APPLICATION REFERENCE NO: 07/00163/FL
TARGET DATE: 30 APRIL 2007

REPORT OF THE HEAD OF PLANNING SERVICES - HPig/07/47

SUBJECT: ERECTION OF 10 NO. FLATS ON LAND ADJACENT TO 1-4 BLENHEIM STREET, SCARBOROUGH FOR URBAN CONVERSION LIMITED.

1.0 THE PROPOSAL

1.1 The application proposes the erection of a new building containing 10 flats on a corner site, which is bounded by Castle Road and Blenheim Street. The site has been used as a car park serving 1-4 Blenheim Street, which is currently being refurbished by the applicant. The application follows the withdrawal of a previous scheme and pre-application discussions with your Officers.

1.2 The proposed building is three-storeys in height, with flats in the roof space. Three flats are proposed at both ground and first floor, with two flats on each of the second and third floors.

1.3 The building is proposed to have white render to its elevations and natural slate to the roof. The building is designed to reflect the character of its historic neighbours but is detailed in a modern manner with a mix of dark grey coloured aluminium and timber windows and a fully glazed stair tower to its rear elevation.

1.4 The site currently abuts the carriageway of Castle Road, which runs along its south boundary. The boundary is defined by a high brick wall. This requires pedestrians to either cross the road or to walk on the carriageway to pass the site. The application proposes that a public footway be provided along the southern edge of the site to improve pedestrian access.

1.5 The application proposes a vehicular access to serve a number of parking spaces within the rear part of the site. The Traffic and Transportation Manager has recommended a number of revisions to the scheme and it is
hoped amended drawings will be available for Members’ consideration at the meeting. The application drawings are appended to the rear of this report.

2.0 CONSULTATIONS AND COMMENTS

2.1 Traffic and Transportation Manager – No objection in principle but amendments required to parking layout/turning and access width and visibility splays if is to be acceptable from a highway engineering point of view. Also amendment to footway to increase width to 1.5m would be welcomed. (Officer Note: The Traffic and Transportation Manager’s comments on the amended proposals will be reported at the meeting).

2.2 Head of Environmental Health and Housing Services - Concern is raised with regard to the size of a number of the units proposed. In particular Flats 3 and 6 are basically self-contained bed-sits with no separate bedroom or hallway. It is considered that these units are unacceptable.

2.3 Conservation Officer – Having commented on the previous application I do not wish to make any further comments as the applicant appears to have addressed the concerns raised earlier.

2.4 English Heritage – This is both a prominent site en-route to the Castle and a relatively rare development opportunity in the core of the conservation area. We consider that the scale and massing of the proposal have been sensitively handled and that the scheme will sit comfortably on the corner of Blenheim Street and Castle Road. We advise however that any consent should be conditioned to control all materials so as to ensure the development is in sympathy with neighbouring materials and does not harm the conservation area.

2.5 Police Architectural Liaison Officer – No objections to this application in principle, but the following comments are raised. There is a window to the rear elevation, which is vulnerable as it is positioned within a recess. The front door should include an appropriately designed entry system comprising of an electronic door release mechanism with videophone. (Officer Note: A number of other issues have been raised and these have been forwarded to the scheme architect for consideration).

2.6 NYCC Archaeologist – The applicant has already commissioned a number of trial trenches on the site, which have provided evidence of a medieval ditch running parallel to Castle Road, along with other features of interest. It is recommended, should planning permission be granted, that a condition be imposed requiring further archaeological investigation prior to building works commencing.

2.7 Scarborough and District Civic Society – Raise objection to the scheme for a number of reasons, including:

1. The area is already heavily parked and it is ironic that the site is currently a disused car park.
2. The proposal has a large footprint and this leads to the proposed building being overbearing and the site over-developed.
3. Concern is raised regarding the close proximity of the new building to the Wilson’s Mariners’ Homes, which are listed buildings.
4 Whilst the elevation to Blenheim Street is much better than the previous proposal, the lack of a front door is a little puzzling.
5 The proposed elevation to Castle Road is particularly irregular and the perspective drawing makes the building seen overbearing and reminiscent of an office building.
6 Concern is raised about access to the flats as no lift is proposed, whilst diminutive size of flats is also worrying.
7 The proposed car parking spaces on the site are welcomed but there appears to be insufficient space for turning movements.
8 We are pleased that the proposals include a new footpath along Castle Road, which will benefit pedestrians.

2.8 Publicity - The consultation period expired on 5 March 2007.

A letter of objection has been received from:

Mr D Trigg – 26 Blenheim Terrace, Scarborough

1 Objection is raised to the proposal as it involves the loss of an off-street parking facility, which is likely to exacerbate the parking problems of the immediate area.
2 The waste land referred to in the planning application has for many years been a car park serving 1-4 Blenheim Street.
3 There does not appear to be any provision for vehicle parking in either the new build development for 10 flats or the conversion of 1-4 Blenheim Street which accommodates 9 flats, in an area where car parking is at times at saturation levels.
4 This development will along with others already granted in the locality result in an increase in parked vehicles exacerbating the parking difficulties for residents and visitors alike.
5 It seems short sighted to allow the development of land that has in the past provided adequate parking for 1-4 Blenheim Street.

3.0 RELEVANT SITE HISTORY

3.1 Planning permission was granted for the conversion of the neighbour building (1-4 Blenheim Street) to nine self-contained flats in 1989. The building and flats within it are currently being refurbished by the applicant.
3.2 An application for the erection of 10 flats on the site was withdrawn in November 2006.

4.0 PLANNING POLICY

4.1 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 Development Plan policy/ies which is/are considered to be particularly relevant to the consideration of this application:

**Scarborough Borough Local Plan**

- E6 Protection of Open Space
- E12 Design of New Development
- E22 Development in Conservation Areas
- E23 Detailing in Conservation Areas
- E28 Archaeology
- E40 The Reuse of Vacant Land within Development Limits
- H3 Small scale/Infill Housing Development within the Development Limits of Settlements
- H10 Protection of Residential Amenity

### 5.0 ASSESSMENT

5.1 There are a number of planning considerations to take in account in relation to this proposal, as follows:

- The principle of residential development on the site
- The design of the proposal
- The effect of the development on the conservation area and neighbouring listed buildings
- The impact of the development of residential amenity
- Car parking

**The Principle of Residential Development on the Site**

5.2 It is considered that the site is suitable for development in principle. The site has been used as a surface car park for many years, in association with the neighbouring property, 1-4 Blenheim Street. However, the site has the appearance of an undeveloped plot and forms an uncharacteristic feature within this part of the town, which is a designated Conservation Area. The site is not considered to represent an important open space, indeed, it is considered that it would positively benefit from development. The proposal is in principle considered to accord with Policies H3(C) and E40(A) and (B) of the Local Plan.

5.3 The County Archaeologist has confirmed that the site is of archaeological interest and has recommended that a condition be imposed requiring further archaeological investigation works on the site prior to commencement of building works. This follows pre-application evaluation work already commissioned by the applicant.
The Design of the Proposal

5.4 The proposal has been designed following extensive discussions with your Officers, and has evolved from a previous proposal that was withdrawn following earlier discussions. It is considered that the scheme’s architect has produced a contemporary building that will sit comfortably next to its historic neighbours on this prominent corner site, and which makes a successful transition between the more dominant buildings of the locality and the more modest Wilson’s Mariners’ Homes which sit to the west of the site.

5.5 The building is designed to reflect the traditional proportions and materials of the existing properties of Blenheim Street, which are typical of the area, being three-storey in height with an additional floor within the roof, with rendered elevations and slate covered roof.

5.6 The scheme has the benefit of proposing a footway along the northern side of Castle Road, which will be provided by dedicating the land to the Highway Authority. Currently the site bounds the carriageway with a tall brick wall and pedestrians are forced to cross the road or walk on the vehicular carriageway at this point.

5.7 The proposed building is considered to be acceptable in design, massing and height terms, both for the site and in relation to the character of surrounding buildings. The building is designed to appear as two blocks, with the block closest to the Castle Road boundary stepping down in scale. The proposal is considered to accord with Policies E12 and H3(A) of the Local Plan.

Conservation Area and Listed Building Issues

5.8 The proposed development is considered to be sensitively designed so as to fit comfortably within the existing locality. The proposal is considered to enhance the character and appearance of the Conservation Area by providing for the development of this vacant site by a building of appropriate scale for both the site and in relation to neighbours.

5.9 The building is considered to be of appropriate scale in relation to neighbouring listed buildings, including St Peter’s RC Church which lies across Castle Road from the site, and the more modest Wilson’s Mariners’ Homes which lie to the west of the site. It is considered that the scale of the proposal needs to reflect the scale of the more dominant neighbours in Blenheim Street, Blenheim Terrace and Castle Road, and that whilst the proposed building is much taller than the Wilson’s Mariners’ Homes, the distance maintained between the buildings and the quality of the design of the proposed new build should ensure that the proposal does not harm the setting of the neighbouring listed buildings. The proposal is considered to accord with Policy E22 and of the Local Plan and central government advice in PPG15: Planning and the Historic Environment. English Heritage has confirmed that in its view the scheme represents a sensitive proposal for the site.
Residential Amenity

5.10 The proposed building measures some 9.5m to eaves and is positioned some 16m from the existing properties on the opposite side of Blenheim Street. Being positioned to the west of existing Blenheim Street properties any new building on the site, designed to an appropriate scale for the site and Conservation Area will have some impact on the sunlighting and daylighting to neighbouring flats, especially those at semi-basement level. However, the impact is not considered to be so great as to warrant the refusal of planning permission, especially when a balanced judgement is necessary given the need to construct a building of appropriate scale for the locality. The relationship between the proposed building and existing neighbours would be no different to the relationships between buildings within the various streets in the vicinity of the application site. The proposal is not considered to result in any materially harmful overlooking of neighbouring properties, including the more modest Wilson’s Mariners’ Homes. Bearing this in mind, it is considered that the proposal would not be contrary to Policy H10(A), (B) and (E).

Car Parking

5.11 The proposal as submitted does include the provision of six car parking spaces on the site. However, this number is likely to be reduced as the Traffic and Transportation Manager has raised concern over the fact that insufficient space exists on site for a vehicle turning facility. The Traffic and Transportation Manager requires a turning facility to avoid vehicles reversing out of the proposed site entrance onto Castle Road. Amended details are awaited from the architect and it is envisaged these will be reported at the meeting, along with the Traffic and Transportation Manager’s comments.

5.12 Whilst less than 100% car parking provision is proposed on the site, this is not untypical of the area, where generally substantial properties occupy small plots, normally without any provision for off-street parking. Whilst the site has been used as a car park in the past, its loss from that use is considered appropriate in order to allow for the development of this longstanding brownfield site.

5.13 Whilst concern has been raised by a neighbour and the Civic Society over the potential additional on-street parking demand that the proposed flats might generate, which could exacerbate parking problems locally, your Officers consider that as the site is centrally located within the town, it is ideally placed to enable future residents to use alternative means of transport to the private car. It is hoped that the modest provision of on-site parking, coupled with competition for on-street spaces locally will ensure that future residents seriously consider whether ownership of a car is necessary. The Traffic and Transportation Manager has not raised objection to the proposals in principle.

6.0 CONCLUSION

6.1 The development is considered to be of appropriate design, scale and massing for this prominent corner site, which is located within the
Scarborough Conservation Area. The application site is a longstanding undeveloped brownfield plot, which is of visually poor appearance. It is considered that this sensitively designed scheme will enhance the character and appearance of that part of the Conservation Area in which it is sited and should sit comfortably adjacent neighbouring properties, which include a number of listed buildings. The proposals are not considered to have any materially harmful effect on residential amenity, especially when the requirement for buildings of appropriate scale for the locality is taken into consideration. The development is considered to accord with the relevant policies of the Scarborough Borough Local Plan.

7.0 RECOMMENDATION

7.1 That subject to consideration of the Traffic and Transportation Manager's comments in respect of amended plans, PERMISSION BE GRANTED, subject to the following condition(s):

1. No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

   **Reason:** To safeguard the Local Planning Authority's rights of control in respect of this matter as the site is of archaeological importance and to comply with Policy E28 of the Scarborough Borough Local Plan.

2. Details of the precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before the development commences on the site and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal.

   **Reason:** To safeguard the Local Planning Authority's rights of control in respect of these matters to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

3. Details of existing and proposed site levels and floor levels of all buildings and hard surfaced areas shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted.

   **Reason:** To safeguard the Local Planning Authority's rights of control in respect of these details in the interests of the appearance of the development and the character and appearance of the Conservation
Area in accordance with Policies E12 and E22 of the Scarborough Borough Local Plan.

4 The development shall not commence until full technical, details of the layout, construction and geometry (including visibility splays) of the access to the car park have been submitted to and have been approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is first brought into use unless otherwise approved in writing by the Local Planning Authority.

**Reason:** To safeguard the Local Planning Authority’s rights of control in respect of the matters of detail referred to ensure that the access is appropriately designed in the interests of highway safety and the convenience of vehicles visiting the site.

5 Notwithstanding the submitted details, before the commencement of any works of construction above foundation level in respect to the development hereby permitted, a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and be approved in writing by the Local Planning Authority. Samples shall be provided as may be required by the Local Planning Authority of the materials in the schedule and the use of such samples shall be approved in writing by the Local Planning Authority.

**Reason:** To safeguard the Local Planning Authority’s rights of control in respect of the matters of detail referred to in the interests of the appearance of the development and the preservation of the character and appearance of the Conservation Area in accordance with Policies E12 and E22 of the Scarborough Borough Local Plan.

6 Notwithstanding the submitted details, a schedule of the window frames to be utilised in the development hereby permitted, indicating the design and location of each window, and including samples if so required, shall be submitted to and be approved in writing by the Local Planning Authority before the commencement of any works of construction above foundation level. Such details shall indicate, at a scale of not less than 1:20, the longitudinal and cross-sectional detailing, cill and lintol detailing, and means of opening. The window frames shall be installed in accordance with the approved details and thereafter so maintained.

**Reason:** To safeguard the Local Planning Authority’s rights of control in respect of the matters of detail referred to in the interests of the appearance of the development and the preservation of the character and appearance of the Conservation Area in accordance with Policies E12 and E22 of the Scarborough Borough Local Plan.

7 The external face of the frame to all new windows shall be set in a reveal of a minimum of 70mm from the front face of the adjacent
walling unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the appearance of the development and the preservation of the character and appearance of the Conservation Area in which it is set in accordance with Policies E12 and E22 of the Scarborough Borough Local Plan.

8 Details of the design of all external doors to be utilised in the development hereby permitted shall be submitted to and be approved in writing by the Local Planning Authority before the commencement of any works of construction above foundation level and all external doors used in the development shall conform to the details so approved.

**Reason:** To safeguard the Local Planning Authority’s rights of control in respect of the matters of detail referred to in the interests of the appearance of the development and the preservation of the character and appearance of the Conservation Area in accordance with Policies E12 and E22 of the Scarborough Borough Local Plan.

9 The walls to be rendered shall be smooth rendered and painted a final colour which shall be submitted to and be approved in writing by the Local Planning Authority before the commencement of any works of construction above foundation level. Such rendering and approved final colouring shall be completed prior to the development hereby permitted being first brought into use.

**NOTE:**
The Council would advise that consideration be given to the use of a through-coloured render in order to avoid the need for regular maintenance of the rendered walls.

**Reason:** To safeguard the Local Planning Authority’s rights of control in respect of the matters of detail referred to in the interests of the appearance of the development and the preservation of the character and appearance of the Conservation Area in which it is set in accordance with Policies E12 and E22 of the Scarborough Borough Local Plan.

10 Before the commencement of any works of construction above foundation level in respect of the development hereby permitted, the type, design and final colour of the rainwater goods hereby permitted shall be submitted to and be approved in writing by the Local Planning Authority. The rainwater goods installed shall conform to the details so approved and the colour so approved shall be applied within one month of the development being first brought into use and thereafter so maintained unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard the Local Planning Authority’s rights of control in respect of the matters of detail referred to in the interests of the appearance of the development and the preservation of the character and appearance of the Conservation Area in accordance with Policies E12 and E22 of the Scarborough Borough Local Plan.

11 Details of the external colour scheme shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works above foundation level in respect of the development hereby granted and the approved scheme shall be implemented in full before the development is first brought into use.

Reason: To safeguard the Local Planning Authority’s rights of control in respect of the matters of detail referred to in the interests of the appearance of the development and the preservation of the character and appearance of the Conservation Area in accordance with Policies E12 and E22 of the Scarborough Borough Local Plan.

12 Before the commencement of any works of construction above foundation level in respect of the development hereby permitted, details of the boundary treatments of the site, including those to be retained and a schedule of materials for new boundary treatments, shall be submitted to and be approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use unless otherwise agreed in writing by the Local Planning Authority and thereafter retained.

Reason: To safeguard the rights of control of the Local Planning Authority over the details referred to in order to ensure a satisfactory external appearance to the development and in the interests of the character and appearance of the Conservation Area in accordance with Policies E12 and E22 of the Scarborough Borough Local Plan.

13 Details of the means of storage and disposal of refuse to serve the development hereby permitted 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 before any of the flats are first brought into use and shall thereafter be retained.

Reason: To safeguard the Local Planning Authority’s rights of control in respect of the matters of detail referred to in the interests of hygiene and the character and appearance of the Conservation Area in which it is set in accordance with Policy E22 of the Scarborough Borough Local Plan.

14 Prior to the first use of the development the vehicular access, parking and turning facilities shall be formed in accordance with the submitted drawing (Reference ……). Once created these areas shall be
maintained clear of any obstruction and retained for their intended purpose at all times.

**Reason:** To provide for appropriate on-site vehicle parking facilities with associated access and manoeuvring areas, in the interests of highway safety and the general amenity of the development and to ensure that vehicle parking is kept available to serve the development at all times, in accordance with Policy T7 of the Scarborough Borough Local Plan.

15 Details of the siting and design of secure, covered cycle storage facilities within the site shall be submitted to and be approved by the Local Planning Authority and no works of construction above foundation level shall commence in advance of that approval. The approved scheme shall be fully implemented before the first flat is brought into use and shall thereafter be retained.

**Reason:** To ensure that the Local Planning Authority retains control over these details in the interests of the appearance of the development and to encourage cycling by residents, which is a sustainable form of transport as an alternative to the use of private cars.

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**Head of Planning Services**

**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 MARCUS WHITMORE ON 01723 232479 e-mail MARCUS.WHITMORE@SCARBOROUGH.GOV.UK

APM ........................................ Date ................................
ELEVATION FROM BLENLEIM STREET

ELEVATION TO COURTYARD
ELEVATION TO CASTLE ROAD

SCHEDULE OF MATERIALS

ROOF: NATURAL BLUE SLATE
WALLS: CEMENT/GREY Render GRAY: WHITE 1 MINUITE
WINDOWS: LIDU PERFORMANCE Soffen / WINDOW: STAINED BLACK BROWN
DOORS: LIDU ENCLOSED IRON

NOTE: PROPOSING SCREEN TO WEST ELEVATION IN BRICKWORK