

North York Moors National Park Authority

Scarborough Borough Council (North) Parish: Fylingdales	App Num. NYM/2015/0675/FL
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Proposal: construction of orangery extension to south elevation to serve as function room

Location: Victoria Hotel, Station Road, Robin Hoods Bay

Applicant: Victoria Hotel, fao: Mr Andrew Fiddler, Victoria Hotel, Station Road, Robin Hoods Bay, YO22 4RL

Agent: Close, Granger, Gray & Wilkin, fao: Miss Emma Taylor, 28 Market Place, Guisborough, TS14 6HF

Date for Decision: 19 November 2015

Grid Ref: NZ 495185 505266

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. GACS06 Customer Opening Hours (to be confirmed)
4. MATS01 Stone to be Approved
5. MATS07 Brick to be Approved
6. MATS30 Doors - Details of Construction to be Submitted
7. MATS40 Detailed Plans of Window Frames Required
8. MATS62 Window/Door Frames to be Painted Wood (to match existing)

Consultations

Parish – No objections but asks the following to be considered:

- Noise levels that will impact on the local community; many complaints come from local residents about noise levels associated with night functions. Suggest the use of triple glazing and that windows are kept closed. Will require air conditioning.
- The weight of the buildings and cars on the cliff edge.
- There is not enough space for 22 cars to park.

Amended Plans – Object to extended hours because of the potential nuisance factor to local residents. Essential need for triple glazing and for the windows to be kept closed. Council asks for original response to be taken note of.

Highways – Request additional information.

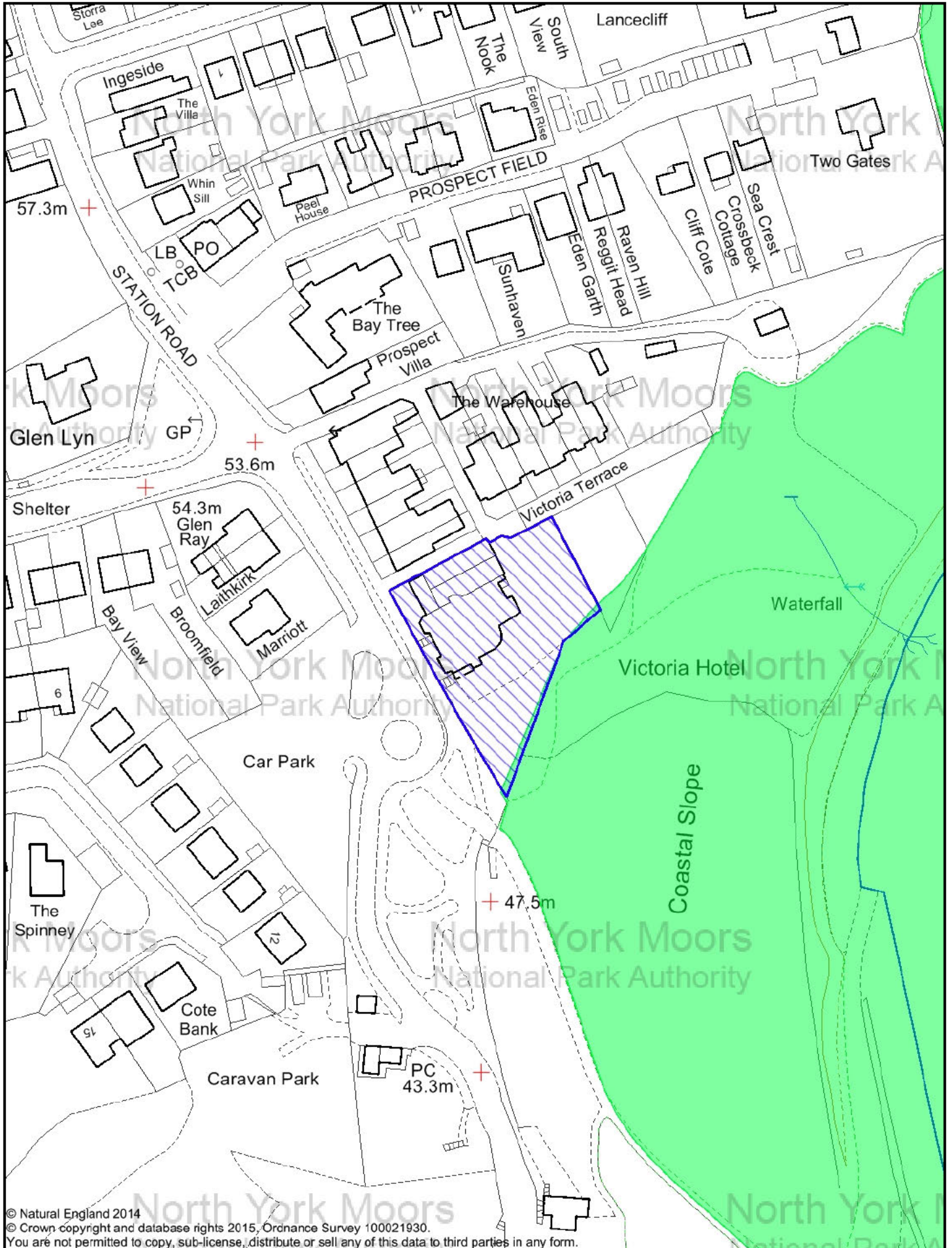
Amended Plans – Recommend conditions. Robin Hoods Bay, due to its historic nature, has a finite amount of parking available to service the village situated at the top of the bank. Whilst the majority of the village has waiting restrictions incorporated, at peak times during the summer the parking in the village reaches capacity and parking overflows, displayed as both errant and obstructive parking (on



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Consultations (continued)

verges behind double yellow lines etc.) and in residential streets, not designed to accommodate the numbers of vehicles seeking access to them.

Parking problems are reported regularly, particularly by residents of Mount Pleasant, and other types of errant parking are regularly reported elsewhere, however these are not specifically aimed at parking associated with the Victoria Hotel. The Victoria Hotel has 24 spaces to accommodate its 16 rooms and staff. This is existing, and sufficient to accommodate for vehicles associated with its function as a hotel.

It is proposed that 140 guests can be accommodated by the orangery extension. It is appreciated that not all guests will be staying at the Victoria Hotel and, if staying at other accommodation providers they may be already accounted for within the existing and established use of on and off street parking capacity. Nonetheless, given the number of wedding guests that can be accommodated and the volume of existing traffic it is still difficult to see how, without the creation of additional off-street spaces in association with the proposal or a solution proposed, that the vehicles associated with will not cause conflict with other groups seeking parking, particularly day-trippers, and place additional pressure upon the restricted parking arrangements in the Bay, particularly during the peak season (when most weddings are likely to be planned). Given the potential of this proposal, (without the incorporation of additional off-street capacity), to only increase the issues experienced, and on a permanent basis conditions are recommended.

The Highway Authority has recommended by condition that highway improvements are required and that the applicant must explore and fund a resident's permit scheme for Mount Pleasant to reduce any potential detrimental impact of the development.

Natural England – No objection.

Environmental Health Officer, Food and Occupational Safety – No objection.

Environmental Health Officer, Environmental Regulation – Concerns. We have had complaints about noise from the marquee that there will continue to be issues for neighbours, particularly late on. Suggest a time restriction on the use of this building of 0900 to 2300.

Fylingdales Village Trust –

Site Notice Expiry Date – 29 October 2015.

Others - John Tunaley, Milldyke, Thorpe Lane, Robin Hoods Bay – Object. The Hotel is a good example of late Victorian building and as such, should not be tampered with. I am concerned about the impact of extra buildings on such a small cliff top site which is at risk of subsidence and building work will increase the risk. The garden would become less of a green amenity. I have not objected to the use of the marquee during spring and summer but feel a permanent structure will detract from the village "look" as well as a too prominent object viewed from Ravenscar.

Richard Brown, 11 Laburnum Avenue, Robin Hoods Bay – The building will have three double doors that open into the garden, if there are bands or other entertainment this will allow the noise to spill into the local area. On the application there is a usage time of 8am to 12pm noted. It would appear that there will also be traffic noise associated with people leaving the venue at midnight. I would suggest a time limit of 10pm on the use of the orangery.

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Others (continued)

Patrick Holdsworth, 3 Thorpe Lane, Robin Hoods Bay – Support. A great deal of care has been taken to design this addition in keeping with the hotel frontage. A photograph dating from 1932 shows family members taking morning tea on the seaward side of the Hotel, behind them is a large canopy the length of the Hotel. At that time a road ran from Bank Top to where the current carpark now stands, with petrol pumps halfway along it. SO the front of the Victoria has been developed before and the new application is in my opinion a fine design and in keeping with the rest of the building. The current owner has sought to upgrade the quality of service at the Hotel, it is a very popular event venue and these events have brought increased revenue to many of the village's accommodation and eating establishments. The village streetscape is very rundown, overgrown and neglected with Georgian streets full of wheelie bins and out of character flower tubs. Some shops are over advertised and painted garishly, and out in the highway. There is too much traffic for visitors to feel the village has any ambience. The Victoria Hotel is bucking the trend, bringing quality, service and efficiency into the local economy. It provides high quality accommodation and this application will enhance its attraction. It is also the base for many local groups too.

Background

The Victoria Hotel is an imposing red brick under rosemary tile property and is the last property on the east side of Station Road overlooking the old village of Robin Hoods Bay. The building is well detailed with an impressive stone entrance and stone detailing throughout. Constructed as a hotel in 1897 the premises is still run as such and the current owners have invested a lot in updating and improving the standard of accommodation and facilities on offer.

A retrospective application to retain two sets of iron railings which had been installed to create two balconies serving guest suites overlooking the sea and lower village was approved in April 2012.

A further retrospective application for the erection of a wedding gazebo in the front garden of the hotel, again overlooking the sea and lower village was approved in May 2013.

More recently in 2015, a temporary permission for the erection of a marquee for a temporary period over summer for use by wedding parties together with retrospective permission for the installation of a replacement flue to the side (north facing) elevation was granted.

The current application seeks full planning permission for the construction of an orangery style extension to the south-east facing elevation to serve as a function room to replace the temporary marquee. The orangery would extend along the front elevation of the property and occupy a level area currently used as hard-surfaced outdoor seating. The proposal extends from the front elevation by approximately 5.5 metres and is approximately 17 metres long. It is single storey construction under a lantern style roof. The design has been subject to pre-application discussions and has been amended to take more influence from the architectural style of the host property including mixed materials of red brick with stone mullion detailing and simple glazing bar pattern.

Policy Context

The relevant policies contained within the NYM Core Strategy and Development Policy document to this application are Core Policy H (Rural Economy), Development Policy 14 (Tourism and Recreation) and Development Policy 3 (Design).

Core Policy H of the NYM Local Development Framework seeks to strengthen and support the rural economy by providing local communities with a range of opportunities for entrepreneurship, education

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Background (continued)

and training in various ways, including allowing new employment development in Whitby Business Park, Service Villages and Local Service Villages.

Development Policy 14 seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport; where the development will not generate an increased level of activity; where it will make use of existing buildings and where proposals for new accommodation do not have an adverse impact on the character of the local area.

Development Policy 3 seeks to maintain and enhance the distinctive character of the National Park by ensuring 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; that the standards of design details are high and complements that of the local vernacular; 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.

Main Issues

The main issues to consider with this application are whether the proposed orangery extension would result in a facility which supports the existing business with benefits to the wider economy, whether it would give rise to an unacceptable impact upon the residential amenity of neighbouring occupiers and whether it is of a scale and design compatible with the host property and its wider setting.

Impact on Host Building and Wider Setting

The Victoria Hotel occupies a prominent position within the village and on the coastline. Whilst it is not within the designated Conservation Area, it is an historical building at the gateway to the old village. The south facing elevation is clearly visible in views leading up from New Road and the Coastal Path and although it could be regarded as a side elevation, it does contain the main entrance to the Hotel and has some attractive, original features. As such, any work to this elevation has the potential to have a dramatic visual impact and therefore must be of both a scale and design which is compatible with the host property and its setting.

The applicant has worked closely with Officers to secure a design which is appropriate for the property. Historical photographs show that the elevation in question has been subject to a number of changes over time and whilst it is regrettable that the current proposal would result in the loss of one of the original timber framed porches and would obscure the handsome stone entrance, the applicant has amended the design to incorporate references to these original features; including the detailing used in the pitched parapet; window design and use of castellated detailing to the new entrance on Station Road.

In order to secure a long term and sustainable future for the Hotel, the applicant has advised that improved meeting and function facilities are required. Over recent years, the owner has supplemented the function space with a marquee in order to cater for weddings/wedding receptions. Members will recall considering the application for the temporary marquee in July 2015.

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Main Issues (continued)

An objection in relation to the construction of an extension on the property has been received; the objector considers the building to be an attractive example of Victorian architecture and as such should not be altered. Another resident has offered support to the proposal on the basis that the proposed design has been carefully considered and is appropriate for the building.

Officers are satisfied that the amended design of the orangery extension is compatible with the host property in terms of size, scale and design. It would read as a subservient addition and whilst it would result in the loss of some original features, where possible, the designs of the features which add to the character of the hotel have been sensitively incorporated into the proposed extension. The property has had some minor changes including the use of uPVC and looking at photographic records, it is clear that this elevation has been subject to numerous (more significant) changes over the years and this application would re-instate a symmetry which has been lost.

Impact on Neighbouring Residents

The Hotel is located within an area of mixed uses. Immediate neighbours include other forms of visitor accommodation and permanent residents. It is reported that the use of the Hotel as a wedding venue has resulted in complaints from neighbours in respect of noise nuisance from entertainment and guests leaving functions late at night. Four objections were submitted against the application for the temporary use of the marquee in relation to noise and disturbance however, only one resident has raised concerns of noise nuisance in connection with this application and has requested a reduced time limit. Notwithstanding the above, the Parish Council has revised its original comments and registered a strong objection. The Parish Council has requested measures to prevent noise pollution from the extension to protect the amenity of neighbouring residents.

The District Environmental Health Officer has raised concerns regarding the proposed hours of use of the orangery and has recommended a time restriction of 0900 to 2300, rather than 0800 to 0000. The applicant's agent has considered this request and advised that the marquee has been in place for two seasons and has operated regulated music in the restaurant area until midnight in line with current licensing requirements. Breakfast is also served in the restaurant from 8am. On the basis that the proposed orangery is an extension to the existing restaurant, it would be preferred if the proposed opening hours could be the same throughout (i.e. 0800 to 0000).

The applicant considers that the effect of any functions and parties on the residential amenity of the area will be greatly reduced by this application on the basis that the extension will provide better soundproofing than the marquee it will replace.

Highway Considerations

The Highway Authority has spent a long time considering the application, particularly in respect of parking issues in the village. The Highway Authority has provided a general overview of the pressures of parking on the village and advised that parking problems are reported regularly, particularly by residents of Mount Pleasant. However, it is acknowledged that these problems are not specifically aimed at parking associated with the Victoria Hotel. The Victoria Hotel has 24 spaces to accommodate its 16 rooms and staff. This is existing, and sufficient to accommodate for vehicles associated with its function as a hotel. On this basis the Highway Authority has recommended a conditional approval including a requirement for the applicant to undertake and fund a resident's parking permit for Mount Pleasant. Following the recommendation of conditions, the Highway Officer also added that the bank holiday weekends are particularly problematic at Robin Hoods Bay. At these times, the number of people seeking access to the village is, at times, in excess of the available on-

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Main Issues (continued)

street and off-street parking. Consequently, it is also recommended that it is conditioned as part of any approval given that events are not held in The orangery during Bank Holiday Weekends.

Officers have considered the recommendation of the Highway Authority and do not consider that a condition requiring the hotel to explore and fund a Resident parking permit scheme for Mount Pleasant is neither necessary nor reasonable given the public road status. Mount Pleasant is currently an unrestricted street with many properties having off-street parking or the ability to create off-street parking. It is some distance from the Hotel and the Highway Authority's response suggests that this is an existing problem and therefore, it would be unreasonable to expect the Victoria Hotel to fund a solution to an existing problem through a proposed scheme. Similarly, it would be unreasonable to expect the Hotel not to use part of its function room during Bank Holiday Weekends, as this is likely to be the time of highest demand.

The applicant has advised Officers that due to the restricted number of bedrooms at the Hotel, any additional function guests stay elsewhere in the Bay. If arriving by car, they use the parking made available to them by their chosen guesthouse and any guests staying further afield often arrive and are collected by taxi. Therefore, the additional parking required by the Hotel in association with a function is minimal. Members will be aware that Scarborough Borough Council operate a pay and display car park to assist managing the parking issues associated with this established visitor resort. They also have planning permission for an extension to the public car park although the permission has not been built.

Recommendation

The proposed extension is considered to represent a well-designed and high quality extension required to improve the sustainability of this long-established hotel enterprise. Whilst the concerns of the Parish Council are noted, the proposal is considered to be a suitable solution to alleviate the noise issues, previously associated with the temporary marquee and would also result in a visual enhancement to the area. There are no objections from the Highway Authority and the concerns raised by the Environmental Health Officer are open to Member's discussion at the Meeting. In view of the above, approval (subject to conditions) is recommended.

Contribution to Management Plan Objectives

Approval is considered likely to help meet Policies B2 and B4 of the NYM Management Plan which seek to promote opportunities for visiting the National Park outside of traditional peak seasons and improve the quality and variety of tourism and recreation facilities and accommodation, respectively.

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.