

**North Yorkshire Council**  
**Community Development Services**  
**Thirsk and Malton Constituency Committee**  
**15 AUGUST 2024**

**ZF24/00511/FL - Demolition of existing sports hall and erection of 4 no. holiday lets and conversion and existing leisure centre buildings to create 5no. holiday lets, with associated hard and soft landscaping at HUNMANBY HALL SPORT AND LEISURE, HALL PARK ROAD, HUNMANBY, FILEY, NORTH YORKSHIRE, YO14 0HZ, on behalf of ASHCOURT HUNMANBY LTD. (MR KURT BOUSEFIELD)**

**Report of the Head of Development Management – Community Development Services**

**1.0 Purpose of the report**

- 1.1 To determine planning application reference ZF24/00511/FL for the above development at Hunmanby Hall Sport and Leisure Hall, Park Road, Hunmanby.
- 1.2 The application has been brought to Committee for determination following a request by the Ward Member as it involves the potential loss of a community facility and has generated considerable public interest.

**2.0 EXECUTIVE SUMMARY**

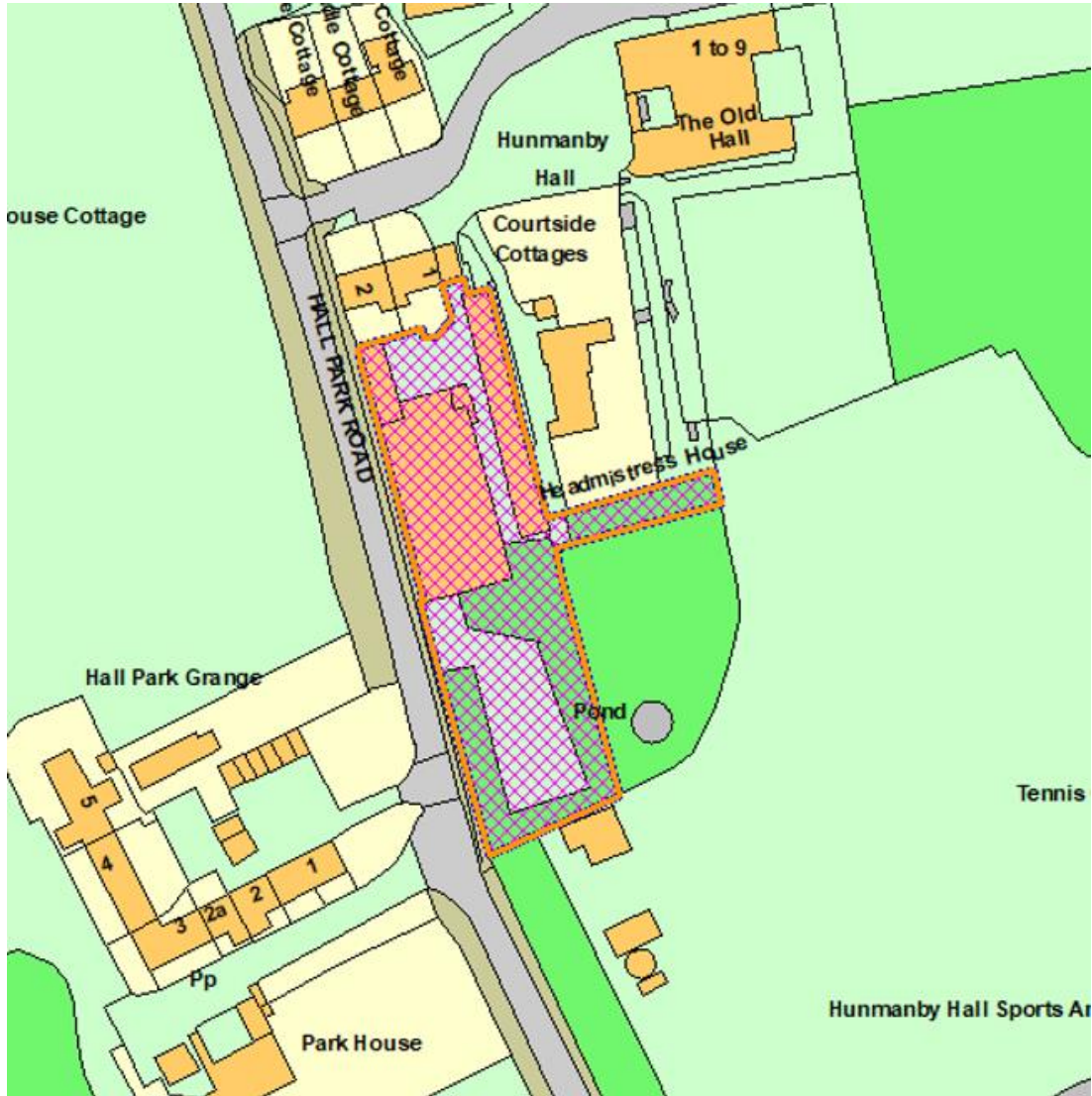
**RECOMMENDATION:**

- 2.1 It is recommended to grant full planning permission for the demolition of the existing sports hall (community facility) to erect 4 x holiday cottages and the conversion of the existing leisure centre buildings to create 5 x holiday lets, with associated hard and soft landscaping. The site is in the Conservation Area and within close proximity of Listed Buildings, and the application seeks to remove protected community facilities.
- 2.2 Local Plan Policy HC8 seeks to protect the redevelopment of existing community facilities, although it has been evidenced that the community facility is no longer required, was used to a limited level and has been marketed for a sufficient period of time. The principle of new or the enhancement/expansion of existing tourism facilities is supported through local plan policies TOU1 and TOU4, with the application complying with the requirements of those policies. The design is considered to be appropriate and is an improvement on the existing arrangement conserving the significance of local heritage assets. The proposed development is considered by your officers to comply with relevant Local and National Planning Policies and permission is recommended to be granted with conditions.



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### **3.0 Preliminary Matters**

- 3.1 Access to the case file on Public Access can be found here: [ZF24/00511/FL | Demolition of existing sports hall and erection of 4 no. holiday lets and conversion and existing leisure centre buildings to create 5no. holiday lets, with associated hard and soft landscaping | Hunmanby Hall Sport And Leisure Hall Park Road Hunmanby Filey North Yorkshire YO14 0HZ \(scarborough.gov.uk\)](https://publicaccess.scarborough.gov.uk/ZF24/00511/FL | Demolition of existing sports hall and erection of 4 no. holiday lets and conversion and existing leisure centre buildings to create 5no. holiday lets, with associated hard and soft landscaping | Hunmanby Hall Sport And Leisure Hall Park Road Hunmanby Filey North Yorkshire YO14 0HZ (scarborough.gov.uk))

### **4.0 Site and Surroundings**

- 4.1 The application relates to the former Sports Hall located in the former historic estate of Hunmanby Hall which is a grade-II\* listed building dating from the early 17th century. Three other associated buildings within the setting of the Hall are Grade-II listed. The grade II listed buildings are the Stable Block, Sick Bay and the Lodge/Gateway located on Station Road. The application site itself does not contain any listed structures and is located c.40m to the Southeast of the Old Hall.
- 4.2 The application site contains the gym/leisure facilities building (within one of the former school's buildings) and an existing holiday accommodation unit. Access into the site is from the South of the existing sports hall, which leads into a shared car park. The Sports Hall is located on the Western boundary of the site, adjacent to Hall Park Road. The sports hall is rectangular in shape, constructed from red brick with timber cladding, with a flat roof. The gym is a single storey structure located on the Eastern boundary of the site, with a pitched roof, constructed from red brick.
- 4.3 The blue line boundary on the submitted location plan shows that the applicant also owns a substantial area of the Hall's former parkland to the immediate East, and South of the application site. This land encompasses a 9-hole golf course, tennis courts, parkland, woodland, and dog walking track.
- 4.4 There are a large number of trees located both within the application site, predominantly in close proximity to the car parking area, and also within the blue line boundary. The trees are protected through a blanket Tree Preservation Order (TPO).
- 4.5 The site is located outside of the development limits defined in the Local Plan, hence is a countryside location. It is also located in the Conservation Area of Hunmanby, which also includes the other buildings and parkland associated with the Hall.

### **5.0 Description of Proposal**

- 5.1 The applicant is seeking permission to redevelop the site to create 9 x holiday cottages. The development seeks to demolish the sports hall to facilitate the erection of a 1.5 storey terrace block comprised of 4 x 2-bedroomed holiday lets (units 2-5).
- 5.2 The gym building would be converted to 5 x holiday lets (units 6-10). The building is single-storey, with 4 of the units proposed as 1-bedroomed units, whilst 1 (unit 9)

would feature two bedrooms. External alterations to the gym building are proposed in relation to additional/replacement openings.

- 5.3 The proposed site plan shows that all of the units would have their independent access via a shared footpath, and amenity space bounded by a fence/hedge.
- 5.4 The site is to be accessed from Hall Park Road leading into a parking area accommodating 16 parking spaces, 2 accessible spaces and 3 visitor spaces. A bin store and cycle store are proposed within the site.

## **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 2023
- National Planning Practice Guidance
- National Design Guide
- NYCC SuDS Design Guidance
- SBC Residential Design Guide Supplementary Planning Document (SPD)

## **7.0 Consultation Responses**

- 7.1 The following consultation responses have been received and have been summarised below.
- 7.2 Hunmanby Parish Council - Strongly objects to the planning application for several reasons. The land is adjacent to an historic monument and the developer to date has not been sympathetic to the site with heavy ground works being carried out and fencing erected without archaeologists present. Drainage details have not been submitted. There are no plans for ancillary buildings on site which raises concerns in terms of the remainder of the site and whether this is to be developed in the future. Hunmanby is a designated service village in the Local Plan and the significance of community facilities has been highlighted, with emphasis placed on the retention of such facilities. The increased number of tourist facilities in the village is also a cause for concern. It is appreciated that there is a need for tourism but the village is now seeing a large number of holiday homes.

- 7.3 Archaeologist - No known archaeological remains within the area indicated on the site plan. No objections to the proposal.
- 7.4 Architectural Liaison - No comments received.
- 7.5 Conservation Officer - Initially responded to the application stating that amendments are required as the design does not fully accord with Local planning policy. Upon receipt of amended plans, the Conservation Officer did not object to the proposal subject to a condition which requires further details of the external materials to ensure that a high quality finish is secured.
- 7.6 Designing out Crime Officer (North Yorkshire Police) - Does not support or raise a direct objection to the proposal but recommended certain designing out crime measures which should be incorporated into the development should permission be granted. These include a CCTV system looking into the car parking area, secure cycle storage, bin and recycling storage, lighting, appropriate landscaping, secure doors and windows, intruder alarms and measures to protect equipment during the construction phase.
- 7.7 Ecology - No comments received.
- 7.8 Environmental Health, Commercial and Regulation - No objection raised subject to conditions concerning development hours and a dust management plan.
- 7.9 Environmental Health, Housing - No objections raised.
- 7.10 Local Highways Authority - There are no objections raised to the proposed development on the understanding that there would be no holiday unit openings onto Hall Park Road. However, it is acknowledged that there is no suitable pedestrian route to Hunmanby Station and visitors are likely to drive rather than walk as the highway walking route is via a narrow rural footway. A pedestrian access which would allow direct access through the applicant's land to the centre of Hunmanby and the train station has been requested.
- 7.11 Lead Local Flood Authority (LLFA) - Initially responded that the submitted documents are limited and the LLFA recommends that the applicant provides further information as detailed in the full response prior to any planning permission being granted.
- 7.12 Yorkshire Water - No objection raised but conditions requiring the submission and approval of surface and foul water drainage were requested.

#### Local Representations

- 7.13 The application has been advertised by means of site notice and press notice. 52 comments from residents have been received, objecting to the proposal based on the following concerns:

-There is concern raised in terms of the proposed use in terms of the development introducing further holiday lets into the area which already has a high number of such uses. This will place additional stress on local facilities such as the GP

surgery. There are also concerns raised about the future development of the wider site, with the possibility that this will be developed into a holiday park/caravan park. The focus for the village should be on creating and retaining permanent dwellings rather than additional holiday lets. The site does not include a holistic outline plan for the whole site and the Council should be unable to make a judgement as to the case for sustainable development without this.

-The loss of community facilities raises concerns and is lacking evidence. The development will lead to the loss of a golf course, dog walking facilities, tennis courts, gym and the sports hall. The reference within the planning statement to the gym usage has been described as 'misleading' and the reason why the gym is currently unused is not clear. Residents are arguing that the facilities were regularly used up until the middle of September 2023. The local leisure facilities make an important contribution to local health and wellbeing and there are policies within the Local Plan which require the retention of such facilities. There is also the argument that the owner has allowed for the facilities to become dilapidate. Additionally, the sale value of the site (£1.25m) was excessive for such a plot which clearly indicated that there was redevelopment value included within this price.

-The proposed development has the potential to detrimentally impact on highways safety. Hall Park Road is a 60mph road and is already busy and there is concern that the level of development cannot be safely accommodated utilising the existing access and parking provision. There is also no dedicated footpath on large parts of Hall Park Road, rendering it unsafe for guests who wish to reach the village centre and/or the train station on foot.

-The site is located in a historic area, within the grounds of Hunmanby Hall, nearby to numerous listed buildings alongside being within the Conservation Area. It is debated that the proposal leads to an enhancement of the setting of the heritage assets as outlined in paragraph 6.12 in the Heritage and Impact Statement. The demolition of the existing public sports facility is contrary to contributing to the communal value of the village. The development of the site also opens the possibility of further similar development nearby, which would erode the character of the area further. There is no evidence to justify that the development would preserve or enhance the Historic Environment. The development is argued to be of a contemporary design and will have a detrimental impact on the setting of the Hall.

-The site is outside of the Development Limits of Hunmanby and within the countryside, where development should be severely restricted.

-The proposal will have a detrimental Impact on public footpaths which run through the site to the village centre, with the site already being closed off for access to local residents.

-Holiday lets have the potential to detrimentally impact on the amenity of existing and future residents. This is especially true when the properties include hot tubs and can accommodate parties and large groups.

-The application is unclear in terms of flood risk and drainage. There are no details in terms of the connection to public sewers.

-The application would potentially detrimentally impact on the nearby ancient woodland and trees on site. The surrounding area is attractive and is under consideration for inclusion as part of the Yorkshire Wolds Area of Outstanding Natural Beauty. It should be protected from harmful development. There have been regular sightings of various animals on/near to the site and it is unclear as to what impact the development would have on local biodiversity interests. Any loss of the adjacent woodland/parkland would have a severe impact on local biodiversity.

-The proposed development may feature lighting, both on the building themselves and within ancillary areas such as car parking areas. This may lead to light pollution which may affect residents and local wildlife/fauna.

-There is no benefit to the community proposed such as financial agreements to invest in the local services, or affordable housing provision.

-Concerns about the effect of the construction works on local residents which should be supported by a dust, noise and vibration management scheme.

## **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 main issues are:

- Principle of Development
- Impact on Amenity
- Design and Impact on Visual Amenity
- Impact on the Historic Environment
- Ecology/Impact on Biodiversity
- Highways Safety
- Impact on Trees
- Flood Risk and drainage
- Crime prevention and community safety

## **10.0 Assessment**

### Principle of Development

10.1 The proposed development would represent a loss of community facilities (Sports Hall and gym/leisure facility). Such uses are protected from redevelopment/loss through Local Plan Policy HC8, and are only permitted where the following can be demonstrated:

- a. It can be demonstrated that the facility is no longer required, having been vacant and marketed for a community use without success; or
- b. A replacement facility of at least an equal quality and scale is proposed; or

- c. The proposal will result in the significant enhancement to the capacity, nature and quality of a separate existing facility which serves the same community.
- 10.2 The applicant has submitted information which seeks to meet the criteria of HC8(a), with the argument raised that the facility is no longer required, having been marketed for sale in April 2022, with little interest until the applicant purchased the site in September 2023. The submitted information outlines that the gym was privately owned, and the previous owner operated it on a turn up and pay basis. The sports facilities in the sports hall were also operated on a limited basis, with the previous organiser running a small number of classes per week.
- 10.3 The entire site (including the area and facilities within the blue line boundary) were therefore for sale for a period of c.17 months prior to the facility being purchased. The sales particulars are enclosed within appendix 1 of the amended planning statement (Dated July 2024). The brochure, which is dated 2022, marketed the entire site (including the blue line boundary area), but it is clearly stated that each part of the site could be sold independently.
- 10.4 There is no defined period within Local Plan Policy HC8 as a minimum marketing length to justify the community facilities being lost; however, the evidence does indicate that the community uses on site have been marketed without success for a period of time, prior to the applicant purchasing the site. The LPA is seeking further clarification on the level of interest in the site from prospective buyers and has sought a written statement from the estate agents (Cundalls) which will be clarified at the planning committee meeting.
- 10.5 Whilst the LPA seeks to protect community assets, especially within rural areas, it is necessary to assess such applications against relevant local plan policies. It is considered that, subject to clarification on marketing dates and the level of interest, there has been sufficient evidence presented which outlines that the sports hall and gym were used on a limited basis. Also, it has been outlined that a sufficient marketing period was given without interest in maintaining the site as a leisure facility.
- 10.6 Hunmanby is a service village as identified through Local Plan Policy SH1, although the application site falls outside of the Development Limits of the village and is hence a countryside location. Local Plan Policy ENV6 allows for appropriate recreational or tourism related activity requiring a countryside location. This is providing that the development complies with other relevant policies in the plan, the scale of the proposal is compatible with its surroundings and does not have an unacceptable impact on the character and appearance of the open countryside or the wider landscape.
- 10.7 Local Plan Policy TOU4: Visitor Accommodation and Facilities in the Countryside states that the development of new visitor accommodation and associated facilities will be permitted where certain criteria are met. The criteria includes the development being of an appropriate size in that location, would be visually unobtrusive and successfully integrated into the surrounding landscape, and the road network and site's access can safely accommodate any traffic generated. This includes proposals for the extension of or improvements to existing sites including associated facilities.



- 10.8 In regard to Local Plan Policies ENV6 and TOU4, it is firstly important to note that the development is tourist accommodation which is generally an acceptable use within the countryside subject to the criteria of the relevant policies being met. The site is previously developed, i.e. a brownfield site, and is occupied by uses which would not typically meet the suitability of a countryside location. A gym and indoor sport facility would be considered a main town centre use.
- 10.9 The main physical alteration on site would be the removal of the sports hall which is directly adjacent to Hall Park Road, in a prominent location within the street scene. The existing structure is fairly large, bulky with a flat roof and external timber cladding which is not characteristic of the area. The replacement building on the Western boundary (4 x holiday accommodation units) would be of a smaller scale - in terms of footprint, scale and massing.
- 10.10 Whilst the development does not necessarily meet the criteria of TOU4(b) in terms of it being visually unobtrusive, weight should be added to the fact that it would replace a larger and more visually obtrusive building, which has a greater impact on the surrounding landscape. This is evidenced by the sports hall measuring 760sqm in footprint, whilst the footprint of the proposed terrace row measures 285sqm. The row of terraces is also smaller in height - with a maximum height of 6.5m to the pitched roof ridge, compared to the 8.25m height of the existing sports hall, which is a flat roof. Generally, the design of the proposed replacement building is an improvement to the existing, with more traditional fenestration detailing, external materials and layout. As such, it is considered that the proposed facility has less of a visual impact in the countryside location than the existing building has, which is not a typical countryside use in any case.
- 10.11 Likewise, the use of the current facilities would already generate vehicular movements and activity on site. The proposed use would not significantly increase either of these elements and points A and C of Local Plan Policy TOU4 are considered to be met. Hunmanby is a popular tourist area within the County and is characterised by small holiday lets such as the ones proposed. Indeed, the site already has a two-bedroom holiday let which is to be retained. The above measurements, outlined with the fact that the site is previously developed land, the requirements of Local Plan Policy TOU4 are considered to have been met. The proposal is considered to be compatible with its surroundings and does not have an unacceptable impact on the character and appearance of the open countryside, in line with Local Plan Policy ENV6.
- 10.12 Additionally, Local Plan Policy TOU1 supports and encourages the diversification of the tourism industry throughout the plan area. This is where the development respects the distinctive tourism character of the area, and wherever possible helps to reduce the seasonal nature of the tourism industry in the area. The proposed development provides additional tourism accommodation units on a brownfield site. It would provide year-round accommodation and is considered to respect the distinctive tourism character of the area and is in line with TOU1.
- 10.13 The objections from the Parish Council and residents are acknowledged and can be understood. However, the application is considered to be in compliance with Local

Plan Policies HC8, ENV6, TOU4 and TOU1 and is acceptable in principle subject to other local and national planning policies being complied with.

#### Impact on Amenity

- 10.14 The proposed layout of the holiday accommodation units is somewhat self-contained, with the frontages of the cottages facing onto each other in a courtyard layout. This reduces the impact on neighbouring properties as there are no outwards facing windows on the rear elevations of the holiday units (excluding rooflights). Although, this creates a situation in which the proposed habitable room windows are in close proximity to each other at a separation distance of c.15m. This is a close proximity between habitable rooms; however the units would be used as holiday lets which ultimately is temporary accommodation. It is reasonable to apply slightly lower amenity standards for the occupiers than would be the case with permanent accommodation. The layout is, therefore, considered to be suitable for such accommodation.
- 10.15 Additionally, the private amenity space/gardens serving the units would be partially overlooked by the other respective properties. However, these areas would be bound by hedgerows/fencing which would provide some level of privacy for guests. The precise details are to be secured by condition should the application be approved.
- 10.16 Proposed holiday unit 6, located in the North-East of the site, is in close proximity to a couple of nearby properties outlined as 'no. 1 and 2' on the proposed site plan. The agent has outlined that these are permanent rented accommodation, and not holiday lets. Unit 6 faces onto the rear elevation of the neighbouring plots, albeit at a right angle, which may lead to a slight reduction in the privacy of the neighbouring units. However, the entire living accommodation of proposed unit 6 is at ground floor level and privacy could be ensured by the erection of suitable boundary treatment. It is not felt that amenity would be significantly harmed through the positioning of the proposed units.
- 10.17 It is acknowledged that holiday accommodation can often lead to an increase in noise and disturbance, especially with external amenity space as proposed. However, the level of the accommodation proposed, and the small nature of the units would be unlikely to generate significant issues in terms of noise and general disturbance.
- 10.18 Nonetheless, the proposed development is considered to be in line with Local Plan Policy DEC4: Protection of Amenity is acceptable in terms of residential amenity.

#### Design and Impact on Visual Amenity

- 10.19 The sports hall is to be removed from the site to be replaced by a smaller row of terraces for 4 x holiday lets. The removed sports hall is in a prominent position on Hall Park Road, is large, with timber cladding and a flat roof which is not characteristic of the area. It can be argued to have a negative to neutral impact on the street scene, and there is no objection to its removal. The replacement building is considered to be more appropriate and in character with the surrounding area. It

is similar in appearance to the existing holiday accommodation on site, 1.5 stories constructed from red brick and a pitched roof with red pantiles.

- 10.20 The proposed building has taken influence from the existing buildings on site, most pertinently the converted building, which does not require extending or substantial alteration, apart from alterations to the openings which are deemed to be acceptable.
- 10.21 Both buildings reflect the local environment in terms of scale, form, height and layout. The layout of the development creates somewhat of a courtyard, which is respectful of the character of the hall, with the Hall Park Road elevation remaining blank (excluding rooflights). The fenestration details of both the proposed building and converted building are suitable, and characteristic of the location with simplistic frontages. The external materials of the proposed with details (including samples) to be confirmed and agreed via planning condition should the application be approved.
- 10.22 The access to the site is to be widened and additional car parking provision would be provided on site which has a nominal impact on visual amenity. The car parking would be similar to the existing parking arrangement. A planning condition would be attached to any decision notice requiring details of such surfacing to be submitted and approved by the LPA.
- 10.23 The proposed development is considered to be in compliance with Local Plan Policy DEC1: Principles of Good Design and is acceptable in terms of design and visual amenity.

#### Impact on the Historic Environment

- 10.24 The application site is located c.40m to the South-West of the grade-II\* listed hall. The impact of the development is based on the setting of the listed buildings (including the hall), and on the Conservation Area. Applications are to be assessed against Local Plan Policy DEC5 which requires proposals affecting heritage assets to conserve its significance, and where appropriate enhance and preserve the significance.
- 10.25 The Sports Hall does not have any historical significance in relation to the hall and can be described as having, at best, a neutral impact on the character of the area/historic environment. It is in a highly prominent position on Hall Park Road, is bulky in scale and massing and features a flat roof with timber cladding which is not characteristic of the area. The removal of the Sports Hall is not considered to be detrimental to the significance of the heritage asset or on the character of the Conservation Area.
- 10.26 The replacement building is considered to be more appropriate in terms of design and general appearance. It is of a built form, scale and size similar to other buildings on site, and utilises more appropriate materials than the replaced sports hall. Subject to the use of high-quality materials, the Conservation Officer has raised no objection to the proposal. In comparison to the previous application (reference ZF23/01502/FL), the proposed layout of the development encloses the site along Hall Park Road, with a blank elevation (with the exception of the rooflights).

- 10.27 Planning conditions would be attached to any forthcoming decision notice, should the application be approved, in regard to opening (door/window) details and external materials (including samples and mortar mix) to be submitted and approved by the LPA prior to commencement. A planning condition would be attached requiring the rooflights to be heritage-specific and the windows/door to be set into the elevation with a 70mm reveal.
- 10.28 The converted building retains the historic shape, without expansion or significant alteration. The proposed openings are considered to be sympathetic and relate well to the existing character of the building/area.
- 10.29 The other alterations on site would be nominal in terms of their impact on the Historic Environment. A planning condition would be attached to any forthcoming approval in regard to additional lighting, hard surfacing and boundary treatments. Details shall be submitted to and approved by the LPA prior to development commencing.
- 10.30 The proposed development is considered to be in compliance with Local Plan Policy DEC5: The Historic Environment, given that the unlisted and insignificant sports hall being removed from site, which is argued, at best to have a neutral impact on the street scene to be replaced by an attractive and suitable building which respects local character and is considered to be acceptable in regard to this.

#### Impact on Ecology/Biodiversity

- 10.31 A preliminary bat roost assessment has been carried out in three buildings on site: the sports hall, the holiday cottage and the gym. The buildings were found to have low bat roosting potential and no bats were present on site, nor was there evidence of recent bat activity. Although, it is acknowledged that the surrounding area provided suitability for foraging and commuting bats.
- 10.32 The assessment also included a great crested newt habitat suitability index (HSI) with the survey of the pond within the wider site outlined as scoring a poor suitability for such a habitat.
- 10.33 Recommendations and mitigation measures were outlined in the Bat Roosting Assessment which includes lighting specifications, precautionary working method statement (PWMS) has been recommended which relates to great crested newts and bats. This would be covered through a planning condition should the application be approved.
- 10.34 Additionally, the proposed site plan shows that additional landscaping would be formed in the site, predominantly in the private amenity spaces for the proposed holiday accommodation. Details of the landscaping and how this would be managed would be required as a planning condition should the application be approved.

#### Highways Safety

- 10.35 Access into the site is from Hall Park Road which leads into an existing shared parking area which served the existing uses on site.

- 10.36 The existing access into the site is to be retained and improved by slight widening to improve visibility in both directions. The parking provision is also to be expanded to 16 spaces for the holiday units, alongside 2 x accessible spaces and 3 x visitor spaces. This can sufficiently cater for the proposed development and the Local highways Authority have not raised any objections to the proposal. The proposed development is considered to be acceptable in terms of highways safety.
- 10.37 The Local Highways Authority raised some slight concern with the lack of a safe pedestrian route from the site to the village centre of Hunmanby and the nearby train station. There is a former pedestrian route which runs through the wider site via Garton Lane which has been requested to be reestablished. Whilst this falls outside of the red line boundary of the site, it does fall, at least partially, within land that is owned by the applicant. Whilst this is desired, it would be difficult to achieve in reality as it would require the provision of a pedestrian access through land which is not owned by the applicant. Additionally, the site generally is less than a kilometre from the village centre of Hunmanby and less than a 10 minutes' walk. The proposal is considered to be in a sustainable location, similar to nearby residential properties, and provides a bicycle stand on site to promote sustainable transport.

#### Impact on Trees

- 10.38 There are a significant number of trees on the site, primarily located in/near to the parking area. These are all protected by a blanket Tree Preservation Order (TPO). The application has been immediately preceded by a tree works application (reference ZF24/00510/TPW). This gained approval for various tree works including the removal of 3 trees which were conditioned to be replanted on a 2 for 1 basis, as close to the replaced trees as reasonably possible.
- 10.39 Whilst the proposed development does not relate directly to these removed trees, nor does it specifically seek to remove any further trees, a planting scheme has been submitted in line with the 2-for-1 replacement ratio. This is appropriate in terms of positions and tree species and is acceptable. Adherence to the planting scheme would be conditioned should the application be approved.
- 10.40 The proposed development seeks to retain the remaining trees on site. Some of which are close to the demolished sports hall and the proposed building and will need to be protected during demolition and construction works. Additionally, the trees are located in close proximity to the expanded car parking area and widened access. The tree report includes tree protection measures including protective barrier fencing and outlines that the hard surfacing for the car parking area would be laid using low invasive methods.
- 10.41 The details enclosed within the tree report are considered to be suitable. Adherence to the report shall be conditioned should the application be approved.

#### Flood Risk and Drainage

- 10.42 The site is located in Flood Zone 1, indicating a low flood risk with a less than 0.1% annual probability of flooding on site. The application is not a major development, although a drainage strategy plan and percolation test has been submitted. This

has been assessed by colleagues at the Lead Local Flood Authority (LLFA) who have not objected to the proposal but have requested further information - which has not yet been provided. Negotiations are ongoing between the LPA, the LLFA and the developer in terms of the submission of the additional information and an update will be given at the planning committee meeting. It is very likely that should sufficient information be submitted; the LPA will likely be able to attach an adherence planning condition rather than requiring the submission of further details.

- 10.43 The site is somewhat self-contained, and the footprint of the development (and hence the impermeable area) is actually decreasing, given that the existing sports hall is to be demolished and replaced by a smaller terrace of holiday lets. Additional soft landscaping is proposed which increases the permeability of the site. The proposed development, based on the current information and subject to the LLFA supporting the additional information, is considered to be in compliance with Local Plan Policy ENV3 in that it is a brownfield site, not at significant risk of flooding and does not increase the flood risk elsewhere in the nearby area.

#### Crime Prevention and Community Safety

- 10.44 North Yorkshire Police have been consulted on the proposed development and have not objected to the scheme; however, recommendations have been given to enhance the security of the site. This includes a CCTV system to cover the parking area which should be appropriately illuminated, the proposed gate to be fitted with a key-operated lock, the doors and windows to be certified to the relevant Secured by Design (SBD) standards.
- 10.45 Suitable planning conditions would be attached to relevant material planning considerations such as the securable gate details and the installation of a CCTV system.

### **11.0 PLANNING BALANCE AND CONCLUSION**

- 11.1 The application site is in reference to the former sports hall, gym/leisure facilities building and an existing holiday accommodation unit located within the former grounds of the Grade-II\* Hunmanby Hall, Hall Park Road in Hunmanby. The site is located outside of the development limits on a previously developed site. The application seeks approval for the demolition of the sports hall to be replaced by a 1.5-storey terrace row accommodating 4 x 2-bed holiday units, alongside the conversion of the existing gym building for 5 x holiday lets. The access into the site is to remain from Hall Park Road, which is to be improved and widened, and will lead to increased parking provision.
- 11.2 The proposed development is considered to be in line with Local Plan Policies HC8, ENV6, TOU4 and TOU1. The proposed development leads to the loss of community facilities (sports hall and gym facilities) which is a protected use class. However, there is sufficient evidence presented which outlines that the previous uses were used to a limited degree and that a sufficient marketing period has been followed with little interest prior to the applicant purchasing the site. Further information has been sought from the estate agent (Cundalls) which may be provided at the committee meeting. The development is for tourist accommodation within the countryside which is acceptable subject to certain criteria within Policies

ENV6, TOU4 and TOU1 being adhered to. The proposed development is considered to meet the criteria within the policies, with the replacement being having less of a visual impact on the character of the area than the existing building presents an improvement in terms of design. The resultant layout, scale, form and external materials are considered to be appropriate in relation to the location, subject to planning conditions, and the road network can safely accommodate any additional traffic. The principle of development is therefore considered by your officers to be acceptable.

- 11.3 The site is in the historic environment, most pertinently in close proximity to the Grade-II\* listed Hall. The sports hall to be replaced is a bulky structure, immediately adjacent to Hall Park Road and has, at best, a neutral impact on the Historic Environment. It has very little historic significance and its removal is not considered harmful to be harmful to the character of the historic environment. The replacement building is more characteristic of the local area and the layout conserves the historic layout of the former hall with the blank rear elevation of the building enclosing the site. The Conservation Officer has been consulted on the proposal and has not objected to the design, and the proposed development is considered to conserve the significance of the Historic Environment.
- 11.4 The existing access into the site is to be retained and slightly widened to improve visibility and the parking provision on site is being increased in line with local requirements. A safe pedestrian route from the site into the village centre of Hunmanby has been requested by the Local Highways Authority. Although, this would require a pedestrian walkway being formed through land that the applicant does not own and would be unenforceable by the LPA. In any case, the site is considered to be in a sustainable location, less than a kilometre from the village centre of Hunmanby and is a c.10 minutes' walk.
- 11.5 Other consultees have responded to the application, none of which have raised an objection to the proposed development subject to conditions.
- 11.6 The proposed development is considered to be in compliance with relevant Local and National Planning Policies and it is the Case Officer's recommendation that permission is granted subject to conditions.

## **12.0 RECOMMENDATION**

- 12.1 That Permission be granted subject to conditions

- 1 The development hereby permitted shall be carried out in strict accordance with the following plans and documents:
- Location Plan (Dwg. Ref. 230105-00-100-C)
  - Proposed Site Layout (Dwg. Ref. 230105-00-1002-K)
  - Existing and Proposed Footprints (Dwg. Ref. 230105-00-1003)
  - Proposed Cottage Overview - Plot 1 (Dwg. Ref. 230105-PC-1001-A)
  - Proposed 5 no. Cottages Plans and Elevations (Ref. 230105-PG-1001-B)
  - Proposed 4 no Cottages Plans and Elevations (Ref. 230105-PSH-1001-B)
  - Bat Preliminary Roost Assessment (Produced by Crow Ecology Received on 2nd April 2024)

-Tree Report (Dated June 2024 - Received on 5th June 2024)

Reason: For the avoidance of doubt.

- 2 Prior to the commencement of development, full details of the external materials (including physical samples to be delivered to the LPA and mortar mix specifications) shall be submitted to and approved by the Local Planning Authority.

Reason: In the interest of visual amenity and to conserve the character and setting of the Historic Environment, in accordance with Scarborough Local Plan Policies DEC1 and DEC5.

- 3 Prior to the commencement of development, details/specifications of the proposed openings (including rooflights which should be to Conservation specification) shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented prior to the first occupation of the development hereby approved and shall be retained for the lifetime of the development.

Reason: In the interest of visual amenity and to conserve the character and setting of the Historic Environment, in accordance with Scarborough Local Plan Policies DEC1 and DEC5.

- 4 Prior to the commencement of development, details of the hard and soft landscaping to be installed/implemented on site shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping details shall be implemented in its entirety in the first planting season after the commencement of development, prior to the first occupation of the development. All trees, shrubs and bushes shall be maintained 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 as and when necessary, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of visual amenity, in accordance with Scarborough Local Plan Policy DEC1.

- 5 Upon commencement of development, details of the boundary treatment (including fencing, walls and soft landscaping hedging) shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented in their entirety prior to the first occupation of the development hereby approved.

Reason: In the interest of visual amenity and to ensure the existing and future residents are provided with a good standard of amenity, in accordance with Scarborough Local Plan Policy DEC4.

- 6 The submitted and approved planting scheme (Dated July 2024) shall be implemented in the first planting season after the development hereby approved has commenced. All trees, shrubs and bushes shall be maintained 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 as and when necessary, unless the Local Planning Authority gives written consent to any variation.



Reason: In the interest of visual amenity, and to seek opportunities for the enhancement of habitats, in accordance with Scarborough Local Plan Policies DEC1 and ENV5.

- 7 The accommodation units shall be for holiday use only and shall not be used as a sole or main residence. It shall not be occupied for more than 2 months in total in any 12-month period by the same household. Furthermore, no household shall occupy the accommodation for a single period greater than one month, or within a period of two weeks following the end of a previous period of occupation by that same household. The owners/operators of the holiday accommodation shall maintain an up-to-date register of the names and main home addresses of all the individual holiday makers and shall make this information available for inspection at all reasonable times to the Local Planning Authority following prior written notification.

Reason: The permanent occupation of residential dwellings in the open countryside would be contrary to Local Plan Policy ENV6: Development affecting the countryside.

- 8 Upon commencement of development, details of the proposed lighting on the buildings and in the site (including design, materials, specifications, and additional/replacement lighting in the car parking area) shall be submitted shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be Dark Skies compliant, and no other lighting shall be installed on the site. The lighting shall be installed prior to the proposed parking areas being brought into use, in accordance with the details so approved and shall be retained for the lifetime of the development.

Reason: In the interest of visual amenity, and to ensure that the development does not have a detrimental impact on the environment in terms of noise pollution, in accordance with Scarborough Local Plan Policies DEC1 and ENV6.

- 9 Prior to the first use of the development hereby approved, the vehicle parking indicated on the proposed block plan (Dwg. Ref. 230105 00-1002-K) shall be provided, laid out, hard surfaced, drained, marked out and made available for use, utilising low invasive construction methods. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide suitable parking and turning area for, in the interest of highways safety, in accordance with Local Plan Policy INF1.

- 10 The proposed development hereby approved shall adhere to the recommendations in sections 8.1-8.6 and biodiversity enhancements in section 9.1-9.4 in the Bat Preliminary Roost Assessment produced by Crow Ecology received by the Council on 2nd April 2024.

Reason: To mitigate against any adverse impacts on species and habitats, in accordance with Local Plan Policy ENV5: The Natural Environment.

- 11 The proposed development hereby approved shall adhere to the tree protection measures outlined in Sections 4-6 and Appendix A and B in the Arboricultural report (Version 3 Dated June 2024). The proposed parking, access and turning areas shall be surfaced using low invasive construction methods as outlined in appendix B of the arboricultural report.

Reason: To ensure that the trees on site are protected during and after the development, in accordance with Local Plan Policy ENV5: The Natural Environment.

- 12 Prior to the commencement of the development, a scheme detailing foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall demonstrate that the surface water.

Reason: To ensure appropriate drainage of the site and to reduce the risk of flooding, in accordance with Scarborough Local Plan Policy ENV3.

- 13 Upon commencement of development, details of the proposed bicycle storage (as outlined on the proposed site layout plan - reference 230105-00-1002-K) shall be submitted to and approved by the Local Planning Authority. The details shall include the scale, materials and general appearance. The approved bicycle storage shall be made available for use on site prior to the first occupation of the development and shall be retained for their intended purpose at all times.

Reason: In the interest of sustainable Transport, in accordance with Scarborough Local Plan Policy INF1.

- 14 The rainwater goods utilised in the development hereby permitted shall be coloured black and thereafter so maintained.

Reason: In the interest of visual amenity, and to conserve the significance of the historic environment, in accordance with Local Plan Policies DEC1 and DEC5.

- 15 All of the window and door frames shall be set in a reveal of a minimum depth of 70mm from the outer face of the wall and shall be retained as such thereafter.

Reason In the interest of visual amenity, and to conserve the significance of the historic environment, in accordance with Local Plan Policies DEC1 and DEC5.

- 16 Upon commencement of development, the details of the following designing out crime measures shall be submitted to and approved in writing by the Local Planning Authority:

- The fitting of a key-operated lock on the proposed access gate,
- CCTV system to cover the area (location, design and monitoring measures),
- Intruder alarm for each individual holiday accommodation unit.

The details shall be implemented prior to the first occupation of the development hereby approved and shall be retained on site for the lifetime of the development.

Reason: To support safe, accessible and well-designed places, in accordance with Scarborough Local Plan Policy DEC1 and paragraph 92 of the NPPF.

- 17 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), no external alterations, replacement of openings, installation of external apparatus shall be undertaken on the buildings on site, nor shall any buildings or structures be erected within the boundaries of the site without the prior written approval of the Local Planning Authority.

Reason: In the interest of visual amenity and to conserve the significance of the historic environment, in accordance with Local Plan Policies DEC1 and DEC5.

- 18 Prior to the first occupation of the development hereby approved, surface water drainage works details shall be submitted to and approved in writing by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:
- The means of discharging to the public sewer at a rate not to exceed 8 litres per second.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal, in accordance with Local Plan Policy ENV3: Environmental Risk.

- 19 No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the Local Planning Authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 4 (four) litres per second. Furthermore, unless otherwise approved in writing by the Local Planning Authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal, in accordance with Local Plan Policy ENV3: Environmental Risk.

Target Determination Date: 28 May 2024

Case Officer: Nathan Denman  
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