

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

**11 MAY 2023**

**23/00399/RG3 - DEMOLITION OF TOILET BLOCK AT PUBLIC TOILETS, PRINCE  
OF WALES TERRACE, SCARBOROUGH, NORTH YORKSHIRE, YO11 2AL  
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 for Full Planning Permission for the demolition of the disused toilet block on land at Prince of Wales Terrace, Scarborough, YO11 2AL

1.2 This application is brought to the Area Planning Committee as the toilet block is on land within the ownership of Scarborough Borough Council (North Yorkshire Council as continuing authority) and it is the Applicant.

**2.0 EXECUTIVE SUMMARY**

**RECOMMENDATION: That planning permission be GRANTED subject to the conditions listed at the end of this report.**

2.1 Planning permission is sought for the demolition of a disused toilet block. Following removal, the area of land would be landscaped so as to blend with the existing open space.

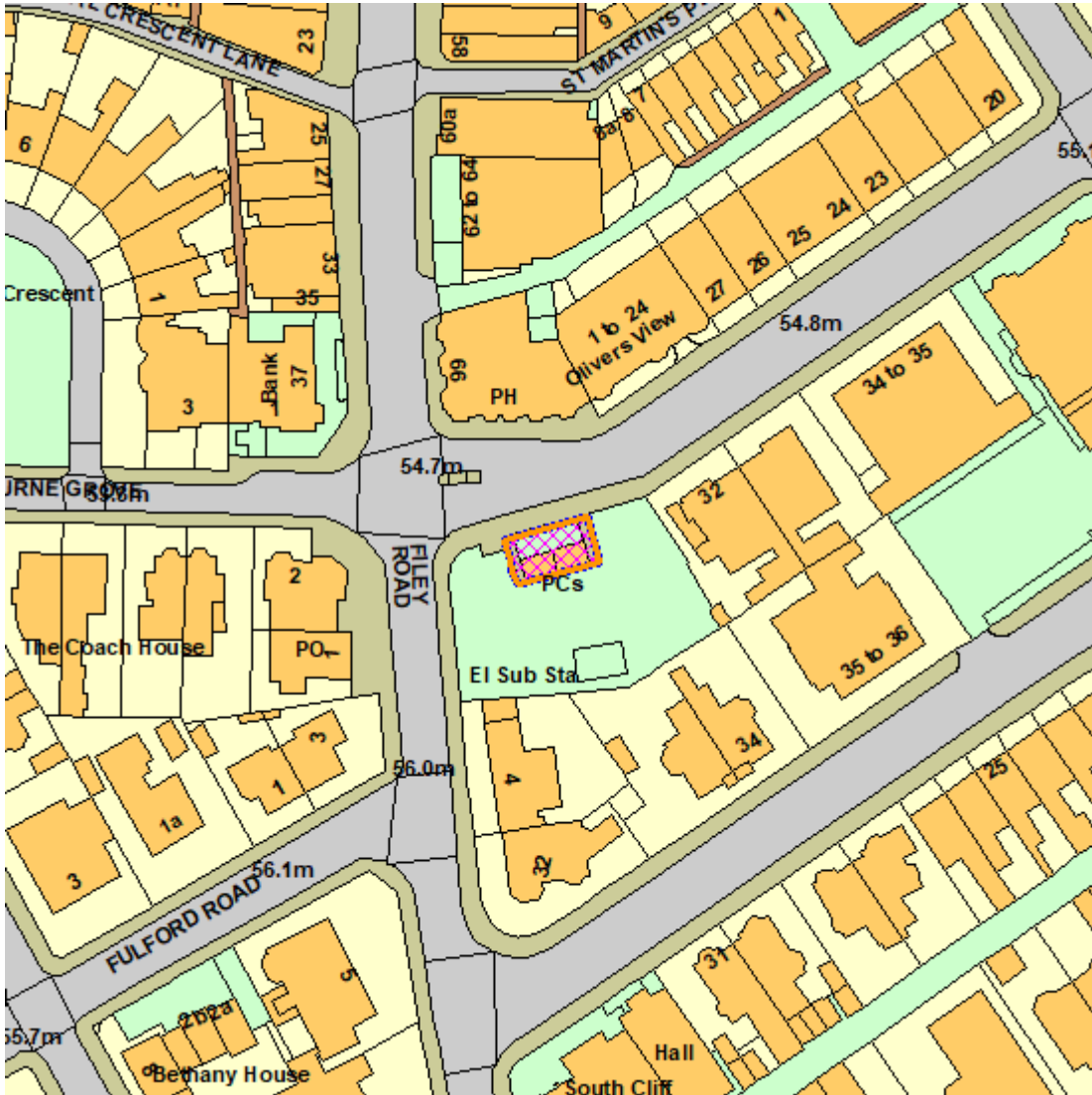
2.2 The site is located within the Ramshill area of Scarborough. The toilet block is situated within an area of public open space located on a prominent corner site along Prince of Wales Terrace and Filey Road, a main thoroughfare into Scarborough.

2.3 The building has been disused for some time and has become dilapidated. The removal of the redundant building and returning this part of the site to public open space is not considered to result in an adverse impact upon the appearance and character of the designated Scarborough Conservation Area. Owing to its condition the building has become a health and safety concern and it is considered to be in the public interest to remove this structure. The development is therefore viewed positively, subject to conditions outlined below.



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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=RQXWFFNS0EA00>

3.2 There are no relevant associated applications.

### **4.0 Site and Surroundings**

4.1 The toilet block sits within a relatively prominent corner site along the western end of Prince of Wales Terrace and Filey Road, a main thoroughfare into Scarborough. The site is an area of public open space that offers some relief providing a green area of public open space between the large Victorian Villas along Prince of Wales Terrace and the more commercialised Ramshill shopping area.

4.2 The area of green space is bounded to the north by a busy road junction leading onto Filey Road and residential flats to the east and south of the site. The Ramshill Public House lies opposite. The toilets are located within the designated Scarborough Conservation Area.

### **5.0 Description of Proposal**

5.1 This application seeks planning permission for the demolition of a redundant toilet block.

### **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

## **7.0 Consultation Responses**

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

7.2 Local Highway Authority: With its location near the junction of Prince of Wales Terrace, which is one way, and Filey Road and with there being no vehicular access a construction/demolition phase management plan will be required.

7.3 Environmental Services: No comments received.

### Local Representations

7.4 No local representation has been received in support. A summary of the comments is provided below, however, please see website for full comments.

7.5 Support - result in attractive open space.

## **8.0 Environmental Impact Assessment**

8.1 N/A

## **9.0 Main Issues**

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

- Principle of Development
- Heritage
- Amenity
- Landscape

## **10.0 Assessment**

### Principle of Development

10.1 It is evident that the public toilets have been disused for some time and consequently the building has become dilapidated. The former toilet block no longer serves a purpose and since closure the use of the building has in planning law terms become abandoned. Therefore, your Officers consider the demolition of the building in order to return the area of land to public open space, acceptable.

10.2 The landscaping to the perimeter of the building has become established and in its current form helps to disguise and soften the appearance of the former toilets, which lie within the designated Scarborough Conservation Area.

### Heritage

10.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving and enhancing the character and appearance of a

Conservation Area (CA). This is reflected within criterion (b) of Policy DEC 5, which states, 'Proposals affecting a Conservation Area should preserve or enhance its character or appearance especially those elements identified in any Conservation Area Appraisal'.

10.4 In this case, the toilet block is a utilitarian structure constructed using modern materials and does not have any defining features that would otherwise contribute to the character and appearance of this part of the CA. Owing to the relatively small scale of the building and surrounding landscape, which helps to screen the building from view, the former toilet block has a relatively low-key appearance. Your Officers therefore consider the impact of the building upon the wider CA to be neutral. Notwithstanding this, it is recognised that without the landscaping however, the boarded-up building, which owing to its redundant condition would have a negative impact on this area of public open space. The demolition of this feature is therefore viewed positively and following the reinstatement of the green space would ensure that the character of this part of the CA is preserved.

#### Landscape

10.5 In accordance with Policy ENV 7 of the Scarborough Borough Local Plan, proposals should protect and where possible enhance the distinctiveness or special features that contribute to the landscape character of a particular area. It is unfortunate that part of the existing landscape including some tree planting to the front of the toilet block will inevitably need to be removed during demolition works. The application indicates that this area shall be replenished with appropriate landscape planting. Your Officers, therefore recommend a condition to confirm landscaping details, which will see the trees and shrubs replenished so as to integrate the site back into the adjoining public open green space.

#### Amenity

10.6 Local Plan Policy DEC 4 seeks to ensure that existing and future occupants of land are provided with a good standard of amenity. Proposals for development should not give rise to unacceptable impacts by means of, amongst other things; (d) disturbance arising from such things as noise, light pollution and other activities. In this instance, the recommendation from the Highway Authority for a construction management plan, is considered reasonable owing to the junction constraints between Prince of Wales Terrace and Ramshill Road coupled with the high volume of traffic and proximity to residential buildings.

### **11.0 Planning Balance and Conclusion**

11.1 The toilets have been disused for a number of years and the building is in effect abandoned with no prospect of reuse. The building has subsequently become dilapidated during this time and without the mature landscaping bounding the building, it would detract from the appearance and character of the Conservation Area. Your Officers therefore consider that the proposal to remove the building and re-landscape the area so as to integrate with the existing public green space can be viewed positively.

## 12.0 RECOMMENDATION

12.1 That Permission be GRANTED subject to conditions listed below:

1 Approved Plans

The development hereby permitted shall be carried out in accordance with the following plan/s:

Site Location and Block Plan received 2nd March 2023;  
Design and Access Statement received 2nd March 2023.

Reason: For the avoidance of doubt.

2 Demolition Management Plan (Discharge Required)

No development must commence until a demolition management plan has been submitted to and approved in writing by the Local Planning Authority. Demolition must be undertaken in accordance with the approved plan.

The plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. Details of any temporary demolition access to the site including measures for removal following demolition works;
2. Restriction of Esplanade Road access for demolition purposes;
3. Parking of contractors' site operatives
4. Details of site working hours;
5. Details of the measures to be taken for the protection of trees.

Reason: In the interests of public safety and amenity in accordance with policy DEC 4 of the Scarborough Borough Local Plan.

3 Landscaping (Discharge Required)

Prior to the demolition hereby permitted, a scheme of landscaping and tree planting indicating, inter alia, the number, species, heights on planting and positions of all trees in respect of the land to which the application relates, together with post-planting maintenance shall be submitted to and approved by the Local Planning Authority. The scheme subsequently approved shall be carried out in its entirety within a period of six months of the demolition hereby permitted taking place.

Reason: To ensure that the site can be re-established with the surrounding public open green space in the interests of the character and appearance of the designated Scarborough Conservation Area in accordance with NPPF 16 and Policy DEC 5 of the Scarborough Borough Local Plan.

**Target Determination Date:** 27 April 2023

**Case Officer:** Mrs Amy Harrap

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