



REPORT TO PLANNING & DEVELOPMENT COMMITTEE

**TO BE HELD ON THURSDAY, 29
November 2007**

APPLICATION REFERENCE NO:

07/01575/FL

TARGET DATE:

17 OCTOBER 2007

GRID REF:

503684/488000

REPORT OF THE HEAD OF PLANNING SERVICES - HPIg/07/245

**SUBJECT: TO DEVELOP A BLOCK OF SEVEN FLATS ON VACANT
LAND AT BELGRAVE CRESCENT, SCARBOROUGH FOR HILL
DOUGLAS DEVELOPMENTS**

1.0 THE PROPOSAL

- 1.1 Following Members' decision at the Development and Regulation Committee on the 18 October 2007 to defer the application, the scheme has now been amended by the applicant, to reduce the number of flats from 9 self-contained units of accommodation to 7 units of self-contained accommodation, with the basement element removed. It is proposed to construct 6 two bedroomed flats and 1 three bedroomed flat facing into the square. With an increase in the number of off-street car parking spaces from 6 to 8 to be accessed from the rear of the site on Westover Road. The top floor flat is proposed with a private roof garden.
- 1.2 The site which has a level appearance lies between Belgrave Crescent and Westover Road and has remained undeveloped for many years. Belgrave Crescent is situated within the designated Conservation Area of Scarborough and is predominantly large 3 and 4 storey buildings. There are a mixture of uses within the crescent including a terrace of residential accommodation to the west and a variety of commercial uses situated to the south, east and north. All of the properties face towards an attractive enclosed garden in the centre of the crescent which has a stone wall and hedge boundary.
- 1.3 This site is unusual in that there is a disused railway tunnel running under the north west corner of the site. This tunnel originally ran to the Gallows Close Goods Yard and was known as the Falsgrave Road Tunnel and was backfilled in the early 1990's. The line of the tunnel across the site is towards the south west front corner and continues towards Westover Road under the car park of Normanby House and the railway line beyond. Currently, there are no existing boundary treatments to the north and south with a brick wall to the east and a mature privet hedge to the west.

- 1.4 The proposed block of flats is to be a substantial building arranged over 3 floors. The building would have a traditional front elevation of symmetrical appearance in-keeping with the adjacent detached building known as 4 Belgrave Crescent and the scale of terraced properties to the west. The detailing to the front elevation would include stone faced concrete lintols over the windows with key stone window surrounds and cills. Projecting bays are proposed at ground floor level with stone faced concrete corner posts. The windows are proposed as uPVC sliding sashes. Dummy chimney stacks of a brick construction are proposed in the west and east roof slopes.
- 1.5 A central path leading to the front door is proposed with black painted railings on a concrete stone plinth with garden areas either side of the path. To the rear of the building it is proposed to include a central glazed screen to the stair lobby to the full height of the rear elevation fully glazed with a black powder coated steel frame.

2.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

None.

3.0 CONSULTATIONS AND COMMENTS

- 3.1 Traffic and Transportation Manager – Comments on the proposal on the following grounds:-
 - 1) To facilitate the entrance to the car parking area, several on-street parking spaces will be lost. These spaces are well used by workers and shoppers on Falsgrave and represent a valuable resource. It is not desirable to lose them given the general lack of on-street spaces along Falsgrave Road. However, the revised scheme that increases the number of off-street parking spaces is welcomed.
 - 2) If amendments were to be made then the applicant would be responsible for all costs associated with the Traffic Regulation Order amendments, roughly around £1500.
- 3.2 Head of Environmental Health and Housing Services- No objections.
- 3.3 Conservation Officer – Belgrave Crescent was developed from about 1865 in a composition comprising villas on the east and south and a terrace on the west. This site was intended to be a villa site but was not developed as the Railway Company acquired the site to build the railway tunnel which was only a few feet below the ground. In principle residential development here will help to complete the Square and enhance the Conservation Area and this is recognised in the fact that there has been a previous approval.

It seems to me that the approach adopted by the architect here is the correct one. In particular the bulk, scale and massing and positioning on the site is appropriate in Conservation Area terms.

The following suggestions regarding the detail are:-

Good quality materials should be used in terms of brick and slate.

If pvc rainwater goods are to be used these should be a cast iron look-alike.

If uPVC vertical sliding sash windows are to be used these should be of high quality set in a deep reveal of at least 100mm.

To soften the appearance of the car park to the rear it is suggested that a resin bound gravel is used.

3.4 Head of Engineering and Harbours – Comments as follows:-

1 - It is noted that the applicant is aware of the approximate line of the former railway tunnel. It is also noted in the report of the developers' consultant engineer that a recommendation in 1990 was made "...to fill the disused railway tunnel with granular fill and pfa grout to minimise the presence of voids". The tunnel was backfilled and grouted in the early 1990's in accordance with this recommendation. It should be noted here, however, that it is unknown as to the efficiency and extent in which the tunnel was filled and grouted and hence it is unknown whether voids may be present within the former railway tunnel.

2 – Details of tunnel structure and its foundations are also unknown.

As a consequence of (1) and (2) above it is to be recommended that the foundations of the proposed development (in the proximity of the line of the former tunnel) should be such as to not transfer loading onto the tunnel structure and/or the filled void.

If planning permission is granted a Method Statement would be required to cover the following points. Detailed ground investigations in relation to the base and crown of the tunnel, existing land drainage, the protection of the neighbouring properties during construction in relation to the public sewer.

3.5 Yorkshire Water – Make the following comments. If planning permission is to be granted, conditions relating to separate systems for foul and surface water and the proper disposal of surface and foul water prior to occupation of the building shall be attached to the granting of any planning approval.

3.6 Architectural Liaison Officer – No comments on the scheme.

3.7 Network Rail – No comments received.

3.8 Scarborough Civic Society – The Civic Society welcome the development of this site as it will complete the enclosure of Belgrave Crescent. Similarly the proposed redevelopment as a residential building would appear to be a sensible reflection of the majority use of the properties round the crescent.

Building Design – It is appreciated that the building design is to reflect the style of those existing round the Crescent. It is to be regretted that the design did not follow the example of The Lawrence House Medical Centre and create a building which reflects its role as a product of the twenty first century.

Following the amendments made by the applicant to reduce the number of units proposed and include a front garden the Civic Society are happy to support the development of this site.

3.9 Publicity - The consultation period expired on the 26 September 2007.

4.0 RELEVANT SITE HISTORY

- 4.1 4/10/4227B/OL – Re-submission of outline application for the erection of six self-contained flats and garages. Conditionally Granted 5/7/96.
- 4.2 4/10/4227D/FL – Variation of Conditions.1 and 2 of planning decision 4/10/4227B/OL to allow a 2 year extension of time for erection of flats and garages. Conditionally Granted 12/7/99.
- 4.3 01/00413/FL – Variation of Conditions.1 and 2 of planning decision 4/10/4227D/OL to allow a 2 year extension of time for erection of flats and garages. Conditionally Granted 18/05/01.

5.0 PLANNING POLICY

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 54A of The Town and Country Planning Act 1990 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. Attention is drawn to the following Development Plan policies which are considered to be particularly relevant to the consideration of this application :-

Scarborough Borough Local Plan

Policy E12 – Design of New Development

Policy E23 – Detailing in Conservation Areas

Policy H3 - Small Scale/Infill Housing Development Within the Development Limits of Settlements

Policy H10 – Protection of Residential Amenity

- 5.2 National guidance on Development in Conservation Areas is given in PPG15 – Planning and the Historic Environment

6.0 ASSESSMENT

- 6.1 The main issues to be assessed in this case are:

- The design of the development
- Detailing within the Conservation Area
- Effect on residential amenity

Design of the Development

- 6.2 The existing site has been an eyesore within Belgrave Crescent for a number of years and as a result of its overgrown condition has attracted litter and fly-

tipping. The principle of allowing residential development to create a block of flats on the site has already been established, with outline planning permission having been granted originally in 1996 with the period of validity extended on two further occasions.

- 6.2 Whilst, the principle of development on the site has clearly been established there is an engineering issue with regard to the disused tunnel that lies beneath the south west corner of the site. The Head of Engineering and Harbour Services has assessed the information provided by the applicant and considers that there would be further works required to the tunnel prior to commencement of the development. Should Member's be minded to grant permission for this proposal the applicant would need to be required, by condition, to provide a detailed Method Statement in relation to proposed works to the tunnel for consideration by the Local Planning Authority.
- 6.3 The applicant has chosen to design a building which seeks to compliment the existing scale and architectural features of other buildings within the square particularly that of No.4 Belgrave Crescent to the east of the application site and the terrace of properties situated to the west. The design of the principle elevation is thought to be appropriate in terms of detailing and scale to that of the neighbouring property with a similar eaves height and matching gable features. This proposal is considered to meet with the aims of Policy H3 in terms of the scale, character and appearance reflecting the character and physical form of the existing surroundings.
- 6.4 In the case of the rear elevation it is considered that the modern element of the proposal that comprises of a glazed screen to the stair lobby and rendered walls to the lift shaft creates interest on the rear elevation. Particularly, in this case where the property faces a highway at the rear it is felt that this elevation should be treated appropriately as it will be clearly viewed from Westover Road. It is considered that due to the lack of architectural rhythm along this stretch of road that the introduction of a contemporary element adds interest to the new development and is capable of being successfully incorporated into the scheme without detriment to the appearance of the Conservation Area. When viewed from both Westover Road and Belgrave Crescent the existing properties, although large, have open space to both the front and rear and it is considered that the new building reflects this theme in accordance with Policy H3 of the Scarborough Borough Local Plan.
- 6.5 It is considered that the design of the proposed development meets with the aims of Policy E12 of the Scarborough Borough Local Plan which seeks to ensure that new buildings are visually attractive, complimentary to the character and appearance of their surroundings and that they contribute to the maintenance or creation of attractive places. Your Officer's consider that this proposal meets the aims of this policy in terms of scale, form, height, layout, materials and fenestration, subject to a condition being attached to the grant of any planning approval requiring that the details of the materials to be used are approved by the Local Planning Authority prior to the commencement of the development.

Detailing within the Conservation Area

- 6.6 Policy E23 of the Scarborough Borough Local Plan seeks to ensure that the detailing of new development within Conservation Areas replicates traditional features to ensure that the development contributes to the character and appearance of the area. In this case, it is proposed to use a vertically operated sliding sash window constructed of uPVC material. The Conservation Officer has supported the use of this style of frame provided that they are of a heritage design with a deep external reveal. It is also proposed to use stone faced concrete cills and lintols and this is considered to be an important architectural detail that adds character to the building. In addition to this it is proposed to use black painted railings around the perimeter of both the front and rear garden areas and it is this standard of detailing that is considered to enhance the appearance of both the proposed development and the streetscene of Belgrave Crescent.
- 6.7 The contemporary detailing proposed to the rear of the building is considered to be in-keeping with the scale of the proposed building with the use of glass panels creating a central feature to the Westover Road elevation. An important and often overlooked feature that compliments new buildings within Conservation Areas are dummy chimney stacks. In this case the proposed chimney stacks are positioned evenly on both the east and west roof slopes and this is considered to add character to the roofscape of the building. It is proposed to attach a condition to the grant of any planning approval requiring that details of all materials to be used on the site are submitted for prior written approval, to ensure that the quality of the detailing is appropriate to protect the character and appearance of the Conservation Area.

Impact Upon Residential Amenity

- 6.8 Belgrave Crescent currently offers a mixture of both commercial and residential accommodation. The commercial property dominates the northern and eastern areas of the crescent, whilst the western side is predominantly residential, with the application site situated between an office building and a residential nursing home. It is considered that within this area of the square that a residential block of flats sits comfortably between these uses and will enhance this corner of the crescent that has suffered years of neglect. Policy H10 of the Scarborough Borough Local Plan seeks to ensure that new development does not create problems of overlooking or loss of privacy to neighbours. The 9 windows proposed facing east towards No.4 Belgrave Crescent are to be approximately 4.3 metres away from the existing windows within the office building. These windows are to service the en-suite facilities, bathrooms and kitchens of the ground, first and second floor flats and due to the nature of the windows 6 of the 9 windows are to be obscurely glazed.
- 6.9 The internal layout is replicated facing west towards Normanby House. Again, there are en-suite bathrooms, family bathrooms and kitchen windows facing towards the neighbour. In this case, the distance between the properties is greater, with the nearest elevation being a distance of 9.8 metres away. As Normanby House steps back the distance between the elevations increases

to approximately 12 metres and then to 16 metres at the rear. It is therefore considered that the relationship between the two properties is acceptable with no overbearing effect upon neighbouring residents, in accordance with Policy H10 of the Scarborough Borough Local Plan.

- 6.10 The Scarborough Civic Society had expressed concern regarding the level of amenity afforded to future occupiers of the basement flats and welcome the amended scheme with the basement element deleted.
- 6.11 It is not considered that due to the orientation of the properties in this location that the amenity of those residents occupying Normanby House will be adversely affected by the proposal. In general it is considered that the existing levels of residential amenity within Belgrave Crescent will be improved by this development and it is noted that during the course of the consultation period there have been no comments received from neighbours in respect of the proposal.
- 6.12 Currently, there are difficulties associated with on-street parking within the crescent due to the presence of a doctor's surgery and a busy pre-school nursery. At peak dropping-off and picking-up times this can result in serious congestion making the ability to manoeuvre vehicles satisfactorily around Belgrave Crescent difficult. To ensure that this situation is not compounded further by works traffic to the development site it is proposed to impose a condition upon the grant of any planning permission requiring that works vehicles, including any deliveries to the site are made only from Westover Road. A condition regarding the provision of wheel washing facilities for works vehicles is also to be attached to the grant of any planning permission, together with an hours of working condition to protect the amenity of residents, particularly those occupying Normanby House.
- 6.13 This proposal does not encourage additional vehicles to use the crescent as a parking area and a lift to all the flats is to be approached from Westover Road. It is considered that the amended scheme offering 8 off-street parking spaces is appropriate to the development alleviating further pressure on off-street parking spaces in the vicinity. Although the Traffic and Transportation Manager remains concerned that the scheme will result in the loss of a number of on-street spaces along Westover Road it is considered that overall the benefit of redeveloping the site outweighs this concern, in an area with a number of side streets where on-street parking continues to be available. It is proposed to provide an internal cycle storage facility for use by occupiers of the building. As part of the revised layout of the parking area the bin storage facility has also been relocated. Originally positioned close up to the rear boundary wall the bin store is now located adjacent to the west boundary hedge.

7.0 CONCLUSION

- 7.1 This proposal has been considered against and complies with Local Plan policies. It is considered that the scale and detailing of the proposal is

appropriate to the character and appearance of Belgrave Crescent and the Conservation Area. In terms of the residential amenity of the area it is considered that this detailed proposal sympathetically addresses the problem of an overgrown site on which the principle of re-development has previously been established without unduly adversely affecting the amenity of the adjacent neighbours.

8.0 RECOMMENDATION

8.1 That **PERMISSION BE GRANTED**, subject to the following condition(s) :-

- 1 Details of the precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before the development commences on the site and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal.

Reason To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety in the interests of public safety for both pedestrians and other vehicle users in accordance with Policy H10 of the Scarborough Borough Local Plan.

- 2 During the construction period, no machinery shall be operated, no processes shall be carried out and no deliveries shall be taken at or dispatched from the site outside the hours of 07:30 am and 6:00 pm on Monday to Friday and outside the hours of 08:00 am and 12:00 pm on Saturdays nor at any time on Sundays, Bank or Public Holidays without the express written consent of the Local Planning Authority.

Reason In the interests of the amenity of the neighbouring residents in accordance with Policy H10 of the Scarborough Borough Local Plan.

- 3 During the period of construction of the development hereby permitted there shall be no access to the site from Belgrave Crescent. All works vehicles including deliveries shall access the site from Westover Road.

Reason In order to ensure that there is no detriment to the existing levels of residential amenity within Belgrave Crescent in accordance with Policy H10 of the Scarborough Borough Local Plan.

4 A written Method Statement to include ground investigations in relation to the base and crown of the tunnel, existing land drainage, the protection of the neighbouring properties during construction in relation to the public sewer shall be submitted to the Local Planning Authority prior to the commencement of the development hereby permitted. No development shall commence on site until the submitted Method Statement has been approved in writing by the Local Planning Authority.

Reason To ensure that the amenity of future residents of the development remains protected in accordance with Policy H10 of the Scarborough Borough Local Plan.

5 The site shall be developed with separate systems of drainage for foul and surface water on and off site. (In the interest of satisfactory and sustainable drainage).

Reason In the interests of the protection of existing levels of amenity within the locality in accordance with Policies H3 and H10 of the Scarborough Borough Local Plan.

6 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.

Reason In the interests of the protection of existing levels of amenity within the locality in accordance with Policies H3 and H10 of the Scarborough Borough Local Plan.

7 Unless otherwise approved in writing by the Local Planning Authority there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works. (To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal).

Reason In the interests of the protection of existing levels of amenity within the locality in accordance with Policies H3 and H10 of the Scarborough Borough Local Plan.

8 Before the development is commenced, details of the brick(s) to be used to the external walls of the development hereby permitted, including samples if so required, shall be submitted to and approved in writing by the Local Planning Authority, and all the brick(s) used in the development shall conform to the details/samples so approved.

Reason In the interest of the character and appearance of the locality and the Conservation Area in accordance with Policies E12 and E23 of the Scarborough Borough Local Plan.

9 Before the development is commenced, details of the materials to be used to the roof of the development hereby permitted, including samples if so required, shall be submitted to and approved in writing by the Local Planning Authority, and all tiles used in the development shall conform to the details/samples so approved.

Reason In the interest of the character and appearance of the locality and the Conservation Area in accordance with Policies E12 and E23 of the Scarborough Borough Local Plan.

10 Prior to the commencement of the development hereby permitted details of the following features shall be submitted to and approved in writing by the Local Planning Authority:-

- a) Chimney stacks;
- b) Rainwater goods;
- c) Railings;
- d) Window design;
- e) Cills and lintols;
- f) Door design; and
- e) Car park surfacing.

Reason In the interest of the character and appearance of the locality and the Conservation Area in accordance with Policies E12 and E23 of the Scarborough Borough Local Plan.

11 The external face of the frame to all windows shall be set in a reveal of a minimum of 100mm from the front face of the adjacent walling and thereafter so maintained.

Reason In the interests of the character and appearance of the Conservation Area in accordance with Policy E23 of the Scarborough Borough Local Plan.

12 Prior to commencement of the development hereby permitted a landscaping scheme for the site including inter alia, the number, species, heights on planting and the position of any trees, shall be submitted to and approved in writing by the Local Planning

Authority. The scheme as approved shall be carried out in its entirety within a period of 12 months beginning from the date on which the development is commenced. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for a period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good and when necessary, unless otherwise agreed in writing by the Local Planning Authority.

Reason In order to protect the appearance of the development and the locality in accordance with Policies E12 and H10 of the Scarborough Borough Local Plan.

13 Prior to the commencement of the development hereby permitted the details of the new vehicular access from Westover Road shall be submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority.

Reason To ensure that such details are satisfactory in the interests of the safety and convenience of highway users in accordance with Policy H10 of the Scarborough Borough Local Plan.

14 Prior to the use of the development hereby permitted being first brought into use the parking spaces and turning area as shown on Drawing No. H101H 707/4A shall be provided, laid out, hard surfaced, drained and marked out. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason To ensure that the car parking spaces are available for use in the interest of the residential amenity of future occupiers and neighbouring residents in accordance with Policies E12 and H10 of the Scarborough Borough Local Plan.

15 The walls shown as rendered on Drawing No. H101H 707/8A shall be smooth rendered and painted a final colour which shall be approved in writing by the Local Planning Authority before the development is commenced, and thereafter so maintained, unless otherwise agreed in writing by the Local Planning Authority. Such rendering and approved final colouring shall be completed within one month of the development hereby permitted being first brought into use.

Reason In the interests of the appearance of the building and the character of the Conservation Area in accordance with Policies E12 and E23 of the Scarborough Borough Local Plan.

Informative You are advised that a separate Agreement will be required from the Local Highway Authority in order to carry out works within the

public highway. You should contact the Local Highway Authority to determine the requirements of this Agreement at an early stage.

A handwritten signature in black ink, appearing to read 'G. J. Marshall', written in a cursive style.

Head of Planning Services

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 KAREN LAWTON ON 01723 384405 e-mail KAREN.LAWTON@SCARBOROUGH.GOV.UK