

**From:**  
**To:** [Planning](#)  
**Subject:** Fylingdales Parish Council  
**Date:** 19 March 2020 12:00:55

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Good Morning,

NYM/2020/0123/LB - No Objections

NYM/2020/0087/FL - The Parish Council Object to this application. Concerns have been raised over several different areas. Parking at the building is to be 4 spaces, with 5 members of staff this would suggest there would be no parking available for those using the building for recording or any other purpose. The village already struggles without this added strain.

The Council feel that architecturally the proposed design does not fit in with the village.

The Council do not object to the purpose of the building but feel that more information is needed on how the community will be able to utilise the space.

As ever the Councils main priority is the safety of its parish members, several of the home owners from around the property have voiced concern as to how the parking and extra vehicles will possible make it harder for them to use the area safely when exiting their own properties.

NYM/2019/0794/FL - The Parish Council object to the placement of a sauna, concerns were raised for the safety of neighbouring properties.

NYM/2019/0795/LB - No Objection

NYM/2020/0122/FL - The Parish Council object to this application, it would like to see a like for like replacement to retain the character of the property

NYM/2019/0802/FL - The Parish Council has no objections to this application, It would prefer the door to be repaired rather than replaced.

NYM/2020/0140/FL The Parish Council object to this planning application. As previously stated this property is in a conservation area and the Council feel strongly that each property's individuality should be respected. The application would change the street view.

NYM/2020/0139/FL - The Council has no objections to the application although they would like to see the garage tied to the house legally to prevent sale of the properties individually

NYM/2020/0141/LB - The Parish Council has no objections

NYM/2020/0061/LB - The Parish Council has no objections

Kind regards,  
Steph Glasby

Clerk to Fylingdales Parish Council

Date: 03 March 2020  
Our ref: 310582  
Your ref: NYM/2020/0122/FL



Miss Kelsey Blain  
North York Moors  
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**BY EMAIL ONLY**

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Dear Miss Blain

**Planning consultation:** Installation of 3 timber, double glazed windows to rear elevation.

**Location:** Georgian House, King Street, Robin Hoods Bay, Whitby, North Yorkshire, YO22 4SH.

Thank you for your consultation on the above dated 27 February 2020 which was received by Natural England on 27 February 2020

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 nature conservation sites.

Natural England's generic advice on other natural environment issues is set out at Annex A.

#### **Protected Landscapes – North Yorkshire & Cleveland Heritage Coast**

The proposed development is for a site within or close to a defined landscape namely North Yorkshire & Cleveland. 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

Yours sincerely

Heather Ivinson  
Consultations Team

## Annex - Generic advice on natural environment impacts and opportunities

### Sites of Special Scientific Interest (SSSIs)

Local authorities have responsibilities for the conservation of SSSIs under s28G of the Wildlife & Countryside Act 1981 (as amended). The National Planning Policy Framework (paragraph 175c) states that development likely to have an adverse effect on SSSIs should not normally be permitted. Natural England's 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 Natural England Open Data Geoportal. Our initial screening indicates that one or more Impact Risk Zones have been triggered by the proposed development, indicating that impacts to SSSIs are possible and further assessment is required. You should request sufficient information from the developer to assess the impacts likely to arise and consider any mitigation measures that may be necessary.

### 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.

### 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 paragraphs 171 and 174 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. The 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.

### Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

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<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>

## **Protected landscapes**

For developments within or within the setting of a National Park or Area of Outstanding Natural Beauty (AONB), we advise you to apply national and local policies, together with local landscape expertise and information to determine the proposal. The National Planning Policy Framework (NPPF) (paragraph 172) provides the highest status of protection for the landscape and scenic beauty of National Parks and AONBs. It also sets out a 'major developments test' to determine whether major developments should be exceptionally be permitted within the designated landscape. We advise you to consult the relevant AONB Partnership or Conservation Board or relevant National Park landscape or other advisor who will have local knowledge and information to assist in the determination of the proposal. The statutory management plan and any local landscape character assessments may also provide valuable information.

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Heritage Coasts are protected under paragraph 173 of the NPPF. Development should be consistent the special character of Heritage Coasts and the importance of its conservation.

## **Landscape**

Paragraph 170 of the 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.

## **Best and most versatile agricultural land and soils**

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [\*Construction Code of Practice for the Sustainable Use of Soils on Construction Sites\*](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

## **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.

### **Rights of Way, Access land, Coastal access and National Trails**

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer.

### **Environmental enhancement**

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 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 should consider off site measures. 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.
- 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).

**From:** [Planning](#)  
**To:** [Planning](#)  
**Subject:** Comments on NYM/2020/0122/FL - Case Officer Miss Kelsey Blain - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP, via email: [building@northyorkmoors.org.uk](mailto:building@northyorkmoors.org.uk)  
**Date:** 03 March 2020 09:31:43

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The existing windows, although of spiral balance design, do look to be of traditional appearance and in this instance the use of spiral balances is not considered to be a problem because they preserve the slim window frames and are barely visible externally. From the historic photo provided of the property it would appear that the upper window has been enlarged and other windows have been inserted since the photo was taken. On this basis, it is not thought that box sashes would work here because there won't be an internal rebate for the box to sit in so it would result in very bulky frames that would look quite out of place. The house is Georgian and would always have had fine frames. The unequal sashes look vernacular and the panes are of good proportion that blends with the smaller earlier openings. The original windows would likely to have been pegged sashes so there would have been no box, so the current spiral balances are as close to the original construction as you could achieve without reverting to pegged sashes. The small opening is original with a historic-looking fine frame pegged sash, so to introduce double glazing would mean thickening up the frames. The installation of slim DG always changes the appearance and the character of the windows and this would be detrimental because the existing windows look appropriate, traditional and appear to include at least one historic frame.

The Authority's approach to double glazing in Listed Buildings is in accordance with the requirements of Historic England guidance "Traditional Windows: Their Care, Repair and Upgrading" revised in 2017 and represents the most up to date guidance endorsed by the Government on the subject of window replacement in buildings with heritage interest. The relevant extract is pg.62 which states that where historic windows have been replaced with ones whose design follows historic patterns, these usually make a positive contribution to the significance of listed buildings. Where they do, they should therefore be retained and repaired or replaced with accurate copies.

As the smaller sash window is more historic, this should be repaired if possible. If beyond repair it should be replaced with an accurate copy.

Comments made by Building Conservation of The Old Vicarage

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Preferred Method of Contact is: Post

Comment Type is Comment  
Letter ID: 539999