

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.

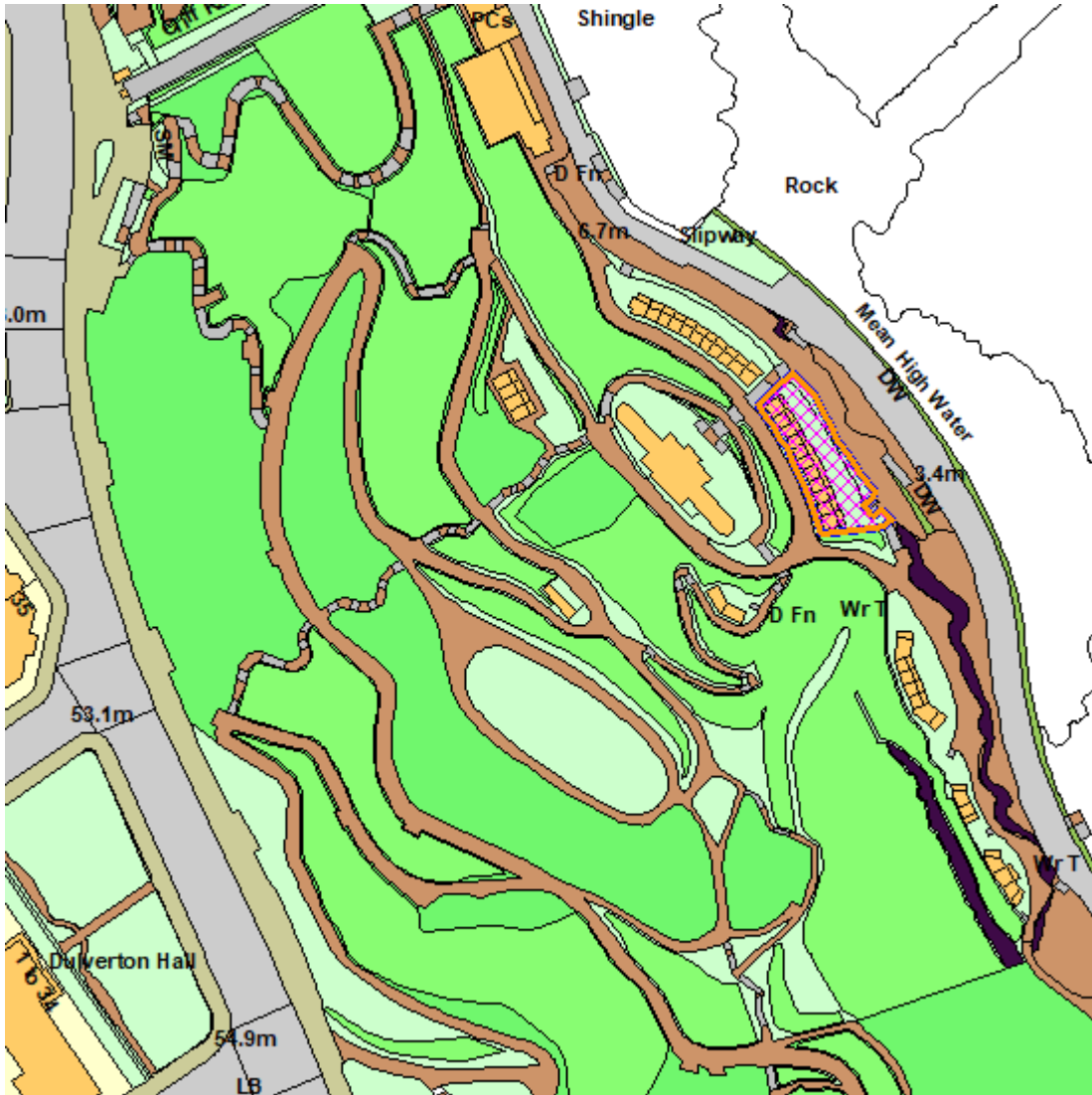
2.1 This application seeks planning permission for the like-for-like replacement of the block of 11 chalets sited beneath the Clock Cafe in South Cliff Gardens which was damaged beyond repair during landslips in 2018 and removed from the land in 2019.

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
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