



Appeal Decisions

Site visit made on 16 July 2024

by **Andrew McCormack BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th August 2024

Appeal Ref: APP/V0728/W/24/3339382

6 Granville Terrace, Redcar TS10 3AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by JCM Plant against the decision of Redcar & Cleveland Borough Council.
 - The application Ref R/2023/0657/FF, dated 29 September 2023, was refused by notice dated 20 December 2023.
 - The development proposed is change of use from dwellinghouse (Use Class C3) to hotel (Use Class C1) providing 14 rooms associated with The Park Hotel; replace door with window in detached garage.
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Appeal Ref: APP/V0728/W/24/3341553

6 Granville Terrace, Redcar TS10 3AP

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 - The appeal is made by JCM Plant against the decision of Redcar & Cleveland Borough Council.
 - The application Ref: R/2024/0039/FF, dated 16 January 2024, was refused by notice dated 7 March 2024.
 - The development proposed is change of use from dwellinghouse (Use Class C3) to hotel (Use Class C1) providing 12 rooms associated with The Park Hotel and demolition of existing garage to create additional parking.
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Decision

Appeal A Ref: APP/V0728/W/24/3339382

1. The appeal is allowed and planning permission is granted for the change of use from dwellinghouse (Use Class C3) to hotel (Use Class C1) providing 14 rooms associated with The Park Hotel and replace door with window in detached garage in accordance with the terms of application ref: R/2023/0657/FF and subject to the conditions set out in the schedule attached to this decision.

Appeal B Ref: APP/V0728/W/24/3341553

2. The appeal is allowed and planning permission is granted for the change of use from dwellinghouse (Use Class C3) to hotel (Use Class C1) providing 12 rooms associated with The Park Hotel and demolition of existing garage to create additional parking in accordance with the terms of application ref: R/2024/0039/FF and subject to the conditions set out in the schedule attached to this decision.

Procedural Matters

3. As set out above, there are two appeals on this site. They differ only in the proposed number of rooms to be created at the appeal property and how, in Appeal A, the associated detached garage building is to be altered with a window replacing a door and in

Appeal B the garage is to be demolished to provide additional parking. I have considered and determined each proposal on its own individual merits. However, to avoid excessive and unnecessary duplication, I have dealt with the two schemes together in this decision letter except where otherwise stated.

4. In Appeal B, the description of the proposed development is taken from the Decision Notice rather than the application form as it describes more accurately the proposal by including the demolition of the detached garage and provision of additional parking.

Main Issues

5. The following main issues are the same for Appeal A and Appeal B:
 - The effect of the proposed development on the character and appearance of the surrounding area;
 - The effect of the proposed development on the living conditions of neighbouring occupiers with regard to privacy; and
 - The effect of the proposed development on highway safety and parking.
6. A further main issue for Appeal A is:
 - The effect of the proposed development on local infrastructure with regard to drainage.
7. A further main issue for Appeal B is:
 - Whether the proposed development sufficiently considers and meets the needs of people with disabilities.

Reasons

8. The appeal site relates to The Park Hotel and the adjacent property at 6 Granville Terrace (No.6), a two-storey end of terrace dwelling to the east of the hotel. The hotel is predominantly a three-storey building with a single-storey offshoot to the east providing an entrance to the bar and restaurant area. This section of the hotel is physically attached to No.6. To the west is a short terrace of two-storey buildings, also attached to the hotel, comprising Nos.1-5 Granville Terrace. There has been conversion of the adjacent terrace to hotel use in the past which has included 2 Granville Terrace forming a 7-bed annex for the hotel. No.6 has an associated but detached garage building to the rear of the property which is adjacent to Lord Street. There is on-site parking serving the hotel which is accessed at the rear of the appeal site from Lord Street. There is off-site parking available nearby to the south of Lord Street within Fisherman's Square Car Park. On-street parking in the local area is predominantly resident permit controlled and as such, public on-street parking is limited in the area around the appeal site within during the specified controlled parking time periods.

Character and Appearance

Appeal A

9. The appeal focuses on the dwelling at No.6, an end of terrace property on Granville Terrace that adjoins the hotel. Granville Terrace is a seafront row of properties which are mainly two-storey dwellings. A number of these properties appear to have some form of accommodation in the roof space as denoted by front and rear dormer windows. Many of the dwellings within the terrace have two-storey rear offshoots which also appear to provide living accommodation for their occupiers. To the rear of the terrace, the properties have sizeable curtilages with garages situated at the southern end of the plots which adjoin Lord Street, a public highway. The majority of these garage buildings have vehicle access available on to Lord Street through large garage doors, including the appeal property.

10. The proposed works require extensive internal alterations throughout the building (No.6) to provide the accommodation specified. However, the proposed change of use of the main dwelling does not involve any external alterations to create the proposed 12 bedrooms within it. As a result, I find that the conversion and change of use of the main dwelling would have no substantive impact on the character and appearance of the street scene or the surrounding area.
11. The change of use from a single-family dwelling to multi-room hotel accommodation would clearly alter and have an impact on the level of activity associated with the property. However, it is noted that such activity is already present in the vicinity of the property with the adjoining Park Hotel and the Claxton Hotel nearby on the High Street. I have had regard to the Council's concerns that the increase in people entering and leaving No.6 would result in an adverse change of character for the property and the terrace of residential dwellings. Given that no external alterations to the main dwelling are proposed, including the principal elevation of No.6, it is clear the building would continue to appear and be accessed in the same way as at present. Essentially, the appearance and character of the property would be unchanged. Therefore, I find that the character of the terrace of properties along Granville Terrace would not be eroded by the change of use proposed.
12. The Council indicates in its Appeal Statement that an intensification of the use of, and activity at, No.6 resulting from the proposal would impact the character of the local area which it says is predominantly residential. As I have identified, the property at No.6 is set within the context of an existing 32-bedroom hotel and further hotel accommodation nearby. The proposals in Appeal A (and Appeal B) would both increase the available accommodation within No.6 by 4 bedrooms from its present 8 bedrooms. Therefore, in my assessment, the potential increase in the level of intensification of activity resulting from this would be limited.
13. Furthermore, such a limited increase would be in the context of a locality with existing hotel accommodation adjacent to and nearby the appeal property and other similarly sized dwellings on Granville Terrace also having potentially up to 8 bedrooms and the capability to intensify and increase activity even as single-family homes. Taking this into account, I find that the potential intensification or increase in activity due to the proposed development would not be so significant as to have any material adverse impact on the character of the area. This would also be the case in relation to Appeal B as both proposals are the same in this regard.
14. The proposed scheme in Appeal A also includes the conversion of the detached garage building to the rear of No.6 to provide two additional bedrooms with en-suite facilities. In contrast to the main building, the conversion of the garage would require external alterations to its north elevation, facing the proposed internal courtyard, and to its south elevation which faces onto Lord Street. The changes to the north elevation comprise the replacement of an existing window and door with alternative designs and no additional openings provided. In relation to the south elevation on Lord Street, the existing garage door and access door are proposed to be blocked up and replaced by a casement window.
15. The proposal in relation to the detached garage building in Appeal A would involve the significant alteration of its appearance, particularly on Lord Street with the replacement of the large garage door. From what I have seen, this alteration with just a casement window in place would be a significant departure from the almost exclusive frontage of garage and single access doors along Lord Street to the rear of Granville Terrace. Despite the eclectic and mixed appearance of these garages and rear accesses, the proposed alterations set out in Appeal A would have an incongruous appearance and would be at odds with the prevailing character and appearance of Lord Street. This would, in my assessment, result in a limited adverse impact on the character and appearance of the area. However, I

consider that such a limited harmful impact would be insufficient, when considered individually, to deny planning consent.

Appeal B

16. In Appeal B, I have considered the principal difference in the proposed development to that set out in Appeal A which is the demolition of the detached garage building to provide additional parking spaces to serve the Park Hotel, including the proposed accommodation within the main building at No.6. In undertaking and completing this demolition work, it is proposed to provide the additional parking spaces along with the installation of a suitable boundary treatment. The removal of the garage building would inevitably alter the physical appearance of the immediate area. However, in the wider context, I find that it would represent a relatively minor extension to the open aspect of the adjacent existing hotel car park and would provide an appropriate use in relation to extending the existing car park. Consequently, the overall character and appearance of the immediate area would not be altered or harmed to any substantive degree as a result. Accordingly, from the proposed plans and what I observed on site, it is my view that the proposed development under Appeal B, incorporating the replacement of the garage with parking spaces, would not have any substantive detrimental impact on the character and appearance of the area.

Conclusion

17. Overall, taking all of the above matters into account and all others raised in this respect, with regard to Appeal A, I conclude that the proposed development would have no significant adverse effect on the character and appearance of the surrounding area.
18. In relation to Appeal B, the proposed scheme, including the demolition of the garage and provision of parking spaces, would also have no detrimental effect on the character and appearance of the surrounding area. Consequently, I find that the proposals in Appeal A and Appeal B would both be in accordance with part (j) of Policy SD4 of the Redcar and Cleveland Local Plan 2018 (the Local Plan).

Living Conditions

Appeal A

19. The proposed development is looking to change the use of accommodation within the existing dwelling at No.6, mainly on the ground floor. The scheme also proposes a change to the layout of the living accommodation at ground floor level to provide en-suite bedrooms. In addition, it is noted that at first floor level and within the roof space, the proposed scheme would retain bedrooms as per the existing layout.
20. Taking account of the relationship of the main building at No.6 to the neighbouring residential property (7 Granville Terrace – No.7), I find that the proposed ground floor changes would not result in any adverse impacts nor be prejudicial to the living conditions of neighbouring occupiers at No.7. This is principally, though not exclusively, due to the presence of a substantial boundary wall between the two properties.
21. I have had regard to the fact that no additional window or door openings are included as part of the proposed conversion works. Therefore, this is another factor that points to the proposal not being considered likely to cause any privacy issues for neighbouring occupiers at No.7.
22. I have also considered the Council's points about potential loss of privacy for occupiers at No.7 which principally relate to the view into No.7 from the first-floor window in the side elevation of No.6 serving proposed bedroom 8 and windows in the proposed converted garage building that would look back towards No. 6 and No.7.

23. In relation to the first-floor window of proposed bedroom 8, I note from the appellant's appeal statement, and my observations, that work has been carried out under permitted development rights resulting in the window now being obscurely glazed. As a result, the opportunities for overlooking No.7 from this window, and any resulting loss of privacy for its occupiers, no longer exist. Notwithstanding this, the appellant has indicated that a suitably worded planning condition requiring the obscure glazing of the window to be retained for the lifetime of the development, would be accepted if considered necessary.
24. The proposed window in the north elevation of the garage building would face back towards the main property at No.6 and the rear elevation of No.7. The window would be at ground floor level and at a slightly lower ground level to the main building (No.6) and neighbouring No.7, taking account of the steps down to the detached building through the proposed courtyard. Furthermore, the boundary with No.7 is, and presumably would remain, a substantial brick wall restricting any potential invasive view towards the property at No.7 from the proposed ground floor window. I note that the proposed window would also be approximately 25 metres from the rear elevation of No.7 and would meet the minimum separation distances set out in the Council's Residential Design Guide.
25. It is acknowledged that the proposed window in the detached building would change the existing relationship the building would have with its surroundings. Nonetheless, for the reasons given, I find that the proposed windows identified would not result in any adverse impacts on privacy for the occupiers of the neighbouring property at No.7 or any other guests staying in bedrooms within the main building at No.6.

Appeal B

26. My findings relating the proposed development in Appeal A also apply to the scheme in Appeal B in so far as they relate to the assessment of the identified windows in the main building and the privacy of the occupiers of No.7. In addition to this, I have had regard to the additional matters identified concerning residential amenity and privacy which relate specifically to Appeal B.
27. It is noted that the Council determined that the privacy of neighbouring occupiers at No.7 would be compromised by other windows in the rear elevation of the main property of No.6. These windows would be those that would serve proposed bedrooms 7 and 9.
28. In my assessment, these windows would be the same windows in the same positions, and which currently serve existing bedrooms in the appeal property. Specifically, I find that the window serving proposed bedroom 7 would have no discernible effect on privacy in any event as it does not overlook any neighbouring property, including No.7 because of the existing rear off shoot to No.6. The window serving proposed bedroom 9 would have some overlooking of the neighbouring property at No.7. However, I consider this to be no more than is currently the case. Accordingly, the proposal would not result in any further impact on privacy arising from the retention of this window. Therefore, I find that there would be no detrimental impact on the privacy or residential amenity of the neighbouring occupiers resulting from the proposed scheme, including the windows identified.

Conclusion

29. Overall, I have carefully assessed the points of concern raised in both Appeal A and Appeal B about potential loss of privacy for neighbouring occupiers resulting from the proposed schemes in both Appeal A and Appeal B. In light of this, for the reasons given, I find that the proposed change of use and alterations specified in both appeals would have no significant detrimental impact on the privacy of the occupiers of existing buildings. As a result, I conclude that the proposed development in Appeal A and the proposed scheme in Appeal B both accord with part (b) of Policy SD4 of the Local Plan.

Highway Safety and Parking

Appeal A

30. The Council highways department raised concerns relating to the proposal in Appeal A about the provision of parking proposed within the appeal site and the acceptability of its capacity to serving the requirements of both the proposed development and the existing Park Hotel facilities. Furthermore, the lack of electric vehicle points on site and secure cycle parking identified within the proposal was also identified.
31. In response, the appellant has sought to address these concerns which I have considered. I accept the point that the appeal site is located close to Redcar town centre and is therefore in a sustainable location with good access to public transport and existing local parking provision.
32. Other interested parties have identified concern about the potential impact on parking in the local area for existing residents which is currently restricted on-street permit parking on Granville Terrace and the nearby streets. In my assessment, whilst there may be some additional demand for parking in the area related to the proposed intensification and increase of the hotel use, some of this would be offset by the loss of an 8 bedroomed dwelling (No.6) and its demand for parking in the locality. Furthermore, parking on Granville Terrace is restricted and resident permit parking is in operation. As such, this provides some protection for residents. However, it is accepted that once the restrictions are removed, after 6pm for example, the demand from hotel guests for parking may have some impact.
33. The Council's highway engineers have identified that the proposed development in Appeal A offers an under-provision of parking spaces at the site to serve the proposed 14-bedroom scheme and the existing bedroom accommodation at the hotel. The proposed provision of 22 parking spaces with an additional 2 disability spaces would not meet the specified 26 spaces set out in the parking standards for Use Class C1 proposals within the Tees Valley Design Guide & Specification. This, therefore, in the Council's view, renders the proposed development in Appeal A unacceptable on highway safety and parking grounds.
34. In my assessment, the proposed scheme in Appeal A would create a total of 46 hotel bedrooms. The Council has stated that the proposed development would create a total of 53 bedrooms. However, it is not clear to me where this calculation has been derived. Having taken account of the parking standards in the Tees Valley Design Guide, I find that the specified number of parking spaces needed would be 23. The proposal would provide a total of 24 parking spaces, including 2 parking bays for people with disabilities within the on-site car park.
35. The appellant has identified alternative parking provision at the nearby Fisherman's Square Car Park which would be able to provide sufficient and affordable 24-hour parking spaces for hotel guests and includes electric vehicle charging spaces. Notwithstanding this, I note the appellant's willingness to provide facilities for electric vehicles within the appeal site, if required, and that this could be secured by planning condition.
36. In relation to the provision of secure cycle parking on site, the appellant has again indicated that provision could be made available within the hotel car park and that this could be secured by planning condition.
37. In my view, I am satisfied that provisions for electric vehicle charging facilities and cycle storage could be secured by planning condition. Based on the evidence before me, notwithstanding the Council's arguments concerning an under-supply of on-site parking space, I find that the proposed scheme in Appeal A would meet its parking provision needs on-site. There are additional parking options for hotel guests where demand exceeds

supply with on-site parking and these measures could be satisfactorily ensured by condition. It is unclear whether parking provision for hotel staff has been considered in the overall parking provision and requirement. The proposal is, nonetheless, considered to be in a sustainable location with options for sustainable modes of transport nearby.

38. To my mind, whilst there may be high demand for parking at times of high occupancy at the hotel, the on-site parking provision is met by the proposal. Furthermore, it is accepted that other reasonable options to meet demand for parking in the area exist. These options may lead to competing demand for nearby spaces between hotel guests and residents, particularly in the evenings when hotel guests would usually arrive and when resident permit restrictions are not in operation. However, I do not find that this would result in any substantial adverse impact in terms of highway safety or parking.
39. Therefore, having considered these matters, I find that the proposed development in Appeal A would meet its on-site parking requirement and would not have an adverse impact on highway safety and parking provision. Accordingly, it would comply with part (p) of Policy SD4 of the Local Plan.

Appeal B

40. The proposed scheme in Appeal B would provide additional on-site parking spaces because of the removal of the existing garage building. Moreover, this would reduce the overall increase in hotel accommodation proposed to 12 bedrooms, rather than the 14 in Appeal A. The result of this would be that the number of on-site parking spaces provided would be 28, including 2 disability spaces. This would constitute an over-supply of parking spaces required to serve the proposed bedrooms in Appeal B.
41. The parking space layout plan submitted in support of this proposal was considered by the Council with some adjustments to the layout proposed. Furthermore, it is considered that these adjustments would be possible and could be secured by planning condition. The appellant has indicated that this would be acceptable to them. In my assessment, I find the parking provision suggested acceptable given the constraints of the appeal site. Moreover, it is acknowledged that the overall parking provision proposed in the Appeal B scheme would exceed the parking requirement for the development, in terms of the number of bedrooms provided.
42. The Council's concerns about on-site secure cycle parking have been considered and addressed in the revised parking layout. As such, I am satisfied that the acceptable provision of this could be secured by condition. It is noted that the provision of electric vehicle charging spaces has not been identified in the revised car park layout plan, nor has the provision of such facilities on-site been identified as necessary by the Council in relation to submissions for Appeal B. Notwithstanding this, I find that such provision would be required to make the proposed development acceptable. This could be agreed between the parties and accommodated within the revised car park layout plan and secured through the detailed scheme produced and approved by condition.
43. In light of the above, subject to appropriate planning conditions, I find that the proposed development identified in Appeal B would have no substantive adverse impact on highway safety and parking provision.
44. I have had regard to the significant under-provision of on-site parking provision when considering the requirement in relation to bedrooms and the public areas of the hotel as specified within the Tees Valley Design Guide & Specification. It is accepted that this document is guidance and not policy. Nonetheless, it is a material consideration in the determination of these two appeals. It is clear to me that neither proposal in either Appeal A or Appeal B would be able to even remotely address this significant parking provision shortfall. As such, this has not been a material consideration that has attracted more than very limited weight. Nevertheless, I do find that each proposal would clearly be able to

have some material impact in terms of providing on-site parking to meet requirements specified for the number of bedrooms available at the hotel. Therefore, it is this factor that I have primarily taken into consideration this has had a significant bearing on my overall assessment and determination of the proposals in both Appeals in relation to this issue.

Conclusion

45. With regard to Appeal A, the proposal would result in the required on-site parking provision for the number of hotel bedrooms proposed. Furthermore, I find that the availability of alternative parking options in the surrounding area and the provision of secure cycle parking and electric vehicle charging facilities weigh in favour of the proposal. As such, I find that these factors would sufficiently address the concerns and impacts identified. Therefore, I conclude that the proposed development would have no significant detrimental impact on highway safety and parking in the surrounding area. As a result, it would be comply with part (p) of Policy SD4 of the Local Plan.
46. For Appeal B, I find that the proposed scheme would provide an additional 6 parking spaces over the specified parking provision for the number of hotel bedrooms provided. Based on the evidence, I am satisfied that the other aspects relating to secure cycle parking and charging of electric vehicles could be addressed through measures identified and secured by planning condition where necessary. As a result, I conclude that the proposed development set out in Appeal B, would not have a significant adverse effect on highway safety and parking in the surrounding area. Accordingly, it would comply with part (p) of Policy SD4 of the Local Plan.

Effect on Drainage Infrastructure (Appeal A)

47. In relation to Appeal A, the Council has raised a concern about the infrastructure capacity for drainage facilities due to the proposed increase in the number of bathroom and toilet facilities at No.6 as a result of the proposed change of use. The Council has identified that in this case, the proposed scheme would increase such facilities at No.6 from one bathroom serving the existing residential dwelling, to fourteen en-suites serving all proposed bedrooms. I note that the Council's concern is, in part, based on historic episodes of flooding in the local area due to the capacity of the existing infrastructure.
48. From the evidence I have seen and read, it has been identified both in the subsequent Officer Report in relation to the proposed scheme under Appeal B, and in the Appellant's Appeal Statement, that no objections to the proposal were received from Northumbrian Water or from the Council's Flood Risk and Drainage Team when considering the planning application.
49. The appellant has also provided an Existing and Proposed Foul Flows Assessment Review – January 2024 by SCP in support of the proposal. I have had regard to the findings of that report and note also that Northumbrian Water raised no objection to the proposed development in light of those findings. This has been confirmed by evidence provided by the Appellant in the form of correspondence with Northumbrian Water.
50. Therefore, on that basis, and with no evidence before me to indicate otherwise, I conclude that the proposed development considered in Appeal A would not result in increased pressure on the drainage network in the area and would be acceptable in this respect. Therefore, it would comply with part (g) of Policy SD4 of the Local Plan.

Appropriate Facilities for People with Disabilities (Appeal B)

51. In Appeal B, the Council's reason for refusal relates to its concern that the proposed development, due to its layout, does not consider or provide appropriate facilities to meet the needs of people with disabilities. Accordingly, the proposal does not accord with part (r) of Policy SD4 of the Local Plan.

52. It is noted that the proposed development does not provide an access ramp at the front of the appeal property (No.6). Whilst I acknowledge that this is a deficiency in the proposal, I find that this could be appropriately and acceptably remedied, and such provision secured, by planning condition. However, I find that the provision of an access ramp may well be unnecessary were the proposed property (No.6) not to provide the associated structural alterations to create suitable access for disabled people to use the proposed accommodation. The provision of two disabled parking spaces within the proposed car park layout which could be secured by planning condition is, nonetheless, acknowledged.
53. The appellant accepts that the proposed rooms within No.6 would not be fully accessible for people with disabilities because of existing narrow doorway widths unable to allow for wheelchair access. Furthermore, there is insufficient space available within No.6 to install a lift to the upper floors. The appellant has also stated that although the proposed scheme would not provide internal access improvements suitable for disabled people, the existing hotel accommodation does, nonetheless, have such facilities already. It is therefore considered that these existing facilities would be sufficient to meet the provision requirements for disabled people to access accommodation within the overall scheme.
54. In my view, as the hotel already operates in its present use with the particular facilities for disabled people available and in place, it therefore has suitable and acceptable facilities for disabled people within its existing accommodation. With that being the case, I accept that due to the structural constraints of the appeal property (No.6) in terms of limited space to provide such facilities and the structural narrow width of existing doorways to bedrooms, the provision of such facilities would be very difficult. Moreover, it would be unreasonable to achieve these facilities when appropriate and sufficient facilities already exist elsewhere within the overall development. Therefore, taking this into account, I conclude that the proposed change of use and the associated development would consider the needs of people with disabilities and that such provision would be met by the development proposal when considered as a whole. Therefore, I find that it would be in accord with part (r) of Policy SD4 of the Local Plan.

Other Matters

55. I have considered other matters identified in relation to the proposed schemes in both Appeal A and Appeal B. These include issues relating to nuisance, impacts on biodiversity and geological conservation and potential recreational disturbance of the nearby Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar Site.
56. In terms of the impacts of nuisance arising from both proposed developments set out in Appeal A and Appeal B, it is noted that the Council's Environmental Protection Team have assessed each scheme. In its consideration, it is identified that no acoustic design has been submitted in support of the proposals. From the evidence before me, I consider that this provision could be addressed by a planning condition.
57. It is accepted that the existing appeal property (No.6) has bedrooms at first floor level and in the roof space with living accommodation on the ground floor. Accepting that there are similarities in layout between the existing dwelling and both proposed schemes, I find that due to the additional movements and activities associated within the hotel use, such a condition as identified and proposed would be necessary and reasonable.
58. Furthermore, given that the appeal property (No.6) adjoins a residential dwelling, I find that a condition limiting the construction hours is necessary and reasonable in the interest of residential amenity.
59. The proposed development is located within 6km of the SPA and Ramsar Site. As such, and in line with Policy N4 of the Local Plan, I note that any development within that range that would result in a net increase in residential units, or other development that would result in increased recreational disturbance of the SPA and Ramsar Site's interest features

would be expected to contribute towards strategic mitigation measures identified in the Recreation Management Plan. This is to ensure that adverse effects on the integrity of the Site can be avoided.

60. Considering this, the proposed developments that are the subjects of both Appeal A and Appeal B would be required to provide a financial contribution in this respect. The appellant has agreed that if a proposal were to be allowed, payment of the correctly calculated financial contribution would be made. In Appeal A this is based on a 70% occupancy of the 14 additional bedrooms to be provided, which equates to 10 rooms. In Appeal B, the payment is based on the 70% occupancy of the 12 additional bedrooms proposed. This equates to 8 rooms which, as I understand has been agreed with the appellant in advance of the submission of Appeal B. The proposed contribution of £1,600 is therefore agreed between the relevant parties if the proposed development is granted planning permission. As a result, I am satisfied that if I were to allow the proposal as set out in either or both Appeal A and Appeal B the requirement of Policy N4 of the Local Plan would be met.

Planning Balance

61. The proposals set out in Appeal A and Appeal B would both provide additional hotel accommodation for The Park Hotel adjacent and the associated benefits of this attracts moderate weight in favour of the proposal in each case. Furthermore, I find that both proposals would not result in any significant or substantive adverse impact on the character and appearance of the area or in relation to the living conditions of neighbouring occupiers of No.7. These factors attract neutral weight in the overall planning balance for both Appeals.
62. In relation to highway safety and parking, I find that the on-site parking provision relating to the number of hotel bedrooms provided in Appeal A would be acceptable and would meet standards relating to the number of bedrooms provided. Furthermore, other parking options are identified that would assist in dealing with high parking demand at times of high occupancy of the hotel.
63. With regard to the proposal relating to Appeal B, I find that when considering the number of hotel rooms to be provided in relation to the number of parking spaces, the parking provision would be met in line with the parking standards. As with Appeal B, the alternative parking provision is considered to be reasonable and therefore acceptable to meet parking demands in the area. In my assessment, I am satisfied that the proposal would not be so significant that any adverse impacts arising from it could not be addressed or mitigated in a reasonable and acceptable way by planning conditions.
64. Consequently, in terms of Appeal A, having regard to all relevant matters, I conclude that the benefits of the proposal outweigh any limited harm identified.
65. In relation to the proposed development of Appeal B, having undertaken the balancing exercise, I find that the moderate weight that I have attributed to the benefits of the scheme would outweigh the limited weight given to the limited harm identified.

Conditions

66. In allowing both Appeal A and Appeal B, the granting of planning permission for the development proposed is dependent upon compliance with planning conditions. These conditions are set out in the attached schedule and the reasoning and justification for each one is summarised below. These conditions meet the tests set out within Paragraph 56 of the National Planning Policy Framework published on 19 December 2023.

Appeal A

67. In addition to the standard conditions concerning time (1) and approved plans (2), conditions relating to the provision, approval and implementation of a Car Parking Management Plan (3), the clarification and approval of the details of on-site secure and weatherproof cycle parking (4) and the clarification and details of a scheme for the means of electric vehicle charging within the site (5). These conditions relate to the acceptable provision and management of car parking provision and secure cycle parking in relation to the development. The conditions are reasonable and necessary to ensure a satisfactory form of development and a suitable level of parking facilities and for highway safety.
68. There is a condition relating to the provision of sound proofing measures within the approved development (6) and a further condition (7) defining the permitted working hours on site during the construction period for the development. These conditions are reasonable and necessary in the interests of neighbour amenity regarding noise and disturbance. A condition is also required concerning the obscure glazing of a window or windows facing the neighbouring property of the appeal property (8). The condition is necessary to ensure that the development does not result in overlooking or a loss of privacy for neighbouring occupiers.

Appeal B

69. In addition to the standard conditions relating to time (1) and approved plans (2), conditions relating to the provision, approval and implementation of a Car Parking Management Plan (3), the clarification and approval of the details of the on-site car parking layout (4), the clarification and approval of the details of on-site secure and weatherproof cycle parking (5) and the clarification and details of a scheme for the means of electric vehicle charging within the site (6). These conditions relate to the acceptable provision of car parking and secure cycle parking in relation to the approved development and the conditions are reasonable and necessary to ensure a satisfactory form of development and a suitable level of parking facilities and in the interests of highway safety.
70. There is a condition relating to the provision of sound proofing measures within the approved development (7) and a further condition (8) defining the permitted working hours on site during the construction period for the development. These conditions are reasonable and necessary in the interests of neighbour amenity regarding noise and disturbance. A final condition is required concerning the obscure glazing of a window or windows facing the neighbouring property of the appeal property (9). The condition is necessary to ensure that the development does not result in overlooking or a loss of privacy for neighbouring occupiers.

Conclusions

Appeal A – Ref: APP/V0728/W/24/3339382

71. For the above reasons, and having had regard to all other matters raised, I conclude that Appeal A is allowed and planning permission granted in accordance with the terms of application ref: R/2023/0657/FF, subject to the conditions set out in the attached schedule.

Appeal B – Ref: APP/V0728/W/24/3341553

72. For the above reasons, and having had regard to all other matters raised, I conclude that Appeal B is allowed and planning permission granted in accordance with the terms of application ref: R/2024/0039/FF, subject to the conditions set out in the attached schedule.

A McCormack

Inspector

Schedule of Conditions (Appeal A)

- 1) The development hereby approved shall not be begun later than the expiration of three years from the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the following approved plans:
 - Location Plan (received by the Local Planning Authority on 03/10/23)
 - Site Plan (received by the Local Planning Authority on 03/10/23)
 - Proposed Plans and Elevation (received by the Local Planning Authority on 03/10/23)
 - Proposed Parking Plan (received by the Local Planning Authority on 03/10/23).
- 3) Prior to the first use of the development hereby approved, a Car Parking Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include measures to ensure customers of the hotel who cannot park on-site are directed towards Fisherman's Square and provided with a valid parking ticket for the duration of their stay. Thereafter, the Plan shall be implemented at all times, in accordance with the approved details and for the lifetime of the development.
- 4) Prior to the first occupation of the development hereby approved, details of secure and weatherproof cycle storage shall be submitted to, and approved in writing by, the Local Planning Authority. The cycle storage shall be constructed in accordance with the approved details and be made available prior to the occupation of the development to which they relate and maintained for the lifetime of the development.
- 5) Prior to the first occupation of the development hereby approved, a detailed scheme for the means of electric vehicle charging within the site shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the agreed scheme shall be implemented in accordance with the approved details and made available prior to first use of the development and maintained thereafter for the lifetime of the development.
- 6) Prior to the development being brought into permitted end use, a scheme of sound proofing showing measures to deal with sound insulation of walls and floors between the separate and adjoining properties shall be submitted to, and approved in writing by, the Local Planning Authority.

The approved scheme shall be completed prior to the end use of the development and shall thereafter be retained.
- 7) The working hours for all construction activities on this site are limited to between 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturday and not at all on a Sunday or a Public Holiday.
- 8) Prior to occupation of the development hereby approved, the proposed window(s) in the first floor east and rear elevation shall be obscure glazed and thereafter retained as such at all times for the lifetime of the development.

End of Schedule (Appeal A)

Schedule of Conditions (Appeal B)

- 1) The development hereby approved shall not be begun later than the expiration of three years from the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the following approved plans:
 - Location Plan (Dwg No.001 Rev A)
 - Proposed Site Plan (Dwg No. 005 Rev A)
 - Proposed Plans and Elevation (Dwg No. 003 Rev A)

All received by the Local Planning Authority on 17/01/2024

- 3) Prior to the first use of the development hereby approved, a Car Parking Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include measures to ensure customers of the hotel who cannot park on-site are directed towards Fisherman's Square and provided with a valid parking ticket for the duration of their stay. Thereafter, the Plan shall be implemented at all times, in accordance with the approved details and for the lifetime of the development.
- 4) Notwithstanding the parking layout illustrated on Proposed Site Plan (Drawing No. 005 Rev A), prior to the first occupation of the development hereby approved, final details of the parking layout, including location of electric charging bays and parking bays for disabled people shall be submitted to, and approved in writing by, the Local Planning Authority. The parking layout shall be constructed in accordance with the approved details and be made available for the lifetime of the development.
- 5) Prior to the first occupation of the development hereby approved, details of secure and weatherproof cycle storage shall be submitted to, and approved in writing by, the Local Planning Authority. The cycle storage shall be constructed in accordance with the approved details and be made available prior to the occupation of the development to which they relate and maintained for the lifetime of the development.
- 6) Prior to the first occupation of the development hereby approved, a detailed scheme for the means of electric vehicle charging within the site shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the agreed scheme shall be implemented in accordance with the approved details and made available prior to first use of the development and maintained thereafter for the lifetime of the development.
- 7) Prior to the development being brought into permitted end use, a scheme of sound proofing showing measures to deal with sound insulation of walls and floors between the separate and adjoining properties shall be submitted to, and approved in writing by, the Local Planning Authority.

The approved scheme shall be completed prior to the end use of the development and shall thereafter be retained.

- 8) The working hours for all construction activities on this site are limited to between 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 Saturday and not at all on a Sunday or a Public Holiday.
- 9) Prior to occupation of the development hereby approved, the proposed window(s) in the first floor east and rear elevation shall be obscure glazed and thereafter retained as such at all times for the lifetime of the development.

End of Schedule (Appeal B)