

North Yorkshire Council

Scarborough and Whitby Area Planning Committee

Minutes of the meeting held on Thursday, 13 March 2025 commencing at 2.00 pm.

Councillor Phil Trumper in the Chair plus Councillors Subash Sharma, Derek Bastiman, Eric Broadbent, Janet Jefferson, Rich Maw and Clive Pearson.

In attendance: Councillor Neil Swannick

Officers present: Catriona Gatrell (Head of Legal Planning Property Environment), Luke Hadfield (Planning Officer), St John Harris (Principal Democratic Services Officer), Nick Read (Development Management Team Manager), David Walker (Development Service Manager)

Apologies: None.

Copies of all documents considered are in the Minute Book

108 Apologies for Absence

No apologies.

109 Minutes for the Meeting held on 13 February 2025

The minutes of the meeting held on 13 February 2025 were confirmed and signed as an accurate record.

110 Declarations of Interests

There were no declarations of interests.

Planning Applications

The Committee considered a report of the Head of Development Management – Community Development Services relating to an application for planning permission. During the meeting, Officers referred to additional information and representations which had been received.

In considering the report of the Head of Development Management – Community Development Services, regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations. Where the Committee refused planning permission the reasons for that decision are shown as set out below.

111 ZF24/01954/FL - Change of use from Bank (Class E) to adult gaming centre (sui generis) at Halifax, 67 - 68 Baxtergate, Whitby, North Yorkshire

The Head of Development Management – Community Development Services sought determination of a planning application for a change of use from Bank (Class E) to adult

gaming centre (sui generis) at Halifax, 67 - 68 Baxtergate, Whitby, North Yorkshire, YO21 1BL, on behalf of Luxury Leisure (I Miller).

Updating their report, the planning officer advised that since the report had been published, two further objections had been submitted bringing the total number of objections to 523. The applicant had also confirmed that it was company policy not to serve alcohol on any of its premises, and in respect of supervision, a minimum of two staff would be present on the premises at any one time which did not include security and door supervision.

Local Division member, Councillor Neil Swannick addressed the committee objecting to the application.

The applicant's agent, Haris Kasuji, then spoke in support of the application.

During consideration of the above application, the Committee discussed the following issues:

- Concerns regarding residential amenity that the adult gaming centre would be open 24 hours
- Concerns that approval of this application would set a precedent for the development of other similar establishments in Whitby
- Proximity to other gambling and betting premises. Comments on the application from the Police (Designing Out Crime Officer) were still awaited.
- The development was out of place and would harm the unique character of Whitby town centre
- The potential for noise nuisance through the night in a densely populated area

The decision:

That, notwithstanding the recommendation in the officer report, planning permission be REFUSED.

Voting record:

A vote was taken and the motion was declared carried unanimously.

Reasons:

- The change of use to an adult gaming centre operating on a 24 hour basis would result in an adverse impact on residential amenity contrary to policy DEC4 of the Scarborough Local Plan in that there would be increased potential for noise and disturbance at unsociable hours to occupiers of residential and holiday premises
- The change of use would result in harm to the unique character of the small family resort of Whitby

The final wording of the reasons to be determined by officers in consultation with the Chair.

112 Any other items

In respect of the current technical difficulties preventing the public submitting comments through the planning portal about the Europa Oil & Gas application to drill for gas on a site in Burniston, the Development Service Manager commented that these problems were being rectified as a priority. In the meantime, the council had provided an alternative email address for the public to submit comments, and further, comments would still be accepted after the stated deadline.

113 Date of Next Meeting

Thursday, 10 April 2025 – Town Hall, Scarborough

The meeting concluded at 2.53 pm.