

**North Yorkshire Council
Community Development Services
Thirsk and Malton Area Committee**

21 AUGUST 2025

**ZF25/00403/RG3 - Demolition of toilet block at Royal Parade, Filey, North
Yorkshire, YO14 9JZ, on behalf of North Yorkshire Council (Mr Paul
Fieldhouse)**

Report of the Head of Development Management – Community Development

1.0 Purpose of the report

- 1.1 To determine a planning application for the demolition of toilet block on land at Royal Parade, Filey, North Yorkshire.
- 1.2 The application is to be considered by the Area Planning Committee as the Council is the applicant and the landowner.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION:

- 2.1 That planning permission be GRANTED subject to conditions listed at the end of the report.

3.0 Preliminary Matters

- 3.1 Access to the case file on Public Access can be found here: [ZF25/00403/RG3 | Demolition of toilet block | Public Conveniences Royal Parade Filey North Yorkshire YO14 9JZ](#)

4.0 Site and Surroundings

- 4.1 The site is located on the southern side of Royal Parade which mainly serves as a pedestrian promenade along the sea front. To the rear is the cliff slope with a pedestrian access up to Glen Gardens. The site is bound by Filey beach and promenade to the east, cliffs to the west, beach chalets to the north and businesses to the south. The site is located within the Filey Conservation Area which is why demolition consent is required.

5.0 Description of Proposal

- 5.1 The application seeks consent for the demolition of the existing toilet block building. The toilet block adjoins the cafe on the corner at the end of the promenade and features a flat roof, with access to the roof via an external staircase. It is constructed of red brick with white timber panels. The existing building measures 11.8 metres in length, 8.5 metres wide with 3.8 metres in height. The toilets have been closed since 17 October last year; however, repairs had been carried out to allow the toilets to reopen on 21 March this year for the short-term, pending demolition and subsequent replacement.
- 5.2 The nearest alternative toilets are located at Glen Gardens Cafe and further along the promenade at the bottom of Cargate Hill. Glen Gardens Cafe is approximately 0.2 miles from the site which would be an up-hill 5 minutes' walk to get to. The toilets at the bottom of Cargate Hill are 0.4 miles away from the site which would approximately be an 8 minutes' walk.
- 5.3 The intention is to install a replacement toilet block at a later stage in its place. This work is expected to be undertaken early next year, however no proposed toilet block has been submitted as part of this application and depending on the size, may fall under permitted development rights for local authorities. Therefore, consideration of this application is restricted matters directly relating to the process and physical impacts of the demolition. Issues relating to the loss of the current toilet facility and securing a replacement are not relevant to this application as there is no proposed change of use to the application 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. The relevant policies are:

- DEC5 - The Historic and Built Environment

Emerging Development Plan - Material Consideration

6.3 The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Considerations

-National Planning Policy Framework 2024

-National Planning Practice Guidance

-Filey Conservation Area Character Appraisal and Management Proposals - adopted 2012

7.0 Consultation Responses

7.1 The following consultation responses have been received and have been summarised below. Their full comments and any accompanying documentation are available to view on the Council's website.

7.2 Filey Town Council: "Filey Town Council has considered the above planning application and, while we raise no objection to the proposed demolition of the toilets on health and safety grounds, we would like to express the following concerns:

- No planning application appears to have been submitted for the replacement facilities, although we understand a budget and start date have been identified.

- It is important that the seasonal use of these toilets is taken into consideration, and that the proposed timescales do not negatively impact Filey's tourist season - either this year or next. We would expect that clear timelines for both demolition and rebuild are provided as part of the process.

- Existing businesses and chalet owners in the vicinity should not be disadvantaged as a result of the demolition."

7.3 Principal Conservation Officer - "Although the toilets do not enhance the character and appearance of the Filey Conservation Area, they don't detract from it either. Importantly they are attached to the Royal Parade Cafe on the corner at the end of the promenade. It is not good conservation practice to allow demolition in Conservation Areas without a proposed redevelopment for the site in question. If there is no design yet for the replacement toilet block, the Local Planning Authority should ensure the site is landscaped etc (made good) instead of purely becoming an unsightly gap site next to the cafe."

7.4 Local Highway Authority - no local highway authority objections.

7.5 Environmental Health Scientific Team - no objections.

7.6 Environmental Health - The comments mainly focus on restricting noise from the operations, working/site delivery hours and the equipment used. The general condition they are recommending is "Construction Noise Control, Hours of Work and Equipment."

7.7 Estates Manager - no comments received.

Local Representations

7.8 None received.

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 issue is:

- Impact upon the character and appearance of the Filey Conservation Area

10.0 Assessment

Impact upon the character and appearance of the Filey Conservation Area

10.1 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in the exercise of functions under the planning acts, special attention is paid to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

10.2 Local Plan Policy DEC5 requires that proposals affecting a Conservation Area should preserve or enhance its character or appearance, especially those elements identified in any Conservation Area Appraisal.

10.3 The Conservation Area Appraisal for Filey states that there will be a general presumption against the demolition of buildings which contribute to the character of the Filey Conservation Area. The existing building forms part of a linear row of low-rise commercial and amenity structures. It features a flat roof and is constructed from modern materials and was probably constructed in the late 1960's or early 70's. Although the building has provided a functional use as a toilet block directly on the Filey seafront promenade, it is very utilitarian in character and looks rather dilapidated. Even if the outside was renovated, it would have no architectural merit. A structural inspection concluded that while the building is not currently at risk of imminent collapse, substantial and costly remediation would be required to ensure its long-term stability and safety. It is considered that by virtue of its design, construction and form, it does not make a positive contribution towards the character and appearance of the Filey Conservation Area, its removal would

actually enhance the appearance of this part of the Conservation Area and would allow for future improvement of the public realm.

- 10.4 The Council's Principal Conservation Officer agrees that the building does not enhance the character or appearance of this part of the Conservation Area and, in the absence of a redevelopment scheme, recommends a condition requiring that the site is landscaped and 'made good', instead of purely becoming a potentially unsightly gap site next to the cafe. It is considered that the implementation period for any such scheme be set such that it would not be necessary if the site is redeveloped quickly, thereby avoiding unnecessary expense and abortive work for the applicant.
- 10.5 In light of the above, the proposal is considered to comply with Local Plan Policy DEC5, Section 16 of the NPPF and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Other Matters

- 10.6 Comments from Filey Town Council are noted, however this application is to only consider the demolition of the building not the loss or replacement of the public toilet facility as there is no proposed change of use to the application site.
- 10.7 Members will have seen from the consultation responses that the Council's Environmental Health Officers have requested conditions requiring a limit on hours of construction, equipment and details of measures to prevent noise and dust nuisance. However, the Government's latest guidance on the use of planning conditions is clear that Council's should not apply conditions which duplicate existing legislation, or where there is 'alternative means of managing certain matters'. Residents have recourse through Environmental Health legislation for construction noise and dust nuisance complaints. Therefore, your Officers would advise that there are no specific localised issues that would justify the imposition of such conditions in this instance.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 The proposal for the demolition of the toilet block is not considered to harm the character and appearance of the Filey Conservation Area. It is considered that its removal would enhance the character and appearance of this part of the Conservation Area and would allow for future improvement of the public realm.

12.0 RECOMMENDATION

- 12.1 That permission be granted subject to conditions
- 1 The development hereby permitted shall be carried out in accordance with the following plan/s:
 - Site Location Plan
 - Site layout (2526 DWG 3)
 - Elevations (2526 DWG 2)

All received on 24 June 2025.

Reason: For the avoidance of doubt.

- 2 Should the site remain undeveloped for a period of 9 months from the start of demolition works, a scheme for the treatment of the surface of the site shall be submitted within 3 months and approved in writing by the local planning authority and the approved scheme shall be completed no later than 6 months from the date of its approval.

Reason: In the interests of the visual amenity of the area and character of the Conservation Area in accordance with Local Policy DEC5 of the Scarborough Borough Local Plan.

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