e-mail communications a number of potential uses for OS10. None of which have been made known to the general public.

33. If SBC accept that the whole of the land within OS10 will be lost for agricultural use as a result of the FAS then, again, the land owner will potentially benefit enormously from the land sale and/or compensation.

34. The whole situation regarding OS10, HA23, FAS, planning applications, Local Plan is soured by the total lack of transparency, conflicting evidence from planning officers, local councillors and land owners. The stench of manipulation and collusion is becoming overwhelming.