

**From:**  
**To:** [Planning](#)  
**Subject:** NYM/2018/0611/FL  
**Date:** 06 June 2019 12:50:21

---

Having reviewed the above application I have no comments to make from a commercial regulation perspective.

Regards

Adele

Adele Cook  
Environmental Health Officer  
Scarborough Borough Council  
Town Hall  
St Nicholas Street  
Scarborough  
North Yorkshire  
YO11 2HG

**From:**  
**To:** [Planning](#)  
**Subject:** Responses to applications from Fylingdales Parish Council  
**Date:** 31 May 2019 11:16:36

---

**NYM/2019/0249/FL** Application for variation of condition 4 of planning approval NYM/2011/0417/FL to allow use as local occupancy dwelling/holiday letting cottage at 6 Coastguard Cottages, The Duty Room, Fisherhead, Robin Hood's Bay.

**NYM/2019/0315/FL** Application for variation of condition 1 and 2 of planning approval NYM/2011/0863/FL to allow the building to be occupied as a local occupancy dwelling and to server the tie with Foultsyke Farm together with variation of condition 8 of planning approval NYM/2004/0891/FL to allow s dual holiday letting/local occupancy letting use at Foultsyke Farm, Fylingdales.

**NYM/2019/0329/FL** Application for erection of agricultural livestock building at Gogarth Hall, Boggle Hole Road, Fylingdales.

No objections to all of the above.

Amended details to **NYM/2018/0611/FL** Application for erection of timber fenced store at Boggle Hole Youth Hostel, Mill Bank, Fylingthorpe.

Many concerns and objections were raised about this application.

1. Concerns about its very large size.
2. Concerns about encroaching more and more on the road.
3. Concerns that it may be used as a rubbish tip by people. The rubbish could become contaminated, it would also encourage vermin and be a fire risk.
4. The gas area is supposed to be secure but is not and is used as a toilet. The store may
5. be used in the same way.
6. The store could have an adverse impact on the local community. If sited nearer the garage it would be out of sight.
7. Suggestion is made that another road, the back road, could be used. There are concerns regarding access and parking issues.
8. Questions where raised about how the spoil will be disposed of.

Virginia Ramsey.

(Parish Council Clerk)

Sent from [Mail](#) for Windows 10

**NORTH YORKSHIRE COUNTY COUNCIL  
BUSINESS and ENVIRONMENTAL SERVICES**



**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**

**Application No:** **NYM18/611/FL**

**Proposed Development:** Application for erection of timber fenced refuse store

**Location:** Boggle Hole Youth Hostel, Mill  
Bank, Mill Beck, Fylingthorpe

**Applicant:** YHA (England & Wales) Ltd

**CH Ref:** **Case Officer:** Ged Lyth

**Area Ref:** 4/29/660C **Tel:**

**County Road No:** **E-mail:**

**To:** North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
YO62 5BP **Date:** 18 February 2019

**FAO:** Christopher Knowles **Copies to:**

**Note to the Planning Officer:**

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority (LHA) has taken into account the following matters:

The LHA have two concerns about the design:

- i) The proposed gates in the open position are over land which the LHA would claim as publicly maintainable highway.
- ii) The proposed hardstanding will create an area that surface water (and other liquids) will not soak away. Drainage measures should be provided to prevent these liquids running onto the public highway.

Consequently the Local Highway Authority recommends that the following **Conditions** are attached to any permission granted:

HC-07 Private Access/Verge Crossings: Construction Requirements

Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site have been set out and constructed in

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

**NYM18/611/FL**

accordance with the published Specification of the Highway Authority and the following requirements

e. Any gates shall not be able to swing over the existing highway.

g. Provision to prevent surface water from the site/plot discharging onto the existing highway shall be constructed in accordance with approved details and maintained thereafter to prevent such discharges

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**REASON**

In accordance with policy # and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

**Signed:**

**Issued by:**

Whitby Highways Office  
Discovery Way  
Whitby  
North Yorkshire  
YO22 4PZ

*For Corporate Director for Business and Environmental Services*

**e-mail:**

**From:**  
**To:** [Planning](#)  
**Subject:** Responses to applications from Fylingdales Parish Council  
**Date:** 22 October 2018 09:41:27

---

**NYM/2018/0566/LB** Application for Listed Building consent for internal refurbishment works at Avery House, Shell Hill, Robin Hood's Bay.  
No objections.

**NYM/2018/0604/FL** Application for construction of single storey extension following demolition of conservatory at The Red House, Thorpe Lane, Robin Hood's Bay.  
No objections.

**NYM/2018/0611/FL** Application for erection of timber fenced refuse store at Boggle Hole Youth Hostel, Mill Bank, Mill Beck, Fylingthorpe.  
No objections but concerns were raised about the closeness of the gas tank and the whether or not the new store replaces the old facility.

**NYM/2018/0638/FL** Application for variation of condition 2 (material amendment) and 3 of planning approval NYM/2017/0023/FL to replace the stone columns and fascia with painted timber at Victoria Hotel, Station Road, Robin Hood's Bay.  
No objections as long as the noise attenuation specification is the same with the wood as with the stone. Also that the same ventilation specifications are in place.

**NYM/2018/0661/FL** Application for creation of 2 no. additional window openings to first floor of south elevation at Alexandra Lodge, Mount Pleasant East, Robin Hood's Bay.  
No objections

**Application for variation of condition 2 - Planning Approval NYM/2018/0177/FL**

Comments:

Concerns about 'any' food being sold resulting in the subsequent rubbish. The bins are already full to over flowing.

Door and sign better than they were.

Concerns expressed about the continuing changes to the application.

Virginia Ramsey  
(Parish Council Clerk)

Date: 15 October 2018  
Our ref: 260887  
Your ref: NYM/2018/0611/FL



Mr Christopher Knowles  
North York Moors National Park Authority  
[planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

Dear Mr Knowles

**Planning consultation: Application for erection of timber fenced refuse store**  
**Location: Boggle Hole Youth Hostel, Mill Bank, Mill Beck, Fylingthorpe**

Thank you for your consultation on the above dated 04 October 2018 which was received by Natural England on 04 October 2018

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### **SUMMARY OF NATURAL ENGLAND'S ADVICE**

##### **NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites.

Natural England's advice on other natural environment issues is set out below.

#### **Landscape advice**

The proposed development is for a site within or close to a defined landscape namely North Yorkshire & Cleveland Heritage Coast. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 173 of the National Planning Policy Framework. It states:

*173. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), planning policies and decisions should be*

*consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.*

The NPPF continues to state in a footnote (footnote 55) that *“For the purposes of paragraph 172 and 173, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.”*

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape’s sensitivity to this type of development and its capacity to accommodate the proposed development.

### **Sites of Special Scientific Interest Impact Risk Zones**

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on “Development in or likely to affect a Site of Special Scientific Interest” (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](https://data.gov.uk) website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Jacqui Salt  
Consultations Team

## ANNEX A

Natural England offers the following additional advice:

### Landscape

Paragraph 109 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute Guidelines for Landscape and Visual Impact Assessment](#) for further guidance.

### Protected Species

Natural England has produced [standing advice](#)<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

### Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 113 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)<sup>2</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

### Environmental enhancement

Development provides opportunities to secure a net gain for nature and local communities, as outlined in paragraphs 9, 109 and 152 of the NPPF. We advise you to follow the mitigation hierarchy as set out in paragraph 118 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you may wish to consider off site measures, including sites for biodiversity offsetting. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.

---

<sup>1</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>2</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>



- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

### **Access and Recreation**

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

### **Biodiversity duty**

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).