

North York Moors National Park Authority

Scarborough Borough Council (South) Parish: Newby and Scalby	App No. NYM/2015/0421/FL
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Proposal: construction of leisure complex and 6 no. hotel suites (revised scheme to NYM/2014/0306/FL)

Location: Ox Pasture Hall Hotel, Lady Edith's Drive, Scarborough

Applicant: Lifestyle Hotels Ltd, 31 Scawby House, High Street, Kirton Lindsey, North Lincolnshire, DN21 4LX

Agent: Mr John Blaymires, 56 Pasture Lane, Seamer, Scarborough, YO12 4QR

Date for Decision: 18 December 2015

Grid Ref: SE 500016 489085

Director of Planning's Recommendation

Approval subject to the following conditions:

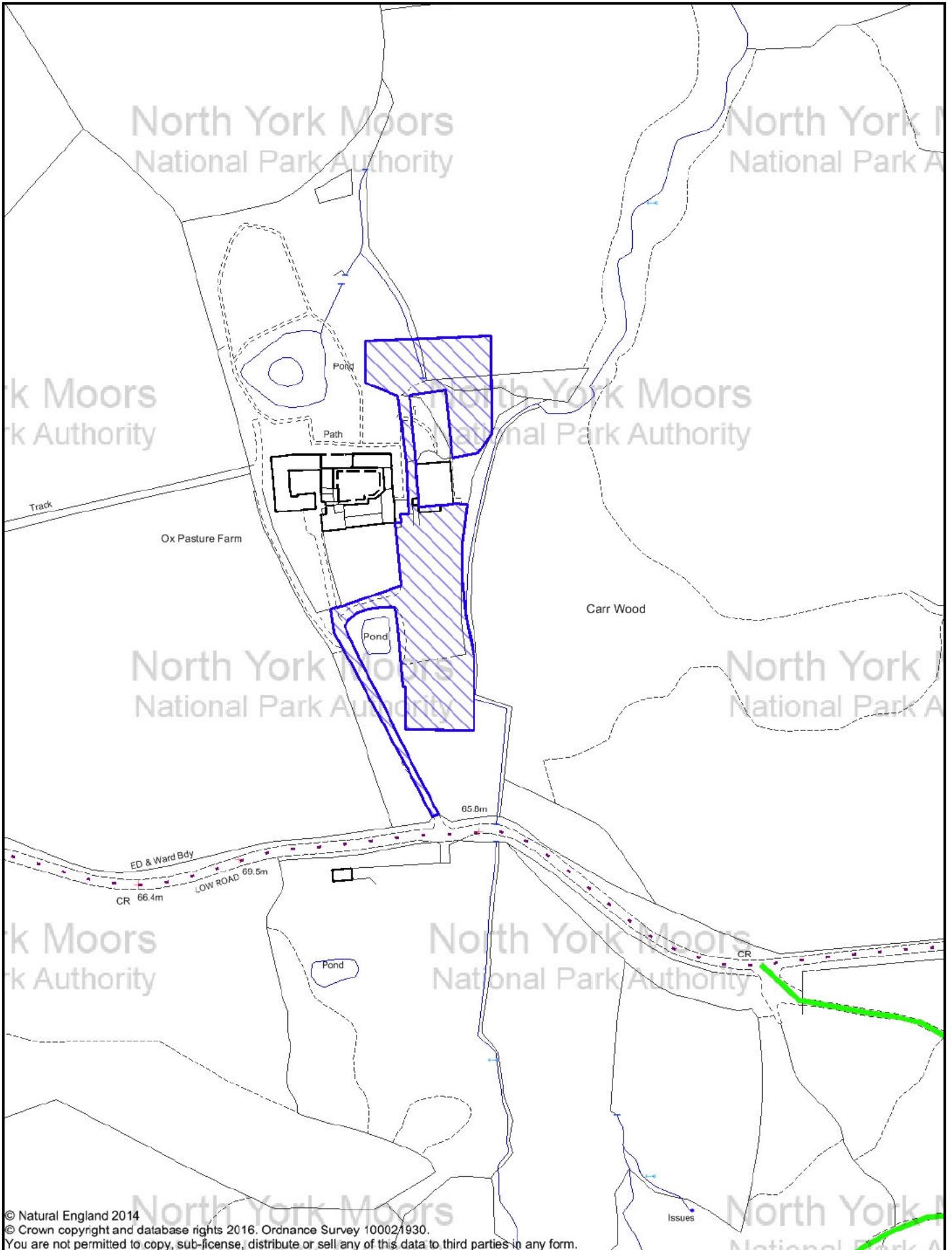
1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3. GACS07 External Lighting - Submit Details
4. MATS06 Stone Panel
5. MATS15 Natural Clay Pantiles to be Used
6. MATS30 Doors - Details of Construction to be Submitted
7. MAT00 No work shall commence on the installation of any windows (and glazing if included) in the development hereby approved until detailed plans showing the constructional details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. The window frames shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8. MATS61 Windows and Doors - Submit Details of Colour/Finish
9. MATS55 Rooflight Details to be Submitted
10. MATS70 Guttering Fixed by Gutter Spikes
11. MATS73 External Fixtures
12. MATS74 Flues to be Coloured Matt Black
13. LNDS00 Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide full details of the proposed boundary treatment to the site, including the size and species of any hedging and the materials to be utilised to any walls or fences and shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.



North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley YO62 5BP
01439 772700

Application Number: NYM/2015/0421/FL

Scale: 1:2500



Application No: NYM/2015/0421/FL

Conditions continued

14. LNDS10 Details of Hardsurfacing to be Submitted
15. MISC13 CO² Details to be Submitted
16. GACS17 Levels - Development - Submit Details

Consultations

District –

Parish –

Highways –

EHO – No objections

Further Comments - No objection from a Food & Occupational Safety perspective

Yorkshire Water –

Fire Officer – No objection/observations. Further Comment in relation to fire safety measures will be made at the time of a Building Regulations consultation.

Forestry Commission –

North Yorkshire Police Architectural Liaison Officer – Comments that there is no mention of crime or the fear of crime in the application and it does not state whether the complex will only be open to residents or if it will be open to non-residents which will make the site less secure as there will be a constant flow of strangers to and from the site. Makes a number of recommendations including lighting of the car park at night; the provision of lockers for staff and guests within the hotel or leisure centre; the use of CCTV covering the car park and hotel/leisure complex entrance; the provision of secure fencing during the construction phase.

Advertisement Notice Expiry Date – 17 March 2016

Others - The following comments were received to the application as originally submitted, with the leisure complex to the front of the hotel:

Mr Peter Ward, Spring Farm, Scalby Nabs
Mr Michael Smith, East Farm, Scalby Nabs

Object for the following reasons:

- Over-development of the site – the original farmhouse and outbuildings have been extended and developed to such an extent that it is already grossly out of proportion with its surroundings;
- Out of scale with the grade II Listed Building;
- Design not in harmony with its surroundings;
- Loss of open space to stone and tiles;
- Mass of buildings will obstruct views through the site which help to break up the current mass of development.

Application No: NYM/2015/0421/FL

Others continued

- Further noise and light pollution into the area – detrimental to the beauty and tranquillity of the area;
- Will harm the picturesque view from Scalby Nabs across the valley;
- Discharge of chlorinated water close to watercourse leading to Scalby sea cut;
- Lack of need as proposed facilities are readily available in Scarborough.

Further Comments:

Mr P Ward, Spring Farm, Scalby Nabs – Object on the grounds that the site is grossly over developed; any further development will spoil a unique National Park landscape and contribute to further light and noise pollution to those at the opposite side of the valley.

M I Smith, East Farm, Scalby Nabs – Object for the following reasons:

- The proposal does not form a harmonious group with the current mish-mash of development and fails to preserve the uninterrupted views into and out of the site. The mass scale of building will be clearly visible from Scalby Nabs footpath and bridleway.
- The footpath/bridleway at Scalby Nabs has fantastic views across The Cut to Scarborough Castle and the sea. At present Ox Pasture blends into the landscape whereas the proposed leisure complex would dominate the view and a quiet picturesque spot would be spoilt. It is the duty of the Authority to not allow such an eyesore.
- The massing, scale, form, materials and design features of the proposed development will not respect the existing architectural context of the setting within the grounds of a listed building and in this area of the National Park.

Background

Ox Pasture Hall is a grade II Listed Building, formerly a farmhouse dating from the mid-17th century with a courtyard of former farm buildings, which have all been converted into a country house hotel. The property is situated within 17 acres of landscaped grounds and is located in open countryside approximately two kilometres east of Scarborough. The hotel is approached from Lady Edith's Drive which leads into the Forge Valley. It is an important visitor facility within the Park.

The site has a long and varied planning history with a number of planning permissions expiring before they have been implemented. The majority of the applications which have been implemented relate to staff/owner accommodation, additional hotel bedrooms and a large function room with ancillary facilities, including a kitchen, which is linked to the main building by a single storey foyer area. Most recently in 2009 planning permission was granted for extensions to the west of the main hotel building in the form of a courtyard arrangement of single and two-storey buildings to provide an additional 11 hotel suites and this is now complete. As such the hotel now offers 32 letting bedrooms of varying sizes from doubles to suites.

Planning permission was refused in May 2014 for the construction of a detached building to the front (south) of the main hotel complex comprising six guest suites and a leisure complex with swimming pool, sauna, steam room, six hair and beauty treatment rooms, fitness suite and changing rooms. The building was to be positioned in the hotels foreground approximately half way between the road and the existing hotel buildings on the area of

Application No: NYM/2015/0421FL

Background continued

grass to the east of the drive, partly overlapping the existing car park. The reasons for refusal were as follows:

1. The proposed development would, in the opinion of the Local Planning Authority, cause harm to the setting of the Listed Building by virtue of its siting, massing, scale and design. Consequently the development would have an overly dominating impact on the built form rather than form a harmonious group with the existing development and fails to preserve the uninterrupted views into and out of the site and the open space either side of the private drive which are considered to add to the character and setting of the Listed Building. The proposed development is therefore contrary to Development Policies 3, 5 and 14 of the Local Development Framework and the advice contained in the National Planning Policy Framework and Planning Policy Statement 5 Practice Guide.
2. The Local Planning Authority considers that the massing, scale, form, materials and design features of the proposed development do not respect the existing architectural context of this setting within the grounds of a Listed Building and this area of the National Park. The proposal does not achieve a high standard of design detailing, being neither traditional nor contemporary, and fails to reflect the form and character of the existing buildings or complement that of the existing local vernacular. Therefore the proposal is contrary to Development Policies 3, 5 and 14 of the Local Development Framework and the advice contained in the National Planning Policy Framework.

The subsequent appeal was also dismissed. The Inspector concluded that the proposal would harm the setting of the listed Ox Pasture Hall Hotel by virtue of its siting, massing, scale and design.

However Members did indicate their support to the principle of the expansion of the hotel to provide further letting bedrooms and a leisure complex and as such Officers have been in lengthy negotiations with the applicant and his agent to achieve a more acceptable scheme of development that overcomes the previous reasons for refusal and the conclusions of the Inspector.

This revised application was originally submitted with plans for a building of a revised design and position but still to the front of the hotel. However following the outcome of the appeal and as a result of further negotiations, the application has recently been amended. The application now proposes a detached building to the rear (north) of the hotel complex, located towards the eastern boundary. Whilst it will not be attached to the function room, it would form a courtyard arrangement enclosing the hotel gardens to the north and east side, with the function room to the south. The L-shaped building proposed would be a mix of single and two storey, with the taller part being located closest to the function room and adjacent to the woodland to the east. It is proposed to accommodate a swimming pool, sauna and steam room with a fitness suite at first floor level, both with dedicated changing rooms; a reception, relaxation room and seven salon/treatment rooms and six guest suites.

In support of the application the agent advises that the hotel is popular as a wedding venue but also provides excellent accommodation for other visitors. The owner wishes to build on this success and provide more facilities to enhance the visitor experience.

Application No: NYM/2015/0421/FL

Background continued

The agent has provided further information regarding the provision of renewable energy features within the development which indicates that the use of photovoltaic panels and a biomass boiler will displace approximately 40% of the predicted CO₂ emissions from the leisure complex. However no details have been provided by the agent as to how many photovoltaic panels are required and where these will be placed on the building.

The agent has also provided a site plan showing the provision of a total of 78 car parking spaces, 42 allocated for the hotel and function room and a further 36 allocated for visitors to the leisure centre and guests of the bedroom suites. Comments from the Highways Authority are awaited.

This application was deferred from the March Meeting of the Planning Committee as Members were concerned with the detailed design of the building and requested Officers to negotiate a design more in keeping with the architecture of the existing hotel. Officers are in negotiation with the agent and amended plans are expected in time for the Meeting where Members will be fully updated.

Main Issues

Policy

The relevant policies of the Local Development Framework are Core Policy A (Delivering National Park Purposes and Sustainable Development), Core Policy D (Climate Change), Development Policy 3 (Design), Development Policy 5 (Listed Buildings) and Development Policy 14 (Tourism and Recreation).

Core Policy A of the North York Moors Development Framework seeks to conserve the landscape of the Park and provide a scale of development that will not have a detrimental impact on the wider landscape.

Core Policy D of the North York Moors Development Framework seeks to address the cause of climate change and contribute to reducing greenhouse gas emissions in a number of ways, including requiring proposals for commercial development of over 200sqm to generate energy on-site from renewable sources to displace at least 10% of predicted CO₂ emissions.

Development Policy 3 seeks to maintain and enhance the distinctive character of the National Park by ensuring that a high standard of design detailing is used whether traditional or contemporary, which reflects or complements that of the local vernacular. In addition the policy requires that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing, materials and design are compatible with surrounding buildings; good quality sustainable design and construction techniques are incorporated; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.

Development Policy 5 of the North York Moors Development Framework requires that proposals for the construction of any structure within the curtilage of a Listed Building not to have an unacceptable impact on the special historic or architectural interest, or the setting, of the Listed Building.

Development Policy 14 of the North York Moors Development Framework supports the expansion of existing tourism businesses where the proposal provides opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; can be satisfactorily accessed from the road network (by classified roads)

Application No: NYM/2015/0421/FL

Main Issues continued

or by other sustainable modes of transport including public transport, walking, cycling or horse riding; will not generate an increased level of activity; and new accommodation do not have an adverse impact on the character of the local area.

In the National Planning Policy Framework (NPPF) at paragraph 132 it states that “the significance (of a designated heritage asset) can be harmed or lost through...development within its setting”. In addition Planning Policy Statement 5 of the Practice Guide, which is still a material consideration when determining planning applications, states that “the contribution of setting to the historic significance of an asset can be sustained or enhanced if new buildings are carefully designed to respect their setting by virtue of their scale, proportion, height, massing, alignment and use of materials. This does not mean that new buildings have to copy their older neighbours in detail, but rather that they should together form a harmonious group”.

Principle

In broad terms the expansion of the hotel complies with the general thrust of Development Policy 14 which supports the expansion of existing tourism businesses where the proposal provides opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park. However the development should accord with the criteria of that policy, which are addressed below.

Design/Setting of the Listed Building

The original proposal for a leisure complex was for a large, predominantly two storey building within the recognised curtilage of and directly in front of the Grade II Listed Building in an otherwise undeveloped area. In dismissing the appeal the Inspector identified the historic setting of Ox Pasture Hall, standing within its farmland and away from the road, and that the hotel use has, to date, kept that largely intact with new development to the side and rear which do not protrude forward of the original farmhouse. He concluded that the proposed building would be substantial, had a different scale to the Listed Building, would intrude into the farmland setting and would diminish the separation of the Listed Building from the road.

However Officers, guided by Members support in principle to the expansion of the hotel, have been in negotiation with the applicant and his agent to find a more appropriate scale, massing, design and position for the proposed leisure complex which would preserve the setting of the original listed farmhouse whilst also minimising the impact on the wider landscape of the Park.

The result is a substantial L-shaped building, with the form and materials more akin to a range of traditional farm buildings but with a more contemporary approach to the design to be located to the rear of the main hotel complex. The overall massing of the building has been reduced by the mix of single and two storey elements and by setting the two-storey pool and fitness suite element adjacent to the function room. It is considered that the leisure complex will be viewed as a series of linked buildings rather than as one large new building in this open countryside location.

Furthermore the proposed leisure complex being located to the rear of the main hotel complex and screened to a large degree in views from the access drive by the much extended hotel and detached function room, will preserve the character and setting of the Listed Building.

Application No: NYM/2015//0421FL

Main Issues continued

Therefore whilst the proposal is for a large building, given the position of the building at the edge of the site, its distance from the historic farmhouse and the design approach, its effect of the setting of the Listed Building complex will be a neutral one. As such the proposal is considered to comply with Development Policies 3 and 5.

Landscape Setting

The proposed leisure complex will be largely screened from views from the east, south and west by the existing hotel complex, landform and existing woodland. However views will be afforded from the Scalby Nabs to the north. However the proposed leisure complex will be viewed in context of existing complex of buildings at Ox Pasture Hall and will not appear as isolated development, nor spread development in an east-west direction.

The two storey element will be positioned closest to function room and adjacent to the woodland to minimise its prominence in the wider landscape. The floor level of the function room has been maintained throughout the proposed leisure complex by cutting into the site thus helping the leisure complex to sit low in the landscape and to minimise the overall height. The eaves and ridge of the two storey element will be slightly higher than that to the function room but the rest of the development will be much lower in height than the existing hotel complex. As such it is considered that whilst the leisure complex will be visible in the landscape it will not have a detrimental impact on the landscape quality of this part of the National Park in accordance with Core Policy A.

Renewable Energy

The agent has indicated an intention to incorporate a number of renewable energy features in the development, including photovoltaic panels to generate electricity, solar thermal panels to heat the swimming pool and a bio mass boiler to heat the leisure complex. Should Members be minded to approve the application then a condition requiring the submission of further details will be required in order to ensure compliance with Core Policy D.

Conclusion

The principle of the expansion of this important visitor facility within the Park is supported by Development Policy 14 of the Core Strategy and Development Policies Document (CSDPD) and the policies of the Management Plan. The impact of the proposal on the setting of the Listed Building and the wider landscape has been minimised by the quality design of the building and its position within the group in accordance with Core Policy A and Development Policies 3 and 5. As such approval of the application is recommended.

Contribution to Management Plan Objectives

Approval is considered likely to help meet Policy B4 which seeks to improve the quality and variety of tourism and recreation facilities and accommodation within the Park.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.