

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/16/01048/FPA
FULL APPLICATION DESCRIPTION	Demolition of derelict hotel and erection of a four storey mixed use development (part retrospective)
NAME OF APPLICANT	Mr David Gill
SITE ADDRESS	Harbour View Hotel, 18 North Terrace, Seaham
ELECTORAL DIVISION	Seaham
CASE OFFICER	Barry Gavillet 03000261958 dmcentraleast@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

1. The former Harbour View Hotel on North Terrace was a part two storey, part three storey rendered property built in the 1830's as part of the first phase of the development of Seaham. The two storey extension to the rear was a later addition, the building envelope occupied approximately 60% of the site. The site is enclosed by a mix of red brick and rubble stone walls to the south and west of varying ages. The building was vacant for at least five years before being subject to a major fire in September 2015 which caused extensive damage. Members should note that in the time between submission of this application and the writing of the report the building has collapsed and the site has been cleared, this will be discussed further later in the report.
2. The former Harbour View building was not listed, although it is within the historic core of the Seaham Conservation Area, in a mixed use promenade facing onto a prominent and well used public open space with views out to the sea beyond. To the southeast is the Grade II listed former Police Station now converted to flats.
3. Seaham is a local tourism destination with the promenade the focal point for visitors, and the hub of commercial activity with Church Street to the south providing secondary retail uses. The site is therefore significant in terms of public appreciation and awareness of the historic character of Seaham as well as visual prominence within the street scene.

Proposal:

4. These proposals seek permission for the demolition of the former derelict Harbour View Hotel at 18 North Terrace, Seaham and its replacement with a four storey mixed use development, although this will appear as a three storey building with dormer style windows in the roofspace.
5. Due to major fire damage the building collapsed in the summer of 2016. However, demolition still forms part of this application as the demolition of a building within a conservation area requires consent, albeit this is now retrospective
6. The proposal seeks a new mixed use development comprising A3 (restaurant and café), A4 (drinking establishment) and B1 (offices) uses at ground floor and first floor with 2 apartments, and 2 staff apartments on the second floor and a penthouse apartment on the third floor. The scale of the proposed building including its height would be very similar to the building which previously stood on the site.
7. There would be extensive glazing across the main North Terrace elevation including shop fronts at ground floor level. The materials used would include red facing brickwork, off-white render and grey powder coated aluminium windows along with a traditional slate roof to match the surrounding buildings. Eight car parking spaces would be provided to the rear of the building which would be accessed from the side or rear lane.
8. This application is being reported to committee as it is classed as a major development.

PLANNING HISTORY

9. None relevant.

PLANNING POLICY

NATIONAL POLICY:

10. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
11. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'

The following elements are considered relevant to this proposal:

12. *Part 1* - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

13. *Part 4* - Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
14. *Part 7* - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
15. *Part 12* - Conserving and Enhancing the Historic Environment. Working from Local Plans that set out a positive strategy for the conservation and enjoyment of the historic environment, LPA's should require applicants to describe the significance of the heritage asset affected to allow an understanding of the impact of a proposal on its significance.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

LOCAL PLAN POLICY:

District of Easington Local Plan

16. *Policy 1*- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.
17. *Policy 3* - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.
18. *Policy 18* - Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.
19. *Policy 22* – The Council will seek to preserve and enhance the character, appearance or setting of the districts conservation areas.

Policy 24 – Any developments which adversely affect the character, appearance, special architectural features or setting of a listed building will not be approved.
20. *Policy 35* - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.

21. *Policy 36* - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
22. *Policy 37* - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).
23. *Policy 101* – The role of Peterlee and Seaham Town Centres, as the main retailing centres in the district, will be protected and promoted.
24. *Policy 109* – The scale, design and materials of new or redesigned shopfronts should relate satisfactorily to the building in which the shop front is to be installed and to adjacent buildings.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>

EMERGING POLICY:

25. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

26. None relevant

INTERNAL CONSULTEE RESPONSES:

27. Design and Conservation officers have negotiated with the applicant which has resulted in several amendments to the scheme being made. Officers support the agreed scheme subject to a materials condition.
28. Ecology officers considered the demolition of the building (before collapse) to be of low risk due to extensive fire damage.
29. Environmental Health officers have no objections to the proposals subject to conditions requiring a sound proofing scheme given the potential conflict between the uses and residential apartments and a construction management plan.
30. Highways officers have no objections to the location and level of parking provision.

PUBLIC RESPONSES:

31. Northumbrian Water have no comments.
32. No letters have been received from surrounding occupiers.

APPLICANTS STATEMENT:

33. The applicant seeks to obtain permission for a ground-floor restaurant with ancillary facilities in the basement, a first-floor bar/restaurant together with staff and private residential accommodation on the upper floors.
34. The applicant owns and operates Gill's Fry-Fry at 19, North Terrace. In addition, he is the landlord of The Lamproom at 20, North Terrace.
35. The applicant has vast experience in food and drink industry having 24 similar outlets and he considers that his knowledge will result in a very successful project.
36. If granted, the scheme will generate 75 secure jobs for local people. In addition, the scheme will enhance the existing, successful status of North Terrace by supplementing the existing range of options.
37. The site is currently vacant and the proposals seek to replace what was previously a hotel/public house, which was in a serious state of disrepair following a fire and subsequent collapse, with a landmark building which will be a benefit to the whole town.
38. The design of the new building has evolved over a period of time with the input of the relevant officers of Durham County Council who are satisfied with the proposals in terms of aesthetics, scale, massing and highways requirements.
39. The applicant is involved in the development of other sites on North Terrace and is, therefore, making a substantial investment in the immediate area which he has already helped improve. Furthermore, he considers that this area of Seaham still has more potential in terms of the economy, tourism and employment for the town.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at

PLANNING CONSIDERATION AND ASSESSMENT

40. Local planning authorities (LPA's) must determine planning applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise. If the Development Plan contains material policies or proposals and there are no other material considerations, the application should be determined in accordance with the Development Plan. Where there are other material considerations, the Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision. In this instance the main relevant considerations are the principle of the development, the impact on the street scene and conservation area and highways issues.

Principle of the development

41. Policy 1 of the District of Easington Local Plan requires that development should exhibit a high standard of design and requires that the visual and general amenity of those in the area should be protected. Further Policy 35 requires that new development should reflect the scale and character of adjacent buildings and have no serious adverse effect on the amenity of neighbouring residents or occupiers. Policy 22 requires that within Conservation Areas, development should not detract from the character, appearance or setting of the Conservation Area. Development within Conservation Areas should be appropriate in terms of siting, layout, site coverage, height, roof style detailed design and materials. Policy 109 states that new or redesigned shop fronts should be of a scale, design and materials that relate satisfactorily to the building and to adjacent buildings.
42. The ground and first floor of the premises is proposed to be a mixed use development comprising A3 (restaurant and café), A4 (drinking establishment) and B1 (offices) uses which would create an active frontage at street level with well designed shop fronts. The proposed redevelopment would be in keeping with the character of the area which is of mixed use and is located near commercial properties, some of which have residential flats above. It is considered that the design, scale and layout of the proposals would enhance this prominent part of the conservation area and on this basis the proposals would accord with the saved policies of the District of Easington Local Plan.
43. In terms of the National Planning Policy Framework parts 1, 7 and 12 are particularly relevant. Part 1 aims to build a strong, competitive economy and seeks to ensure that the planning system supports jobs, prosperity and sustainable economic growth. A development such as the one proposed is wholly appropriate in this location and the applicant has advised that there is potential to create up to 75 jobs. Part 7 requires good design and states that good design is a key aspect of sustainable development and development should contribute positively to making places better for people. Part 12 seeks to conserve and enhance the historic environment. As stated above the proposed development of the site is considered to be of high quality which would have a positive impact on the conservation area. Accordingly, the proposals are considered to be in accordance with both saved local plan policy and the National Planning Policy Framework and are therefore acceptable in principle.

Impact on the street scene and conservation area

44. In terms of the demolition, the former building had been previously identified as a building of local interest which contributed to the character and appearance of the Seaham Conservation Area, now more commonly referred to as a non-designated heritage asset. The loss of the building would therefore have been considered to cause substantial harm to the designated conservation area.
45. Paragraphs 133 and 134 of the NPPF outline the special justification case which must be prepared and submitted before the Local Planning Authority should approve development resulting in such substantial harm.
46. Before the collapse of the building, the applicant submitted a fire damage report, itemised costs of repair/rebuild and a valuation report to justify the loss of the

building. This indicated that the building was beyond economic repair and met the first two criteria of para 133 of the NPPF regarding the nature of the site and viability of retention. In this location and for an unlisted building there are very limited options for grant assistance. The final criteria relates to the desire to bring the site back into use. The loss of the former building was unfortunately inevitable given its condition and the benefits of regeneration versus the retention of a dilapidated fire damaged property in a prominent location were clear.

47. The applicant has submitted clear and convincing justification that the building was not economically viable for repair and conversion given the extent of the fire damage and extensive rebuild and repairs that were required. In any case such extensive works would have undermined the authenticity and integrity of the building as a non-designated heritage asset. Notwithstanding that the building has now collapsed and the site cleared, the principle of demolition would have been accepted by officers.
48. The proposed new development consists of a three storey mixed use building with roofspace accommodation providing commercial units to the ground and first floor with residential flats above. The scale of the new building reflects the former Harbour View Hotel and is appropriate in this location.
49. The design of the building has evolved through negotiations with officers since pre-application stage and some elements such as the recessed shopfront have been addressed (this is now a glazed frontage) and a lighter touch has been introduced to the front elevation dormer. To the front elevation there is also good relationship between the shopfront pattern and the openings to the flats above resulting in an attractive vertical emphasis. To the side elevation the rhythm of openings also provides an attractive appearance. To the rear a covered area of 8 car parking spaces is to be provided. In terms of materials it is proposed to use a traditional red brick, off-white render and a traditional slate roof whilst the windows would be made from grey powder coated aluminium. These material types have been agreed with design and conservation officers although samples need to be agreed and this should be conditioned.
50. The proposed new development would be a large building in a prominent site and it is important that the opportunity to make a positive contribution to the streetscene is maximised to mitigate the loss of the existing historic building. The height and scale of the proposed building is appropriate whilst the design is of high quality and would add a contemporary feature to the historic environment provided that the details of materials are agreed. The development would have no adverse impact on surrounding occupiers in terms of loss of light, privacy or overshadowing. Overall it is considered that this proposal represents an excellent quality development which is appropriate in this prominent part of Seaham which would enhance the conservation area.

Highways Issues

51. Saved Policy 36 requires the design and layout of development to provide safe, attractive and convenient footpath and cycleway links between the housing and shopping facilities, schools, public transport facilities, leisure facilities and places of employment where appropriate.
52. The site lies within the busy seafront area of Seaham close to the town centre which is well served by public transport, there are also public car parks close by including a large car park directly adjacent the development. As mentioned previously, there

would be 8 parking spaces provided to the rear of the development and this level of parking has been considered acceptable by highways officers. However, a condition would be required which restricts the car parking spaces to residents of the apartments only to ensure that any employees use alternative parking arrangements.

53. Overall, highways officers offer no objections to the proposals and it is therefore considered that with regard to highways issues that the proposals are in accordance with part 4 of the National Planning Policy Framework and saved Policies 36 and 37 of the District of Easington Local Plan.

CONCLUSION

54. The principle of the demolition of the former Harbour View Hotel would have been accepted by officers given its fire damaged and dilapidated appearance within the conservation area and given the damage and viability reports submitted by the applicant. The new development proposals have been subject to significant negotiations with design and conservation officers who now offer their full support. The scheme would result in a high quality new development in this busy and prominent part of the conservation area and would attract new businesses, jobs and further tourism opportunities and on this basis the application is recommended for approval.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out only in accordance with the approved plans and specifications contained within:

Location plan received 31.3.2016
Amended proposed elevations revision G
Proposed basement and ground floor plan C-03 Rev A
Proposed first and second floor plan C-04 Rev A
Proposed third floor plan C-05 Rev A

Reason: To meet the objectives of saved Policies 1, 35 and 36 of the Easington District Local Plan and parts 1 and 4 of the NPPF.

3. Prior to the commencement of any part of the development or any works of demolition, hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:

A Dust Action Plan including measures to control the emission of dust and dirt during construction

Details of methods and means of noise reduction

Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.

Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site;

Designation, layout and design of construction access and egress points;

Details for the provision of directional signage (on and off site);

Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure;

Details of provision for all site operatives for the loading and unloading of plant, machinery and materials

Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period;

Routing agreements for construction traffic.

Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The management strategy shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of residential amenity and to accord with policy 1 and 35 of the District of Easington Local Plan.

4. Notwithstanding any details of materials submitted with the application no development shall commence until details of the external walling, roofing materials and hard surfacing have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with saved Policies 1 and 35 of the Easington District Local Plan and part 11 of the NPPF.

5. Development shall not commence until a scheme for sound proofing has been submitted and approved in writing by the Local Planning Authority. The scheme should be supported by a noise impact assessment carried out by a qualified and competent person. The scheme shall ensure that the noise insulation of walls/floors/windows between the separate and adjoining properties shall be sufficient to prevent excessive ingress/egress of noise. Thereafter the development shall take place in accordance with the approved scheme in perpetuity.

Reason: In the interests of residential amenity and to accord with policy 1 and 35 of the District of Easington Local Plan.

6. No A3 or A4 uses shall be brought into use until a details of ventilation, extraction and plant have been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details in perpetuity.

Reason: In the interests of residential amenity and to accord with policy 1 and 35 of the District of Easington Local Plan.

7. Development shall not commence until a signage scheme for resident parking to the rear of the building has been submitted and agreed in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved scheme in perpetuity.

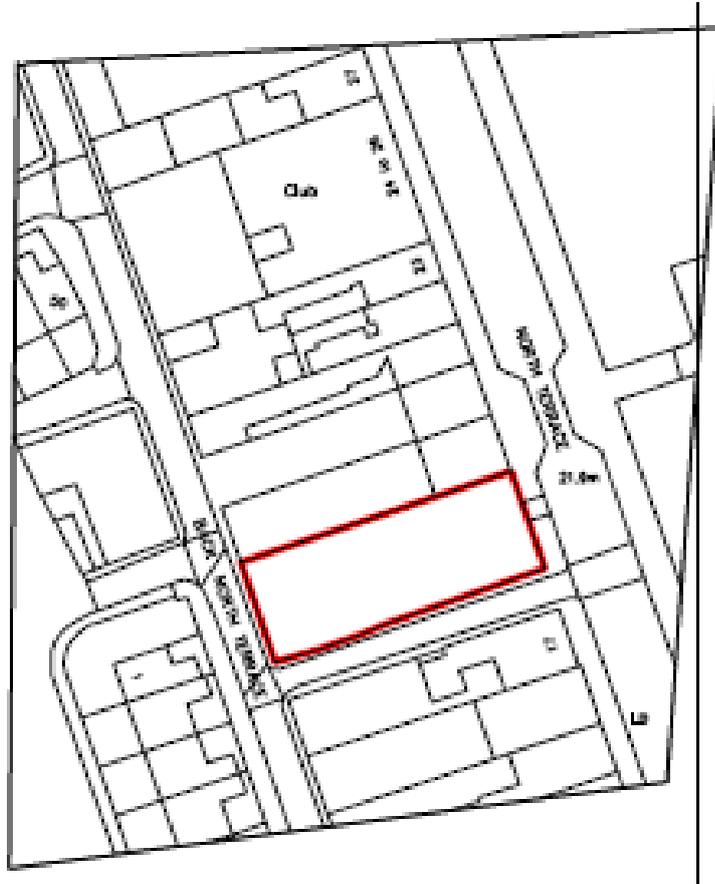
Reason: In the interests of highway safety and residential amenity and to accord with policy 1, 35 and 36 of the District of Easington Local Plan and part 7 of the NPPF.

STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process. The decision has been made within target provided to the applicant on submission and in compliance with the requirement in the National Planning Policy Framework to promote the delivery of sustainable development.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- District of Easington Local Plan 2001
- National Planning Policy Framework
- County Durham Plan Pre-Submission Draft
- Consultation Responses



Planning Services

Proposed Demolition and redevelopment of the former Harbour View Hotel, Seaham

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Comments

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