

Development Brief Futurist and Town Hall

September 2012



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1.0 Introduction

- 1.1 This document has been prepared by Scarborough Borough Council (SBC) with initial assistance from White Young Green Planning and Design (WYG). It seeks to foster the redevelopment of a key site at the heart of Scarborough, dramatically perched on the interface between the commercial hub of the town and the South Bay seafront.
- 1.2 This is the final adopted Development Brief (hereafter referred to as the 'Brief') for the Futurist Theatre and Town Hall area of Scarborough, including the King Street car park. The strategic location of the site within Scarborough is shown in Plan 1 and Image 1.1, while its precise boundaries are shown in Plan 2 and its local context in Plan 3.
- 1.3 The Brief was adopted by Scarborough Borough Council as planning guidance at its meeting on 10 September 2012 following its consideration by the Planning & Development Committee on 30 August 2012. This decision followed a 9 week period of public consultation on an earlier draft, which is detailed more fully in Section 9.0 of this document.

Purpose of the Brief

- 1.4 The purpose of the Brief is to outline all relevant planning considerations relative to the site. It is intended to shape the nature and type of any applications for planning permission and inform the subsequent decision-making process.
- 1.5 A further function is to help generate interest from appropriate commercial organisations, which could bring forward the regeneration/redevelopment of the site either in its entirety or in part. In 2011 the Council agreed an indicative timetable for the redevelopment of the Futurist Theatre and surrounding site. A public consultation on the relocation of its services from the Town Hall, took place at the same time as the consultation on the Brief. At its meeting on 20 July 2012, the Council resolved that it would not relocate, but its accommodation requirements would be further reviewed, and this may include redevelopment of the 1960s Town Hall extensions.
- 1.6 Section 6.0 of the Brief includes four indicative layouts, but it is emphasised these are illustrative and for information only. Other layouts could be possible and these may or may not include particular parcels of land, either within or outside the identified Brief area.
- 1.7 It is not the purpose of the Brief to consider financial viability. If the Council decides to redevelop any of its assets within the Brief area the document would provide planning parameters which would help underpin an assessment of financial viability. Decisions by the Council on the future of buildings and land, including the Futurist, in its capacity as landowner/ service provider would be made under separate procedures. Such decisions would have regard to the contents of the Brief, but are not pre-empted by the inclusion of suggested alternative uses and forms of development.



KEY Not to Scale

- DEVELOPMENT BRIEF LOCATION
- RAILWAY AND STATION
- STRATEGIC ROUTE (A ROAD)
- OTHER KEY ROUTE

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Photo of Stephen Joseph Theatre Courtesy of SJT



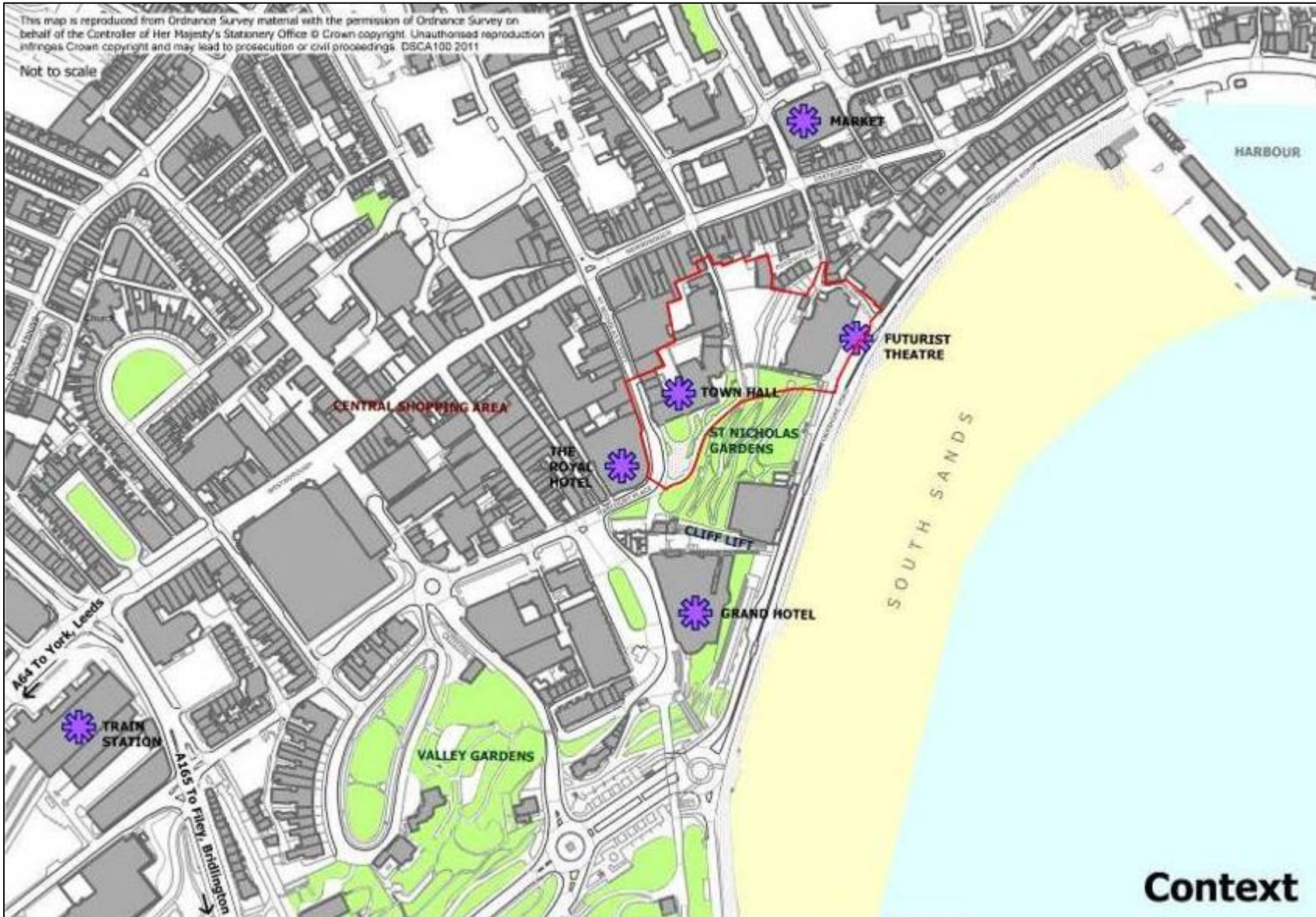
Plan 1: Strategic Context of Site



Image 1.1; Aerial Image of Strategic Location



Plan 2: Planning Brief Area Boundary



Plan 3: Local Context

Contents of the Brief

- 1.8 Section 2.0 of the Brief provides the background and key objectives of the document. Sections 3.0 to 5.0 appraise the site context, relevant planning policies and identify the key constraints and opportunities. The bulk of detailed planning guidance is contained in Sections 6.0 and 7.0; these establish development principles and parameters for the site, providing clear guidance to potential developers on issues including:
- Movement and Access
 - Layout
 - Scale
 - Heritage Assets
 - Architectural Design and Appearance
 - Landscape Treatment and Public Realm
 - Appropriate Land Uses
 - Socio-Economic Considerations
 - Sustainability
 - Environmental Considerations
- 1.9 Section 8.0 provides guidance on the information which would be required with a planning (and listed building) application(s). It also provides guidance on possible planning conditions and obligations, including phasing.
- 1.10 Finally, Section 9.0 explains the consultation process undertaken in connection with the Brief.
- 1.11 The Brief has now been adopted as a development management tool. It has been devised to provide guidance for planning application(s) should either a single comprehensive scheme for the area shown in

Plan 2 or smaller parcels of land come forward. Thus, the planning principles set out in Sections 6.0 and 7.0 take account of a scenario where key parts of the site, such as the Futurist or the Town Hall extensions, do not come forward for redevelopment.

2.0 Background and Objectives

Strategic Importance of the Site

- 2.1 The Brief covers an area at the heart of Scarborough, Britain's first, and still one of its premier seaside resorts. The redevelopment of the site has potential to play a key role in fostering the continued renaissance of the town. Plan 1 shows the site's strategic location relative to the town centre, transport links and tourist attractions. However, it is the site's dramatic and focal position, on the slopes of the main foreshore of South Bay, which gives it unique opportunities, and this is illustrated on Figure 1.1.
- 2.2 The Council therefore seeks to encourage redevelopment, which increases the attractiveness of both the town centre and seafront alike. In 2008, Visit England figures show that visitor numbers to Scarborough were 1,341,000, which was the second highest figure for any seaside resort in the country, demonstrating its continued pulling power as a visitor destination. South Bay is one of the prime focus points and the resolution of the Council when adopting the Brief identified the Futurist part of the site to play a continued special role in the tourist economy.
- 2.3 The Regional Spatial Strategy (May 2008) identified Scarborough as the 'Coastal Capital' for the Yorkshire & Humber region to act as focus for growth. This was embraced by the Council and is now being taken forward in the Local Plan Replacement (LPR).
- 2.4 This growth agenda is partly based on the desire to boost and diversify the local economy, as well as reinforcing the town's role as a service and retail centre, thus reducing reliance on cities such as York or Hull. Even in these uncertain economic times this is considered to be a realistic vision. Apart from the relative buoyancy of the tourist economy, there are two major projects of national importance, which are likely to generate significant investment in the Borough. These are the Dogger Bank wind farm development sited approximately 80 miles off the Yorkshire coast and the commencement of potash mining situated between Scarborough and Whitby. As the closest major urban centre with significant potential for growth, Scarborough is ideally placed to tap into the estimated 5,000-10,000 jobs to be created by these two projects.
- 2.5 Against this background, there is a need to find suitable sites to help facilitate growth of the town centre as the commercial capital for the Yorkshire coast. The site is one of the few in the town centre which is readily available in respect of land assembly, while its seafront location is ideally positioned to maximise the attractiveness of Scarborough as a tourist destination. The retention of reconfigured Council offices will also play a key role in maintaining its vitality. The prominence of the site, its steep topography and location within the historic core of the town nonetheless present challenges which will require imaginative and sensitive solutions. Consequently, it is an objective of this Brief to act as a guide to development, maximising

the site's opportunities, while taking full account of the challenges.

Background to the Brief

- 2.6 The regeneration of much of the Brief area has been a long term objective of the Council. The core of the site, centred on King Street, was designated as a Town Centre Regeneration Area in the Scarborough Borough Local Plan (April 1999). This document remains in part relevant, but it no longer provides a comprehensive suite of policies as many were not 'saved' following a review in 2007. In addition, the Regional Spatial Strategy will shortly be abolished following the introduction of the Localism Act, removing part of the planning policy base. The Local Plan will in due course be replaced, but the timeframes for the preparation and adoption of such a document are longer than those for a Development Brief. In the absence of a Brief, one of the most important potential development sites in the town would be left without a clear planning guidance framework against which development proposals could be prepared and any planning applications subsequently evaluated.
- 2.7 The likelihood of redevelopment proposals coming forward is precipitated by two factors:
- i. The recent decision of the Council to set out an indicative timetable for the redevelopment of the Futurist.
 - ii. The reduction in the size of the workforce occupying the Town Hall and the need to consider whether

better use could be made of the buildings/Council owned assets, and indeed, whether or not new facilities in whole or in part, could be provided as part of any redevelopment scheme.

The Futurist Task Group and its Conclusions

- 2.8 The Council acquired the Futurist in 1999 and it has subsequently been leased on an annual basis, becoming increasingly reliant on public subsidies over this period for its survival. In 2008 Gleeds & Knight Frank recommended to the Council that it should review its position on the theatre in 2010. In response the Futurist Task Group was set up by the Corporate Strategy Overview and Scrutiny Committee. This consisted of elected members.
- 2.9 The Brief is informed by, but is independent from, the review undertaken by the Futurist Task Group. Whilst the review concentrated on the future of the theatre, the terms of reference also required the Group to take account of the potential of the wider site – broadly similar to the areas now within the Brief boundary. The agreed key outcome from the review was the need to support financially viable proposals which would:
- Contribute to urban renaissance.
 - Contribute to the Council's Corporate Priorities and the delivery of the Borough's Sustainable Community Strategy.
 - Enhance the entertainment and tourism offer of the town.

- 2.10 Whilst some of these outcomes are consistent with those of this Brief, it is important to note that financial viability has not been a key determinant in formulating the contents of this document. The guidance provided here is firmly rooted within the context of the most appropriate form of development for the wider site having regard to the locally adopted development plan, emerging Local Plan Replacement and central government planning policy.
- 2.11 The Task Group asked a number of key experts to advise them on certain matters. These included: theatre specialists; a chartered surveyor (Mark Rothery) on viability; and architects, Studio Gedye, who advised on the potential redevelopment of the site in terms of the appearance, height, scale and design of buildings.
- 2.12 The Task Group also undertook significant consultation, consisting of: questionnaires, public meetings, exhibitions, and inviting the local community to review and provide comments on the future of the Futurist. The consultation process included questions on the preference between eight different options relating to the future of the theatre and the development of the site and its surroundings. The chartered surveyor also assessed the viability of six of these options. The options are set out in full in Appendix 1.
- 2.13 On 8 October 2010, the Task Group made their recommendations to the Corporate Strategy Overview and Scrutiny Committee and these were approved by the Council's Cabinet on 19 October 2010. The recommendations are provided in full in Appendix 1. Among these were the completion of the Development Brief and that a larger comprehensive development embracing the Futurist, King Street Car Park and the Town Hall extensions be evaluated (Option 6). The latter recommendation was based on the findings of the chartered surveyor, who advised that of possible development options this is the one which is likely to be the most financially viable. This Brief has therefore largely been prepared using Option 6 as a starting point, although it does not necessarily preclude the other options considered by the Task Group.
- 2.14 Independent of the Council's decision-making processes, a request was made to English Heritage to designate the Futurist Theatre a listed building. In June 2011 this was rejected, and in July 2012 a subsequent request to review this decision was also turned down.
- 2.15 On 28 November 2011, the Environment and Economy Scrutiny Committee received an update in respect of the Task Group's earlier report. This review made further recommendations (which are contained in full in Appendix 1) which were subsequently ratified by the Council's Cabinet on 3 December 2011. They included that in the absence of a viable business plan for a People's Trust to operate the Futurist Theatre, that this business model be rejected. This clarified the Council's position (in its capacity as landowner) where it agrees to the principle of redevelopment of the Futurist Theatre and the surrounding site, subject to an indicative timetable.

2.16 In July 2012, Cabinet and Council supported a statement of the Leader of the Council which confirmed that further reports on the viability of the Futurist would be considered before any final decision is made on its redevelopment. When the Development Brief was adopted in September 2012, the Council also resolved that, “there be a leading tourism element in any development proposals for the Futurist site which has the potential to enhance and develop the multiplier effect of tourism to the Borough of Scarborough”.

Scarborough Borough Council Accommodation Review

2.17 At the Council’s Cabinet meeting of 20 September 2011 it was agreed that officers should explore three options with respect to the use of the Town Hall and to report back in early 2012. These options ranged from keeping and refurbishing Town Hall functions without any major reconfiguration of the offices through to refurbishment of the traditional part of the existing Town Hall (and gardens) with all other accommodation and land within the site for a redevelopment opportunity and all services displaced would be relocated to an alternative site(s) elsewhere in the Scarborough area.

2.18 In March 2012 the Council resolved to undertake public consultation on the proposal of relocating Council offices and its civic function to offices located at Prospect House, Eastfield. Following due consideration of comments made the Council made a decision on the Town Hall Accommodation Review on 20 July 2012. It was resolved to retain the Town Hall in its current location, but in recognition that the layout and condition

of the existing buildings were not satisfactory for the new ways of working, and the long term need for fewer officers and/or less desk space, a working group would produce an accommodation strategy for the Town Hall. This would identify work that was needed to bring the buildings up to modern standards, which may involve redevelopment of the 1960s extensions.

Development Brief Objectives

2.19 The objectives of the Brief are to:

- Establish the context of the Brief area and provide key land use parameters to guide any future development proposals;
- Help guide the form of development, taking account of factors such as heritage assets, urban morphology, topography and movement.
- Ensure a comprehensive, planning-led approach to any future proposed development in the Brief area; in particular, promoting enhanced connectivity and linkages between the foreshore and the town centre;
- Contribute to the social, economic and physical renaissance of Scarborough;
- Secure continuity of beneficial uses for the site to avoid blight should existing premises be vacated;
- Secure beneficial uses which reinforce Scarborough town centre’s growing role as the ‘capital’ of

Yorkshire coastal sub-region and South Bay as a prime tourist destination; and

- Achieve high quality, sustainable design consistent with the urban character and Council's aspirations for this area of Scarborough.

Key Guidelines

2.20 Table 2.1 on the following page summarises the key guidelines of the Brief (and relevant supporting planning policy/guidance reference). The references to the National Planning Policy Framework (NPPF) relate to Section numbers. This is an abridged, non-technical version of the guidance contained in this document. In preparing development proposals for the site, applicants will need to have regard to the full contents of the Brief.

Table 2.1: Key Guidelines

	Key Guidelines	Planning Policies
1.	Proposals should make best use of the prominent and focal location of the site and give priority to the delivery of a mixed-use development which contributes to the renaissance of the eastern part of the town centre and South Bay foreshore, thus benefitting the socio-economic well-being of Scarborough as a whole.	NPPF Sections 1, 2 & 7. Local Plan Policies: E12, H3, H10, H12, I4, I5, L1, L4, L9, R2, S1, S4, S13, S14, S17, C6.
2.	Proposals should be underpinned by the principle of high quality and sustainable design. Appropriate reference should be made to the historical nature of the Brief area, in particular, the character and setting of the Conservation Area designation and the Listed Buildings. Proposals should secure the reuse of listed buildings in a manner sympathetic to their special architectural and historic character. Buildings should be complemented by landscaping and improvements to the public realm.	NPPF Sections 7 & 12. Local Plan Policies: E12, E14, E23, R2.
3.	Pedestrian connections throughout the site should be addressed, with particular regard to barriers created by the varied topography. Opportunities should be introduced for horizontal connectivity and a mix of uses that encourage increased permeability, footfall and surveillance between the foreshore, King Street, the Town Hall, and the wider environs of the site.	NPPF Sections 4 & 8. Local Plan Policies: H3, L1, L4, L9, R2, S2, S13, S14, S17
4.	Proposals should respond to the strong landscape character of the site, with particular emphasis on maintaining links with existing features, including St Nicholas Gardens and Bland's Cliff.	NPPF Sections 7 & 8. Local Plan Policies: E6, E27 and, L1, L4, L9, R2.

5.	Proposals for development should seek to diversify Scarborough's day and night time economy. Development opportunities should continue to provide quality visitor facilities to maintain the tourism focus of the town and contribute to changing the perception and image of Scarborough as a prominent seaside resort. In particular, any development on the Futurist site should include a leading tourism element, which has the potential to enhance and develop the multiplier effect of tourism to the Borough of Scarborough.	NPPF Sections 1 & 2. Local Plan Policies: E34, L1, L4, L9, S1, S4, S13, S14, S17.
6.	Access and parking arrangements for any proposed use shall be explored in full, but improvements to pedestrian permeability (including for measures for those of restricted mobility) through the site are of greater priority. The relationship with other sustainable modes of transport should be considered, and where appropriate enhanced.	NPPF Section 4.
7.	Development should be mindful of the scale, height and massing of existing buildings and respond to the built form and the complex topography of the site. Detailed consideration should be given to retain, and where possible enhance, key view points and vistas.	NPPF Sections 7 & 12. Local Plan Policies: E12, E14, E27 and H3.

3.0 Context

3.1 The wider context of the site is shown in Plans 1-3 in Section 1.0. This Section considers the Brief area in more detail. It covers 1.7 hectares and extends from the South Bay seafront up to the Town Hall on St Nicholas Street. The site is set on a south-eastern facing hill slope, with a significant gradient up from Foreshore Road to King Street and to a lesser degree up to St Nicholas Street.

Defining the Site Boundary

3.2 The boundary of the Brief area takes account of land ownership (as shown later in Plan 9). The land is predominantly Council owned, although some is held by third parties.

3.3 Plan 4 differentiates between a Core Area, where the general emphasis is on redevelopment and two Heritage Setting Areas, covering listed parts of the existing Town Hall. These buildings would be retained, and at least in part, be used for Council functions. The Core Area has been sub-divided into 3 distinct sub-areas

1. Town Hall Extensions
2. King Street
3. Futurist

3.4 Whilst much of the Brief concentrates on guidance for these Core Areas, for certain issues (notably use and the impact on historic buildings) the advice also relates to the Heritage Setting Areas. These are as follows:

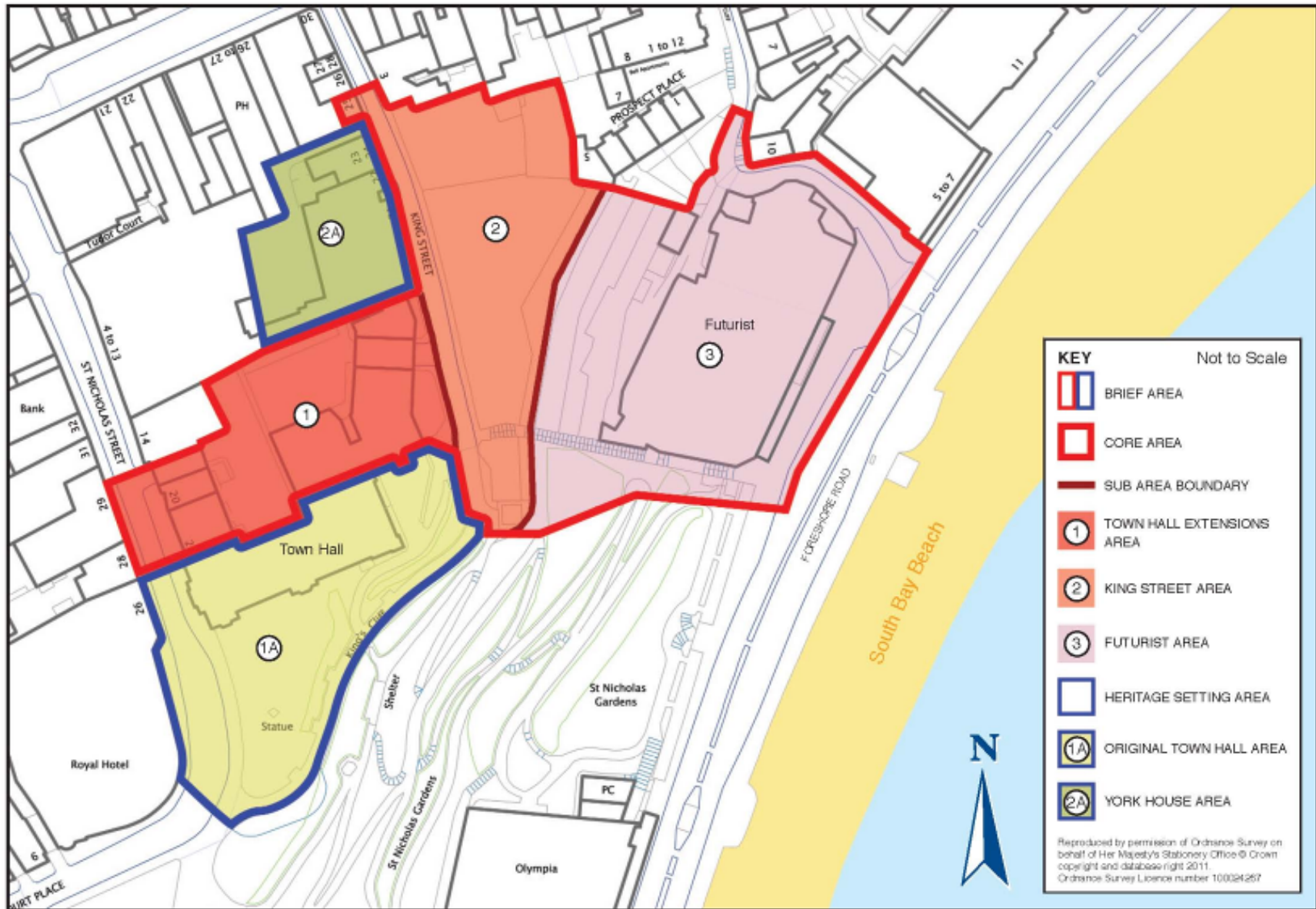
1A. Original Town Hall.

2A. York House

3.5 Despite the differentiation between the Core and Heritage Setting Areas, Area 1A closely interacts with Core Area 1. Likewise, Area 2A closely inter-relates to both Core Areas 1 and 2; all three facing onto King Street.

3.6 The function of the Brief does not solely relate to the redevelopment/reuse of existing buildings on the site. It also seeks to foster physical and economic regeneration and improve the public realm. Therefore, the delineation of the Brief area boundaries has sought to identify land and buildings beyond the twin cores of the Futurist Theatre and the Town Hall. For example, it includes some adjacent highways and the gardens adjacent to the Town Hall, which form a key part of its setting.

3.7 The site should not be viewed in isolation from its surroundings and if redevelopment occurs it should seek to act as a catalyst for the regeneration of the wider area of the seafront, town centre and Old Town. Opportunities may arise, where appropriate, for land or buildings beyond the Brief boundary to be incorporated



Plan 4: Core and Heritage Setting Areas

into development proposal. This is considered in greater detail in Section 4.0.

Site Description

Heritage Setting Area 1A: Original Town Hall

- 3.8 The dominant feature of Heritage Setting Area 1A, 'Original Town Hall' is the Grade II listed Town Hall building (Image 3.1). It was designed by Henry Wyatt for the Woodall family and was constructed in 1844. In 1899 it was acquired by the Scarborough Corporation and the Council Chamber was added in 1903, (architect: Harry W. Smith). The building is used for office and civic functions associated with Scarborough Borough Council. The public entrance to the Town Hall is off St Nicholas Street. Adjacent to the Town Hall and at the top of St Nicholas Gardens, is an area for members of the public to sit and enjoy the view across the bay. This forms part of the setting of the Town Hall, with the Victoria Memorial statue acting as a strong focal point.

Core Area 1: Town Hall Extensions

- 3.9 The adjacent Core Area 1 comprises various 3 or 4 storey flat roof extensions to the north of the Town Hall, which were erected in the 1960s (Image 3.2). These extensions are used by the Council as offices and surround a central courtyard used for parking and servicing. The extensions at the rear also inter-relate with adjacent Areas 2 and 2A on King Street.



Image 3.1: Grade II Listed Town Hall



Image 3.2: Town Hall Extensions from King's Cliff

Core Area 2: King Street

- 3.10 King Street is a narrow road which extends from Newborough and terminates at its interface with St Nicholas Gardens. The eastern side of the street is dominated by a car park which is mainly used by Council employees (Image 3.4). It also includes land to the south of 3 King Street and the site of the former Citizen's Advice Bureau (CAB) between the Futurist Steps and St Nicholas Gardens. All these plots were formerly occupied by buildings which have now been demolished and together with a garage building at 25 King Street they make up Core Area 2.
- 3.11 During weekdays there is a fair amount of activity associated with the car park and offices. Although King Street is an important pedestrian thoroughfare and occupies a strategic position between the town centre and seafront, it is often deserted during the evening or at weekends. It also provides an important view of the sea from Newborough, while in the opposite direction the tower of the Boyes building on Queen Street acts as a local landmark, aiding legibility.

Heritage Setting Area 2A: York House

- 3.12 York House, to the west of King Street, comprises the Brewery Stores and 21-24 King Street, which are Grade II or II* listed buildings dating from the mid 18th to mid 19th centuries. Collectively these buildings were converted to Council offices in 2002/03 (Images 3.3 & 3.4). The buildings are of a much smaller scale than the main Town Hall.



Image 3.3: King Street leading onto Newborough



Image 3.4: Car Park and York House

Core Area 3: Futurist Area

- 3.13 This Core Area of the Brief includes the Futurist, the adjacent former Mermaid Public House and slopes to their rear. The Futurist Theatre was constructed as a cinema in the 1920s; it currently comprises a 2,150 seat theatre/cinema. Although the building has lost some of its original features, it retains the auditorium and part of the faience (the glazed ceramic façade), which is largely obscured by 1960s cladding. (See Images 3.5 & 3.6, the latter showing the existing and original façade).
- 3.14 Attached to the northern side of the Futurist is the former Mermaid Public House (also known as the Marine Bar) which is currently unoccupied. The buildings contain a number of small retail/fast food outlets facing the seafront. The Mermaid is lower in height than the Futurist and to its north is Bland's Cliff, which forms the southern limits of, and important link to the historic Old Town of Scarborough.
- 3.15 The area to the rear of the Futurist, formerly occupied by flats, now has a derelict and unkempt appearance (Image 3.7). A number of small terraces supported by brick retaining walls are present and lead up to the King Street car park at the top of the slope. The highest terrace is lined by a row of mature trees. To the south of the theatre are the steep Futurist Steps, which are adjacent to, but divorced from St Nicholas Gardens beyond.



Image 3.5: Futurist Theatre and Mermaid



Image 3.6: Historic Photograph of Foreshore Road



Image 3.7: Rear of the Futurist from Bland's Cliff

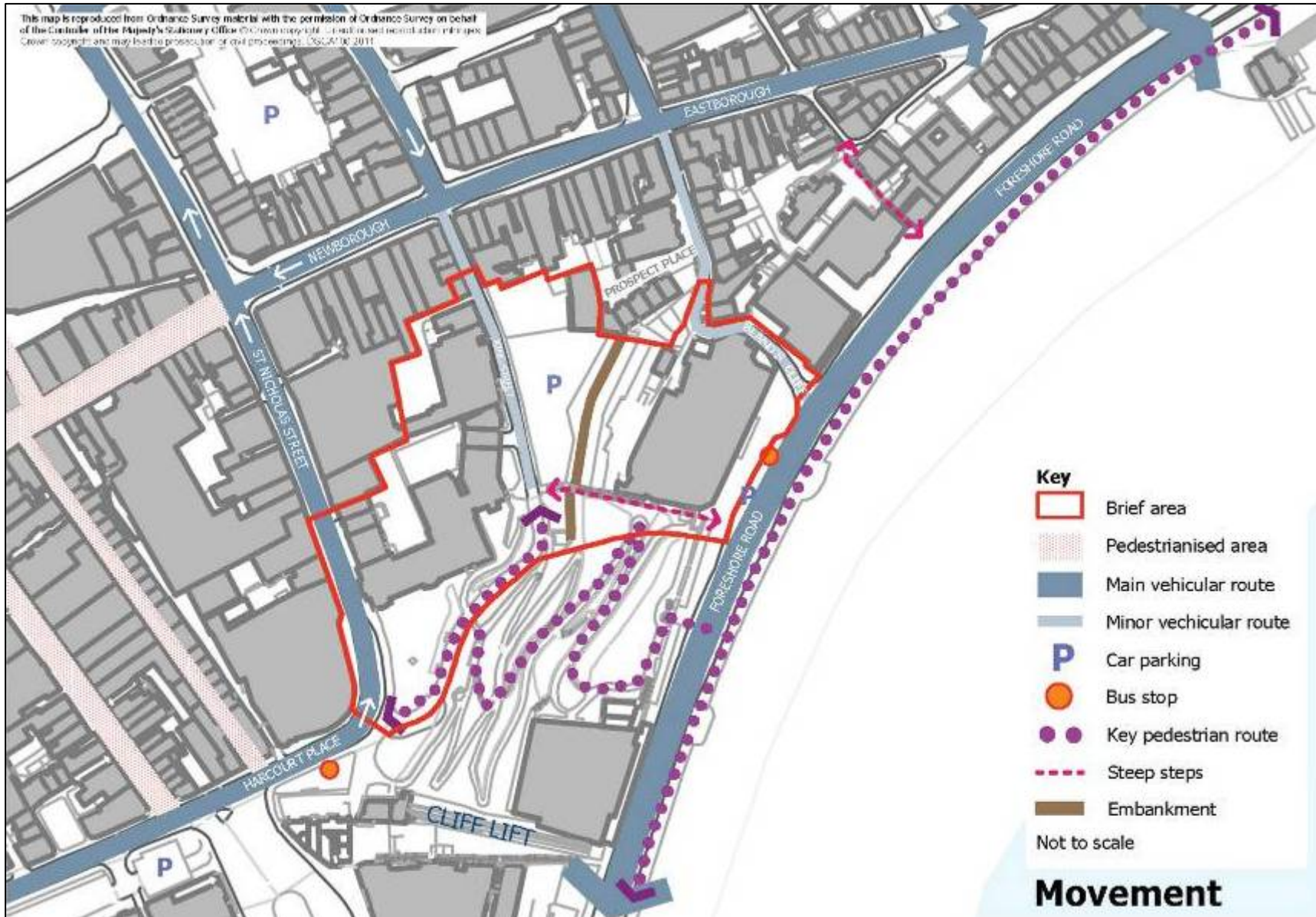
Highway and Access Context

3.16 The site is reasonably well accessed from the strategic highway network, as shown in Plan 1. The A170 from Pickering, A171 from Whitby and the A64 from York merge 1km to the west of the town centre; the A165 runs on a north-south route through the town. The section of the A165 through the town centre is heavily trafficked and plays a dual role of being a through route and part of the town centre gyratory, of which St Nicholas Street also forms a part. The A64 can be congested due to tourist traffic during the summer, but a Park and Ride service has been introduced for traffic from the south of the town and has a pick-up/drop-off point at the lower end of Valley Road which is within walking distance of the Brief area.

Vehicular Access

3.17 Plan 5 shows the existing hierarchy of vehicular routes, key pedestrian routes and spaces and parking areas in the vicinity of the Brief area. The three key vehicular through routes are:

- **Harcourt Place/St Nicholas Street/St Thomas Street** together play a key role as part of the town centre gyratory for vehicles travelling in an anti-clockwise direction. They are one way and St Nicholas Street has a limited width, also being subject to waiting restrictions. Vehicular access to a small Council employee car park to the rear of the Town Hall is obtained from St Nicholas Street.
- **Eastborough/Newborough** is a short distance to the north of the Brief area. It is the main link between the central shopping area and the harbour area of South Bay. Despite this important role for both vehicles and pedestrians, there are only limited visual linkages to the sea, with occasional glimpses along side streets.
- **Foreshore Road** forms the eastern boundary of the site. It is a key vehicular and pedestrian route along the seafront promenade, which extends from the Spa to the south around the headland to North Bay. It has a central reserve and is crossed by raised block paved speed tables to assist pedestrians and to reduce traffic speeds. It is generally subject to waiting restrictions, although there are short lengths available for parking, including disabled parking. A



Plan 5: Existing Movement and Access



Image 3.8: Foreshore Road

short distance to the north-east of the area covered by Plan 5 is a signal controlled junction, where Foreshore Road is joined by Eastborough.

3.18 Secondary vehicular routes in the Brief area consist of:

- **King Street** is a narrow, cul-de-sac road with waiting restrictions to both sides. Beyond the car park entrance, it continues as Kings Cliff, which is not accessible to motorised vehicles, but forms a pedestrian link through to the St Nicholas Cliff area and southern parts of the town. The junction with Newborough has a poor accident record, largely arising from lack of visibility and inappropriate parking. The street lies at the heart of the Brief area and as such has a potentially key role in its regeneration, but for much of its length the only buildings providing surveillance are the Council offices, making it a less secure route in the evening.

- **Bland's Cliff** is a steep sloping setted road, which runs up the northern side of the Futurist Theatre and is subject to waiting restrictions. Due to its gradient, restricted width and alignment it is challenging for vehicles and pedestrians. The middle section between the entrances to the rear of the Futurist and Prospect Place only has restricted access for vehicles. Despite its steepness, Bland's Cliff also plays an important role in respect of pedestrian permeability between Eastborough and the seafront.

Pedestrian Access

3.19 The primary vehicular routes also form the key routes for pedestrians. The topography makes moving in and around the Brief area challenging, especially for cyclists and those who have difficulties walking, including the disabled and those with small children. The limited visual links between the town centre/Eastborough and the seafront further discourage movement. Higher footfall is primarily concentrated on the periphery of the site, such as the adjacent area of St Nicholas Gardens and along the foreshore. Other notable pedestrian routes consist of:

- The Futurist Steps form a direct pedestrian route between the foreshore and King Street, but are a continuous flight of stairs and due to their steepness/ length they act as a major deterrent to movement. This is exacerbated by the lack of surveillance, being enclosed by fences and the blank façade of the Futurist. It also lacks linkages

with the network of footpaths in St Nicholas Gardens.

- St Nicholas Gardens contains a variety of zigzag routes down to the waterfront. These are less steep and more visually inviting than the Futurist Steps, but are inevitably more circuitous. The cliff lift/tramway adjacent to Olympia provides an alternative for those willing to pay.
- A pedestrian route currently links St Nicholas Street via the Town Hall courtyard to King Street, although currently there is no public right of access to this.

Public Transport

- 3.20 The site is located some 600m to the northeast of Scarborough Railway Station. The area around the site also benefits from proximity to bus stops that provide frequent services to various locations throughout the town and beyond, including Park and Ride car parks. There is a bus stop 50m from the site on Harcourt Place. Tourist buses run along Foreshore Road and Marine Drive to the North Bay, stopping outside the Futurist, although these are on a reduced timetable outside the holiday season.

Car Parking

- 3.21 On-street car parking is limited in the vicinity of the site. The King Street car park comprises 75 vehicle spaces. There are a number of other short stay off-street car parks, such as North Street (165 spaces), St Thomas Street (125 spaces) and Falconers Road/St Nicholas

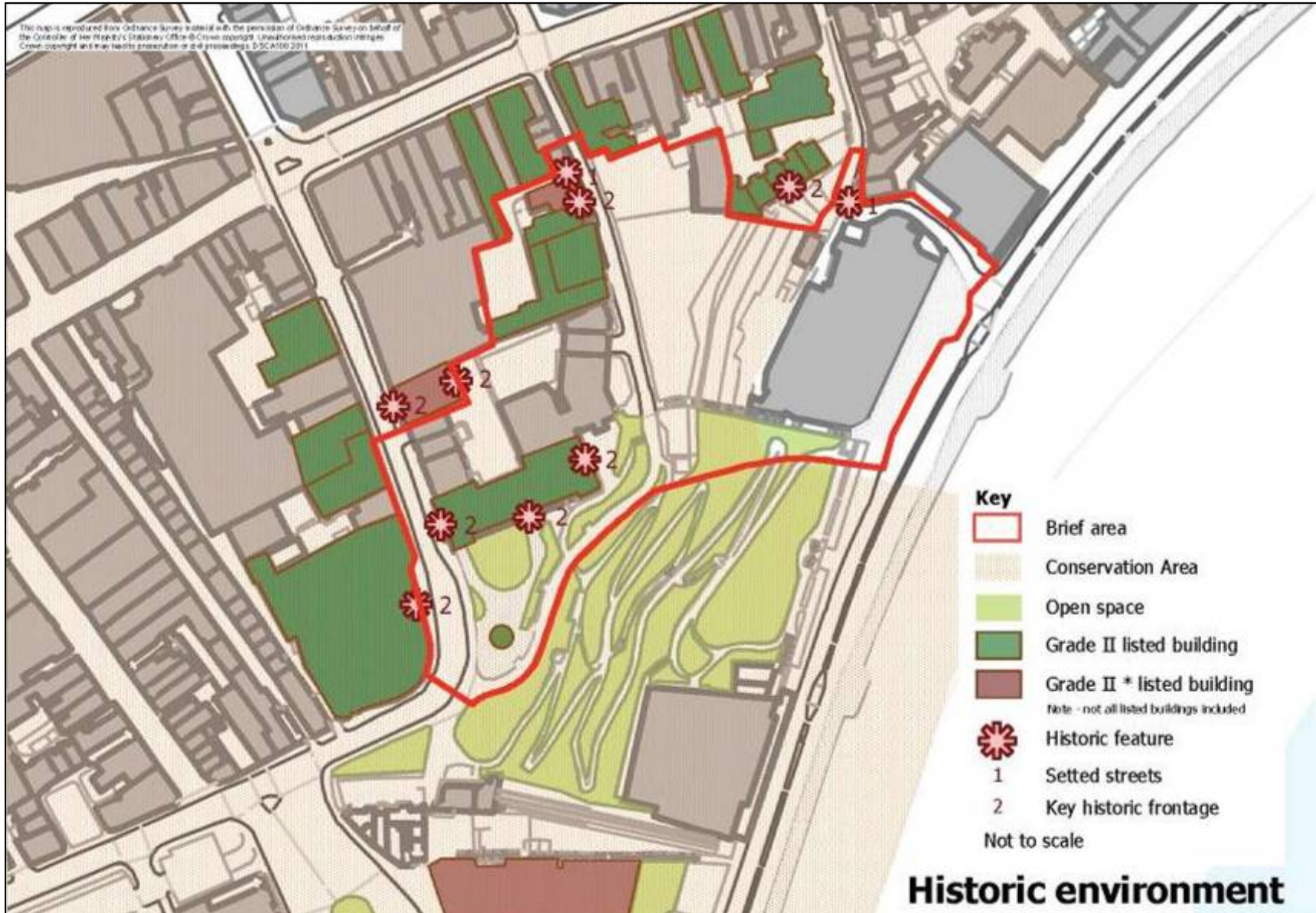
Parade (52 spaces). There is long stay parking at the South Bay underground car park (168 spaces).

Heritage Assets/Historic Environment

- 3.22 The Brief area is defined by its heritage setting. Set out below are a number of key features:

- There are a number of listed buildings within and adjacent to the site (Plan 6). These are mainly Grade II, but both 23/24 King Street (within the Brief area) and 14a/14b/17 St Nicholas Street (adjacent to the site) are Grade II*. These are listed in full in Appendix 2 and the full statutory description is on the English Heritage website.
- Most of the Brief area is a designated Conservation Area. The only part of the site which lies beyond its boundaries is the Futurist/Mermaid; however, this is in a prominent seafront location and forms a vital part of the setting of the Conservation Area, especially when viewed across South Bay.
- The whole of the Brief area is identified as an area of high archaeological potential. This is not a statutory designation, but one where the Council would expect archaeological matters to be addressed as part of any development proposal, involving ground level building operations or excavations.

- 3.23 The Scarborough Conservation Area is recognised as having four character areas which are:



Plan 6: Historic Environment

1. Castle Hill and the Old Town
2. Town Centre
3. North Cliff
4. South Cliff and the Valley

3.24 The site forms a transitional zone between the Old Town and town centre, whilst the South Cliff and Valley form an important part of its setting. The character of this part of the Conservation Area derives from:

- The distant views with the sweep of the bay, the dominance of the castle, St Mary's Church and the Grand Hotel, and the massing of buildings under the Castle Headland and rising to the skyline (Images 3.9 & 3.10).
- The qualities of the buildings themselves and streets as experienced from within the Conservation Area.

3.25 In more detail, the characteristics of this setting of the Brief area can be summarised as:

- The dominance of the Castle Headland and the Castle walls/keep over the whole area, both visually, and the way the area is experienced.
- The dominance of the Grand Hotel, which also acts as a counterpoint to the Castle and the visual importance of both in forming part of the setting of the Brief area.



Image 3.9: Castle Headland and South Bay

- The relatively modest scale of the buildings along much of Foreshore Road and the way equally modest buildings rise up the cliff slope towards the Old Town in a seemingly haphazard way leading to a complex interplay of massing, shapes and roofscape, which is of considerable townscape value.
- The dominance of the St Nicholas Gardens in the scene and the way in which they provide a foreground to the heavily articulated architecture of the Town Hall (the 19th century part) and the Royal Hotel, again with their complex interplay of massing, shapes and roofscape.
- The heavily articulated roof line due to the turrets, towers and domes of the Grand Hotel, Town Hall and Royal Hotel, especially when seen against an evening sky, thus contributing to the whole setting of the Conservation Area.



Image 3.10: The Castle with the Old Town below

- The St Nicholas Gardens being bookended by the Futurist to the north and Olympia to the south, the frontage between being spanned by delicate ironwork of the colonnade, redolent of seaside architecture.
- The predominance of traditional building materials and forms – walls in brick or render and roofs pitched and clad in natural clay pantiles or slate.
- The narrow streets and small scale buildings leading to a close grain and intimate feeling characteristic of the Old Town reflected in nearby streets such as Prospect Place, Bland’s Cliff, Newborough and the northern part of King Street.

- The unsatisfactory openness of the seaward side of King Street towards its southern end, which does not reflect the grain of the area. There are opportunities to restore the historic street pattern when it was lined by buildings on both sides.
- The small scale building frontage of Foreshore Road, being punctuated by, but not dominated by, larger scale developments such as the former St Thomas Hospital, Futurist and Olympia.

Urban Morphology

- 3.26 The form and structure of the site and the process of its formation and any changes that have affected it have been considered by reference to historic mapping. Relevant maps dating back to 1725 have been analysed and a number of these have been converted to Figure-Ground plans (see Plan 7). Figure-Ground plans show the relationship between buildings (figure) and the spaces between them (ground) and allow the form or grain of an area to be more easily understood.
- 3.27 Mapping between 1725 and 1811 show Bland’s Cliff, first known as New Coach Way. Much of the land occupied by the Brief site is marked as cliffs, with increasing numbers of properties built to front onto Helperby Lane (King Street), and St Nicholas Street over the 86 year period.
- 3.28 By 1854 Prospect Place, lying to the north of the Brief site had been constructed. King Street was fronted on both its sides by domestic scale dwellings. Buildings



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Plan 7: Urban Morphology (Figure–Ground Plans)

had appeared to the east of the King Street properties, bounding a flight of steps (referred to as the Futurist Steps elsewhere in this document). These provided access down to the beach and to buildings in St Nicholas Gardens. An area known as King's Cliff occupies the site where the Futurist complex is now positioned. This area looks to have been set out as gardens crossed by a series of paths. The large house built in 1844 for John Woodall is recorded on the map (later to become the Town Hall), with a large garden on its eastern side.

- 3.29 By 1912 the current Futurist site was occupied by The Arcadia, an open-air theatre, with a separate public house on the corner of Bland's Cliff. The domestic properties remain in situ on the east side of King Street. The Town Hall is shown in its extended form, following the addition of the Council Chamber in 1903.
- 3.30 The 2012 Figure Ground plan shows the site in its current condition, clear of buildings on the east side of King Street, after its initial length from Newborough. The larger footprint of the Futurist complex, built in

1921 can be seen. The Town Hall is shown with its more modern extensions.

- 3.31 It can be seen that part of the site's more historic development was lost after 1912, with the demolition of the dwellings on the east side of King Street, although the Town Hall and gardens remain. The topography of the site clearly stifled earlier development of the cliff slopes and hence the site has remained less densely developed than the surrounding historic streets where it sits below. Development of the lower part of the site appears to have been made feasible by the construction of Foreshore Road late in the 19th Century. It appears that topography, rather than any previous development of the eastern section of the site has shaped the form of development present today. However, King Street, St Nicholas Street and Bland's Cliff date from much earlier, and appear on maps dating back to 1725 and follow the roughly north to south alignment of the grid pattern of the 'Newborough' phase of Scarborough's development which has its origins in the 12th/13th Century.

Existing Uses

- 3.32 The site lies on the boundary between the retail core of the town centre and the tourist attractions along Foreshore Road (Plan 3). The area is characterised by a mix of uses, although it predominantly comprises commercial/community uses with elements of residential, most notably on the northern fringes of the site. Plan 8 provides an overview of the existing uses within the Brief area.

Socio-Economic Context

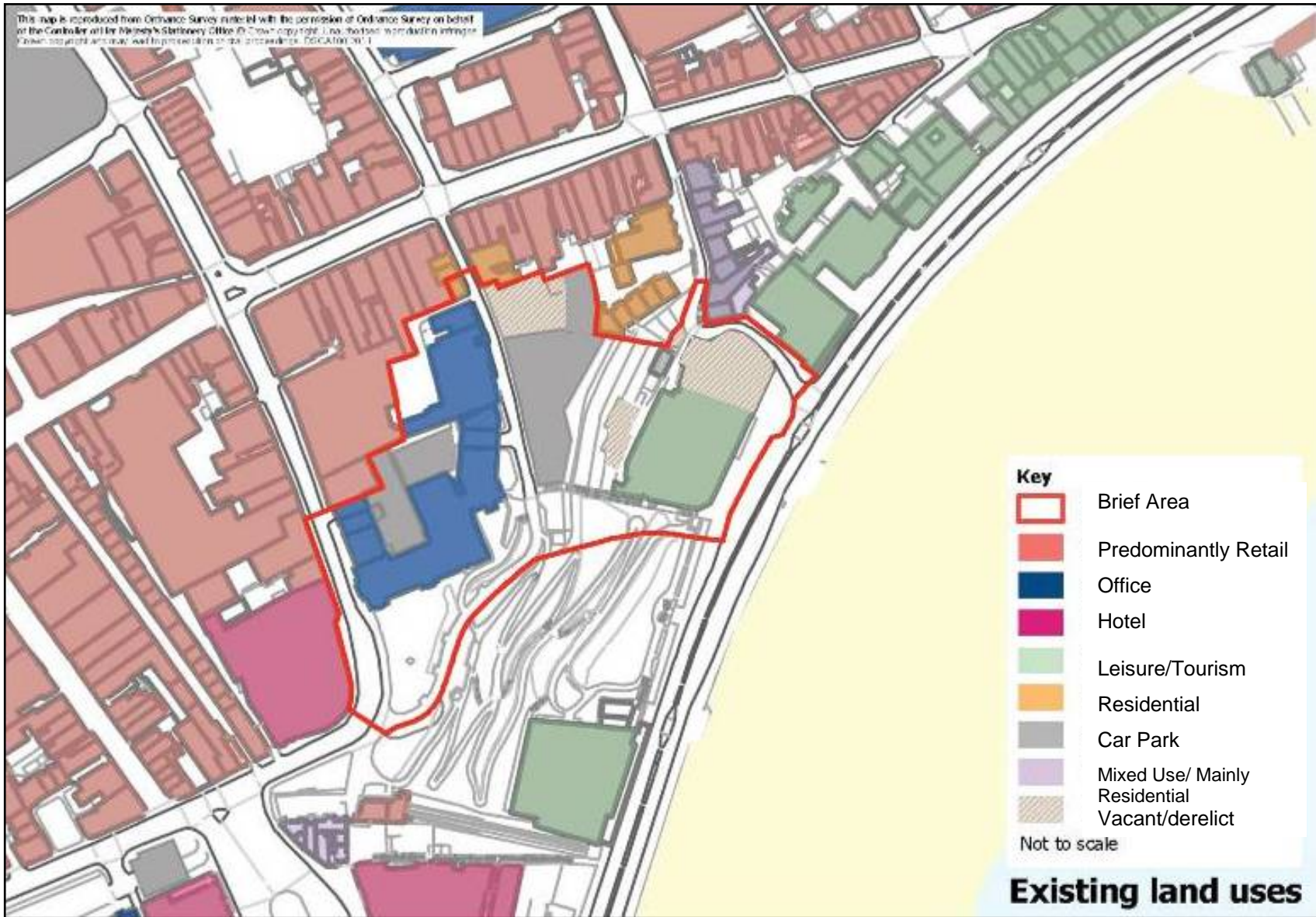
- 3.33 The attractive setting of the site belies issues of socio-economic deprivation for a high proportion of residents of Castle Ward, in which it is located and particularly within the immediate vicinity of the Brief area. The Indices of Multiple Deprivation (DCLG 2010) identifies the immediate area as falling in the lowest 1.2% for England as a whole. Indices for which it scored poorly include: employment, health, living environment, crime, income and education/skills.
- 3.34 The overall level of vacancy of retail premises in Scarborough town centre is below the national average. However, the level of economic activity in the Eastborough area is hampered by the seasonal and part-time nature of many shops, reflecting the reliance of this part of town on tourism.

Public Realm

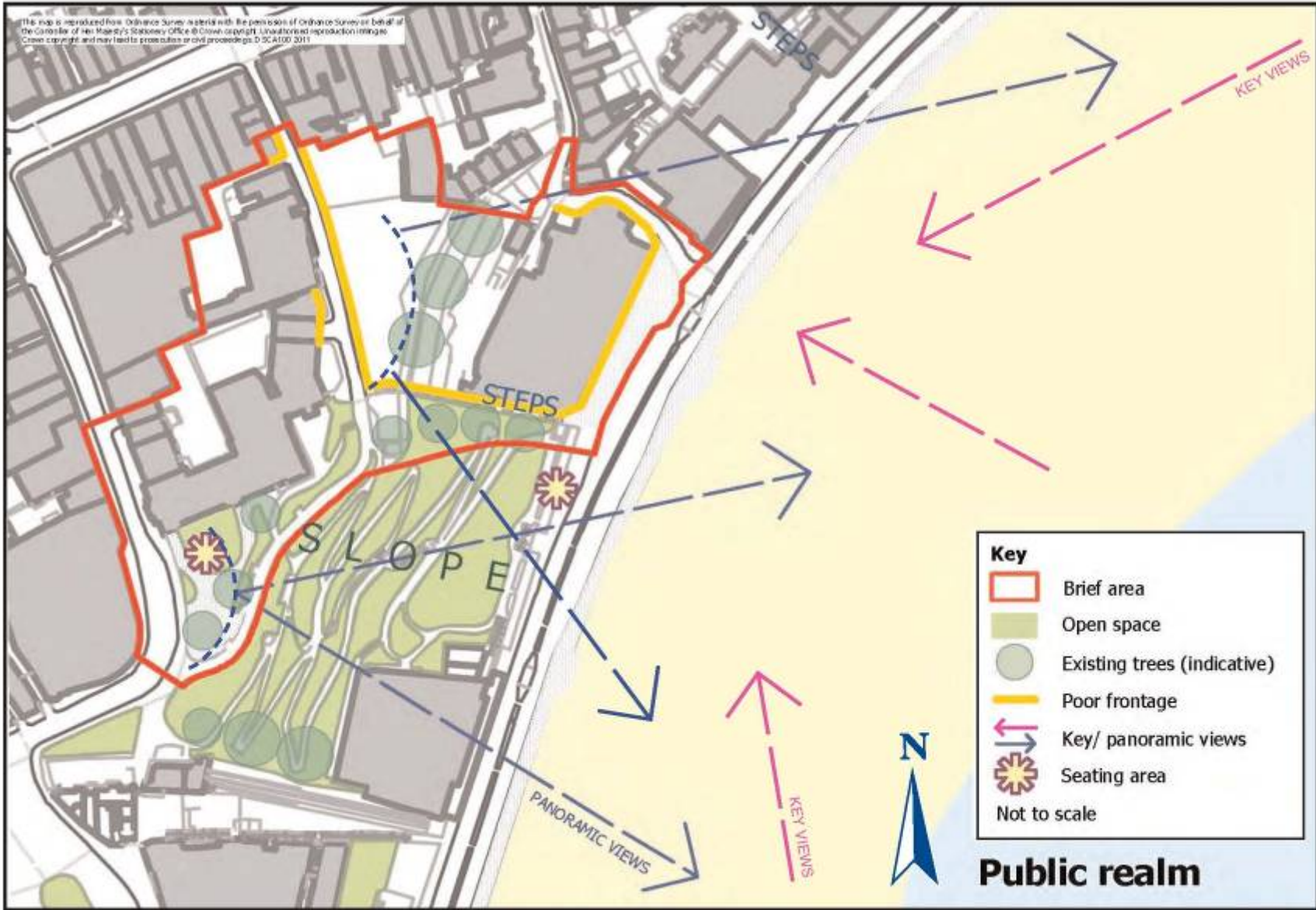
- 3.35 The public realm, including routes and gardens, forms a key part of the Brief area's context. Plan 9 illustrates the location of public open space, orientation of key viewpoints and the key frontages which would benefit from enhancement.

Geomorphology/Geology

- 3.36 The steep topography and underlying geology will be important considerations with respect to townscape setting and structural stability. In 2005, WYG completed a geo-environmental study for the Futurist



Plan 8: Existing Land Uses



Plan 9: Public Realm

building and the Market Square areas. A specific and up-to-date geo-environmental study for the Brief area has not been commissioned, however the conclusions of the previous 2005 study provide some useful background information.

Land Ownership

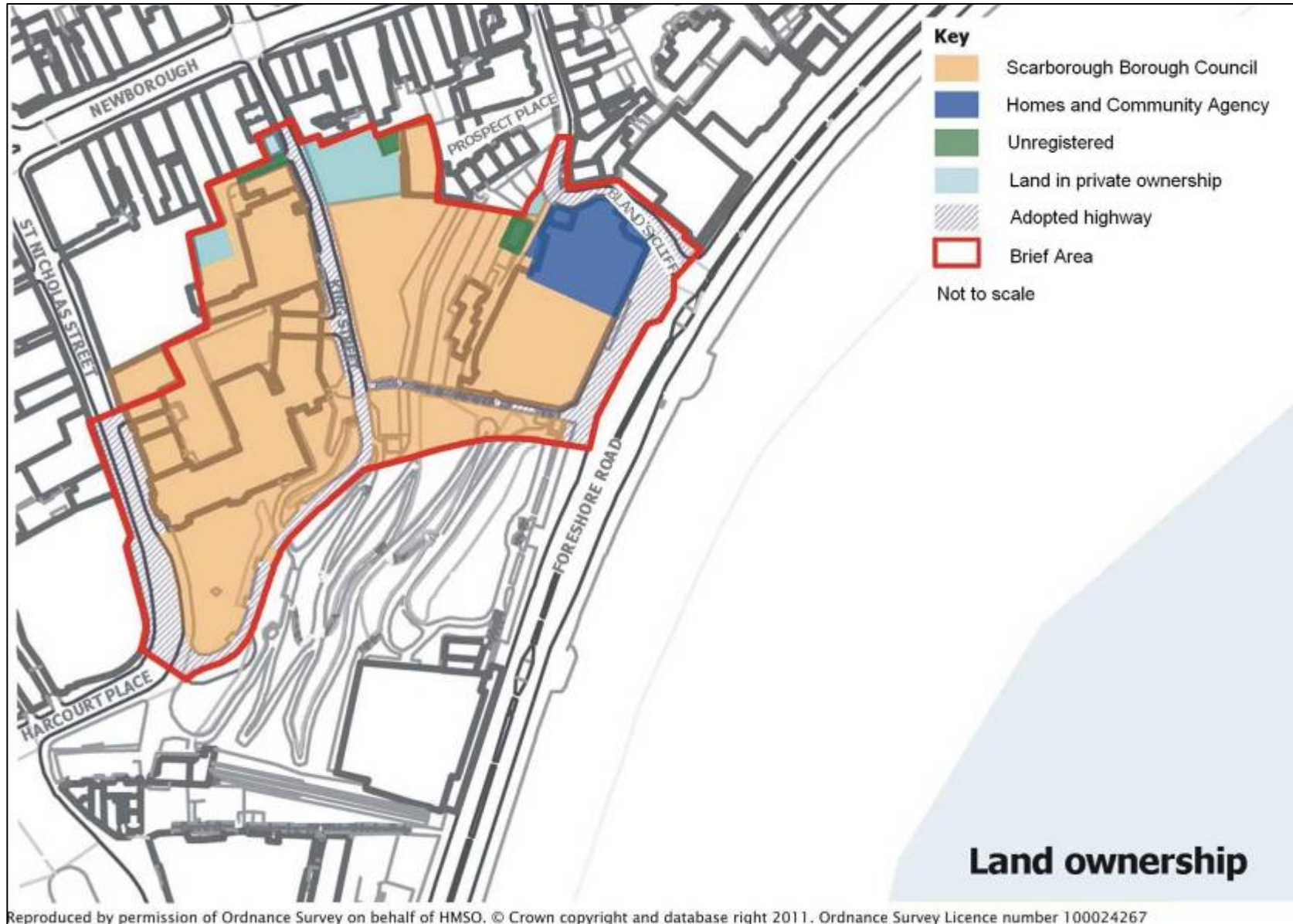
- 3.37 As illustrated in Plan 10 much of the Brief area is within the Council's ownership; therefore the main portion of land is, where appropriate, available for redevelopment (although two kiosks in the Futurist are currently subject to long leases). It is also understood that a private right of pedestrian access exists across the King Street car park from premises on Newborough. The Mermaid site is also available; before its recent demise the Council had been working in partnership with Yorkshire Forward to bring the site forward for redevelopment. This continues to be the case with the new owners of the Mermaid – the Homes and Community Agency (HCA).
- 3.38 Other land in private ownership is also shown in Plan 9. These sites have clear physical inter-relationships with the publicly owned land and benefits could potentially be derived from a comprehensive development strategy which incorporates them. However, redevelopment of the Council/HCA owned land is not ultimately dependent on their inclusion as part of a scheme.

Services and Utilities

- 3.39 There are records of electricity, gas, potable water, waste water, drainage and telecommunications infrastructure within the site and along its boundaries. Infrastructure generally runs along St Nicholas Street, Eastborough, King Street, Bland's Cliff and Foreshore Road with local supplies branching off to serve individual buildings or groups of buildings. Electricity sub-stations exist on King Street (as part of the Town Hall extensions) and to the rear of the Futurist, while the Town Hall generator is situated at the top of St Nicholas Gardens. There may also be privately owned infrastructure, which would not be apparent from records held by statutory undertakers and prospective developers would be expected to fully investigate the impact on these.

Planning History

- 3.40 Appendix 3 contains the full planning history of the site. With the exception of the planning permissions for land south of 3 King Street (Ref: 06/02773/FL) and land to the rear of Bell Hotel, Prospect Place (Ref: 09/01564/FL) none of the consents have a significant bearing on this Brief.



Plan 10: Land Ownership

4.0 Planning Policy and Regeneration

- 4.1 The guidance provided in this Brief has been prepared having full regard to extant planning policy. Section 38 of the Planning and Compulsory Purchase Act 2004 indicates that where relevant, planning determinations shall be made in accordance with the development plan unless material considerations indicate otherwise. The relevant development plan for this Brief comprises the Scarborough Borough Local Plan (April 1999) and the Yorkshire and Humber Regional Spatial Strategy (May 2008). The Local Plan will, in due course be replaced by the Local Development Framework/Local Plan Replacement (LPR). This Section of the Brief sets out the planning policy context which has been considered in the preparation of the Brief, as well as the wider regeneration context.
- 4.2 The Localism Act received Royal Assent in November 2011. It commits the Government to abolish the regional tier of planning policy provided by Regional Strategies. When the relevant provisions have been implemented, the Yorkshire and Humber Regional Spatial Strategy (RSS) will no longer form part of the development plan. High Court decisions made in 2011 confirmed that the RSS remains part of the development plan until the Act is implemented, but the Government's intended revocation of the document is a material consideration in making planning decisions.
- 4.3 Due to the changes in national, regional and local planning policy that will be occurring over the next few years, applicants are advised to contact the Local

Planning Authority to clarify which planning policies are extant at the time of preparing and submitting a planning application. The following policies represent the current and emerging planning policy context relevant to the site and the proposal.

National Policy Context

- 4.4 National planning policy guidance is set out in the National Planning Policy Framework (NPPF). It has a presumption in favour of sustainable development and contains 12 core planning principles. It states that the purpose of the planning system is to contribute to the achievement of sustainable development and includes policies on how this is achieved. The following sections of the NPPF are particularly relevant to this Brief:
- 1 – Building a strong, competitive economy
 - 2 – Ensuring the vitality of town centres
 - 4 – Promoting sustainable transport
 - 6 – Delivering a wide choice of high quality homes
 - 7 – Requiring good design
 - 8 – Promoting healthy communities
 - 10 – Meeting the challenge of climate change, flooding and coastal change

- 11 – Conserving and enhancing the natural environment
- 12 – Conserving and enhancing the historic environment

Local Policy Context

4.5 Plan 10 shows the Local Plan planning policy designations relevant to the site.

4.6 The key relevant policy in the Local Plan for much of the Brief area is Policy S4, which states:

“The redevelopment and/or rehabilitation and re-use of buildings and land in the King Street area, Scarborough, for a mixed development of retail, commercial and residential uses will be permitted provided that:

- a) The scheme will facilitate the retention, restoration and re-use of the listed buildings on the site;*
- b) The development retains the historic form of King Street within the Old Town;*
- c) The scheme will include a pedestrian link through to St Nicholas Gardens;*
- d) The operational car parking requirements of proposed uses are met;*
- e) The development will provide an attractive elevation to views from the harbour. “*

4.7 The principles contained in Policy S4 remain largely pertinent. The Brief therefore takes this policy forward, whilst taking account of the wider development opportunities presented.

4.8 The Local Plan contains saved policies to guide development in the Borough. The relevant saved policies are:

Policy E6 Protection of Open Space

Policy E12 Design of New Development

Policy E14 Extensions and Alterations to Existing Buildings

Policy E18 Development Close to Coastal and other Cliff Edges

Policy E23 Detailing in Conservation Areas

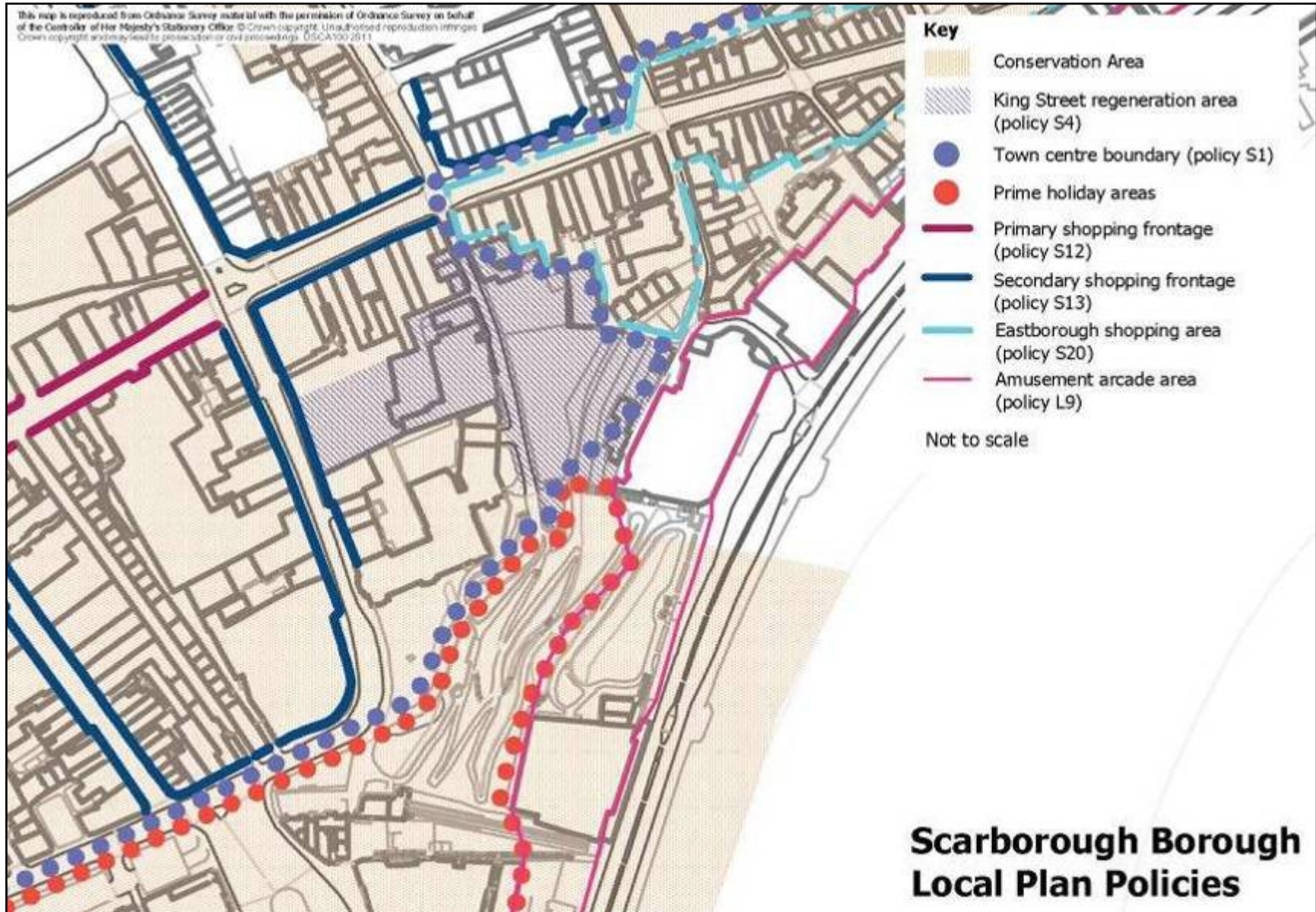
Policy E27 Protection of Significant Views

Policy E34 Security Shutters

Policy H3 Small Scale/Infill Housing Development within the Development Limits of Settlements

Policy H10 Protection of Residential Amenity

Policy H12 Conversion and Sub-Division of Buildings for Residential Use



Plan 11: Scarborough Borough Local Plan Policies

Policy I5	Employment Settlements	Development within
Policy L1	New Tourist Attractions	
Policy L4	Reinforcement of Characteristics	Seaside Resort
Policy L9	Amusement Arcades	
Policy R2	Open Space Provision within Residential Developments	New
Policy S1	Major Shopping Development	
Policy S13	Secondary Shopping Frontages	
Policy S14	Shop Fronts	
Policy S17	Footway Sales	
Policy C6	Developer Contributions	

- Negotiation of Play, Green Space and Sports Facilities in Association with New Housing Developments SPD (September 2007, updated January 2011);
- Education Payments SPD (May 2008, updated March 2011); and
- Affordable Housing SPD (July 2012).

4.10 For information, the last three SPDs above apply to residential development only. In addition, developers should have regard to the guidance set out in the Sustainable Building – Guidance for Developers (March 2008) document.

Scarborough Core Strategy

4.11 The Draft Core Strategy (Preferred Options) was published for public consultation in November 2009. The Council is currently considering the comments that were made on the Core Strategy and is working towards the production of a draft plan before it will be submitted to the Government for examination. The Draft Core Strategy includes a number of Spatial Objectives based on the key issues in the Sustainable Community Strategy, previous consultation and the supporting evidence base, which will be delivered through various policies.

4.12 The Borough-wide draft Core Strategy vision states that by 2026 Scarborough:

4.9 In addition, development proposals should consider the following Supplementary Planning Documents (SPD):

- Travel Plans SPD (April 2007);
- Transport Assessments (April 2007) (required for developments above certain thresholds – Transport Statements are required for lower thresholds);

‘...is a dynamic and prosperous place where people have opportunities and support to achieve their full potential. The Borough benefits from a thriving and diverse economy, a rich history and outstanding environmental assets.

Scarborough town is the Yorkshire Coast’s hub and blends a distinctive retail offer together with a renowned arts and cultural scene, strong accommodation offer, and a range of leisure facilities serving the residents of the Yorkshire Coast and eastern North Yorkshire’.

Scarborough Housing Allocations Development Plan Document (DPD) and Community, Environment and Economy DPD

- 4.13 The replacement for the Local Plan will cover housing, employment, environment and other policies. Initial work carried out on these included the Housing Allocations DPD (Preferred Options) which was published in November 2009 and the Community, Environment and Economy (CEE) DPD (Issues and Options), which was published in June 2011. Whilst these documents do not constitute adopted planning policy, they provide a useful reference with respect to the Council’s intentions towards future planning policies relating to issues such as: economic development, tourism, open space and housing. The CEE DPD (Issues & Options) put forward a number of potential regeneration sites in and around the town centre. These included the area identified by this Brief, as well as other nearby sites, such as a potential market

square redevelopment north of the nearest stretch of Newborough (see paragraph 4.19 & Plan 11).

Sustainable Community Strategy

- 4.14 The North Yorkshire Coast Community Partnership, Local Strategic Partnership, developed the Sustainable Community Strategy (SCS) for Scarborough 2010 – 2013. The SCS Vision statement reflects the key priorities for the Borough linked to the Draft Core Strategy. It identifies the main issues in the Borough to deliver an economically prosperous district, within which healthy business is fostered, providing excellence in learning, strong communities and culture in which all wish to live and work. The Vision statement for Scarborough is to foster, ‘a dynamic, vibrant and prosperous place where people want to live now and in the future; a place where people have opportunities and support to achieve their full potential in an outstanding environment’. The emerging Local Plan Replacement (LPR) policies will facilitate the implementation and the delivery of priorities in the Community Strategy.

Scarborough Retail Study (2007)

- 4.15 The study determines the health of the retail sector in the Borough using indicators of vitality and viability and establishes the need for new retail provision in the period to 2016. The study is currently being updated and will be used to inform the preparation of the Local Plan Replacement (LPR). It provides guidance for considering planning applications and proposals for retail and commercial leisure development.

Northeast Yorkshire Strategic Flood Risk Assessment

4.16 This document, published by Arup in 2006, assesses flood risk in Northeast Yorkshire, including Scarborough, and provides guidance to assist with development management.

'Kissing Sleeping Beauty' and the Wider Regeneration Context

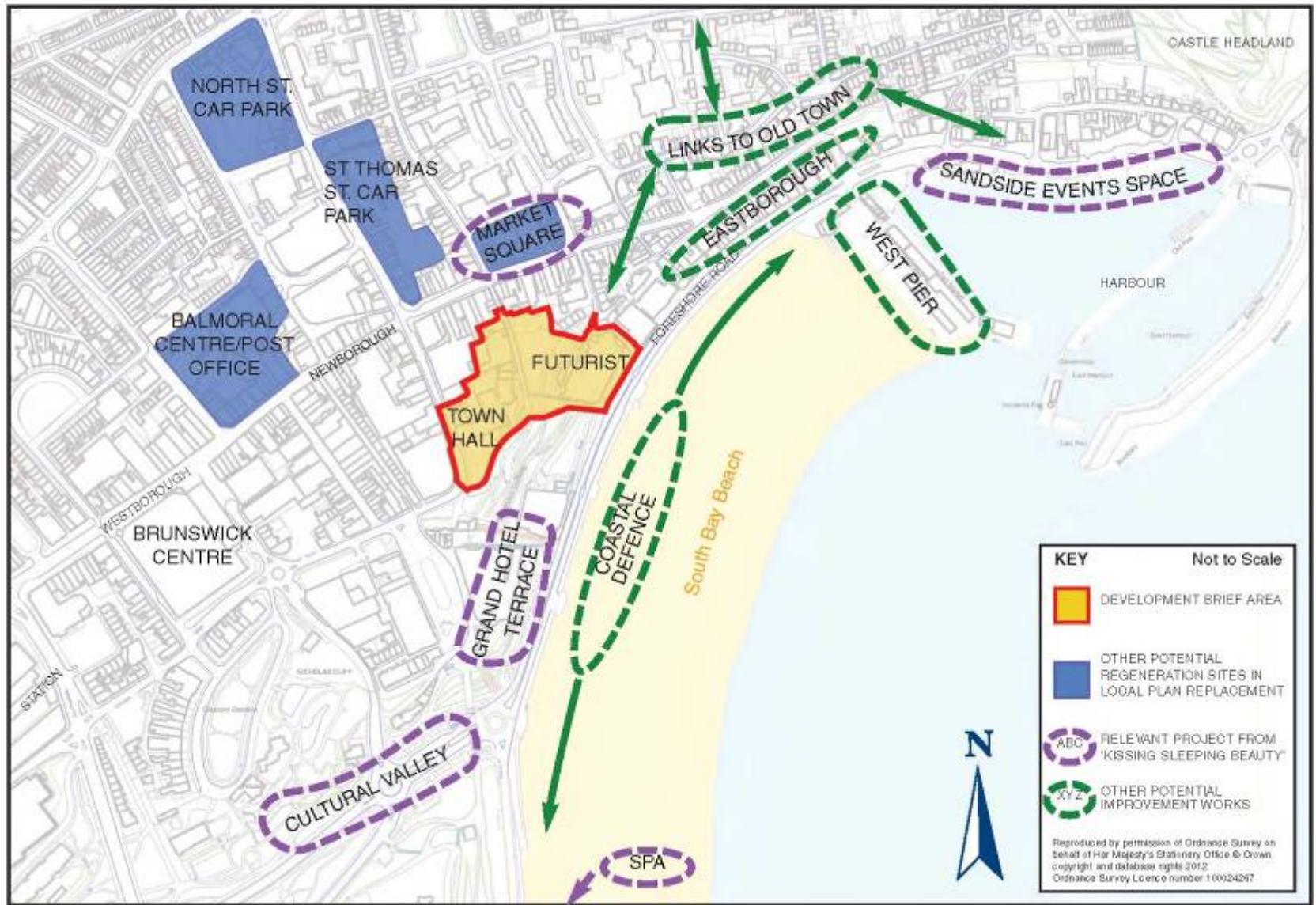
4.17 'Kissing Sleeping Beauty' (KSB) is a strategic development framework for Scarborough prepared by West 8 in 2003. It is not as such a planning document, but it has underpinned the regeneration strategy for the town in recent years and many of its objectives have helped to shape the guidance in this Brief. In its vision for the Town Centre, five strategic projects are identified, as follows:

- **Street Regeneration:** Through new urban material and furniture, the aim is to implement a 'street carpet' that will tie the town together, linking different areas of the town, to create more space for pedestrians and public space network.
- **New Squares:** The creation of five squares or event spaces on a central axis leading from the Railway Station to the Harbour. Of greatest relevance to the Brief is the creation of a square north of Newborough and next to the Market Hall. Taken together with the redevelopment of the Brief

area, this would help act as a driver for the regeneration of the eastern part of the town centre.

- **Cultural Route and Valley Regeneration:** Creation of an attractively landscaped cultural quarter on the northern slopes of Valley Gardens and emerging onto the foreshore below the Spa Bridge.
- **Blooming Belvederes/Green Boulevards:** Creating a foreground to the town's backdrops through mass planting of flowers utilising and upgrading existing infrastructure; promoting the Street Tree Programme to green networks into Scarborough; and endorsing a greener image. The Town Hall Gardens were identified as having prime potential as a Blooming Belvedere.
- **The Promenade:** Help to connect the attractions on Scarborough's waterfront by revitalising a Promenade that recaptures Scarborough's history and location by the sea and creating a 'string of pearls' along the seafront – these include the Spa, the Cultural Valley, the Royal Hotel, the Harbour, and of greatest significance to this Brief, the redevelopment of the Futurist. KSB also envisaged opening up a parallel 'Secondary Waterfront' by opening up a route with vistas of the sea through the largely hidden Old Town north of Newborough/Eastborough.

4.18 Some of the KSB projects have to a large extent been realised (e.g. the Spa or the Cultural Valley), while others remain aspirations. The Brief picks up on the



Plan 12: Regeneration Context

revitalisation of the Futurist site and surroundings. Other projects, such as the Market Square, are intended to be taken forward as part of the Local Plan Replacement. Plan 12 provides a wider snapshot of potential regeneration projects in the eastern town centre and South Bay areas. This Plan is provided purely for contextual purposes in connection with this Brief; it is not a project programme. However, it does illustrate the key geographical location of the site, relating both to schemes on the Westborough/Newborough/Eastborough axis and those extending along the South Bay seafront. It therefore demonstrates the potential synergies which could be created for improved connectivity between, the town centre, the Old Town and the sea, as well as the wider benefits to the socio-economic well-being of the area if implemented in a coordinated manner.

5.0 Opportunities and Constraints

- 5.1 In order to consider the form of development that may be acceptable in planning terms, this Section of the Brief summarises the key constraints and opportunities which exist on the site based on analysis of the preceding Sections.
- 5.2 The constraints and opportunities of the site as a whole and the three main character areas covered by the Brief are presented in Tables 5.1 to 5.4.
- 5.3 Clearly there are linkages between the opportunities and constraints listed in the Tables below. In addition, there are potential benefits/impacts where the impact is much wider than the site itself, as referred to earlier in paragraphs 2.1-2.5. Together with the policies set out in Section 4.0, the Tables help form the basis for the formulation of the development principles set out in Sections 6.0 and 7.0.

Table 5.1: Brief Area as a Whole – Opportunities and Constraints

Opportunities	Constraints
<ul style="list-style-type: none"> • Prime location at the heart of tourist activity in one of UK’s premier seaside resorts • Potential to increase pedestrian permeability and links within the site and to the surrounding area • Location on edge of town centre and resultant flexibility of uses permissible within context of the NPPF • Attractive and prominent setting, complemented by historic urban grain and character of area, the adjacent gardens and spectacular views across South Bay • Proximity to other potential regeneration sites • Site largely in public ownership and available for comprehensive regeneration • Opportunity to promote sustainability measures, i.e. BREEAM/Code for Sustainable Homes • Opportunities to take advantage of south and east facing aspects of buildings to maximise sea views and solar gain 	<ul style="list-style-type: none"> • Varied topography and its impact on the form of development and connectivity • Listed buildings are subject to limitations with respect to external/internal alterations; this may impact upon the nature of refurbishment/conversion and the uses that could be accommodated • Buildings outside Brief area limit presence/visibility from key town centre routes • Vehicular access points of limited width and subject to restrictions

Table 5.2: Town Hall Area* – Opportunities and Constraints

Opportunities	Constraints
<ul style="list-style-type: none"> • Prominent views across the foreshore • Strongly defined frontage to St Nicholas Street, which binds this part of site into commercial core of town centre, where a wide range of uses is acceptable • Listed buildings and their setting, which are of attractive and distinctive character • Good north-south pedestrian linkages with the town centre, potential for improvement to east-west pedestrian access • Potential refurbishment/conversion of buildings as an alternative to new build • Potential to enhance the setting of the listed Town Hall building • Opportunity to promote sustainability measures, i.e. BREEAM/Code for Sustainable Homes • Reconfigured Town Hall should partially secure use of listed buildings 	<ul style="list-style-type: none"> • Varied topography • Listed buildings are subject to limitations with respect to external/internal alterations; this may impact upon the nature of refurbishment/conversion and the uses that could be accommodated • Cost of demolishing 1960s extensions and the need to maintain stability/make good adjacent listed buildings • Limited presence or visibility from Newborough • Vehicular access points of limited width and subject to restrictions

* Areas 1 and 1A as shown on Plan 4

Table 5.3: King Street Area* – Opportunities and Constraints

Opportunities	Constraints
<ul style="list-style-type: none"> • Potential to create views towards the foreshore • York House has been refurbished internally relatively recently as offices • Eastern side of King Street is currently clear of buildings • Existing public parking is available in nearby parts of the town centre • Listed buildings of attractive and distinctive character • A range of commercial/residential uses may be appropriate given its relationship with the town centre • Redevelopment with active uses at ground level could create a vibrant streetscene, during both day and night • Improved visual and pedestrian links to encourage pedestrian movement from the town centre through the area down to the foreshore • Opportunity for landscaping/creating open spaces/viewing platform/terraces • To re-establish the historic King Street building line 	<ul style="list-style-type: none"> • Conservation Area designation and the need to ensure height/scale of new buildings is compatible with character of Old Town and setting of nearby listed buildings • Listed buildings west of King Street are subject to limitations with respect to external/internal alterations; this may impact upon the nature of refurbishment/conversion and the uses that could be accommodated • Loss of parking to facilitate development • Proximity to steep slopes, which may require groundwork and land stabilisation engineering solutions • Need to protect residential amenity of adjacent properties to north • Limited presence or visibility from Newborough and St Nicholas Street • King Street is of limited width and subject to restrictions • Fragmented land ownership

* Areas 2 and 2A as shown on Plan 4

Table 5.4: Futurist Area* – Opportunities and Constraints

Opportunities	Constraints
<ul style="list-style-type: none"> • To provide a focal point on South Bay foreshore, which is a prime tourist destination • Provision of a leading tourism/leisure/entertainment facility for visitors and locals, which has the potential to enhance and develop the multiplier effect of tourism to the Borough of Scarborough • Heavy pedestrian footfall along Foreshore Road • To create frontages that are active both day and night • Enhance the appearance and make better use of the slopes to the rear of the Futurist • Foreshore Road benefits from frequent bus services • Potential to improve pedestrian linkages to other sub-areas and town centre • Opportunity to improve public realm along foreshore • Improve interface between Futurist Theatre site and St Nicholas Gardens 	<ul style="list-style-type: none"> • Impact of topography on pedestrian and disabled access to town centre • Limited car parking available at Foreshore Road level • Servicing is likely to be only possible from Foreshore Road; the visual/traffic impact of this needs to be taken into account • Varied topography which may require groundwork and land stabilisation engineering solutions • The need to maintain views and protect the amenities of buildings to the north may limit the height of buildings • Potential issues arising from tidal inundation • Need to protect residential amenity of adjacent properties to north

* Area 3 as shown on Plan 4

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6.0 Urban Layout and Design

6.1 This Section sets out the general principles and parameters that should guide the layout and design of development of proposals for the site. Developers are expected to take this guidance into account when devising a scheme, as well as demonstrating general compliance with the specific requirements of related national and local planning policy/ guidance as outlined in Section 4.0, since the Brief will be a material factor in determining any planning application(s).

Movement and Access

6.2 The key underlying objectives informing the movement and access strategy for the site are as follows:

- Prioritise pedestrian movement across the Brief area, seeking to minimise the impact of the steep topography, especially for individuals with restricted mobility.
- Promote pedestrian links between the town centre and seafront.
- Increase pedestrian permeability in a manner which improves linkages to the Newborough/Eastborough area.
- Maintain the general hierarchy of main vehicular routes (as shown in Plan 5) around the perimeter of the Brief area.

- Within the Brief area minimise vehicular movement and parking on, or served from, non-primary routes.

6.3 The above objectives need to be considered in the context of other priorities in this Brief, such as securing regeneration of the area and enhancing the public realm.

6.4 There are a number of highway considerations that developers should take into account when preparing schemes within the Brief area. Any proposal should provide details of:

- Potential effects on the surrounding highway network and traffic management;
- Access/egress points;
- Visibility splays;
- Servicing arrangements (and vehicle turning areas);
- Parking arrangements;
- Proximity/ease of access to public transport;
- Opportunities to improve routes and secure parking for cyclists;
- Travel Plan initiatives; and

- Equality Act 2010 compliance (replacing the Disability Discrimination Act 1995).

6.5 Applicants will be expected to submit Transport Assessments/Statements and Travel Plans in support of proposals, addressing the items listed above. The scope of these documents should be agreed with the Local Planning Authority and the former should assess the impact on vehicular movement on key routes and junctions likely to be affected. In particular, the impact on the junctions of Foreshore Road and Eastborough, as well as King Street and Newborough should be assessed, where appropriate incorporating improvements to improve highway/pedestrian safety and the free flow of traffic.

6.6 Plan 13 shows the proposed access/movement strategy, including a number of options which could be incorporated into a scheme of redevelopment. In order to improve pedestrian connectivity possible linkages could include:

- Re-designating King Street (at least in part) as pedestrian priority;
- Linking Bland's Cliff to St Nicholas Gardens, to the rear of the Futurist;
- Creating a link between Bland's Cliff and King Street to the south of Prospect Place;
- A new building on the Futurist site could incorporate a link to King Street, such as a sensitively designed

bridge and internal lift arrangement or internal/external escalators;

- Creating a link between St Nicholas Street and King Street through the Town Hall Extensions area;
- A more direct path immediately to the south of the Town Hall (being careful to respect the landscape setting of the listed building);
- Making the Futurist Steps more attractive and a less arduous route by means of possible diversion and linkages to other routes to the north and south. (Removal of the Steps as a route would only be acceptable if there were to be substantive improvements to the linkages between the town centre and seafront as part of a comprehensive package);
- Providing a footway on the southern side of Bland's Cliff on the site of Mermaid;
- Extending public access from St Nicholas Gardens onto a landscaped area/roof terrace to the rear of the Futurist;

6.7 The above list is only intended as suggestions. In some cases, provision would be dependent on the configuration and form of development proposed. However, a range of options is represented here, which can be considered when devising access and movement proposals for the site. In all cases, new routes should be well-lit, benefit from good surveillance, and wherever possible, make suitable

provision for the disabled. It is also recognised that other potential routes could be created outside the brief area which would help connect the site to its surroundings. For example, further connections with Newborough/Eastborough are encouraged, but it is recognised that this would require the agreement of third parties (as well as consideration of other planning issues), so the Brief does not rely on such routes coming forward.

6.8 Other measures to encourage pedestrian/cycle movement may include:

- Provision of appropriately sited seating areas, so as to offer a resting place for those with restricted mobility;
- Development of a lighting scheme through key routes to announce routes, improve safety and natural surveillance;
- Improved signage showing links between the town centre, seafront and other key locations (this should ideally be considered as part of a comprehensive strategy for the town centre as a whole, rather than just the Brief area); and
- Where practical, providing improved facilities for cyclists, e.g. signage and cycle stands.

Parking

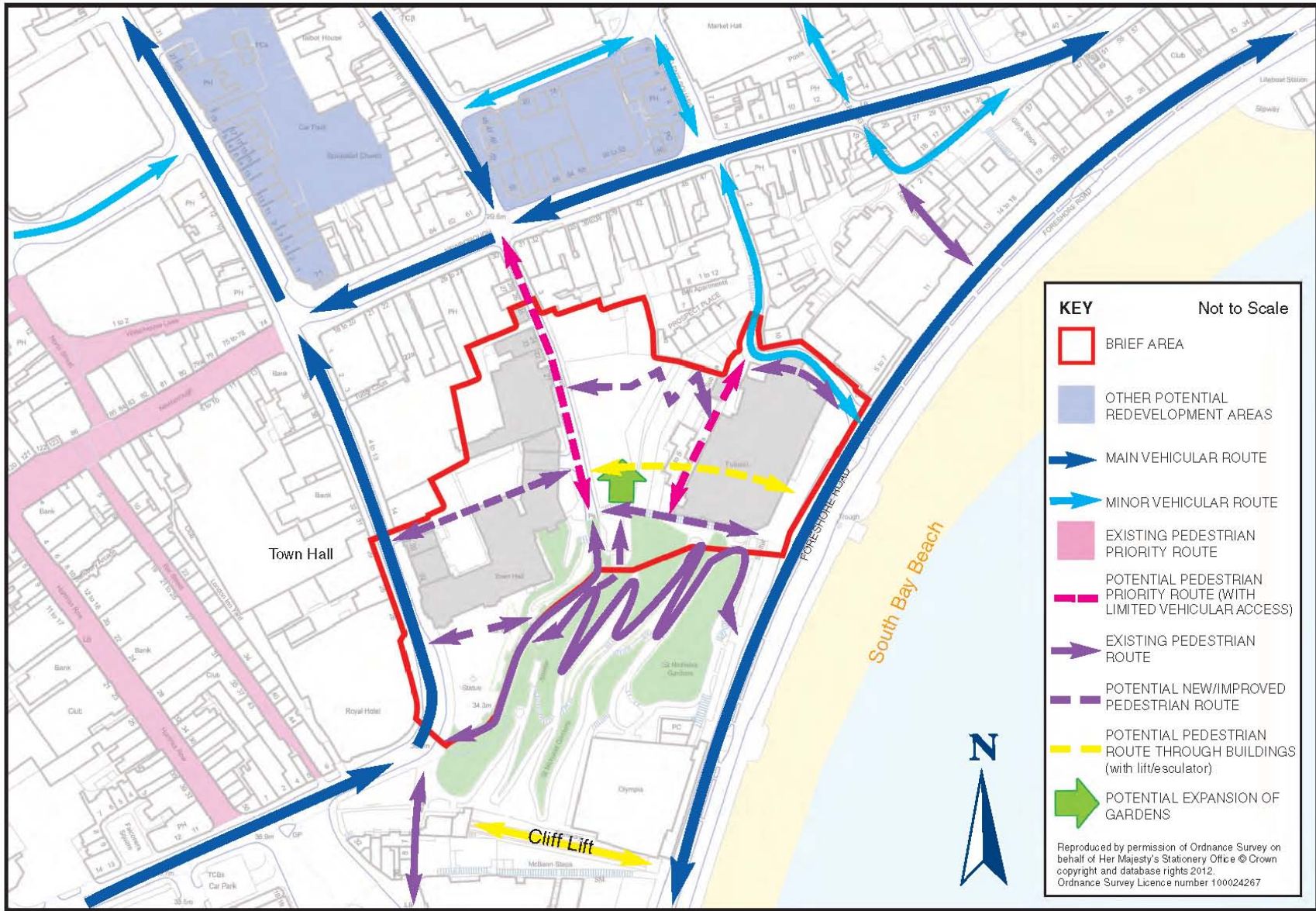
6.9 Parking provision would need to be made within the context of national planning guidance in the NPPF and

North Yorkshire County Council parking standards in the guidance document, 'Transport Issues & Development – A Guide' 2003.

6.10 The NPPF seeks to improve the quality of parking in town centres, so that it is convenient, safe and secure, whilst encouraging solutions which support reductions in greenhouse gas emissions and congestion. It also states developments should be located and designed to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities. It is recognised that the proposals in the Brief would potentially reduce the amount of on-site parking, while simultaneously increasing the amount of development. Discussions should take place at an early stage with the Borough and County Councils as to the best approach to manage parking demand. This includes provision for disabled spaces and cycle parking.

6.11 Extensive areas of surface level car parking would be an inefficient use of land and would detract from the appearance of the area. A freestanding multi-storey car park would be unlikely to be sympathetic to the character and appearance of the Conservation Area. However, parking, taking the form of an undercroft, or provided on more than one level, may be acceptable if it is set behind frontage buildings. This is subject to consideration of the following factors:

- The impact on highway/pedestrian safety;
- The location and visual impact of any entrance – the preferred access/egress points for any significant



Plan 13: Proposed Movement Strategy

parking provision would be off St Nicholas Street or Foreshore Road;

- The topography, geology and hydrology of the site;
- The design and massing of the development, as well as implications for the urban grain;
- The impact on the character, appearance, fabric, architectural interest and structural integrity of heritage assets; and
- The impact on the amenities of nearby occupiers.

6.12 The provision of parking associated with redevelopment of the Futurist would need to be handled sensitively. Bland's Cliff is not suitable for any significant traffic flows. It is important that any entrance for undercroft parking from Foreshore Road would not have a detrimental impact on the appearance of the seafront façade.

Servicing

6.13 Servicing provision, especially by heavy commercial vehicles, will require careful consideration. Where possible access should be obtained from Foreshore Road or St Nicholas Street, especially for larger scale commercial premises in accordance with the overall movement strategy. The factors listed in paragraph 6.11, with respect to parking, will also be pertinent when considering servicing arrangements.

6.14 The operation of the Futurist Theatre has been hampered by poor servicing arrangements, partly arising from the hemmed in nature of the site. This will continue to be a constraint, so servicing arrangements should be discussed at an early stage with the Local Planning and Highway Authorities, and fully detailed as part of a planning application.

6.15 Constraints to servicing also apply to other parts of the site. Transport Assessments/Travel Plans should consider the impact of Traffic Regulation Orders/waiting restrictions on parking and servicing. For example, where pedestrian priority measures are to be introduced, limited access for service vehicles may be permitted where it is essential to the proposed use.

Urban Layout

6.16 The urban layout of proposed development should take account of the above movement strategy, the historic grain of the area, visual linkages, key buildings to be retained and topography. Plan 14 shows these two latter factors, together with key areas with potential to be developed.

6.17 Inclusion of land within the 'developable area' in purple on Plan 14 does not imply that these areas should be developed in their entirety (e.g. new access routes would have to be accommodated), but is an indication that in the right circumstances these areas are free of obvious constraints, which would otherwise prevent inclusion as part of a development scheme. A range of constraints may limit potential for new buildings outside the potential 'developable areas', including: the

importance of retaining key routes, enhancing views, protecting the setting of listed buildings or residential property, and preserving key public open space. There is a general presumption against demolition of listed buildings as shown on Plan 14 and construction of new buildings on the land marked in green. In certain circumstances buildings may extend beyond the 'developable areas', but the onus would lie with the developer to demonstrate the benefits.

Town Hall Area

6.18 A key determinant in devising the layout between St Nicholas Street and King Street would be the relationship with retained listed buildings (the historic parts of the Town Hall and York House). Considerations in this area include:

- Development should face existing or new streets to provide 'active' frontages.
- The retention of the existing St Nicholas Street building line should the 1960s Town Hall extensions be replaced. This may include retaining a gap in the St Nicholas Street frontage where there is a covered access route at present, or moving it closer to the Town Hall with possible widening to improve views/linkages.
- Incorporation of a route through the Town Hall Extensions area, preferably providing visual linkages to King Street and the sea.

- Enhancing the setting of the Town Hall, e.g. by reducing the dominance of existing extensions where they join the northeast corner of the historic building.
- Protection of open areas key to the setting of listed buildings, such as the gardens to the south of the Town Hall and the area immediately to the rear of 14 St Nicholas Street.

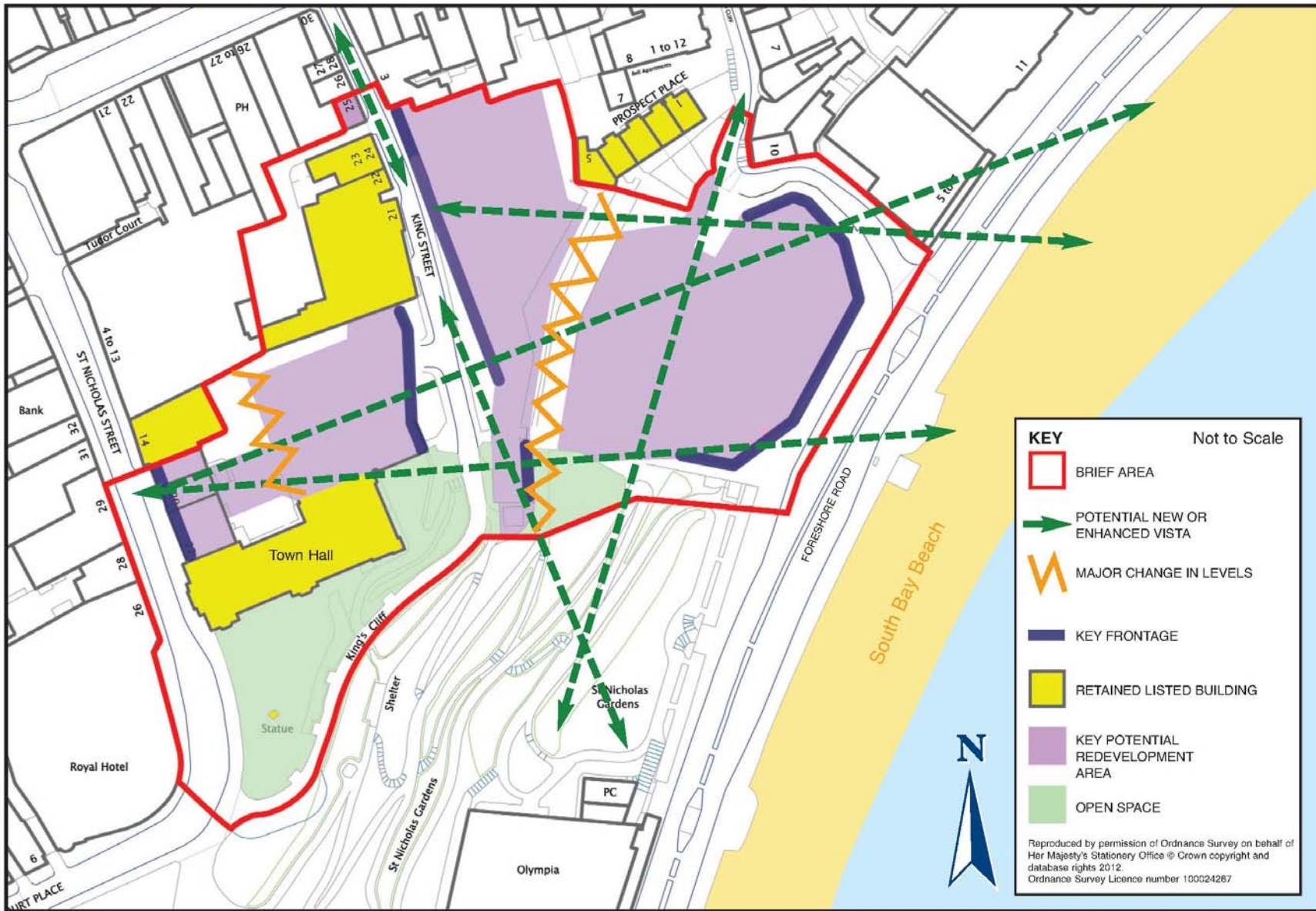
King Street Area

6.19 When devising the layout on the eastern side of King Street, this should take account of the historic terraced form of King Street, while opening up linkages to the foreshore. Other key factors include:

- Retaining views into the site from Newborough. Setting the building line back from the street frontage towards the southern end of the car park would retain/enhance important views of the coast along King Street, as well providing a transition to the gardens to the south.
- Providing surveillance from buildings on King Street and any side routes down the slope.
- Protecting residential amenities of property to the north.

Futurist Character Area

6.20 While linkages between the King Street and Futurist areas are encouraged, the steepest part of the



Plan 14: Development Principles

slopes should generally be used as a break in the built form, thus reflecting the tiered urban grain of the Old Town. To accommodate ease of movement up and down the steep slope, some form of built link may be desirable, such as a pedestrian bridge and lift linked to a new building or indoor/outdoor escalators, but this should be designed with the highest degree of architectural quality and sensitivity to the Conservation Area. The entrance to any new link up and down the slope should be positioned to maximise its visibility from other key routes, such as St Nicholas Street and/or Newborough, thus promoting ease of movement and legibility.

6.21 Other factors to be taken into account include the following:

- Assuming no conflict with utilities infrastructure, there would be no objection in principle to the footprint of the development extending over part of the wide footway of Foreshore Road.
- The proximity of residential/listed buildings at Prospect Place/Bland's Cliff may limit development on the northern fringes.
- To the rear of the Futurist, development could extend back into the slopes or alternatively a new row of development could be built on the slopes creating a new route between Bland's Cliff and St Nicholas Gardens.

6.22 In order to address the poor relationship between the Futurist, the adjacent steps and St Nicholas Gardens, a

more active frontage facing the Gardens is encouraged. This may involve re-delineation of boundaries and diversion of the steps, subject to protecting the overall integrity of the open space. Similarly, active frontages are encouraged fronting onto Bland's Cliff, as well as on any new route which may be formed at the rear of the Futurist/Mermaid.

Indicative Layout Plans

6.23 It is recognised that devising a layout which achieves a high quality urban form needs to take account of numerous factors and particular regard should be had to the strategies outlined in Figures 13 and 14. To assist with this process four indicative layouts (A-D) are set out below. These are intended to provide guidance as to the type of layouts which may be acceptable, but the inclusion of these plans in the Brief does not imply that planning permission would necessarily be granted for schemes based on any of these layouts, which would require full assessment of detailed design, massing and other material considerations. The eventual form of development may be a mixture of proposals shown in Options A-D, or they may take a different form altogether. In all cases they assume the listed buildings (the original Town Hall and York House) will be retained.

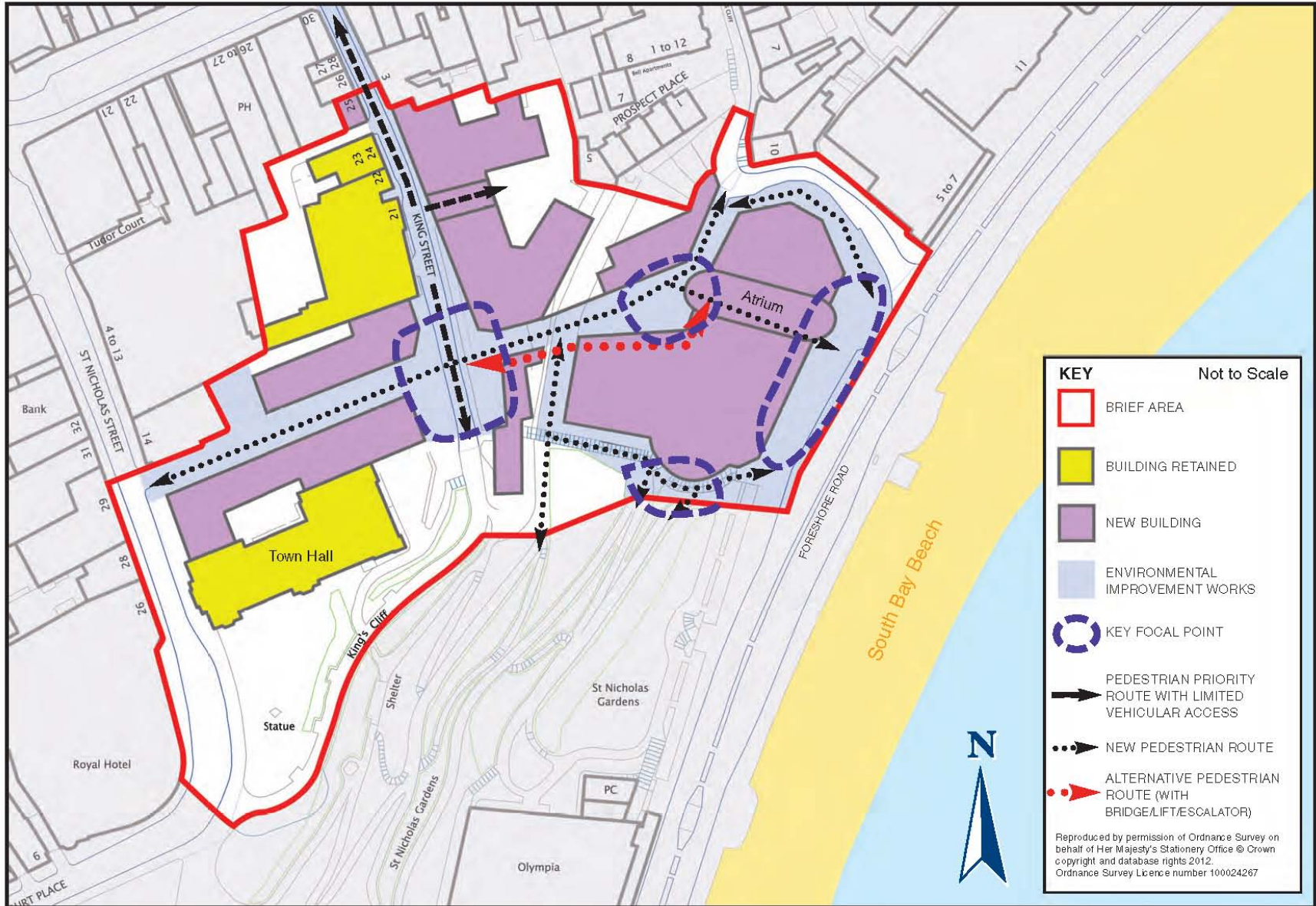
6.24 The four layouts broadly resemble indicative option plans which were subject of public consultation on the Brief, and have been amended in light of comments received. They each emphasise differing objectives, within the framework of guidance in the Brief. Thus, Layout A gives greatest priority to the provision of a

new link between the town centre and seafront; Layout C reflects the tiered urban form of the Old Town to a greater degree; while Layout B combines elements of both A and C, as well as maximising the development potential of the Futurist part of the site.

- 6.25 Layout D differs from Layouts A-C in that it retains both the Futurist Theatre and the Town Hall extensions. It therefore demonstrates how the Brief is a flexible document, whereby the guidance can be adapted in the event that either or both these buildings are retained. This plan has been amended since the Consultation Draft to show a greater amount of development on vacant or under-used land. It is recognised that the retention of the two key gateway buildings to the site may deter investors and would not fulfil the full regeneration potential of the site. Therefore, as stated in the Consultation Draft of the Brief, Layout D is less favoured as a strategy than Layouts A-C, albeit that the illustrative proposals may be broadly acceptable in planning terms.

Indicative Layout A

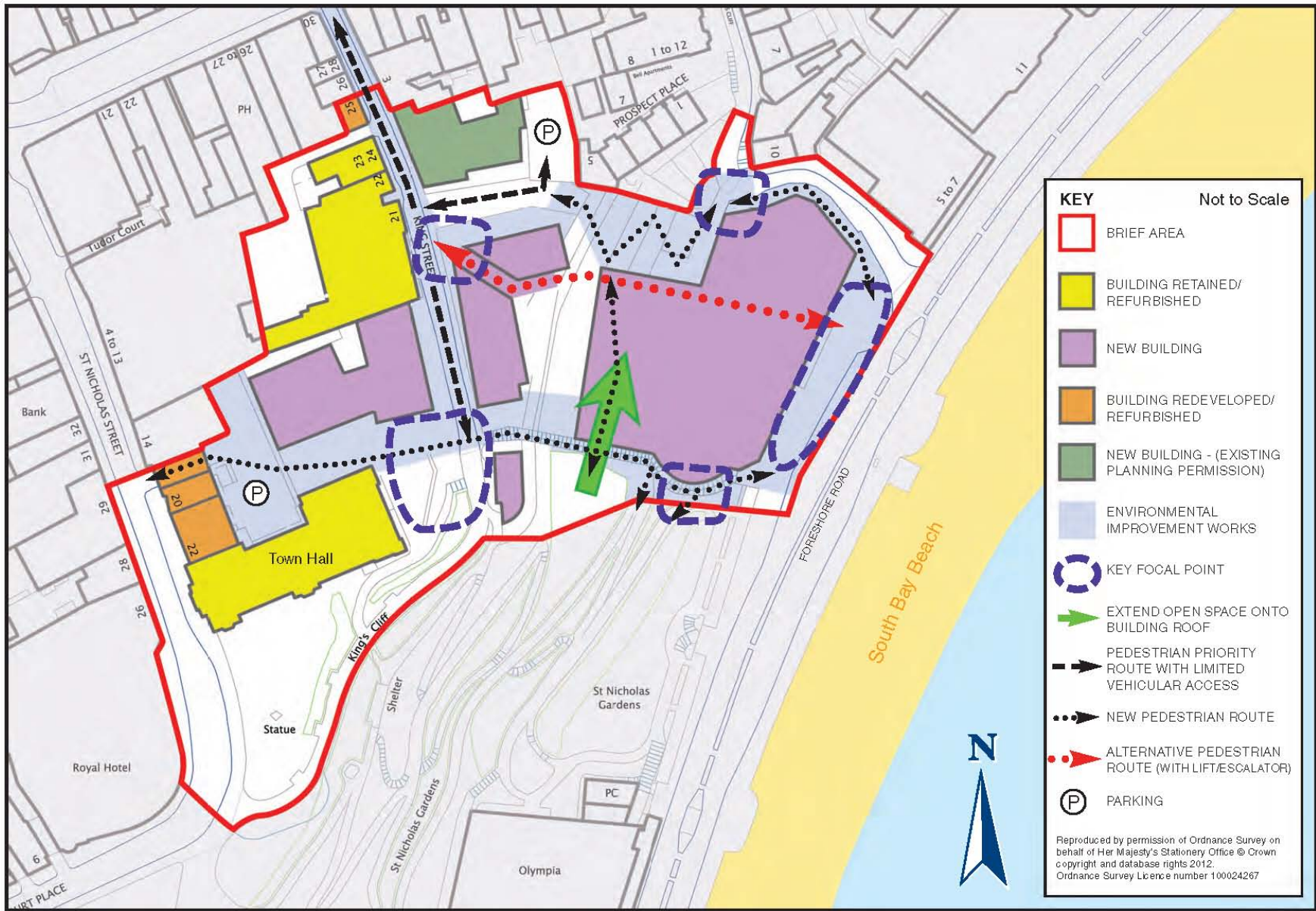
- 6.26 This is arguably the most radical of the Indicative Layouts. This shows at its core a new stepped pedestrian street, traversing the site from St Nicholas Street, across King Street and passing through a building on the foreshore. This route broadens out at key nodes to provide focal points for activity. The street pattern would also reflect the historic grid form characteristic of the wider Old Town to the north. Whilst it possesses many benefits, it is acknowledged that the topography presents a challenge, if it were to be implemented.
- 6.27 **Town Hall Extensions Area** – The 1960s extensions would be demolished to make way for the top end of a graded and stepped pedestrian route leading down from St Nicholas Street. It would be lined on either side by buildings, which would need to be carefully designed and of a suitable scale to respect adjacent listed buildings.
- 6.28 **King Street Area** – The historic terraced form of development following a north-south axis would be re-established. This would ensure a tiered townscape, characteristic of the Old Town, and bolster the role of King Street as a link to Newborough, thus embedding the new-east west route into the established network of streets. This would be further enhanced by public realm improvements to make it a more pedestrian friendly environment with the creation of an attractive focal point where the two routes cross. To avoid the steps being too steep it may be necessary to excavate part of the existing car park. A separate bridged link down to a lift/escalator on the Futurist part of the site is also shown. On the rear part of the car park, this layout includes buildings facing seawards on the crest of the steepest slope. As well as reflecting the townscape setting of the townhouses at Prospect Place, this would help to give the adjacent slopes a more clearly defined role.
- 6.29 **Futurist Area** – a new building is shown on the foreshore to replace the Futurist Theatre and Mermaid. It would be bisected by a central atrium which would form the seafront entrance of the new street leading down from the town centre. The stepped route would open out and level off at the rear of the building to form an enclosed space. To help define the street, buildings would extend back into the hill slope. On the northern side this would need to be smaller in scale to take account of nearby property at Prospect Place. Side routes would lead to Bland's Cliff and St Nicholas Gardens to improve connectivity. The Futurist Steps could also be re-routed to facilitate provision of a more active southerly aspect to any building replacing the theatre, the use of which could spill out onto the gardens and make best use of the sea views.



Plan 15: Indicative Layout A

Indicative Layout B

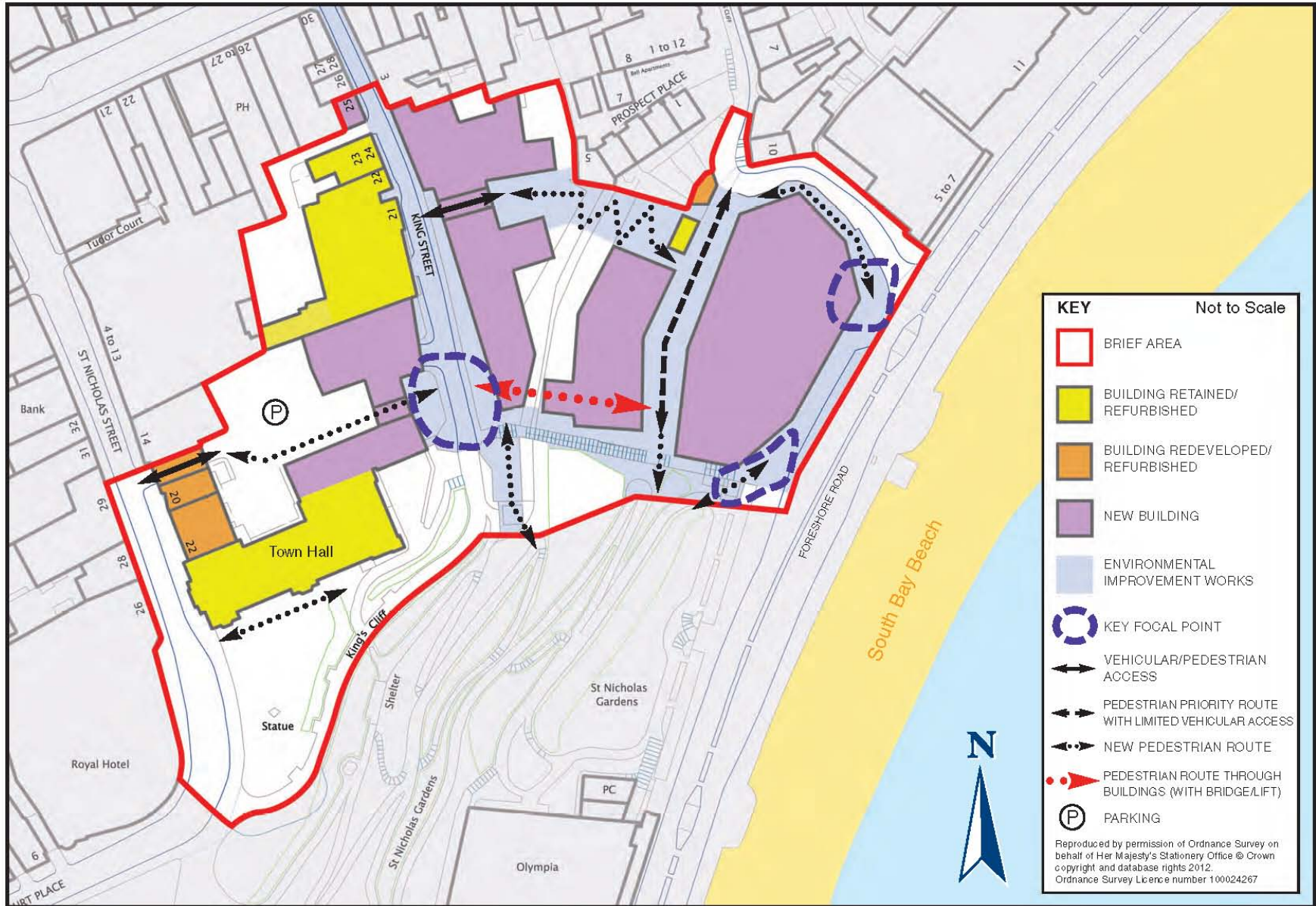
- 6.30 This layout adopts some of the same principles as Layout A, but it shows two pedestrian routes to the sea. They would play a more secondary role than the route shown on Layout A due to their more diffuse nature. King Street would still play a key role and since this layout does not bisect the Futurist area, scope exists to build a larger 'anchor' building on the foreshore.
- 6.31 **Town Hall Extensions Area** – The plan shows the retention of the original Town Hall and possibly the extensions fronting onto St Nicholas Street. The rear 1960s extensions would be demolished and replaced by a new building to the south of York House and separated from the historic parts of the Town Hall. Not only would this help restore the integrity of this listed building, it would create a strong pedestrian desire line from St Nicholas Street, through the Town Hall courtyard, down the Futurist Steps to the seafront.
- 6.32 **King Street Area** – The combination of lining King Street with new buildings and public realm improvements should help bring life back in to this area, which is currently dominated by the car park and Town Hall extensions. It is also important that one of the layouts acknowledges that planning permission exists on the land south of 3 King Street with windows on its southern elevation. The plan seeks to take advantage of the resultant gap created in the street frontage by forming a side route, which could then continue as steps down to Bland's Cliff. The corner of the L-shaped block east of King Street and the space to its front would play an important visual role in the streetscape, drawing pedestrians in from Newborough. A pedestrian link via a bridge and lift to the rear of this building could also provide a connection to the Futurist area.
- 6.33 A second focal point could be created at the southern end of King Street. Activity in this area could be further enhanced if the former CAB building site were developed – for example as a café, which would benefit from the commanding views across the bay. Whilst the height of this building should not detract from views of the Town Hall, some visibility from along King's Cliff would be beneficial in order to entice pedestrians onto King Street.
- 6.34 **Futurist Area** – This shows a replacement building on a similar footprint as the existing, but extending further back and at a lower height than on the seafront. Due to the changes in levels this could be set into the slope, allowing a roof garden/terrace to be provided. Like Option A, the building partially extends over the Futurist Steps, based on the concept of providing a wintergarden overlooking the seafront and gardens. Subject to the provisions of paragraphs 6.11 and 6.12, the building would be of a scale which could contain an enclosed undercroft parking area.



Plan 16: Indicative Layout B

Indicative Layout C

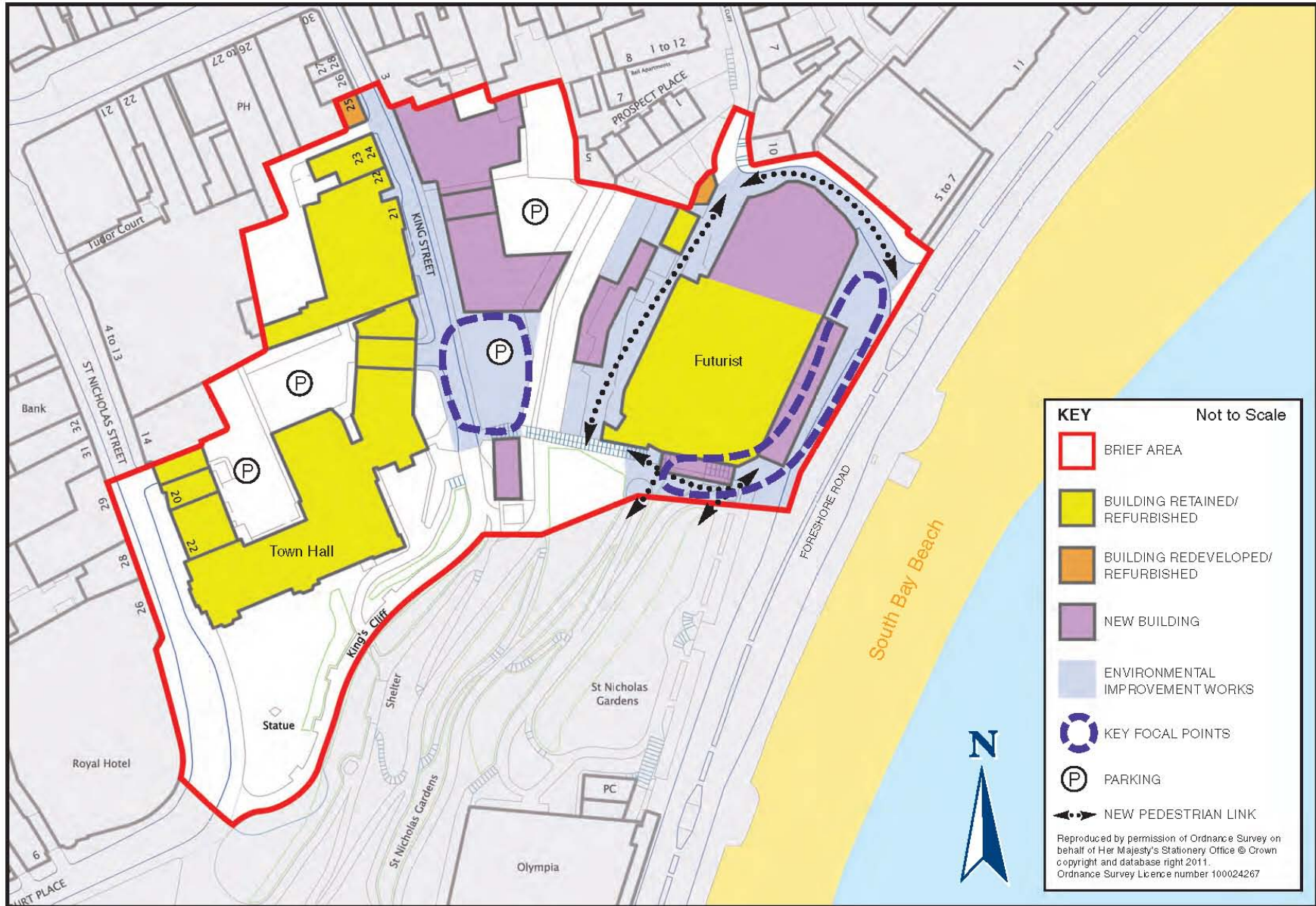
- 6.35 This Layout uses the topography of the site as a starting point, showing rows of development parallel to the seafront at five different levels up the slopes, thus reflecting the traditional urban morphology of the southern fringes of the Old Town. It may be more straightforward to construct than layouts A or B, but also lacks the pedestrian routes with a direct line of vision from upper parts of the site down to the sea. Improved pedestrian routes on an east-west axis are still shown, but the layout seeks to compensate by emphasising greater north-south permeability.
- 6.36 **Town Hall Extensions Area** – In this area, the layout shows retention of most of the existing buildings, but redevelopment of the rear section of the 1960s extensions to form a frontage which interacts more positively with King Street. The central courtyard could be used for parking or outdoor space. A public pedestrian route is shown through this area.
- 6.37 **King Street Area** – A continuous line of development either side of the street is re-established with the building lines splaying out at the southern end to maintain views of the sea along the street. The layout would require modification of the approved scheme on land south of 3 King Street, but it also shows the extension further back onto the rear part of the car park towards Prospect Place. New pedestrian links down to the Futurist would be provided in two locations: firstly a zigzag path down the slope south of Prospect Place and secondly a bridge leading from the southern end of the car park, leading down to a lift within a building on the level below.
- 6.38 **Futurist Area** – The layout shows redevelopment of the Futurist Theatre and Mermaid with a building on a slightly smaller footprint, but set slightly further forward. This opens up space to construct a terraced building on the slope to the rear. At its southern end it could also face the Futurist Steps (topography permitting), for which there is an historic precedent. This allows a direct link between Bland's Cliff and St Nicholas Gardens to be created.



Plan 17: Indicative Layout C

Indicative Layout D

- 6.39 As previously stated, this Layout shows the least intervention, retaining both the Town Hall extensions and the Futurist Theatre. The retention of these buildings in strategically important positions at either end of the site in itself would prevent some of the ideas presented in Layouts A-C. Combined with the cost of maintaining and upgrading the Town Hall and Futurist it is recognised that some of the elements shown may be less viable. However, in the event that either or both buildings are retained in their current form, it at least suggests ways in which some more limited regeneration could take place in a manner broadly compliant with planning policies and principles. Whilst the amount of development has increased from the equivalent plan presented at the consultation stage, it remains the Council's least favoured indicative layout compared to Layouts A-C.
- 6.40 **Town Hall Extensions Area** – no changes are shown to the buildings in this area, although this does not preclude their re-use or improvement of the appearance of the 1960s extensions.
- 6.41 **King Street Area** – Development on much of the eastern side of the road is again re-established. However, it opens up at its southern end to create a semi-enclosed square with potential views to the south and east. This could be landscaped with seating, but also retain some parking. The plan also shows a building on the former CAB site as described for Layout B.
- 6.42 **Futurist Character Area** – the plan suggests ways the appearance of a retained Futurist Theatre could be enhanced, which should include replacing the existing unattractive roof. The original façade could be revealed and restored, possibly behind a glazed frontage. Similarly, a more active projecting frontage could be provided on its south elevation, facing onto St Nicholas Gardens. A staggered terrace is shown on the slopes to the rear of the theatre, which could provide surveillance of a pedestrian route between Bland's Cliff and the Futurist Steps. The narrow gap between the rear blank wall of the theatre and the steep slopes may limit the outlook of any new buildings here, but alternative imaginative solutions would be welcomed, assuming they comply with the general principles set out in the Brief. This Layout also shows redevelopment of the Mermaid site.



Plan 18: Indicative Layout D

Height/Scale/Massing

6.43 All proposals will be required to provide full justification for the height, scale and massing of any new building through submissions in the Design and Access Statement.. This should be accompanied by 3 dimensional analysis and cross-sectional drawings to show how development would relate to the historic townscape and topography. Full regard should be had to:

- Maximising and protecting existing views, as well as creating new vistas towards the sea;
- The impact on heritage assets;
- Existing building lines/re-establishment of historic building lines;
- The interaction with topography especially taking account of key vistas across South Bay;
- Existing through routes and the potential to open more routes up through effective site layout; and
- Residential amenity of adjacent dwellings.

6.44 The site is located on the southern fringes of the Old Town and a key defining characteristic is its tightly knit urban grain of buildings largely of domestic scale separated by narrow streets, but opening out in a southerly direction. The topography also plays a key role, resulting in a subtle and irregular tiered effect, particularly when viewed from the south. These are key

considerations when determining the height, scale and massing of new development. Whilst opportunities for larger scale buildings exist west of King Street and on the foreshore, a finer urban grain should be constructed in the central part of the site between King Street and the rear of the Futurist.

6.45 Within the Town Hall Extensions Area, any new/replacement buildings along St Nicholas Street should be of a similar height/massing to those existing. Unlike the existing 1960s extension, any new/replacement buildings should have a vertical emphasis and rhythm to fit in with the more traditional buildings in the streetscene.

6.46 Over much of the site views from the foreshore are critical. Image 6.1 therefore provides indicative building heights and the following paragraphs provide more detailed guidance. The coloured lines on the Image are not maximum height limits, but if they are exceeded, the onus would be on the developer to demonstrate the benefits, having regard to the overall design quality, massing and other factors listed in paragraph 6.43 above. The coloured lines refer to the following parts of the site:

- Blue – the western side of King Street
- Green – east of King Street.
- Red - the foreshore
- Pink (dashed) – freestanding development rear of the Futurist/Mermaid (if applicable)

6.47 Any new/replacement buildings that may be proposed within the Town Hall Extensions Area on the King

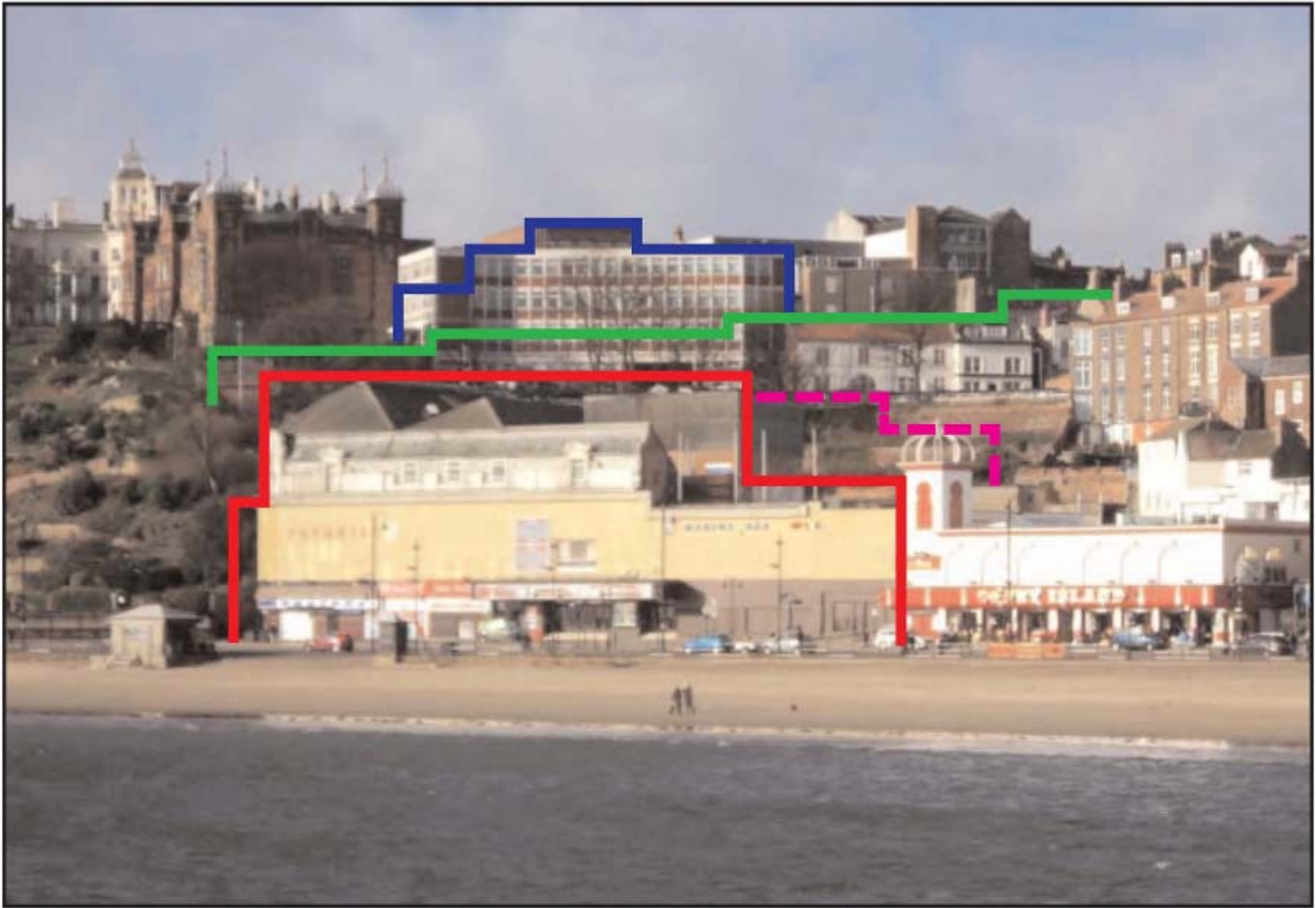


Image 6.1: Indicative Height Guidelines

Street frontage to the west should normally use the existing height as a maximum limit to preserve the setting of the Town Hall and Conservation Area. Where a replacement to the 1960's extension physically joins the rear of the listed Town Hall, its height should be stepped down to reduce its visual dominance. There may be some scope to incorporate further floor space into the roof space of any new building(s) or to setback upper floors, so that they are recessive in form from key viewpoints. Further development could extend into the central courtyard, provided there is no conflict with adjacent listed buildings, which would include the rear elevation of 14 King Street. The amenities of residential occupiers of this building should also be taken into account.

- 6.48 Replacing the garage at 25 King Street with a 2 or 3 storey building would also be encouraged, subject to consideration of the impact on the amenity of any neighbouring residential premises, particularly in terms of daylight.
- 6.49 The existing unimplemented apartment scheme on land to the south of 3 King Street would be 4 storeys adjacent to the existing building, stepping down to 3½ storeys to the south; this reflects the maximum height that would be permissible on this particular plot. The buildings that formerly occupied the car park were of domestic scale, reflecting the urban grain of the Old Town. In light of this, the height of buildings should, as a general rule, progressively reduce down to 2 or 2½ storeys at the far southern end of the car park. Although the former CAB site is at a lower level than the adjacent section of King's Cliff, the height of any

buildings on this plot of land should be restricted, so as not to detract from key views of the Town Hall.

- 6.50 The existing Futurist Theatre is approximately 3 storeys in height. It is prominent on the foreshore from a number of directions, notably the south and east. Image 6.1 provides a guide to the height which may be acceptable, but it is the overall massing and design of any replacement building which is perhaps more critical than its height *per se*. If the building were to have greater depth than the existing building, there would be less scope to increase its height than with a narrower and potentially more elegant design solution. If the building extends back into the slopes at the rear (e.g. see Indicative Layout B) then it may need to reduce in height behind the frontage to lessen the overall mass. The height and massing at the Mermaid end of the site (or on the slopes to the rear) is reduced on Image 6.1 since it should not unduly interfere with important views of Prospect Place and along Bland's Cliff towards the sea, as well as protecting the amenities of nearby residences.
- 6.51 On the slopes to the rear of the Futurist there is scope for development which is subservient in its massing to buildings on the seafront, even if the top of the buildings are at a similar level (see image 6.1). The steepest part of the slopes adjacent to the car park can be utilised to maintain some separation from the development at a higher level, thus maintaining the tiered form of development characteristic of the Old Town. This does not preclude some limited form of built linkage up the slope, especially where it boosts

connectivity, but large scale development of the steepest part of the slopes is discouraged.

Heritage Assets

6.52 The Brief area is defined by its heritage setting. Development should comply with the requirements of the NPPF Section 12 – Conserving and enhancing the historic environment. Set out below are a number of key features:

- The special historic and architectural interest of listed buildings should be preserved, and where possible, enhanced (see Appendix 2 for full details). This is best achieved by ensuring they are kept in an active use, which does not necessitate significant intervention to its historic character.
- The status of much of the Brief area as a Conservation Area requires careful design to ensure the existing character and appearance of the area is retained, and where possible enhanced.
- A key aspect of the character of the Conservation Area is the interplay between existing buildings, open spaces, historical features, such as cobbled streets, bay windows, key frontages and key building lines.
- The impact on archaeological remains

6.53 Applicants will be expected to provide sufficient detail on the potential impact that development or proposed intervention will have on listed buildings and their

settings, archaeological remains and the Conservation Area.

6.54 Proposals which impact on the exterior of any listed buildings must be accompanied by:

- Detailed architectural designs, to include information on materials, palettes of colour etc;
- Method statement for repair and/or renovation; and
- Where repairs or any interventions in the buildings are to be made, condition survey information is expected to justify why intervention is required.

6.55 Where applicants propose internal alterations to listed buildings, applications should be supported by:

- Detailed structural information to support any essential internal alterations;
- Retention of the original floor plans, internal subdivision arrangements and original features, so as not to harm the internal historic fabric of the building;
- Assurances that the potential changes of use are compatible with the historic nature of the building; and
- Sympathetic solutions to installation methods in relation to fire safety, sustainability, means of access and escape (including consideration of Equality Act requirements) and essential services

which are compatible with the listed status of the buildings.

6.56 There are a number of key features within the Brief area that contribute to the heritage setting of the area and should be retained as part of any development proposals. The list set out below is not exhaustive, but provides an indication of those features that should be retained, and where possible enhanced, so as to display the heritage assets in this part of Scarborough:

- The skyline formed by the original Town Hall and Royal Hotel (Image 6.2);
- The listed buildings west of King Street, especially 23/24 King Street, including its interior;
- The Town Hall – especially the south, east and west elevations and its internal features/spaces, in particular, but not exclusively, the formal rooms and corridor on the ground floor, including the Council Chamber and the first floor balcony and surrounding rooms;
- The setting and structural integrity of 14 St Nicholas Street (Georgian House – Grade II*) including rear elevation (Image 6.3); and
- Views of the southeast elevation of 1-5 Prospect Place (Image 6.4).



Image 6.2: Town Hall and Royal Hotel skyline with St Nicholas Gardens below



Image 6.3: Rear of 14 St Nicholas Street



Image 6.4: 1 – 5 Prospect Place

6.57 In addition, there are opportunities to enhance the appearance of the Conservation Area and/or setting of listed buildings. These include:

- The Town Hall extensions can be replaced, refaced or refurbished in accordance with guidance on scale height and massing previously referred to in this Brief;
- Careful consideration should be given to detailed design in terms of the scale and rhythm of architectural features such as window and door openings, so as to enhance the setting of adjacent listed buildings. The structural integrity and appearance of any exposed elements of adjoining listed buildings is important.

- Views of the sea from Newborough along King Street/Bland's Cliff should be retained/enhanced (Image 6.5).
- The replacement of the garage at 25 King Street with a more assertive building which is sympathetic to the historical setting would be beneficial to the appearance of the streetscene (Image 6.6).
- The former CAB building site and Town Hall generator could be redeveloped (Image 6.7).
- Enhancement of yard areas between St Nicholas Street and King Street, including the rear elevation of 4-13 St Nicholas Street.
- Redevelopment of land to south of 3 King Street and car park to reflect the historic domestic scale of buildings.
- Proposals to the east of King Street and the terraced slopes behind the Futurist should respect the existing urban grain and scale of buildings in the Old Town (Image 6.8).

Sustainability and Heritage Assets

6.58 Any sustainability measures considered within the listed buildings should review the English Heritage guidance on Energy Conservation in Traditional Buildings (2008). This guidance is consistent with the NPPF (paragraph 17) and indicates that thought must be given to the importance of moisture movement in



Image 6.5: King Street towards South Bay



Image 6.7: Site of Former CAB Building



Image 6.6: Garage at 25 King Street



Image 6.8: View from South Cliff towards the Old Town

historic buildings, minimising disturbance to the existing fabric and reversing any changes without causing further damage. The guidance provides three main ways the resource efficiency of traditional buildings can be improved: through insulation, draught-proofing and ensuring that the correct window glazing is fitted. In addition, if a building is listed, consent is required for any alterations that affect the character or appearance of the building, such as replacement of original windows. English Heritage state that opportunities should be taken as they arise. As with all alterations to historic buildings, caution, compatibility and reversibility have to be guiding principles.

Archaeology

- 6.59 Much of the Brief area is within a designated area of archaeology. Any development proposals will be required to take this into account as part of an archaeological desk based assessment to identify the likelihood of archaeological remains being in situ. Following the production of the Desk Based Assessment to identify the potential for archaeological remains to be present, further evaluation in the form of trial trenching may be required. This approach is in accordance with NPPF policies and details would be required pre-determination of any planning application. Dependent upon the results of the evaluation, a site specific mitigation strategy would be suggested for the site, which could be secured by a condition.

Architecture and Materials

- 6.60 When appraising designs, consideration should be given to the principles set out in Section 7 of the NPPF and the following:
- The use of existing materials in and around the site;
 - Materials and use of colour should be mindful of the listed buildings and conservation area designation; and
 - Location of development in relation to the seaside character of Scarborough.
- 6.61 The appearance of new buildings around the Town Hall should be mindful of the setting of the listed buildings and the character and appearance of the Conservation Area. It would be expected that buildings in the Town Hall area would be more muted in their use of colour. However, materials and colours in the Futurist/ Foreshore area could be more expressive to fit in with the character of the seafront and create a lively and attractive appearance helping to encourage leisure and tourism.
- 6.62 The predominant materials are currently a mixture of weathered red brick or cream/white render with roofing materials consisting of slate or red clay tiles. To provide some continuity with the Old Town it is recommended that these materials form part of a mixed palette for the site as a whole, especially on smaller domestic scale buildings. More innovative and modern design and materials may be employed within the Town Hall

Extensions and Futurist Areas. In the case of the former, these can be distinct from, but ultimately sympathetic to the appearance of the adjoining listed buildings.

- 6.63 The fenestration pattern of doors, windows and other detailed design features will be an important consideration and this should largely reflect the predominantly vertical emphasis which currently exists. Alterations to historic buildings should use traditional detailing in accord with the particular character of the building/area in line with Local Plan Policy E23. More extensive use of glazing on key south and east facing new buildings is generally encouraged. This would deliver benefits associated with solar gain and where buildings would be used for leisure uses, restaurants or bars, it would also improve the offer of all-weather facilities with panoramic sea views.
- 6.64 The appearance of the seafront elevation in the Futurist Area is critical. It should be suitably assertive, making it a focal point on the foreshore. An unenclosed frontage of the type utilised by some of the existing amusement arcades in the area should be avoided. Any openings for vehicles or servicing should be kept to the minimum size required and designed in a manner which reduces any adverse visual impact. The roofscape of buildings on the Futurist/Mermaid site will require particular attention, taking into account that they would be visible from land at a higher level.
- 6.65 When designing or reusing buildings, details such as extraction flues, vents, air conditioning units, balcony railings, aerials, renewable energy, telecommunication

equipment, lift shafts, etc. should be considered early in the design process. The objective should be to integrate them seamlessly into the development, rather than adding them on as an afterthought, which may result in a cluttered skyline and/or harm the historic fabric/character of buildings.

Wider Visual Impact

- 6.66 As well as improving the character and appearance of the Conservation Area, proposed developments should have regard to their visual impact within the wider townscape setting. Protection of significant views as set out in Local Plan Policy E27, as shown on Plan 9, will be important. In practice, many of the key viewpoints, e.g. the Castle Headland, the Harbour and South Cliff are within the Conservation Area, but others such as those from the beach or sea are outside its boundaries. Given the scale, sensitivity and prominence of the site, any planning application (particularly if it proposes redevelopment of the Futurist), should be accompanied by a Visual Impact Assessment which may be part of an Environmental Statement or in its absence the Design and Access Statement.

Designing out Crime

- 6.67 Secured by Design focuses on crime prevention at the design, layout and construction stages of homes and commercial premises and promotes the use of security standards for a wide range of applications. In pre-application discussions, where appropriate, developers should seek to liaise with the Architectural Liaison

Officer (North Yorkshire Police) on the emerging design proposals for the site. There is the opportunity through the implementation of the Brief to increase natural surveillance of key pedestrian routes.

- 6.68 Full details of measures to improve security, such as lighting, are best determined as part of a planning application. Proposals for designing out crime should be detailed in Design and Access Statements submitted with planning applications.

Public Realm and Landscape

- 6.69 It is a key aim of the Brief that the overall quality of public realm is enhanced through hard and soft landscaping. Whilst the precise details would normally be secured by way of planning conditions it is important that landscape/public realm proposals are considered as a key part of the overall concept from the project's inception. In addition, it is important that they are considered in the context of the wider public realm beyond the boundaries of the Brief area with a view that they could be looked at as a first phase in a wider public realm strategy(s) for the town centre and seafront. It is therefore strongly recommended that a landscape architect forms part of the design team from an early stage. The Brief does not specifically identify any extensive new areas of open space, but instead aims to ensure that the spaces around and between buildings, including new and existing routes are sensitively landscaped to be visually inviting and pedestrian friendly. This should be executed in a manner which complements the architecture of buildings and integrates with existing public areas. The

indicative layouts A-D identify potential priority areas for improvement works to public realm to take place, dependent on the eventual layout and form of proposals.

- 6.70 Having considered the design ethos set out in 'Kissing Sleeping Beauty', the Brief identifies a number of existing public space characteristics that should be retained and where thought should be given to features that could be enhanced. Any development proposal within the Brief area should consider these in more detail and establish whether specific development proposals can contribute to the public space:

- Protect and retain the setted streetscape of Bland's Cliff and ensure complementary treatment of adjacent areas of public realm.
- Improve key gateways, routes and non-active frontages which are in a state of decline and would benefit from improvement to demonstrate regeneration confidence in the area; for example, the resurfacing of King Street as part of a pedestrian priority scheme.
- Retain the open landscape setting of the Town Hall, specifically to the south and east (Image 6.9).
- Retain and enhance St Nicholas Gardens (Image 6.10), including better integration with the Futurist Steps (or a replacement route).
- Improvements to any publicly accessible areas to the rear of the Futurist.



Image 6.9 Gardens to the South of Town Hall



Image 6.10: St Nicholas Gardens

- Improve the appearance of courtyard areas to the rear of the Town Hall and 20-24 King Street.
- Enhance the area in front of the Futurist Theatre which currently consists of a wide featureless footway.

6.71 In devising a detailed design developers should give consideration to the following elements:

- Paving materials;
- Boundary treatments (walls);
- Signage;
- Lighting schemes;
- Benches;
- Refuse points;
- Public art (where it could act as focal points for key areas of public realm); and
- Soft landscape, including trees and shrubs.

6.72 A robust palette(s) of hard and soft materials, including street furniture, should be devised in the preparation of proposals. This should be applied consistently across the three character areas and be mindful of integration with existing quality landscape and possibly being extended beyond the Brief area as part of wider public realm improvements. Separate palettes could be

devised to help distinguish between different parts of the town centre to enhance identity and legibility. In this case, a distinction should be made between the town centre and seafront. In the case of the latter, new landscape should integrate with recent improvements along the seafront at Sandside.

6.73 The choice of hard landscaping should be mindful of the historic character of the area, particularly around the Town Hall. Street furniture should be coordinated and reflect or enhance the character of the area. It could either have traditional or contemporary styling, but should have a high design quality. It should be located to enhance the use of public spaces and take advantage of key views. It could also be used to reinforce movement routes through public spaces and the Brief area as a whole. Reference should be made to 'Kissing Sleeping Beauty', which contains advice on improving Scarborough's streets. It recommends developing a 'street catalogue' to reintroduce a quality standard in the town centre. This would consist of profiles for different types of street. Examples of these that may relate to certain parts of the Brief area are shown in Image 6.11 (Source: Kissing Sleeping Beauty).

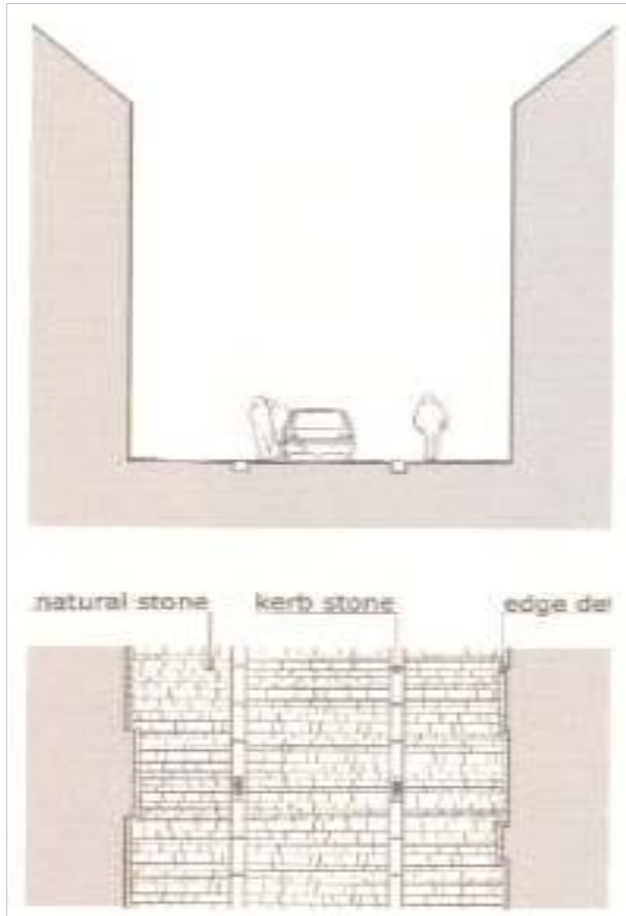
6.74 Consideration of soft and hard landscape should go hand-in-hand. New planting should only be used where it would enhance the quality of the public realm and character of the area. It could be used to provide shelter from the weather and a sense of enclosure in public spaces. Care would need to be taken to ensure plant/tree species are suitable for the coastal location.

6.75 The public gardens included in the Brief (and marked in green on Plan 14) should be retained in their present form and only be considered for new landscape as part of a comprehensive scheme for the gardens as a whole or where suitable measures are proposed to enhance pedestrian connectivity. However, there may be opportunities to enhance the existing with complementary planting and improve accessibility with the surroundings, including the Futurist Steps. The redevelopment of the former CAB site should be designed to integrate with the gardens in terms of its hard and soft landscape, including its boundary treatments.

6.76 The effective use of lighting will be encouraged. Consideration should be given to a range of lighting solutions including:

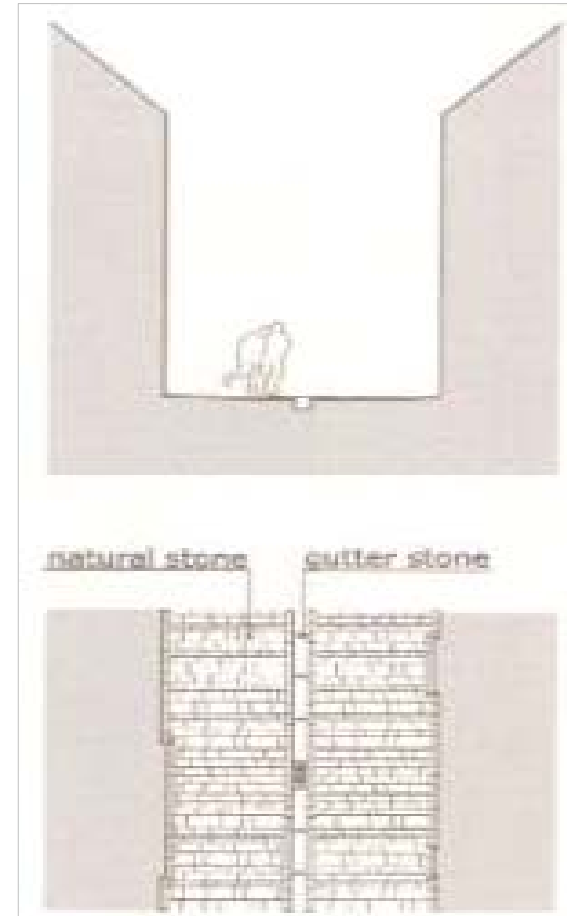
- Street lighting – wall mounted is preferred where possible and appropriate to reduce street clutter, otherwise street lamps that form part of a comprehensive palette(s) of landscape materials and street furniture to ensure coordination and visual harmony;
- Architectural lighting to highlight historic buildings at night;
- Landscape lighting to highlight soft landscape, such as trees, at night;
- If appropriate, other urban lighting to highlight public art and sculptures at night, or are public art in their own right;

- Lighting to aid movement and legibility, e.g. bollard lighting along footways; and
- Sensitive illuminated signage.



8 Metres Wide Pedestrian & Service Street

Image 6.11: Examples of Street Profiles



5 Metres Wide Medieval Street / Alley

7.0 Land Use and Other Planning Considerations

7.1 Section 6.0 concentrated on principles relating to the layout, built form and design of any proposals. This section provides guidance on other key material considerations, starting with the use of land or buildings. Again, this guidance should be considered when drawing up proposals and will be taken into account when by the Local Planning Authority when determining planning applications.

Appropriate Land Uses

7.2 In considering what uses will be appropriate in this part of Scarborough, a number of key land use principles have been identified. These principles include:

- Promotion of active frontages;
- Maximising benefits of the town centre location;
- Enhancement and support for tourism/leisure use on the foreshore;
- Preservation and enhancement of listed buildings and Conservation Area;
- Creation of a diverse range of uses;
- Promotion of physical and socio-economic regeneration of the site and its wider environs;

- Protecting residential amenity; and
- Avoidance of development which under-utilises accommodation on upper storeys.

7.3 The site is either within the town centre and/or the commercial core of the tourist economy; in policy terms a wide range of land uses are acceptable. Tables 7.1 and 7.2 set out in broad terms which land uses would be appropriate in the Brief area, taking account of the principles set out above.

7.4 Whilst many land uses would be acceptable in this central location, there are a number of considerations for each of the sub-areas that would need to be taken into account when proposing any development. Tables 7.1 and 7.2 provide in summary a guide to which uses may be acceptable in each of the sub-areas. They are colour coded, whereby those uses in green are likely to be broadly acceptable, those in amber may be acceptable in certain circumstances and those in red are likely to be unacceptable, but would still be considered on their merits. These tables should be read in conjunction with the subsequent paragraphs. For a definition of the Use Classes, reference should be made to Appendix 4.

7.5 Table 7.1 provides guidance on the uses in the Core Area of the Brief, while Table 7.2 relates to the use of listed buildings in the two Heritage Setting Areas. In light of the Council decision that the Town Hall remains

Use		'Active' Town Centre Uses (retail, cafes, etc)	Offices	Hotel/Tourist Accommodation	Residential	Community	Leisure/ Entertainment
Use Class		A1-A5	B1 (a)	C1 (in certain cases C3)	C3	D1	D2 (& also theatres)
1. Town Hall Extensions Area	Ground Floor	✓	✓	✓	Not on St Nicholas St	✓	In specific circumstances
	Upper Floors	✓	✓	✓	Possibly not on St Nicholas St	✓	In specific circumstances
2. King Street Area	Ground Floor	✓	Secondary Use only	Depends on Scale	✓	Depends on scale/ precise use	In limited circumstances
	Upper Floors	If practical	✓	Depends on Scale	✓	Depends on scale/ precise use	In limited circumstances
3. Futurist Area	Ground Floor	Secondary Use	x	Ancillary/To Rear	Only to rear	✓	✓ Actively encouraged
	Upper Floors	Partial Use	Ancillary or to rear	✓	Limited ancillary or to rear	If related to tourism	✓

Table 7.1: Guide to Acceptable Land Uses in Core Areas (Indicative)

Use		'Active' Town Centre Uses (retail, cafes, etc)	Offices	Hotel/Tourist Accommodation	Residential	Community	Leisure/ Entertainment
Use Class		A1-A5	B1 (a)	C1 (in certain cases C3)	C3	D1 (& also Town Hall civic function)	D2
1a. Original Town Hall	Lower Ground Floor	In specific circumstances	✓	May be impractical	May be impractical	✓	In specific circumstances
	Ground Floor*	May be impractical	Ancillary only	May be impractical	x	✓	In specific circumstances
	Upper Floors	May be impractical	✓	✓	To limited extent	✓	May be Impractical
2a. York House	Ground Floor	✓	✓	✓	✓	Depends on scale/ precise use	In limited circumstances
	Upper Floors	If practical	✓	✓	✓	Depends on scale/ precise use	In limited circumstances

* Possible dual uses in combination with retained Town Hall civic function

Table 7.2: Guide to Acceptable Land Uses in Heritage Setting Areas (Indicative)

in the town centre it may be the case that the listed buildings are in part retained for Council related uses. However, new uses may need to be found for areas no longer needed as Council accommodation and dual use of areas such as the ground floor of the Town Hall may be introduced. Table 7.2 covers these scenarios.

- 7.6 Developers would be expected to pay due regard to planning policy appropriate to specific uses, in particular the NPPF which details guidance on acceptable locations for town centre uses. Whilst the adopted Local Plan policies S1 and S13 are still relevant, they must be viewed within the context of the more recent guidance in the NPPF, which uses different terminology for the assessment of shopping and other town centre uses. The Local Plan identifies the whole of the site, except for the Futurist/Mermaid as Town Centre, but the only building identified as a (Secondary) Retail Frontage is the Council's Customer First offices on St Nicholas Street.
- 7.7 The NPPF gives sequential preference to sites 'in town centres', before 'edge of centre locations' for main town centre uses, including retail, leisure, office, culture and tourism development. Only if suitable sites are not available should 'out of centre sites' be considered. The NPPF states local planning authorities should require an impact assessment when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, if the development is over a proportionate, locally set floorspace threshold (2,500 sq m if there is no locally set threshold). The Local Plan Replacement will seek to review the Town

Centre boundary and identify a Primary Shopping Area, which are critical factors when interpreting the sequential approach. Until such time that up-to-date Local Plan policies are adopted, the Town Hall and King Street Areas will be assumed to be 'in town centre' for the purposes of this Brief. Consequently, there is a presumption in favour of all town centre uses (as defined by the NPPF) in these areas and an impact assessment would not be required.

- 7.8 Whilst the Brief is relatively flexible in terms of the range of uses permissible, there are still a number of site specific constraints. For example, A4 Uses (drinking establishments) may in principle be acceptable in the Town Hall and King Street areas, although advice would be sought from the Police and other consultees, especially on St Nicholas Street, to ensure that the cumulative concentration would not unduly exacerbate anti-social behaviour/crime in the area. The impact of A3-A5 uses on residential amenity will also be an important consideration. A range of A1-A5 uses may help to regenerate King Street or the area to the rear of the Futurist, assuming they are not detrimental to the retail function of the more established shopping areas, including Eastborough.
- 7.9 Using the definitions in the NPPF, the Futurist area is currently considered to be 'edge of centre', although on its western side this may depend on the proposed level of pedestrian connectivity achieved with the town centre. An impact assessment for retail and/or office development would normally be a requirement over 2,500 sq m. However, the site's prime seafront location is a major factor and as such an impact

assessment is not considered to be essential for leisure uses. The Council would be keen to attract a use which would act as a draw to visitors and residents, boosting the local economy and fulfilling its role as one of the 'String of Pearls' referred to by 'Kissing Sleeping Beauty'. In principle, leisure and tourism uses would therefore be encouraged in most cases, assuming there is no significant conflict with other principles, such as highway safety or residential amenity.

- 7.10 The Council has resolved that the Futurist site includes a leading tourism element with potential for multiplier effects. Significant weight would consequently be given to the relative benefits to the tourist economy when considering D2 or similar uses within the Futurist area. Possible uses could still include retaining a theatre, returning the site to its original use as a cinema, or use as a family entertainment complex, offering attractions available when the weather is inclement. On the upper floors, options could include a hotel, restaurants or bars, giving visitors superb views of the bay.
- 7.11 A1-A5 uses may also be acceptable as ancillary uses in the Futurist part of the Brief area, particularly if they complement the tourist economy and/or are used as a means of regenerating the area to the rear of the Futurist. On the northern fringes of the Futurist Area the impact on nearby dwellings will nonetheless be an important consideration.
- 7.12 Larger potential retail sites with better accessibility to the prime shopping areas of the town exist and these would have to be taken into account as part of a sequential assessment in accordance with the NPPF.

The desire to maximise the seafront location for tourist/leisure/cultural uses also partially explains why Table 7.1 seeks to limit certain uses, such as offices or residential on the seafront, since they could be more appropriately located elsewhere within the overall site.

- 7.13 Amusement arcades in the Brief area as a whole will be assessed having regard to Local Plan Policy L9. It should be noted that the closest buildings on either side of the Futurist/Mermaid along Foreshore Road are amusement arcades, namely Olympia and Coney Island. To avoid an over-concentration of such premises on this stretch of the seafront, it is unlikely that amusement arcades would be acceptable, except as a subsidiary or upper storey element of proposals for the Futurist/Mermaid.
- 7.14 Where Tables 7.1 and 7.2 limit uses not referred to in the preceding paragraphs these are normally due to site specific factors rather than matters of principle. The scale of buildings appropriate to certain parts of the site in the Conservation Area (e.g. King Street car park) would restrict the amount of uses in such locations, in some cases making them impractical. King Street is already dominated by offices; consequently, on the ground floor of new premises facing the highway alternative uses would be more appropriate to encourage a 'vibrant' thoroughfare, benefitting from surveillance from buildings outside normal office hours.
- 7.15 It is important listed buildings are kept in active use, and proposals should not undermine their special historic and architectural interest. This was a key consideration in preparing Table 7.2. Whilst the

outcome of Accommodation Review was that the Council would remain at the Town Hall, it was also resolved that more efficient use of the property be made. This may involve altering the internal configuration of Council functions or introducing new shared or alternative uses. The large internal spaces of the Town Hall, especially on the ground floor, are part of its essential character and any shared use of this space with the Council's civic function or alternative uses would need to take this into account.

Maximising the Socio-Economic Benefits

- 7.16 The NPPF places the economic and social dimensions of 'sustainable development' on an equal footing to its environmental role. Likewise, they are core values at the heart of this Brief. For example, the type of uses which may be acceptable reflects the promotion of the vitality and viability of town centres as important places for communities, as set out in the NPPF. The physical and socio-economic regeneration of this key sector of the town is a fundamental objective of this Brief. As previously noted, this part of Castle Ward suffers from high levels of multiple deprivation. Development of the site should, where possible, address these issues and given the site's location at the heart of the town, it can play an even more crucial role in the regeneration of Scarborough as a whole.
- 7.17 Integration with other potential regenerations schemes as shown in Plan 12 should be taken into account. The type of development proposed should complement and not undermine efforts to regenerate other parts of the town centre or the Eastborough area. Information

supporting the application should set out the predicted socio-economic impact on the immediate environs and the wider area.

- 7.18 A comprehensive and coordinated approach to the site is encouraged, whereby beneficial uses are found for any building or part of the site which may be vacated. The phasing of the development should be programmed to minimise the risk of blight by buildings or sites being left unoccupied for long periods.

Ecology and Trees

- 7.19 Developers are expected to pay due regard to the potential of sites to support existing ecological habitats, in particular those that may support protected species. Surveys should be carried out by appropriately qualified ecologists. The nature and scope of ecological studies should be discussed with the Council to determine what should be submitted with planning applications. Each proposal will be different, but as a guide it is expected that the following may be required:
- Bat Survey relating to buildings to be demolished, or where roof space is converted;
 - Bird Survey, where building works commence between 1st March and 31 August; and
 - Phase 1 Habitat Survey, especially where any green open space is affected.
 - A Tree Survey as indicated in paragraphs 7.21 and 7.22 below.

7.20 Where appropriate, the Council will encourage ecological management and diversification. Applicants should liaise with the Council's Countryside Officer to determine whether there is any opportunity to enhance biodiversity, although the developer may wish to design buildings and landscape in a way which discourages certain nesting bird species, (i.e. gulls), where they would cause significant nuisance.

7.21 The removal of, or works to, any trees must be suitably justified. Trees on the site are afforded protection by virtue of their location in a Conservation Area. If trees are removed this will need to be considered within the context of the proposed wider landscape/public realm strategy for the site and replacement planting may be required on or in the vicinity of the site. Where development is proposed within the proximity of trees considered worthy of retention, it should be demonstrated that this can be facilitated without adverse impact upon the tree(s) or the future development. Where the loss of trees is proposed, this should be justified having regard to the condition and amenity value of the specimen, and where appropriate, other objectives set out in this Brief (e.g. improving views from public vantage points). The impact of tree loss on slope stability may also be a consideration.

7.22 Development proposals should be informed by a full Tree Survey, Tree Constraints Plan and Arboricultural Implications Statement. It is expected that these will be submitted as part of the planning application package. An Arboricultural Method Statement and Tree

Protection Plan may be secured by a condition attached to any planning permission.

Sustainability and Resource Efficiency

7.23 Proposals that integrate sustainable technologies and reduce resource use in building construction and operation will be strongly encouraged. It is expected that proposals will take into account the Council's document, Sustainable Building – Guidance for Developers (March 2008) and achieve the relevant Code for Sustainable Homes standards/BREEAM accreditation.

7.24 Sustainability measures that are encouraged include:

- Designing for passive energy efficiency, e.g. responding to solar orientation;
- Designing to maximise natural ventilation and light;
- Designing for low energy demand and minimising carbon dioxide emissions;
- Encouraging modes of transport such as walking and cycling, therefore also reducing vehicle emissions;
- Reducing air and water pollution;
- Sustainable waste management; and
- Sustainable Urban Drainage Systems (SUDS) – where appropriate.

Land Quality/Geology

- 7.25 Developers would be expected to undertake geo-technical surveys in support of planning applications. These should include a survey of potential land contamination and structural integrity issues so that the Council may determine the application in the knowledge that any scheme will not compromise the stability of the land or existing buildings in and around the Brief area.
- 7.26 In terms of any future development, consideration should be given to the following:
- Site clearance – it is expected that proposals which include site clearance would be accompanied by a demolition strategy;
 - Slope stability – in the area in and around the Futurist and Bland's Cliff, the 2005 WYG report identified the potential for slope instability, this requires further investigation;
 - Foundation Design – consideration should be given to appropriate foundation design which supports proposed buildings – this is especially relevant in and around the Futurist Theatre; and
 - Ground Gas – the 2005 WYG report concluded that the site is at very low risk from ground gas; however developers are expected to carry out their own investigations in this regard.

Utilities/Infrastructure

- 7.27 Developers should confirm with the relevant utilities companies which services are present on the site and the routes that they take. Infrastructure will either have to be incorporated into proposals or re-routed to accommodate them.
- 7.28 The capacity of the infrastructure and its ability to accommodate development proposals should be explored. If deficiencies are identified developers will be required to finance relevant upgrades.

Flood Risk and Drainage

- 7.29 Developers should be mindful of the location of the Brief area in the context of the foreshore and the implications that this may have on assessing flood risk and storm damage. Although the whole of the site is identified as Flood Risk Zone 1 (the lowest risk category), high tides and easterly gales can result in the inundation of Foreshore Road. The site exceeds 1 hectare in size and as such a Flood Risk Assessment (FRA) would be required. This should take into account the risks relating to tidal flooding. It should be prepared in accordance with the Environment Agency's Flood Risk Assessment Guidance Note 3 and have regard to guidance in the NPPF and supporting technical guidance, as well as the Northeast Yorkshire Strategic Flood Risk Assessment (NYSFRA).
- 7.30 A drainage impact assessment should be prepared and this should demonstrate a 30% reduction in proposed run-off compared to the existing site. Sustainable

Urban Drainage (SUDS), where they can suitably be employed on the site, offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, absorbing diffuse pollutants and improving water quality. The Flood and Water Management Act 2010 establishes a SUDS Approving Body (SAB) at county level. North Yorkshire County Council (NYCC) therefore has responsibility for the approval of proposed drainage systems in new developments and redevelopments, subject to exemptions and thresholds. As Highway Authority, NYCC should also be contacted regarding highway drainage. Approval should be obtained before the development commences. In order to be approved, the proposed drainage system would have to meet new national standards for sustainable drainage.

- 7.31 In addition, surface water storage volumes would need to be increased by 20% to make an allowance for climate change. The drainage scheme should include a maintenance regime for the lifetime of the development, including responsibility for any SUDS proposals. Consultation with the appropriate bodies at pre-application stage is encouraged. Further guidance on SUDS and measures to mitigate against flood risk are contained in the NYSFRA.

Land Ownership

- 7.32 The Council encourages the involvement of the private land owners whose property lies within the Brief area in any redevelopment proposals which may come

forward. However, it is an important tenet of the Brief that its objectives can be implemented if the land in private ownership does not become available for redevelopment.

- 7.33 The extant planning permission for residential development on land to the south of 3 King Street has not yet been implemented. The Council recognises that the approved scheme may be built independently of planning applications following this Brief. However, the Brief has been devised to facilitate different configurations of development should they come forward, particularly if the end result is an improved overall urban form.

8.0 The Planning Application and Implementation

8.1 The precise nature and extent of planning application(s) for the Futurist and Town Hall Brief area will depend on the development proposals that come forward. Set out below is a list of the type of technical information that is usually required to support planning applications. The Council will agree the nature of any submission with prospective applicants to ensure that sufficient information is provided with which to determine applications.

8.2 In line with national and local validation criteria, a planning application would be likely need to include the following:

- Planning and Sustainability Statement;
- Design and Access Statement;
- Flood Risk Assessment;
- Drainage Impact Study and Utilities Statement;
- Phase 1 Geo-Environmental Assessment incorporating Land Stability Assessment (dependent on use and location of proposed development);
- Socio-Economic Impact Statement;

- Statement of Community Involvement;
- Transport Assessment;
- Travel Plan;
- Ecology Report, where appropriate including protected species surveys;
- Archaeology Report;
- Heritage Asset Report;
- Topographical surveys;
- Architectural drawing package, including cross section plans showing finished site and slab levels.
- Hard and Soft Landscape Treatment Plans (if applicable); and
- Heads of Terms for Section 106 Agreement.

8.3 The Design and Access Statement should follow the guidance set out in Section 6 of 'Guidance on Information Requirements and Validation' published March 2010, or any subsequently amended version. Design and Access Statements should provide an assessment of site context and details on the proposed amount of development, its layout, scale, appearance

and landscape treatment. The context appraisal element is particularly important because if parcels of land come forward for development in a piecemeal fashion, it will be important for the Council to fully understand how proposals would contribute to the wider objectives of the Brief area.

8.4 The documentation supporting any application should include cross-sectional drawings, as well as 3D or axonometric images, so that the inter-relationship of the proposed development with the topography and its massing relative to surrounding buildings can be fully appreciated. This should include images showing how the development would appear within the wider townscape setting of South Bay from key viewpoints, such as the Castle Headland and South Cliff, which may form part of a Visual Impact Assessment should an Environmental Statement be required.

8.5 Further documents which may be necessary depending on the type and form of development include the following:

- Listed Building Structural Survey (including justification for proposed works);
- Daylight/Sunlight Assessment;
- Affordable Housing Statement;
- Ventilation/Extraction Statement;
- Land Stability Calculations/Assessment;

- Contamination Survey and Outline Remediation Strategy;
- Arboricultural Report;
- Noise Impact Assessment; and
- Lighting Assessment.

8.6 Consent to demolish buildings/structures within the Conservation Area will normally require Conservation Area consent. In these circumstances, justification explaining the impact on the character and appearance of the Conservation Area is required.

8.7 Recent changes in the interpretation of planning legislation by the Government would necessitate an application to the Council to demolish any buildings outside the Conservation Area, i.e. the Futurist/Mermaid. The need for a separate application for prior notification of proposed demolition can be avoided if it forms part of a planning application for replacement development, which would be the Council's preferred approach.

8.8 In any event, demolition of larger scale buildings, such as the Futurist/Mermaid or Town Hall extensions should not be approved in isolation since this would result in the undesirable outcome of a 'gap site' in a key location. Conditions are likely to be imposed ensuring that demolition only occurs as an immediate precursor of redevelopment.

- 8.9 The loss of the existing theatre building should be explained in the planning submissions, making reference to the processes undertaken by the Council (including the Futurist Task Group) to demonstrate that alternatives have been fully explored by the Council, as owner of the site. This would be likely to be closely scrutinised by the Theatres Trust, who would be a statutory consultee for an application relating to the Futurist.
- 8.10 Under the provisions of the Town and Country Planning (Environmental Impact Assessment) EIA Regulations 1999 a screening opinion would need to be obtained from the Council for any major planning application on the site or parts of the site prior to a planning application submission. If it is deemed that an EIA is required, then the detailed contents and methodology shall be 'scoped' or agreed with the Council before an application is submitted. Where an EIA is required this may include the information normally provided as separate documents in accordance with validation criteria.
- 8.11 The Council would expect any development proposals be subject to pre-application discussions with its officers, other statutory bodies and the wider community. A programme of community engagement should be agreed with the Council to accord with the Statement of Community Involvement. This should include presentation to the Town Team/Urban Space Group/Forum for Tourism. Scrutiny at an appropriate independent Design Review Panel should take place to help secure a high standard of design. Applicants would also be encouraged to make a presentation to

Planning & Development Committee at the pre-application stage.

- 8.12 It may also be appropriate to enter into a Planning Performance Agreement with the Council to ensure an agreed programme of delivery.
- 8.13 The Council, in its capacity as landowner, may consider a design competition as an appropriate means of championing an innovative and high quality architectural form, which does justice to the prominent and pivotal seafront location. The decision to hold such a competition would be taken independently from this Brief, but it could help provide the parameters for selection criteria.
- 8.14 Given the sensitive nature of this site, almost entirely within the Conservation Area, only full planning applications would be acceptable.

Planning Conditions and Obligations

- 8.15 Prior to and during the determination period, the Council will discuss the likely nature of planning conditions that would be imposed on any planning permission granted. Until applications are made, it is not possible to provide full details of the types of conditions that developers should expect; however the Council would look to secure a number of items by way of conditions. The following list is not exhaustive but they may include:
- Time limit for implementation;

- Landscape management;
- Requirement to submit material samples;
- Travel plan implementation and management;
- Ecological mitigation;
- Construction management plan (also see paragraph 8.17);
- Hours of operation;
- Sustainable Urban Drainage management; and
- Phasing, e.g. demolition of buildings can only occur if a contract is in place for construction to follow.

8.16 Under Section 106 of the Town and Country Planning Act 1990, the Council may seek to secure planning obligations where infrastructure is required to support new development. Section 106 Agreement(s) will be negotiated on an application by application basis; however proposals for residential development would be required to contribute to planning obligations in line with adopted SPDs relating to: Affordable Housing; Play, Green Space and Sports Facilities; and Education. These would normally take the form of financial contributions, but on schemes involving 10 or more dwellings, on site affordable housing provision of 20% should be made. Depending on the timing of an application relative to the programme for adopting the Local Plan replacement, financial contributions towards infrastructure may take the form of the Community

Infrastructure Levy in place of Section 106 planning obligations.

Phasing/Implementation

8.17 The phasing of development is likely to be market led; however, the Council will be keen to ensure that any development is phased in an efficient manner so as to reduce disruption to residents, businesses and visitors to Scarborough, particularly during the holiday season. It should also avoid sites or buildings remaining inactive for long periods of time. This is a well used part of the town and measures will be taken to ensure the continuing requirements of those using the area are not unduly compromised. The planning application should be accompanied by the overall proposed strategy for phasing and construction management, even if full details are only agreed by means of planning condition (or obligation).

8.18 Any proposals which result in the relocation of an existing business or facility to the Brief area will need to be discussed in detail with the Council. It is not the Council's intention that the regeneration of the Brief area will give rise to buildings elsewhere in the town being left vacant. Similarly, the Council would not wish for businesses and services to move out of the Brief area to make way for redevelopment without assurances that any existing, or new buildings, would not be occupied within a reasonable time frame. Ensuring that beneficial uses are secured for listed buildings is particularly important. The Council would expect developers to bring forward a strategy which addresses this issue and where appropriate this may

form part of a Planning Performance Agreement. Since the Council is also principal landowner, it may also form part of a development agreement.

9.0 Consultation

- 9.1 The consultation process on the Brief was formally approved on 23 March 2012, as an Individual Cabinet Member decision, following the agreement of the Council's Planning & Development Committee.
- 9.2 In summary, the 9 week long consultation consisted of the following:
- Publicity in local press, on the website and posters around the site
 - Copies of the Brief provided online with hard copies in Council offices and libraries across the Borough
 - 994 neighbours and local businesses were directly consulted by letter
 - Consultation of 65 organisations, including statutory bodies, parish councils and local umbrella business groups
 - An online questionnaire, which was referred to in all correspondence
 - The Council's Residents' and Business Panels were invited to complete the questionnaires
 - An exhibition was held in the Town Hall for 7 weeks during the consultation period.
 - Public meetings with the Town Team on 2 May 2012, Urban Area Forum on 23 May 2012 and Urban Space Group on 24 May 2012.
- 9.3 A total of 274 questionnaires were completed and a further 9 letters were received. Together with responses from statutory consultees, these comments were considered by the Council's Environment & Economy Scrutiny Committee on 27 June 2012, whose members were asked for their views, prior to any formal decision on the Brief's adoption.
- 9.4 The Brief was then considered by the Council's Planning & Development Committee at its meetings on 12 July and 30 August, 2012 who recommended to the Full Council that the Brief be adopted as planning guidance and this took place on 10 September 2012.
- 9.5 Full details of the results of the consultation process, including analysis of questionnaire results, can be found as part of the reports prepared for the meetings referred to in paragraph 9.4 above. These are available to inspect on the Council website. The fact that the Brief has been subject to extensive consultation, adds significant to its weight as a material planning consideration, when it is being used as a development management tool to assist with the determination of planning applications.
- 9.6 Further extensive consultation was also undertaken by the Council in its capacity as landowner/development partner and service provider in connection with both the Futurist and the Town Hall Accommodation Review. Full details of the results and conclusions drawn from the Futurist Task Group and Town Hall

Accommodation Review consultations can again be found on the Council's website. Whilst they did not directly address planning issues, they still may contain useful information which can help inform future proposals for the site.

- 9.7 Any developer coming forward to submit a planning application within the Brief area would be expected to carry out pre-application public consultation, as first agreed with the Council, so as to capture local opinion on proposals and provide developers with the opportunity to refine their applications in line with comments received.
- 9.8 Once submitted, a planning application would be subject to the statutory requirements for publicity and neighbour notification carried out by the Council, as set out in the Statement of Community Involvement.

Additional references:

- An Audit of Scarborough Today – A review of Physical and Economic Resources (2002)
- John Thompson and Partners – A Vision for Scarborough (2002)
- WYG Geo-environmental study (2005)
- WYG Services Study (2005)
- Studio Gedye – Vision for the Futurist, Scarborough (2010)
- English Heritage - Guidance on Energy Conservation in Traditional Buildings (2008).

Appendices

Appendix 1 – Futurist Task Group – Options and Recommendations

Established by the Corporate Strategy Overview & Scrutiny Committee in January 2010, the Futurist Task Group set out to determine a viable and sustainable use of this prime location. The public, stakeholders, and a range of specialist experts were asked their opinion, including consideration of 8 Options, as follows:

Options

1. Refurbishment of existing Futurist Theatre and Mermaid buildings.
2. Refurbishment of existing Futurist building, redevelopment of the Mermaid building as adjoining offices or residential dwellings (to subsidise theatre refurbishment costs).
3. Redevelop wider site back to King Street and develop a smaller new theatre including offices or residential dwellings together with a nightclub, retail outlets and bars / restaurants (to subsidise theatre costs).
4. Redevelop wider site back to King Street and develop a new smaller theatre including hotel and offices or residential together with a nightclub, retail, bars/restaurants, a casino, public auditoriums and exhibition/function space and a 150 space car park (to subsidise theatre costs).
5. Redevelop wider site back to King Street and develop the site excluding a theatre to include cinema, hotel, nightclub, retail outlets, bars/restaurants and residential dwellings together with a 250 space car park.
6. Expand existing Futurist site (e.g. include Town Hall extension and King Street Car Park) to create a gateway between the town centre and Foreshore Road and seek developers proposals for a multi-functional leisure and entertainments landmark for Scarborough.
7. Establish a People's Trust to own and run the Futurist Theatre for the people of Scarborough.
8. Do nothing and maintain the existing management operation of the theatre (where possible).

Recommendations

On 8th October 2010, the Task Group made their recommendations to the Corporate Strategy Overview and Scrutiny Committee and these were approved by the Council's Cabinet on 19 October 2011. The recommendations were as follows:

1. The recommendation of Mark Rothery that no marketing of the site should be undertaken before 2012 be accepted.

2. Given this recommendation, and the absence of capital funds to support a redevelopment of the site, to offer the opportunity to those who promote the idea of a People's Trust to bring forward firm proposals to operate a Theatre from the site.
3. Those proposals should include the development of a robust business case supported by a business plan and should be returned to Corporate Strategy Overview and Scrutiny Committee within 12 months of the meeting of Cabinet which reviews this report.
4. The business plan would need to be based on the Stockport model with no ongoing revenue funding or other paid support from the Council; consequently it would need to identify the funding sources to be relied upon to support the proposal for retention of a Theatre.
5. We recommend that such a business plan be subjected to detailed analysis and external scrutiny as appropriate.
6. In the interim Barrie Stead should be offered the opportunity to continue to operate the Futurist Theatre for a further period. We recommend a period of two years to provide him with greater certainty so that he is able to book acts ahead. In keeping with the expectation that the Theatre would be expected to become self sufficient, the Task Group recommends that the level of subsidy be reduced back to pre-2009/10 levels. The Council would reserve the right to terminate the agreement should substantial repairs or investment be needed in the two year extension period, with no compensation to the operator.
7. We recommend that the Planning Brief for the site be completed.
8. We recommend also that Option 6 as identified by Mark Rothery, that is a larger comprehensive development which could embrace a theatre on the whole Futurist site, Mermaid and adjoining shops, King Street car park, and the extensions to the rear of the Town Hall be evaluated, and any additional value that may be realised by combining the Futurist site and the King Street/Town Hall site, be assessed with any proposals that may come forward.
9. To advance these proposals we would recommend that should the opportunity arise to complete land assembly through the purchase of any outstanding land interests at the Futurist this should be taken, subject to adequate budget provision being available.
10. However, in tandem with presenting this opportunity to the promoters of a People's Trust, the group recommends that Council officers develop contingency plans for marketing the development without a Theatre, should proposals for inclusion of a Theatre either not come forward, or prove unrealistic.
11. We recommend finally that Corporate Strategy Overview and Scrutiny Committee maintains the matter under regular review, together with progress on the Trust's Business Plan, the listed building consent application, the Planning Brief and the evaluation of Option 6 be subject to a detailed review by the Committee within 12 months.

2011 Review of Futurist Task Group Recommendations

On 28 November 2011, the Council's Environment and Economy Scrutiny Committee received an update report in respect of the Task Group's recommendations, which outlined the progress made in the various areas previously identified by the Task Group. It also proposed a way forward, as encapsulated in a series of recommendations to Cabinet. The recommendations were subsequently approved by Cabinet at its meeting on 13 December 2011 and were as follows:

1. Progress with the site, and in particular, progress with the People's Trust proposal be noted;
2. In the absence of a viable business plan for a People's Trust to operate the Futurist Theatre, this business model be now rejected;
3. The proposal and indicative timetable for the redevelopment of the Futurist Theatre and surrounding site outlined in the report be supported;
4. An extension of the operating agreement with the current operator be sought for a further 12 months until the end of December 2013, subject to the agreement being capable of determination in the event that major repairs are required; and
5. A further progress report be submitted to the Scrutiny Committee in July 2012 and to the Cabinet in September 2012.

Appendix 2 – Location of Listed Buildings within or adjacent to the Brief Area

Building Name/Address	Grade
Buildings/Structures within Brief Area	
The Town Hall, St Nicholas Street, Scarborough, Y011 2HW *	II
Queen Victoria Memorial Statue, St Nicholas Street, Y011 2HW	II
Brewery Stores, King Street, Scarborough, Y011 1ND	II
21 King Street, Scarborough, Y011 1ND	II
22 King Street, Scarborough, YO11 1ND	II
23/24 King Street, Scarborough, Y011 1ND	II*
Buildings adjacent to Brief Area	
The Royal Hotel, St Nicholas Street, Scarborough, Y011 2HE	II
14a, 14b and 17 St Nicholas Street, Scarborough, Y011 2HF	II*
29-30 St Nicholas Street, Scarborough, Y011 2HF	II
'3', 1 King Street, Scarborough, Y011 1ND	II
1-5 Prospect Place, Scarborough, Y011 1NS	II
7 Prospect Place, Scarborough, Y011 1NS	II
27 King Street, Scarborough, Y011 1NA	II
29 King Street, Scarborough, YO11 1NA	II

The buildings referred to above are also shown on Plan 6 in this Brief.

* The statutory listing at the time of preparing this Brief contained a number of inaccuracies. The details of construction of the building are correctly stated in paragraph 3.8 of this Brief.

Appendix 3 – Planning History

App. Ref	Address	Proposal	Decision
84/00544/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use and conversion of roller skating areas to exhibition units, coffee bar and amusement area at the futurist	Refused
99/00708/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of Use and conversion of existing Public House and gift shop to cafe/restaurant and cocktail bar including external alterations	Approved
98/00785/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use with alterations on first floor level to form Manager's flat	Approved
96/00706/FL	The Mermaid Complex, Foreshore Road, Scarborough	Application for approval of reserved matters for erection of flat and garage (including demolition of Caretaker's flat and artistes' bar)	Approved
96/00704/OL	The Mermaid Complex, Foreshore Road, Scarborough	Outline application for demolition of existing caretakers flat and artistes bar and erection of penthouse for owner including garage	Approved
96/00705/TP	The Mermaid Complex, Foreshore Road, Scarborough	Renewal of temporary permission for continued use of former retail outlet as an amusement arcade	Approved
94/00586/FL	The Mermaid Complex, Foreshore Road, Scarborough	Variation of Condition 1 of approval 4/10/436X/PA dated 24 March 1992 to allow the continued use of a former retail outlet as an amusement arcade after 31 March 1995	Approved
92/00595/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use of retail outlet to an amusement arcade	Approved
88/00719/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use from former Roller Disco to retail premises	Approved

App. Ref	Address	Proposal	Decision
85/00563/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use of part ground floor to 3 retail units and licensed premises	Approved
81/00667/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use of The Minstrel Lounge and bar room to amusements and entertainments centre including bingo at Futurist Buildings	Approved
83/00606/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use of amusement centre to amusement centre and cafeteria with associated internal fitting out	Approved
03/00798/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use from Class A1 (retail) to Class A3 (food and drink)	Approved
06/00283/DM	Flats 1-5 Futurist Flats Foreshore Road Scarborough	Demolition of Futurist Flats	No objection
88/00723/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use of part of ground floor to temporary retail use	Approved
88/00722/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use of part of existing bar to fish and chip shop	Approved
92/00597/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use from a public house to an amusement arcade at The Mermaid Public House	Approved
92/00594/FL	The Mermaid Complex, Foreshore Road, Scarborough	Change of use of retail shop to a cafeteria at Unit 2	Approved
88/00721/FL	The Mermaid Complex, Foreshore Road, Scarborough	New front entrance to existing. Licensed premises. Change of use to form retail kiosk from part of existing. licensed premises. Alterations to existing. kiosk to rear.	Approved

App. Ref	Address	Proposal	Decision
88/00718/FL	The Mermaid Complex, Foreshore Road, Scarborough	Alterations to form new shop unit and shop front at Unit 2A, Futurist Complex, Foreshore Road, Scarborough	Approved
03/00798/FL	Unit 3 Futurist Buildings Foreshore Road Scarborough	Change of use from Class A1 (retail) to Class A3 (food and drink)	Approved
05/00045/FL	20-22 St Nicholas Street Scarborough	Conversion of three existing shops to customer first unit with associated alterations to the elevation	Approved
89/00797/CA	Town Hall King Street Scarborough	Conservation Area Application for complete demolition of temporary timber sectional building	Approved
93/00834/LB	Town Hall King Street Scarborough	Listed Building Consent for alterations to the reception area at the St Nicholas Street entrance by the formation of a new access from the entrance lobby with associated works	Approved
00/00523/LB	Town Hall St. Nicholas Street Scarborough	Application for Listed Building consent for relocating the listed statue of Queen Victoria and formation of viewing terrace with associated alterations	Approved
84/00581/TP	Town Hall King Street Scarborough	Renewal of Temporary Permission in respect of the erection of an office block	Approved
89/01011/FL	Town Hall St. Nicholas Street Scarborough	Extension at rear, on King Street elevation, Scarborough	Approved
89/01010/FL	Town Hall St. Nicholas Street Scarborough	Extension to St Nicholas Street wing of the Town Hall	Approved
89/01009/FL	Town Hall St. Nicholas Street Scarborough	Extension to provide new print room and stationary store	Approved

App. Ref	Address	Proposal	Decision
01/01273/CA	The Old Brewery Warehouse And 21-24 King Street Scarborough	Conservation Area consent for partial demolition of part of former brewery warehouse and total demolition of two storey building to rear of No 24	Approved
01/01272/LB	The Old Brewery Warehouse And 21-24 King Street Scarborough	Listed Building consent for partial demolition of and alterations to listed buildings at No's 21-24	Approved
01/01271/FL	The Old Brewery Warehouse And 21-24 King Street Scarborough	Change of use and redevelopment of existing derelict buildings, with partial demolition and rebuild to provide office facility with accompanying listed building and conservation area applications	Approved
00/00522/CA	Former CAB Building King Street Scarborough	Application for Conservation Area consent for demolition of former CAB building	Approved
09/01564/FL	Land to the rear of Bell Hotel, Prospect Place	2no. semi-detached dwellings	Approved

Appendix 4 – Summary of Use Classes

The following is a summary of the Use Classes as defined by the Town and Country Planning (Use Classes) Order 1987, as amended, and as relevant to this Brief. This table is produced solely for reference in connection with this Development Brief at the time of its publication. For further guidance, including permitted changes of use, contact should be made with the Planning Services Section of Scarborough Borough Council.

Use Class	Relevant Examples
A1 Shops	Shops, retail warehouses, sandwich bars, hairdressers, undertakers, travel and ticket agencies, post offices, dry cleaners, showrooms, domestic hire shops, funeral directors, internet cafés
A2 Financial & Professional Services	Banks, building societies, estate and employment agencies, professional and financial services, betting offices
A3 Restaurants & Bars	Restaurants, snack bars, cafés
A4 Drinking Establishments	Public house, wine-bar
A5 Hot Food Takeaways	Sale of hot food for consumption off the premises
B1 (a) Offices	Offices, not within A2
B1 (b) Research & development	Laboratories, high technology
B1 (c) Light Industry	Light Industry
B2 General Industry	General Industry
B8 Storage & Distribution	Wholesale warehouses, distribution centres
C1 Hotels	Hotels, boarding and guest houses
C2 Residential Institutions	Residential schools/ colleges, hospitals and convalescent/nursing homes, communal housing of elderly and handicapped people.
C3 Dwelling Houses	Dwellings
D1 Non-residential Institutions	Clinics, health centres, crèches, museums, public halls, libraries, art galleries, ,museums, public halls, libraries, art galleries, non-residential education
D2 Assembly and Leisure	Cinemas, concert halls, sports halls, swimming baths, skating rinks, gymnasiums, bingo halls
Sui Generis (i.e. not in Use Class above)	Theatres, night-clubs, casinos, launderettes, taxi or vehicle hire businesses, amusement centres, hostels

Appendix 5 - Glossary

Active frontages – This means buildings that have elevations which add interest and activity to a street and place. This can be achieved by appropriate use of windows and doors, minimising blank walls, articulation of facades and uses that are visible from the street or spill out into it.

Atrium – A space, often several storeys high, enclosed by a glazed roof and/or large windows.

Conservation Area – An area of special architectural interest, the character and appearance of which the Council, as local planning authority, has the duty to preserve or enhance.

Core Area - A sub-area within the wider area covered by the Development Brief, where the general emphasis is to encourage new development.

Core Strategy – A local planning authority's document that includes an overall vision which sets out how the area and the places within it should develop; strategic objectives for the area; a delivery strategy for those objectives, and arrangements for managing and monitoring the delivery of the strategy.

Environmental Statement – A document that gathers together information on various relevant matters and makes an assessment of these to aid a local planning authority's understanding of the environmental effects of a development.

Heritage Asset - A building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions

Heritage Setting Area - A sub-area within the wider area covered by the Development Brief, the character of which is dominated by listed buildings. These would be retained, but there may be scope for limited alteration or partial change of use.

Legibility – The quality of a place which makes it understandable to people, primarily due to its physical form and layout.

Listed Building – A building that is of special architectural or historic interest, which the Council, as local planning authority, has the duty to preserve or enhance.

Localism Act - The Localism Act seeks to give effect to the Government's ambitions to decentralise power away from Whitehall and back into the hands of local councils, communities and individuals to act on local priorities.

Local Plan – This is a document which sets out the Council's policies for development within its area and allocates land for particular uses, e.g. employment and housing.

Massing – Massing is a term used to describe the relationship of a building's various parts to each other. Massing is an important consideration as it is one of several

details that determine the visual interest of a building and how it fits with its surroundings.

Permeability – The extent to which a place offers people a choice of routes to access surrounding areas.

National Planning Policy Framework (NPPF) – This document, published in March 2012, sets out the Government's planning policies for England and gives guidance on how these are expected to be applied.

Regional Spatial Strategy (RSS) – A document providing guidance on the 'spatial' vision and strategy for Yorkshire and the Humber, identifying areas for development and regeneration.

Sequential Assessment/Approach – A policy test set out in the NPPF which should be applied to planning applications for certain uses including retail, leisure and offices, whereby preference is normally given to town centre sites over out of centre or out of town sites.

Supplementary Planning Document (SPD) – A document produced by the Council, as local planning authority, which provides guidance on how the policies of the Local Plan will be applied to development proposals.

Sustainability (Sustainable development) – Development that meets the needs of the present without compromising the ability of future generations to meet their needs, while having consideration to economic, social and environmental factors.

Sustainable Urban Drainage System (SUDS) – A system designed to reduce the potential impact of new (and existing)

developments with respect to surface water drainage discharges, usually involving measures to slow the rates of discharge to minimise the risk of flooding within the site or elsewhere.

Topography – The arrangement of the natural and artificial physical features of an area, primarily relating to changes in levels.

Town centre gyratory – The system of roads that carries traffic around the town centre's pedestrianised area.

Urban grain – The pattern of streets, buildings and other features within an urban area.

Urban morphology - The study of the form of human settlements and the process of their formation and transformation, which seeks to understand their spatial structures and characters. The study involves examining a settlement's pattern and its component parts, as well as the process of its development. Analysis of physical form often focuses on street and plot patterns, known collectively as the urban grain.

Use Classes – These are the different categories of use of buildings and land as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended). For example Class A1 use defines the uses falling within the definition of a 'shop'. (See Appendix 4 for more information).

Visual Impact Assessment – An assessment of the impacts of a proposed development in views to and from its surroundings, normally including the identification of key views.

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