

North Yorkshire Council
Community Development Services
Scarborough and Whitby Area Planning Committee
13 NOVEMBER 2025

ZF25/00901/RG4 - Erection of a 32-metre high Ferris wheel including supporting structure with decking, ramp access and a ticket office.

Construction of an 18 hole adventure golf course on a metal deck at FORMER FUTURIST THEATRE, FORMER FUTURIST BUILDINGS, FORESHORE ROAD, SCARBOROUGH, NORTH YORKSHIRE, ON BEHALF OF MR ABBOTT

Report of the Head of Development Management – Community Development Services

1.0 Purpose of the report

- 1.1 To determine an application for planning permission (ref: ZF25/00901/RG4) for temporary development on the Former Futurist Theatre Site, Foreshore Road, Scarborough
- 1.2 The application is brought before the Area Planning Committee at the request of a Member.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That Planning Permission is GRANTED subject to the conditions set out at the end of this report

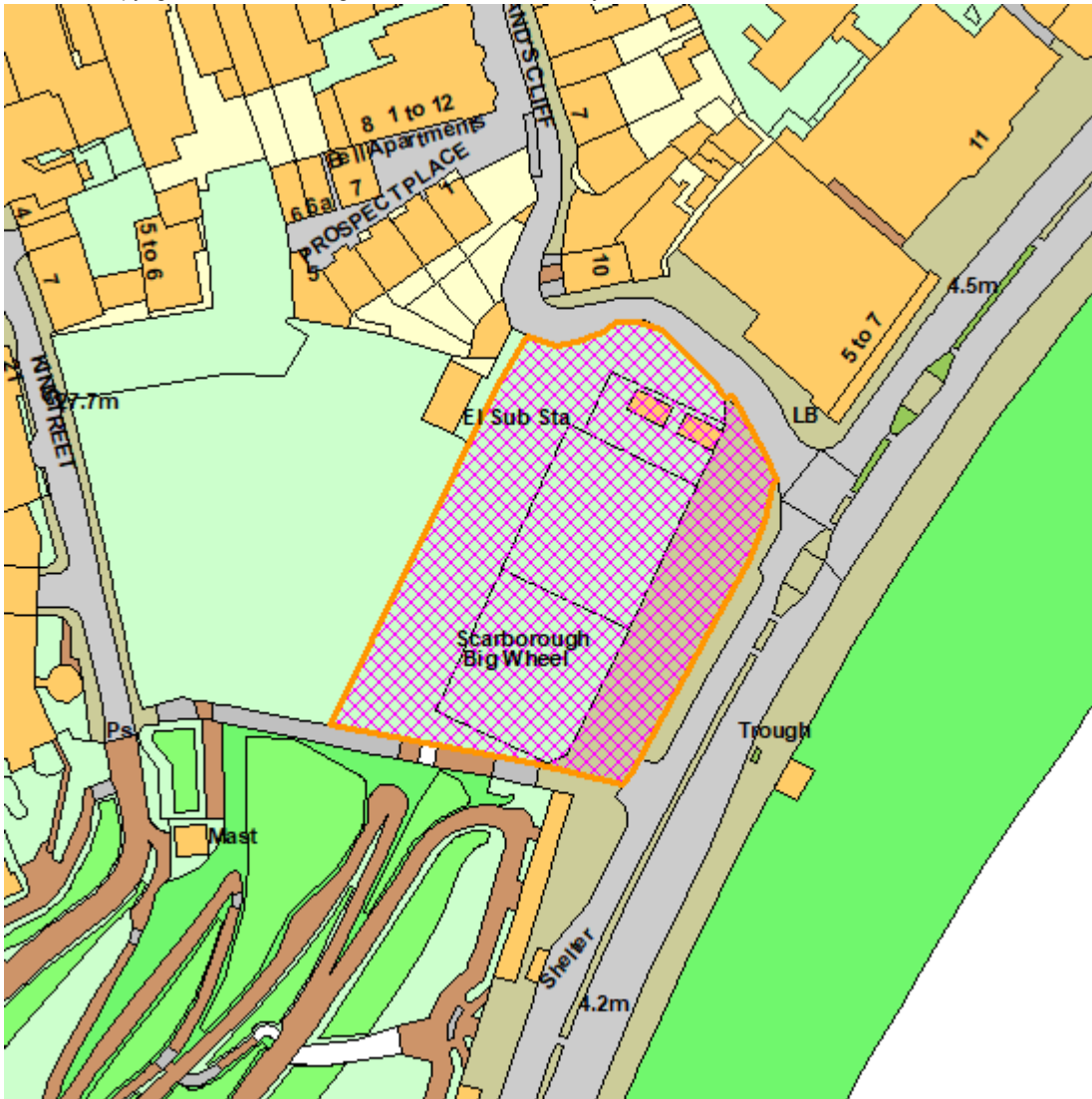
- 2.1 This application seeks temporary planning permission for a two-year period (02 November 2025 to 31 October 2027) for the continuation of existing tourist and leisure facilities - comprising a Ferris wheel and adventure golf course - on the site of the former Futurist theatre, which is outside the Scarborough Conservation Area but is visually adjacent to it and is a sensitive site due to its prominent seafront location on South Bay.
- 2.2 The principle of the temporary use is supported by Local Plan policy TOU1, which encourages tourism diversification. The key material considerations relate to the impact on the character and appearance of the area, flood risk, and residential amenity, particularly given the shift from seasonal to continuous operation for the next two years.

- 2.3 Officers consider that the residual harm to the character and setting of adjacent heritage assets, which was previously deemed 'less than substantial' for the seasonal arrangement, remains acceptable when weighed against the public and economic benefits of securing continued vibrancy and a tourism offer on a cleared, brownfield site. Flood risk is managed through the detailed Flood Risk Assessment and Emergency Plan submitted.



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3.0 Preliminary Matters

3.1 Access to the case file on Public Access can be found here:

[ZF25/00901/RG4 | Erection of a 32-metre high Ferris wheel including supporting structure with decking, ramp access and a ticket office. Construction of an 18 hole adventure golf course on a metal deck | Former Futurist Theatre Former Futurist Buildings Foreshore Road Scarborough North Yorkshire](#)

3.2 The following relevant planning history has been identified for the application site:

- 17/01714/RG3 - Demolition of Futurist Theatre - approved with conditions 17.11.2017
- 19/01844/RG4 - Retention of 32-metre high Ferris wheel until 10/11/2019 - approved 04.10.19
- 20/00482/RG4 - Retention of 32-metre high Ferris wheel and 18 hole adventure golf course - approved from April to October until 31/10/22
- 20/02248/4RG - Retention of 32-metre high Ferris wheel from 01.11.20 - 31.03.21 - approved 22.12.2020.
- ZF23/01442/RG4 - Erection of a 32-metre high Ferris wheel including supporting structure with decking, ramp access and a ticket office. Retention of an 18 hole adventure golf course on a metal deck, on a seasonal basis until October 2025 - approved 15.04.2024

4.0 Site and Surroundings

- 4.1 The 0.134 ha site is centrally located on Foreshore Road, Scarborough South Bay, immediately surrounded by amusement arcades and seafront retail. The site itself is the cleared hardstanding of the former Futurist Theatre.
- 4.2 The site is defined by a steep grassed slope and a retaining wall to the west, rising to King Street and St Nicholas Gardens. To the north are terraces of Listed Buildings on Prospect Place and the lower part of Bland's Cliff, which is in mixed use.
- 4.3 Located outside the designated Scarborough Conservation Area (SCA), the site sits adjacent to it and within the setting of numerous Listed Buildings (e.g., on Prospect Place and the Town Hall on King Street), and distant views of Scarborough Castle (Scheduled Monument).
- 4.4 In terms of flood risk, the site is shown on the Environment Agency (EA) Flood Map for Planning to be within Flood Zone 2 (FZ2), meaning it is considered to be at medium risk of tidal/ coastal flooding.

5.0 Description of Proposal

- 5.1 The application seeks permission for the continued operation of development for a two-year period from 02 November 2025 to 31 October 2027.

5.2 There are two aspects to the development:

1. A temporary 32 metre high observation wheel (Ferris wheel) with supporting structure, loading deck/ramp, and integrated ticket office/ queuing area.
2. An 18-hole adventure crazy golf course with a footprint of 325 square metres mounted on a 300mm high metal deck, including themed features and storage containers/ generator screened by a decorative wall.

5.3 The previous permission was limited to seasonal use (March 1st to October 31st) in 2024 and 2025, requiring full site clearance in the intervening winter months. This application seeks continuous operation (year-round, without winter tear-down) until the final clearance date of 31 October 2027.

5.4 Hours of operation of both aspects of the development are proposed to be 11:00 to 21:30 every day, aligning with the opening hours permitted under the previous, seasonal consent

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
- National Planning Practice Guidance
- National Design Guide

7.0 Consultation Responses

7.1 The consultation responses are summarised below. It should be noted that responses from Scarborough Town Council and the Council's Conservation Officer were not supplied to the Local Planning Authority during the statutory consultation period and are awaited at the time of writing. Members will be updated on any further responses at the meeting of the Committee.

7.2 Environmental Health (Regulatory Services): The officer confirmed no objection. Following a review of the submitted documentation and consideration of potential environmental health impacts (including noise and lighting), the officer concluded

that no objection was necessary, aligning with previous assessments and the ability to control residual impacts via condition.

- 7.3 Environmental Health (Scientific Team): The Scientific Officer confirmed no objection.
- 7.4 Historic England: Provided no comment, stating that they were not offering advice but suggested the Council seek the views of its specialist conservation and archaeological advisers.
- 7.5 Highway Authority: The tactile crossing immediately adjacent to the application site was temporarily removed when the Futurist theatre was demolished, with the intention that it be reinstated once a use was found for the site. This use has been ongoing - and will continue - for a significant period. The existing crossing arrangement is prejudicial to the safety and convenience of highway users. Those in need of a crossing marked with tactile paving or a central refuge are particularly impacted by the current sub-standard arrangement. The absence of a central refuge also allows for 'U-turns' by vehicles, which is dangerous in busy periods (which are frequent here). The crossing should be re-instated - it is not safe to continue with the existing arrangement for a further 2 years.

Local Representations

- 7.6 None received to date.

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:

- A) Principle of Development and Temporary Period
- B) Impact on Heritage Assets and Visual Amenity
- C) Impact on Residential Amenity
- D) Flood Risk
- E) Highways

10.0 Assessment

A) Principle of development and temporary period

- 10.1 The site is in a key tourist area of Scarborough, forming part of the South Bay seafront. Local Plan Policy TOU1 (New Tourism Facilities) supports the diversification and enhancement of existing tourism facilities where they respect the distinctive tourism character of the area and help reduce the seasonal nature of the

industry. The proposals, being an observation wheel and an adventure golf course, clearly align with the leisure and entertainment character of Foreshore Road.

- 10.2 A key consideration in this application is the request for continuous (year-round) operation until October 2027, contrasting with the seasonal (March to October) consent previously granted. In the view of Officers, the extension of the period of operation, particularly through the winter months, strengthens the proposal's compliance with Policy TOU1, which encourages reducing the seasonal nature of tourism.
- 10.3 The site is a prominent, vacant plot intended for future permanent development, as outlined in the Futurist and Town Hall Development Brief (2012). While the present development is not the permanent solution, its temporary nature and continued contribution to the area's vitality, pending a firm proposal for the permanent redevelopment, is considered acceptable in principle, aligning with Policy TOU1 and the NPPF's promotion of economic growth.
- 10.4 A temporary permission until 31 October 2027 is considered reasonable in light of the continued economic benefit and the likely lengthy lead-in time required for the permanent regeneration of the Futurist site.

B) Impact on heritage assets and visual amenity

- 10.5 In general terms, Policy DEC1 (Principles of Good Design) of the Local Plan requires that the design of new development is of a high standard. Furthermore, as the site is immediately adjacent to the Scarborough Conservation Area and within the setting of numerous listed buildings, Policy DEC5 (The Historic and Built Environment) of the Local Plan and Chapter 16 (Conserving and enhancing the historic environment) of the NPPF are highly relevant.
- 10.6 On the point of visual impact, the Local Planning Authority has previously concluded (in the 4 previous planning reports relating to the temporary planning permissions for the Ferris wheel and golf course) that the significant height of the wheel is partially offset by the steep topography behind the site, reducing its impact on the skyline, and that the slender structure lessens interference with wider views of the SCA. The impact has consistently been judged to result in less-than-substantial harm to the significance of the adjacent Conservation Area and the setting of nearby Listed Buildings. The appearance of the adventure golf course was noted to create a degree of "clutter," reinforcing the view that a permanent consent would be inappropriate.
- 10.7 In the view of Officers, there are no planning reasons at hand to suggest an alternative viewpoint on these matters is warranted this time around. The visual impact on the surroundings will not change as a result of the structures being present year round because, for example, they are not affected by the reduction of foliage or other seasonal changes.
- 10.8 Under NPPF paragraph 215, where a proposal causes less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The harm (resulting from the temporary imposition of a large structure and associated clutter on a key seafront site) is

considered to be modest and judged to be at the lower end of the 'less-than-substantial' scale.

10.9 In Officers' view, the public benefits are clear:

- Maintaining the vitality and vibrancy of the South Bay tourism offer (Policy TOU 1).
- Providing a temporary, positive use for a prominent brownfield site awaiting long-term regeneration.
- Supporting the local visitor economy and associated employment.

10.10 Given the temporary nature of the development and the limited harm identified, officers conclude that the economic and social public benefits derived from the use outweigh the less-than-substantial harm to the significance of the heritage assets. The continued presence and appearance of the equipment for a further, continuous two-year period does not materially alter this balance or increase the degree of harm previously accepted.

C) Impact on residential amenity

10.11 Policy DEC4 of the Local Plan requires that proposals do not give rise to unacceptable impacts by means of noise, light pollution, overlooking, or overbearing presence on existing and future occupants.

10.12 In terms of noise and light impacts from the development, the previous application required strict conditions, specifically limiting operation hours to 10:00 to 21:30 daily and requiring that any lights on the west-facing side of the Ferris wheel must remain switched off at all times (to protect residential properties on Prospect Place and King Street). The Environmental Health Officer has reviewed the current application and confirmed no objection, which in the view of Officers validates the continued reliance on the previous mitigation measures. It is recommended that conditions controlling hours of operation and specific lighting restrictions be imposed, and it is the view of Officers that these restrictions will continue to afford residents sufficient protection from undue noise and light impacts in the winter months (at times when the site has previously been cleared).

10.13 On the point of overlooking, the windows of the closest neighbours, at Prospect Place, are some 50m from away the wheel, whilst the gardens are at least some 40m from the wheel. Other residential properties are further away 73m to those on King Street.

10.14 The distance to the closest neighbours combined with the focus of passengers on wider views of South Bay, is considered sufficient to protect against harmful overlooking. This remains unchanged and Officers would advise that there is no conflict with Local Plan policy DEC4.

D) Flood risk

10.15 Located in Flood Zone 2 (FZ2), the site is at medium probability risk of tidal/ coastal flooding.

- 10.16 In general terms, policy ENV3 of the Local Plan requires that environmental risk is properly managed. The latest NPPF sets out the latest policy requirements for considering development proposals in areas at risk of flooding. Applicants are required to submit a Flood Risk Assessment (FRA) for development proposals in flood risk areas.
- 10.17 In line with the definitions in Annex 3 of the NPPF, the applicant's FRA classifies the adventure golf as 'water compatible' development and the Ferris wheel as 'less vulnerable' development. Neither classification is prohibited by Government policy in FZ2, but the 'less vulnerable' development is subject to the sequential test (NPPF paragraph 174).
- 10.18 The applicant's sequential test exercise concludes that alternative sites in lower flood risk zones (i.e. FZ1) that meet the functional needs of the development (seafront location with the required footprint and visibility) are not reasonably available; the site is the sequentially preferable deliverable option. As the use is 'less vulnerable' in FZ2 and the sequential test is passed, the NPPF 'exception test' is not required.
- 10.19 This notwithstanding, paragraph 181 of the NPPF requires that site-specific flood safety measures are in place for development in any area of flood risk such that the development is safe for its lifetime.
- 10.20 Accounting for this requirement, the FRA details a robust Flood Emergency Plan (FEP) which includes: Environment Agency flood warning subscription with operational triggers based on threat; a clear safe evacuation route to higher ground; power isolation measures; and, staff training. Officers recommend that adherence to the FEP is a conditional requirement of any consent the Committee may grant.
- 10.21 It is also a requirement of local and national planning policy that new development does not increase the risk of flooding elsewhere. The submitted FRA confirms that the site is already impermeable, generating no new runoff, meaning there is 'no increase in runoff rate or volume' and flood risk elsewhere is not increased.
- 10.22 To conclude on the point of flood risk, there is no 'in principle' preclusion of development of the proposed type in national policy and guidance, the submitted FEP demonstrates that residual risk is safely managed for the temporary, two-year duration of the proposal and flood risk will not be increased elsewhere. The flood risk elements of Local Plan policy ENV3 and the NPPF are therefore satisfied.

E) Highways

- 10.23 The Local Highway Authority (LHA) is the statutory consultee on matters related to the safety of the public highway and the Planning Authority is reliant on its expertise in this respect.
- 10.24 In its consultation response, the LHA confirms that the temporary development itself presents no inherent highway safety objections, as it involves no new permanent access or material change in intensity of vehicle use. This is consistent with previous permissions for the same layout.

- 10.25 However, the LHA has identified a requirement for off-site mitigation works in the highway relating to an existing deficit associated with the removal of the central island and tactile paving at the pedestrian crossing point on Foreshore Road (outside the site) during the previous demolition works.
- 10.26 Given that the development has now been in situ for over 6 years, and consent is sought for a further 2 years, the LHA deems it essential that the crossing point is appropriately reinstated to ensure adequate facilities are provided for those requiring tactile crossing facilities, and as a physical barrier to prevent problem 'u turning' by vehicles outside the site. The existing sub-standard arrangements have been in place for an extended period.
- 10.27 Subject to appropriately worded conditions in this respect, it is the view of your Officers that the development will not harm the safety or convenience of users of the public highway.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1 The temporary retention and continued operation of the Ferris wheel and adventure golf course for a further continuous two-year period is supported in principle by policy TOU1 of the Local Plan on the basis of its development of the tourist offer and reducing seasonality.
- 11.2 The proposal causes a degree of less-than-substantial harm to the setting of adjacent heritage assets and the visual amenity of the seafront. However, this modest harm is outweighed in the balance by the significant public benefits of maintaining the vitality and economic use of this key, cleared brownfield site on the South Bay pending its long-term permanent redevelopment.
- 11.3 Flood risk, amenity, and highway safety issues can be satisfactorily mitigated by planning conditions.
- 11.4 Accordingly, the proposal is considered to represent sustainable development in accordance with the Development Plan and the NPPF.

12.0 RECOMMENDATION

12.1 That Permission be granted subject to conditions

- 1 Except where may be modified by the conditions of this consent, the development shall be implemented in accordance with the following plans and drawings:
- AI-00-001, Site Location Plan, 17 Jul 2025
 - AI-00-002, Existing site plan, 17 Jul 2025
 - AI-00-001, Proposed site plan, 17 Jul 2025
 - AI-20-002, Golf course layout, 17 Jul 2025
 - AI-20-003, Payment kiosks, 17 Jul 2025
 - AI-20-004, Shipping container details, 17 Jul 2025

- AI-20-005, Decorative wall details, 17 Jul 2025
- AI-20-006, Boundary treatment details, 17 Jul 2025
- Wheel technical details, 17 Jul 2025

Reason To avoid doubt.

- 2 The development hereby permitted, comprising the observation wheel, adventure golf course, ancillary decking, ticket office, storage containers, decorative screens, and generator, shall be removed in its entirety from the site before or on 31 October 2027.

Reason To ensure the site is occupied by the leisure facilities on a temporary basis only in the interests of the visual amenities of the area in accordance with Policy DEC1 of the Scarborough Borough Local Plan, pending the permanent redevelopment of the site.

- 3 The observation wheel and adventure golf course shall only operate between the hours of 11:00 and 21:30 on any given day.

Reason In the interests of the amenities of occupiers of nearby residential properties in accordance with Policy DEC4 of the Scarborough Borough Local Plan. As this is the window of daily operation permission has been sought for.

- 4 Any lights, including feature or security lighting, on the west-facing side of the observation wheel structure and ancillary equipment (including the adventure golf course) that face residential properties on Prospect Place or King Street, shall remain switched off at all times when the wheel is operational. Details of the lighting scheme shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any new elements.

Reason In the interests of the amenities of occupiers of nearby residential properties in accordance with Policy DEC4 of the Scarborough Borough Local Plan.

- 5 The development shall be operated and maintained in strict accordance with the measures and protocols set out in the submitted Flood Risk Assessment (Ref: RPT-201002-C2-250910, dated September 2025) and the accompanying Flood Emergency Plan summary, including the monitoring, trigger levels, and evacuation procedures detailed therein.

Reason To ensure the temporary development is safe for its lifetime in accordance with Policy ENV3 of the Scarborough Borough Local Plan and NPPF paragraph 167.

- 6 Prior to the re-erection of the observation wheel on the application site, the provision of the following off-site highway mitigation works shall be submitted to and approved in writing by the Local Planning Authority:
- Provision of tactile paving at the existing pedestrian crossing point on both sides of Foreshore Road immediately to the site's frontage.
 - Provision of a central crossing reserve island at the aforementioned crossing point.

The scheme shall include engineering drawings, and be supported by a full independent Stage 2 Road Safety Audit. It shall also specify an implementation plan for the works, which be complete prior to the wheel being brought back into use following its re-installation.

Reason In the interests of highway safety, to ensure safe highway crossing for development users, in accordance with policy DEC1 of the Local Plan and paragraph 120 of the NPPF.

Target Determination Date: 5 November 2025

Case Officer: Mr Daniel Metcalfe
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