

- Meeting:** Scarborough and Whitby Area Constituency Planning Committee
- Members:** Councillors Eric Broadbent, Janet Jefferson, Rich Maw, Clive Pearson, Heather Phillips, Subash Sharma (Vice-Chair) and Phil Trumper (Chair).
- Date:** Thursday, 8th June, 2023
- Time:** 2.00 pm
- Venue:** Scarborough Town Hall, St Nicholas Street, Scarborough, North Yorkshire YO11 2HG

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the named democratic services officer supporting this committee, details at the foot of the first page of the Agenda, if you have any queries.

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Agenda

- 1. Apologies for Absence**
- 2. Minutes for the Meeting held on Thursday 11/05/2023 (Pages 3 - 6)**
To confirm the minutes of the meeting held on Thursday 11/05/2023 as an accurate record.
- 3. Declarations of Interests**
All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.
- 4. Public Questions and Statements**
Members of the public may ask questions or make statements at this meeting if they have given notice (including the text of the question/statement) to James Edward Mowbray of Democratic Services (contact details at the foot of page 1) by

midday on Monday 05/06/2023. Each speaker should limit themselves to three minutes on any item. Members of the public who have given notice will be invited to speak:-

- At this point in the meeting if their questions/statements relate to matter which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes).
- When the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chair who will instruct anyone who may be taking a recording to cease while you speak.

5. Planning Application - (23/00311/RG3) Beach Chalets 236 - (Pages 7 - 14) 246 & 258 - 287, The Spa, Scarborough

To consider a planning application for the erection of replacement chalets for Scarborough Borough Council (North Yorkshire Council as continuing authority).

[View Plans and Documents](#)

6. Any other items

Any other items which the Chair agrees should be considered as a matter of urgency because of special circumstances.

7. Date of Next Meeting

Thursday 13 July 2023 at 14:00.

Members are reminded that in order to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

Agenda Contact Officer:

Name: James Edward Mowbray, Democratic Services Officer

Tel: 01723 232309

Email: james.mowbray1@northyorks.gov.uk

Wednesday, 31 May 2023

North Yorkshire Council

Scarborough and Whitby Area Constituency Planning Committee

Minutes of the meeting held on Thursday, 11th May, 2023 commencing at 2.00 pm.

Councillor Phil Trumper in the Chair plus Councillors Eric Broadbent, Janet Jefferson, Rich Maw, Heather Phillips, Neil Swannick and Roberta Swiers

In attendance: Councillor Caroline Goodrick.

Officers present: Fiona Casson, St John Harris, Daniel Metcalfe, Hugh Smith and David Walker.

Other Attendees: Chris Bourne (for Item 5)

Apologies: Councillors Clive Pearson and Subash Sharma. .

Copies of all documents considered are in the Minute Book

1 Apologies for Absence

Apologies for absence were received from Councillor Pearson (substituted by Councillor Swiers) and Councillor Sharma (substituted by Councillor Swannick).

2 Declarations of Interests

Councillor Broadbent declared an interest in Item 4 on the agenda – application in respect of land off Mill Way, High Mill, Scalby - since his sister owned a holiday home on the site.

Councillor Jefferson declared an interest in Item 4 on the agenda – application in respect of land off Mill Way, High Mill, Scalby - since she was a Trustee of the Coast and Vale Learning Trust of which both Scalby Secondary School and Newby and Scalby Primary School were part.

Councillor Jefferson declared an interest in Item 5 on the agenda – application in respect of the Central Railway Station, Westborough, Scarborough - since she was President of Scarborough Chamber of Trade and Commerce and with her husband owned the Train Shop.

3 Public Questions and Statements

There were no public questions or statements.

4 22/01928/OLA - application for the variation of condition 3 and removal of condition 18 on decision 19/01248/OL dated 03.09.2020 to delete the requirement for a pedestrian/cycle bridge/route over Sea Cut/Scalby Beck at land off Mill Way, High Mill, Scalby

Considered –

The report of the Assistant Director Planning (Community Development Services) requesting Members to determine a planning application for variation of condition 3 and removal of condition 18 on decision 19/01248/OL dated 3 September 2020 to delete the requirement for a pedestrian/cycle route/bridge over Sea Cut/Scalby Beck on land off Mill Way, High Mill, Scalby, Scarborough.

Resolved –

That the application be refused for the reasons stated in the report.

5 22/02501/RG3 - application for public realm works comprising relocation of the station taxi rank to rear and associated landscaping. Alterations to station building to facilitate pedestrian access to the rear. Installation of landscaping, planting, street furniture and public art features to front at Central Railway Station, Westborough, Scarborough

Considered –

The report of the Assistant Director Planning (Community Development Services) requesting Members to determine a planning application for public realm works comprising relocation of the station taxi rank to rear and associated landscaping; alterations to station building to facilitate pedestrian access to the rear; and installation of landscaping, planting, street furniture and public art features to front at Central Railway Station, Westborough, Scarborough. Updating the report, the planning officer advised that the applicant had withdrawn the proposal to relocate the four bus stops immediately to the front of the station and in light of this change, an additional condition was proposed for the applicant to provide further details illustrating the retention of these bus stops within the scheme, with the wording to be agreed by officers in consultation with the Chair. In accordance with the Council's planning public speaking scheme, Chris Bourne (on behalf of the applicant) addressed the committee. Members discussed the report and welcomed the change of stance about the bus stops noting the inconvenience to bus users which would be avoided. In response to a concern raised about the removal of all public parking in Westwood car park during the construction phase, the planning officer suggested that condition 12 in the report be bolstered to avoid this scenario and ensure that some of the public parking spaces be retained for use during construction. Members welcomed this amendment to Condition 12 and the proposed additional condition referred to above.

Resolved –

That the application be approved for the reasons stated in the report and in accordance with the conditions outlined in the report with the additional condition referred to above and the amended Condition 12 as proposed.

6 22/02502/LB - application for listed building consent for formation of doorway to South-Eastern elevation, steps, walkway and access to internal taxi rank at Central Railway Station, Westborough, Scarborough

Considered –

The report of the Assistant Director Planning (Community Development Services) requesting Members to determine an application for listed building consent for formation of doorway to south-eastern elevation, steps, walkway and access to internal taxi rank at Central Railway Station, Westborough, Scarborough.

Resolved –

That the application be approved for the reasons stated in the report and in accordance with the conditions outlined.

7 23/00404/RG3 - application for the erection of bar buildings, removal of decking and infilling of a section of lake, widening of footpath and extension to concrete base to rear of the stage at Open Air Theatre, Northstead Manor Gardens, Scarborough

Considered –

The report of the Assistant Director Planning (Community Development Services) requesting Members to determine a planning application for the erection of bar buildings, removal of decking and infilling of a section of lake, widening of footpath and extension to concrete base to rear of the stage at Open Air Theatre, Northstead Manor Gardens, Scarborough. Updating the report, the planning officer advised that the comments of the Council's Ecologist had now been received which endorsed the requirement set out in Condition 2 of the report for a Great Crested Newt population survey to be submitted together with a detailed mitigation strategy and translocation plan should that be necessary. However, the Ecologist had recommended a further condition that a Construction Management Plan be submitted which ensured the protection of sensitive habits. It was noted that since the pond to be infilled could notionally support only a small population of Great Crested Newts and limited habitat relative to the theatre site as a whole, that the development would not undermine the favourable conservation status of Great Crested Newts.

Resolved –

That the application be approved for the reasons stated in the report and in accordance with the conditions outlined in the report with the additional condition as recommended above in respect of a Construction Management Plan.

8 23/00399/RG3 - application for the demolition of toilet block at Prince of Wales Terrace, Scarborough

Considered –

The report of the Assistant Director Planning (Community Development Services) requesting Members to determine a planning application for the demolition of toilet block at Prince of Wales Terrace, Scarborough. Updating the report, the planning officer advised that in light of evidence received that the toilet block could have been a Second World War air raid shelter, officers now recommended that the application be deferred to enable the applicant to investigate further the history of the site.

Resolved –

That the application be deferred for the reasons above.

9 Any other items

There were no urgent items of business.

10 Date of Next Meeting

Thursday, 8 June 2023 – Town Hall, Scarborough

The meeting concluded at 3.09 pm.

**North Yorkshire Council
Community Development Services
Scarborough and Whitby Constituency Committee**

8 JUNE 2023

**23/00311/RG3 - ERECTION OF REPLACEMENT CHALETS AT BEACH CHALETS
236 TO 246 AND 258 TO 287 THE SPA SCARBOROUGH NORTH YORKSHIRE
ON BEHALF OF SCARBOROUGH BOROUGH COUNCIL (NORTH YORKSHIRE
COUNCIL AS CONTINUING AUTHORITY)**

Report of the Assistant Director Planning – Community Development Services

1.0 Purpose of the report

1.1 To determine a planning application 23/00311/RG3 on land adjacent to the beach chalets, The Spa, Scarborough.

1.2 In accordance with the North Yorkshire Scheme of Delegation, the application has been brought to the meeting of the Committee as the Council is the applicant.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That planning permission be GRANTED subject to the condition listed below.

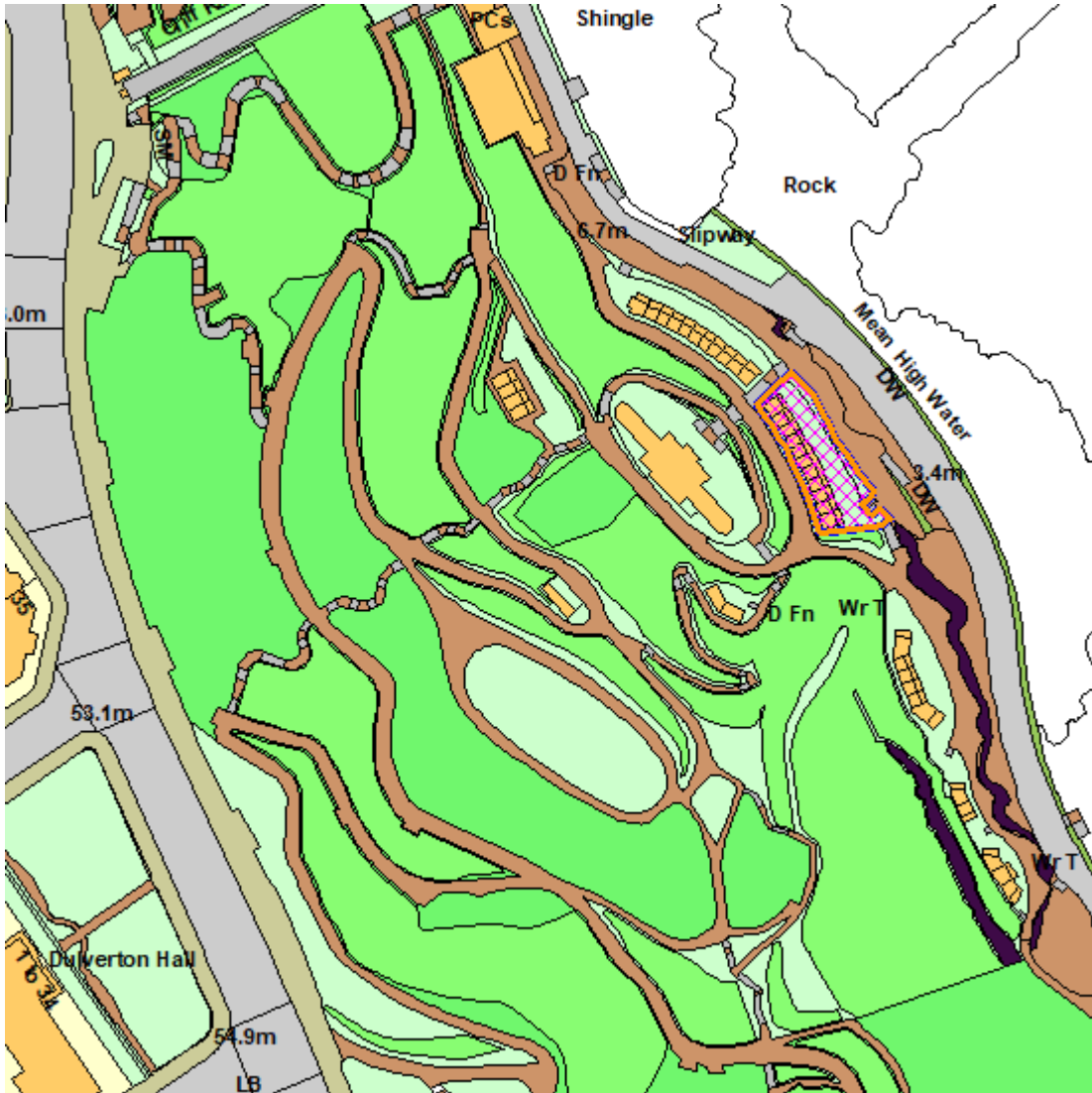
2.1 This application seeks planning permission for the like-for-like replacement of the block of 11 chalets sited beneath the Clock Cafe in South Cliff Gardens which was damaged beyond repair during landslips in 2018 and removed from the land in 2019.

2.2 In principle, as a proposal for development to enhance Scarborough's tourism offer and to provide an additional community facility, your Officers consider the proposal is supported by policies TOU1 and HC8 of the Local Plan.

2.3 The other key issues for consideration are the impacts of the development on the character and appearance of the Conservation Area, the Registered Park and Garden and settings of nearby Listed Buildings. There are significant planning benefits in these respects. As such, the proposal is considered to be acceptable on its planning merits and is recommended for approval subject to conditions.



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3.0 Preliminary Matters

3.1 Access to the case file on Public Access can be found here:

<https://planning.scarborough.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RQ83D9NSIBN00>

4.0 Site and Surroundings

4.1 This application relates to the site of a block of 11 early C20 Grade II Listed 'Spa chalets' which were ultimately demolished in 2019 following serious damage caused by two landslip events in 2018. The 11 lost chalets were one of two 11-unit blocks forming a planned crescent beneath the clock café. Since the demolition permanent repairs have been made to the retaining structures in 2021, but the site remains as an empty plinth.

4.2 With respect to planning designations and constraints, the application site lies within the Scarborough Conservation Area, is situated within the South Cliff Gardens Registered Park and Garden (Grade II) and is immediately adjacent to the remaining Grade II Listed chalets and clock tower café. It is also within the Development Limits of Scarborough, as defined by the Local Plan Policies Map. The application site lies within the Environment Agency's Flood Zone 1, which is land at the least risk of flooding from any source..

5.0 Description of Proposal

5.1 This application seeks planning permission for the replacement of the lost chalets with a block of 11 new units designed to be facsimiles of those that were lost to land landslip and the remaining original chalets immediately to the north; the proposal is to reinstate what has been lost and restore the crescent of chalets beneath the clock café as they stood before the land slip.

5.2 With a maximum ridge height of 4.2 metres, chalet units with widths of between approximately 2.5 and 2.8 metres and gabled end units, the new chalets will match those they replace in terms of form, scale and massing. The external materials of construction will also match the remaining units to the north; walls would be white painted shiplap timber, external joinery white painted timber, doors brightly coloured painted timber (in accordance with the approved schedule) and the roof slopes covered with felt shingles.

6.0 Planning Policy and Guidance

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise.

Adopted Development Plan

6.2 The Adopted Plan for this site is:

- Scarborough Borough Local Plan 2011 to 2032 adopted 2017

Emerging Development Plan - Material Consideration

6.3 There is no emerging development plan which covers the application site.

Guidance - Material Considerations

- National Planning Policy Framework 2021
- National Planning Practice Guidance
- National Design Guide
- Enter further text here

7.0 Consultation Responses

7.1 The following consultation responses have been received and have been summarised below.

7.2 The Gardens Trust: The new chalets should become a well-used and great asset for both the community and visitors to the registered South Cliff Gardens. The Gardens Trust and Yorkshire Gardens Trust have no objection.

7.3 South Cliff Community Group: No comment received at the time of writing.

7.4 SBC Coastal and Drainage Engineers: No comment received at the time of writing.

7.5 Natural England: No objection.

Local Representations

7.6 There have been 2 letters received by the Local Planning Authority in support of the application. These are from local residents and make the following points:

- This planning application is welcomed;
- This block of chalets has been desperately in need of rebuilding for a couple of years;
- Chalets are in much demand by residents and visitors;
- The work will help to complete the jigsaw of work recently undertaken to South Cliff Gardens.

8.0 Environmental Impact Assessment

8.1 The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environmental Statement is therefore required.

9.0 Main Issues

9.1 The key considerations in the assessment of this application are:

- Principle of development
- Impact on the character and appearance of the Conservation Area, the Registered Park and Garden and settings of Listed Buildings.

10.0 Assessment

Principle of Development

10.1 In general terms, policy TOU1 of the Local Plan seeks to support proposals for development which enhances Scarborough's tourism offer and respects the distinctive tourism character of the area.

10.2 Equally, policy HC8 of the Local Plan seeks to support development proposals for new community facilities.

10.3 As a proposal for a form of development which would replace a facility valued by tourists and residents alike, subject to the favourable consideration of the other planning matters to be discussed in the following sections, your Officers consider the proposal to be acceptable in principle.

Impact on the character and appearance of the Conservation Area, the Registered Park and Garden and settings of Listed Buildings.

10.4 Policy DEC1 of the Scarborough Borough Local Plan requires that new development is of a high standard of design. Policy DEC5 of the Local Plan states that development which affects the Conservation Area should preserve or enhance its character. It goes on to require that the settings of Listed Buildings are preserved. These requirements build on the statutory requirements laid out at sections 72(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Ac'), where the decision maker's duty to have regard to the desirability of preserving the character and appearance of the Conservation Area and settings of Listed Buildings are laid out. Additionally, the NPPF makes it clear that great weight should be assigned to the conservation of Registered Parks and Gardens.

10.5 The proposal involves the re-creation of a block of early C20 chalets which were a defining feature of this arm of the Scarborough Conservation Area, were a key visual and functional component of the Registered Park and Garden and enhanced the settings of nearby Listed Buildings with their charming architecture.

Their loss in 2019 left an arbitrary gap on the foreshore and disrupted the symmetry of an important group of Listed Buildings.

10.6 With this in mind, it is your Officers' view that their like-for-like replacement will reinstate the balance of the clock café and chalet grouping of Listed Buildings and will improve both the character and appearance of Conservation Area and the Registered Park and Garden. It is noted that the design for the new units is based on the original archive drawings of the early C20 units.

Additional considerations

10.7 The application falls outside of the high risk flood area and the applicant's submitted risk assessment work demonstrates that the new units would not be at significant risk from overtopping seas.

10.8 Whilst the proposed chalet units will have the external appearance of the original, internally they will have improved kitchen facilities. Your Officers would advise that this has no bearing on the consideration of the planning matters.

11.0 Planning Balance and Conclusion

11.1 In principle, as a proposal for development to enhance Scarborough's tourism offer and to provide an additional community facility, your Officers consider the proposal is supported by policies TOU1 and HC8 of the Local Plan.

11.2 The other key issues for consideration are the impact on the character and appearance of the Conservation Area, the Registered Park and Garden and settings of Listed Buildings. There are significant planning benefits in these respects.

11.3 As such, the proposed development is considered to be acceptable.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to the conditions set out below.

1 Approved plans

Except where may be modified by the conditions of this consent, the development shall be implemented in accordance with the following plans and drawings:

- SBC-AHR-00-DR-A-1000 REV 2 - existing site plan - 17 February 2023
- SBC-AHR-00-DR-A-1004 REV 2 - enabling works - 17 February 2023
- SBC-AHR-00-DR-A-2001 REV 2 - colour scheme visuals - 17 February 2023
- SBC-AHR-00-DR-A-2002 REV 2 - proposed floor plan - 17 February 2023
- SBC-AHR-00-DR-A-2003 REV 2 - proposed elevations - 17 February 2023

SBC-AHR-00-DR-A-2005 REV 2 - proposed veranda details - 17 February 2023

SBC-AHR-00-DR-A-2006 REV 2 - proposed internal layout - 17 February 2023

SBC-AHR-00-DR-A-2008 REV 2 - proposed section 1 - 17 February 2023

SBC-AHR-00-DR-A-2009 REV 2 - proposed section 2 - 17 February 2023

SBC-AHR-00-DR-A-2011 - proposed internal layout visuals - 17 February 2023

Reason: To avoid doubt.

2 Materials

The external materials of construction, including surface finishes and colours, shall be as specified on the drawings approved by condition 1.

Reason: To ensure the character and appearance of the Conservation Area and Registered Park and Garden is preserved in accordance with policy DEC5 of the Local Plan.

Target Determination Date: 15 May 2023

Case Officer: Mr Daniel Metcalfe
daniel.metcalfe@northyorks.gov.uk

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