1.0 THE PROPOSAL

1.1 This application seeks planning permission to convert a 23 bedroom hotel into 10 no. two bedroom apartments. All the apartments are to be accommodated within the existing footprint of the building, with two apartments per floor. To achieve the maximum benefit for each apartment it is proposed to create a new central staircase with a lift serving all floors.

1.2 Externally, it is proposed to re-furbish traditional features and replace where necessary modern alterations with sympathetic replacements. At first floor level on the north east elevation it is proposed to remove the flat roof and replace it with a balcony with new railings. At lower ground and ground floor levels it is proposed to remove the modern picture windows, an emergency escape stair and a main external staircase that currently leads to the front door and re-model the fenestration with new sash type windows, bay windows and new external doors set within pillars and a simple portico. It is proposed to slightly raise the roof height of the dormer element on the building to allow for increased insulation. The head of a new lift shaft would also be visible within the roofscape of the building on the north east elevation.

1.3 The property is situated within the Conservation Area in a terrace of large buildings having a dual frontage, facing south-west onto North Marine Road and north-west onto Queen’s Parade. Members will recall the recent re-development of the former Cricketer’s site to erect new self-contained apartments for McCarthy Stone which is now complete and partially occupied, which sits a few doors away from this site.

1.4 Due to the former hotel being a Grade 2 listed building, a listed building consent application (Ref. 13/00668/LB) has also been submitted for
consideration by the Local Planning Authority and is to be determined as a
delegated matter by your Officers.

1.5 The proposal is subject to a Unilateral Undertaking pursuant to Section 106 of
the Town and Country Planning Act 1990. The applicant has completed a
draft agreement in accordance with the Council’s Affordable Housing Policy.

2.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

2.1 None.

3.0 CONSULTATIONS AND COMMENTS

3.1 Architectural Liaison Officer – No objections to the proposal in principle,
suggesting a number of recommendations with regard to the development
which have been passed onto the applicant for information.

3.2 Environmental Services – No objections.

3.3 NYCC Highways – No objections in principle, due to the lack of on-site
parking as the surrounding public roads are controlled by a traffic regulation
order and there are public parking facilities in the vicinity. A condition is
recommended with regard to on-site parking, on-site storage and construction
traffic during development.

3.4 Tourism Services – Comment that whilst it is unfortunate that the property
cannot be sold as a going concern, as it is in a prime seafront location, the
current level of tourism demand for serviced accommodation is being fulfilled
and therefore it is assumed that the loss of bed spaces would not impact upon
tourism numbers.

3.5 Publicity - The consultation period expired on the 23/05/2013.

3.6 The Scarborough and District Civic Society – Comment that this hotel has 23
bedrooms. It is assumed that it has more than 30 bed spaces. As such the
proposal is contrary to Policy L5 of the Local Plan.

4.0 RELEVANT SITE HISTORY

4.1 None.

5.0 PLANNING POLICY

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and
Section 54A of The Town and Country Planning Act 1990 requires that
planning applications are determined in accordance with the Development
Plan unless material considerations indicate otherwise. Attention is drawn to
the following Planning Policy Guidance which is considered to be particularly
relevant to the consideration of this application:-
6.0 ASSESSMENT

6.1 The key areas for consideration in assessing this proposal are:

- Change of Use of a Hotel with more than 30 bed spaces
- The alterations proposed to both principal elevations
- Potential impacts upon Residential Amenity
- Off-Site Affordable Housing Provision

6.2 Policy L5 of the Scarborough Borough Local Plan states that the change of use of hotels with more than 30 bed spaces will not be permitted. For other hotels a change of use will be permitted where it can be demonstrated that overall demand for this type of accommodation during peak periods is being met or where other benefits would accrue. As this property has over 30 bed spaces, it needs to be considered whether its conversion can be treated as an exception to Policy L5.

6.3 It is not disputed that up until the late 1980’s that this style of accommodation remained in demand. However, a steady decline has followed with changes in tourism trends and the economic downturn. The response from Tourism Services recognises that it is unfortunate that this type of serviced accommodation cannot be sold as a going concern. However, on balance, it is not felt that this will be detrimental to the supply of bed spaces available in this locality.

6.4 It is documented in the Design and Access Statement, accompanying the application that from October 2009 onwards the property has been marketed with 4 different estate agents. At the outset the business was operating but attracted no serious interest, latterly it has stood empty having gone into receivership. During the past couple of years a number of approaches have been made to the Council regarding the conversion of the property, but there has been no commercial interest in this hotel business during the last three years.

6.5 Paragraph 5 of the justification attached to Policy L5 states that “there may be occasions where a significant environmental benefit arising from the change
of use of a hotel, for instance the restoration of a listed building” could provide the basis on which to justify permission being granted. In this case, the conversion scheme seeks to improve the external appearance of the listed building and the character of the area. In the circumstances it is felt that changing the use of the building will have environmental benefits to both the heritage asset and the locality. A detailed assessment of the internal works proposed to the listed building being considered separately, against the National Planning Policy Framework (Application No. 13/00668/LB).

6.6 Given the length of the marketing of the hotel, the lack of harm to the local tourist accommodation market and the benefits that would accrue from the submitted scheme, it is considered that the proposal can be considered as an exception to Policy L5.

6.7 The conversion works are considered to be in accordance with Policy H12 of the Scarborough Borough Local Plan.

The alterations proposed to both principal elevations

6.8 The proposed improvements to the property are considered to improve and enhance the visual appearance of both facades. It is considered that the works proposed, including the provision of traditional railings, new doors and where required new windows of a traditional design, would result in a visual enhancement of the existing building to both Queen’s Parade and North Marine Road. The alterations proposed to the roofscape are considered to be relatively discreet and at such a height on the building that there will be no significant detriment to the character of the area or the streetscene in accordance with Policy E14 of the Scarborough Borough Local Plan.

Potential impacts upon residential amenity

6.9 The property currently has off-street parking for up to ten vehicles within the existing car park accessed from Queen’s Parade and this is to be retained. NYCC Highways have raised no objections to the proposal and it is not considered that there will be any significant increase in the demand for on-street parking in the vicinity as a result of this proposal in accordance with Policy H10 of the Scarborough Borough Local Plan.

6.10 As this development is to take place within the existing building envelope with no extensions required it is not considered that the external improvements proposed will result in any loss of amenity to adjacent neighbours. In the interests of the appearance of the development, details of the refuse storage arrangements are required. A suitably worded condition is to be attached to the grant of any planning permission in respect to the design and siting of the bin storage.

7.0 PLANNING OBLIGATIONS

7.1 As the commercial use of the premises has been a hotel with owner’s accommodation included, this application proposes a net gain in residential
accommodation of 9 self-contained units. The proposal is therefore subject to a financial contribution of £50 per sq metre in lieu of affordable housing, for 9 of the 10 units. The applicant has agreed to make a contribution of £27,600.00 and a draft Unilateral Undertaking has been received by the Council's solicitor, in respect to this obligation.

8.0 CONCLUSION

8.1 The proposed development as submitted is in principle acceptable, but there are certain aspects where additional details need to be agreed and implemented and/or specific safeguards need to be put into place. The Local Planning Authority acted proactively by attaching planning conditions which can adequately address such matters.

8.2 In addition, the Local Planning Authority sought to ensure that where key infrastructure is needed to comply with relevant planning policies, and this could not be secured by condition, adequate provision shall be provided by means of a Section 106 planning obligation.

9.0 RECOMMENDATION

9.1 That PERMISSION BE GRANTED, subject to the following condition(s) :-

1 The development hereby granted shall be carried out in strict accordance with the submitted plans unless any amendment is first approved by the Local Planning Authority.

   Reason For the avoidance of doubt.

2 Prior to the commencement of the development hereby permitted details of the external finish to the head of the lift shaft shall be submitted to and be approved in writing by the Local Planning Authority. Once approved the details shall be implemented in full unless otherwise approved in writing by the Local Planning Authority.

   Reason In the interests of the appearance of the building and the streetscene in accordance with Policy E14 of the Scarborough Borough Local Plan.

3 Prior to the commencement of the development hereby permitted details of the window framing to be used shall be submitted to and approved in writing by the Local Planning Authority and all the replacement window framing used in the development shall conform to the sample so approved.

   Reason In the interests of the appearance of the building and the streetscene in accordance with Policies E14 and E23 of the Scarborough Borough Local Plan.
4 Prior to the commencement of the development hereby permitted details of the new external doors (including materials and final colour), including the decorative surround shall be submitted to and be approved in writing by the Local Planning Authority. Once approved the details shall be implemented in full and thereafter so maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason In the interests of the character and appearance of the development and the streetscene in accordance with Policies E14 and E23 of the Scarborough Borough Local Plan.

5 Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and be approved in writing by the Local Planning Authority before the development is commenced and there shall be no variation from the details so approved without the prior written consent of the Local Planning Authority.

Reason In the interests of the character and appearance of the development and the streetscene in accordance with Policies E14 and E23 of the Scarborough Borough Local Plan.

6 Large scale constructional drawings of the railings to be utilised in the development shall be submitted to and be approved in writing by the Local Planning Authority and no work shall commence in advance of that approval. Once approved the details of the railings shall be implemented in full prior to the first occupation of any of the residential units and thereafter so maintained.

Reason In the interests of the character and appearance of the development and the streetscene in accordance with Policies E14 and E23 of the Scarborough Borough Local Plan.

7 Details of the means of storage and disposal of refuse shall be submitted to and be approved by the Local Planning Authority and the development shall not commence in advance of that approval. The approved scheme shall be fully implemented prior to the first occupation of the residential units and thereafter so maintained.

Reason For the avoidance of doubt and in the interests of the character and appearance of the streetscene in accordance with Policies E14 and E23 of the Scarborough Borough Local Plan.

8 Prior to the commencement of the development details of on-site cycle storage provision shall be submitted to and be approved in writing by the Local Planning Authority. The cycle storage once approved shall be fully implemented prior to the first occupation of the residential units and thereafter so maintained.
Reason To promote sustainable means of transport within the town and to ensure that there is no significant increase in the levels of traffic due to the conversion scheme in accordance with Policy H10 of the Scarborough Borough Local Plan.

9 Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

(i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

(ii) on-site materials storage area capable of accommodating all materials required for the operation of the site.

The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site unless otherwise agreed in writing by the Local Planning Authority in consultation with NYCC Highways.

Reason To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

10 Prior to the commencement of the development details of crime prevention measures in accordance with the principles of “Crime Prevention Through Environmental Design” shall be submitted to and approved by the Local Planning Authority.

Reason In the interests of public safety and to comply with Policy H10 of the Scarborough Borough Local Plan to protect the amenity of residents by seeking to minimise the likelihood of crime and disorder.

Note: The crime prevention measures should include the safety of the access points into the flats, security lighting, access control and location of utility metres.
Planning Manager

Background Papers:

Those documents referred to in this report.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT KAREN LAWTON ON 01723 384405 e-mail KAREN.LAWTON@SCARBOROUGH.GOV.UK