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memo

reference: 0180_488_MEM001.docx
date: 07.04.2020
issued by: MM
project name: The Bay Tree
project code: 0180_488

The Bay Tree, Station Road, Robin Hood's Bay: Response to Planning Officer's comments (application ref: NYM/2020/0087/FL & NYM/2020/0092/LB, date received: 30/3/2020).

Officer's comments marked in black.
Studio Partington (SP) response in red.

Proposed use

Further information is required regarding the intended use of the property. Whilst the description seems self-evident, the plans show a substantial amount of accommodation with little or no supporting information. For example, there are 7 no. en-suite bedrooms proposed. Are these to be rented on a short term basis to artists or will they be occupied on a longer term basis by staff or the manager of the facility? Will the facility be open to the general public to visit such as the café area or for performances or will it be restricted to pre-booked individuals/groups only?

You have also indicated on the application forms at section 22 that opening hours are relevant to the proposal yet have not specified any. Given the proposal will lie within a predominantly residential area it is important that the intended opening hours to the public for performances are specified along with times the recording studio and practice rooms can be used to minimise noise disturbance to neighbouring residents.

I note that the floor plans indicate two entrances to the recording studio with one leading to the reception which I presume would be the main public entrance and another from the north corner of the site leading directly into the live room. With the double doors proposed to this second entrance it implies this would be the main entrance for the loading of equipment yet this is closest to the neighbouring residential properties where there is no space for vehicles to load/unload. Please can you clarify?

Furthermore there is no supporting evidence as to the likely demand there will be in the locality for such a facility although you refer to use by choral groups and brass bands. I would assume there is a business plan for the proposal and it would be most useful to have sight of that so that the need can be assessed against what existing provision there may be in the locality. Much was made of the need and support locality for such a facility during our pre- application meetings so it is disappointing that no reference has been made to this in the submission.

SP response:

The proposed seven en-suite bedroom accommodation will only be available for artists on a short-term basis for the duration of their studio rent. No provision is made for permanent accommodation for the members of staff or the manager.

The access is restricted only to pre-booked individuals, groups, local school parties and community groups, and will not be open to the general public to visit. The terrace and lounge areas similarly are only for the use of the studio engineers and the booked users.

The operating hours for access and any deliveries will be between 9am to 5pm, however, the facilities for the recording studio will be used on a 24/7 hour basis. By offering residential accommodation the studio will be able to offer bookings in large blocks of time for musicians to rehearse and record, for instance for professional use by media companies and record labels. The ability to offer a 'recording retreat' is fundamental to the commercial viability of the proposal. The residential nature of the facility will reduce movement to and from the studio.

Due to the highly soundproof space requirements, isolated from any external noises, the building envelope will be of a high acoustic performance that will not cause any noise disturbance to the neighbouring residents and the artists using the studio facilities.

There are two studio entrances proposed; one adjacent to the reception which operates as the main entrance for the studio users; and a secondary recessed double door entrance, not directly visible from Prospect Filed, restricted only for large equipment and musical instruments delivery. The position of this entrance allows a level access for infrequent delivery of larger instruments such as pianos.

Please note that the facility will not be open to the general public to visit and does not have a café.

Noise

The Environmental Health Officer has commented that the submitted information neither describes the uses of the venue, the times of operation, nor provides any evidence of a noise impact assessment as previously requested at pre application stage and as such is minded to object on grounds of insufficient information. However she goes on to comment that with carefully considered construction methods and materials, design of ventilation and extraction systems, restriction on noise emission levels and timings, together with noise and dust control during the construction phase, she believes it may be possible to operate this venue with minimal impact on neighbouring residents. For reference the Environmental Health Officer's comments at pre-application stage are repeated below for you to consider and address accordingly:

My initial thoughts are about the potential to create noise and disturbance to neighbouring residents. I expect that the recording studio side of it will be properly acoustically insulated to achieve the best quality of sound, and provided the sleeping accommodation is tied to the users then their amenity is of less concern. British Standards for building construction relating to acoustic insulation, are essentially aimed at domestic to domestic transmission internally, and pay less attention to very loud noises internally being transmitted externally. I would expect great attention to be paid to external transmission, probably something like a 60dB reduction, depending on the volumes created internally, concentrating on prevention of low frequency elements. This will probably necessitate high specification fixed glazing with powered extract ventilation to noise generating rooms, which may have a consequence for external noise and visual impact.

I would expect an acoustic survey to be carried out to ascertain overall background (L90) levels, as well as problem frequencies, to determine possible impact at external amenity areas of nearby residents during daytime and evening, and night time at external facades. The exact scope of the acoustic survey should be discussed with myself before commencement. The survey should be chosen to represent a range of exposure periods taking into account the seasonal variation in visitors/traffic and the location of external amenity areas. This should be used to inform the project design, and specification of window, door and glazing elements.

Separately there will be an impact from traffic to the site from parking and 'people' noise from use of the external patio area, which I would expect not to be used beyond midnight, unless it is enclosed within a courtyard to prevent noise escape. Coupled to this is the impact of external lighting and the potential to cause glare and light spill and will need to be designed to minimise this impact.

SP response:

The applicant recognises the need for proper consideration of the acoustic design- this is essential for the functioning of the studio as well as the impact on the neighbouring residential properties and the environmental officers comments on design are noted. Allowance has already been made in the design of the studio for isolated floor wall and roof constructions. It would be preferable for the background surveys and design criteria to be set by a planning condition, with post completion verification. Could the scope of any survey and resulting performance criteria be established with the planning officer?

Note: Due to the current isolation measures, any noise background surveys undertaken in the immediate future (3-4months) are unlikely to be representative, with irrelevant figures.

Design

I would be grateful if you could supply a copy of the elevations including the streetscene elevations without the proposed tree planting shown as this is proving misleading. I would also be grateful if you could amend the street elevations with the eaves and ridge heights of the proposed development and the neighbouring properties annotated. A street scene elevation from the south showing the development in relation to The White Owl (with eaves and ridge heights annotated) is also requested. Comments have been made regarding the overall height of the proposed extension and whether there is a need for the first floor accommodation? Omission of this would enable the overall height of the structure to be reduced which would help limit the impact of the proposal on the host building and the surrounding residential properties.

SP response:

Drawings will be amended to omit the trees and include White Owl's levels. Southern elevation with ridge heights.

We appreciate the concerns over the overall height, however, the proposed extension sits lower than the listed Bay Tree and substantially lower than the existing 80's extension. The building height is determined by the acoustic and volumetric requirements of the recording studio, which is calculated at seven meters and not by the artists' accommodation. As such, the omission of a floor will cause a volume loss that will limit the range of the recording sessions that can be accommodated in the studio.

Traffic

You have indicated on the application forms at Section 13. that there is no off street car parking available at the property and that the proposal will result in a gain of 4 spaces, and the Highway Authority have based their initial comments on this assessment. However serving the former care home was a large gravelled area to the rear of the property which although not marked out did provide a reasonable number of parking spaces for residents and visitors; in fact our historic aerial photographs clearly show the area used for car parking. As such in reality the proposal will result in a loss of off-street car parking with a potential increase in traffic generated. As such further information is required regarding the likely traffic generated by the proposal so that a fuller assessment can be made in the impact on the surrounding area.

SP response:

The recording studio is likely to be used out of peak hours when ample parking will be available in the Station Car Park near the application site. It is difficult to determine the number of the parking spaces of the informal gravelled area to the rear of the property. Therefore, the proposal seeks to formalise the available parking, offering four marked parking spaces on a similar location with the gravelled area, whilst creating a higher quality setting while approaching the studio entrance.

attachments: 0180_488_MEM001
0180_488_PL_401
0180_488_PL_414
0180_488_PL_415

distribution: Jill Bastow North York Moors National Park Authority
Mr Hudson Elvington Park Limited
Richard Partington Studio Partington



NYMNP
08/04/2020

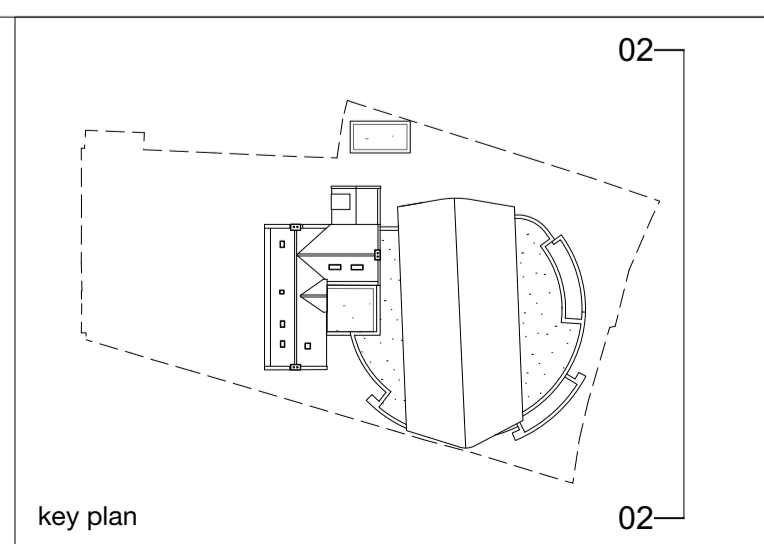
AMENDED



Elevation 02

revisions		
A	First Issue - issued for planning	07/04/2020

Material Key:	
1	York Stone
2	Clay tiles
3	Refurbished timber frame sash windows
4	Kempley Antique brick by Weinerberger
5	Anodized aluminium (bronze) glazing
6	VMZinc (pigmento red) roof
7	York stone coping/ surrounds/ reveals
8	Anodised aluminium (bronze) fixed louvres



notes

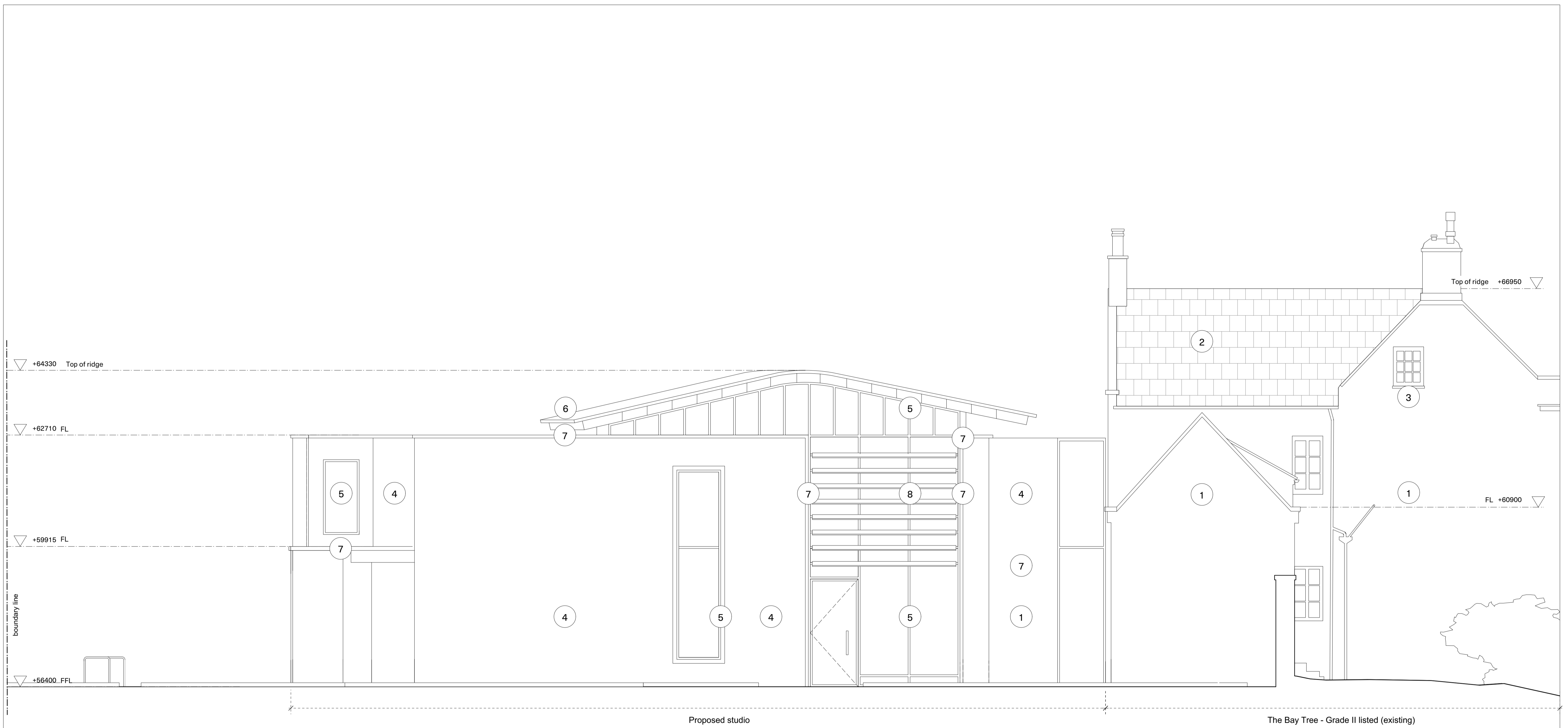
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project **The Bay Tree**
for **Elvington Park Limited**
title **Proposed Elevation 02_B**
scale **1:50 at A1 / 1:100 at A3**
drawing no. **0180_488_PL_415**



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Proposed studio

The Bay Tree - Grade II listed (existing)

NYMNP
08/04/2020

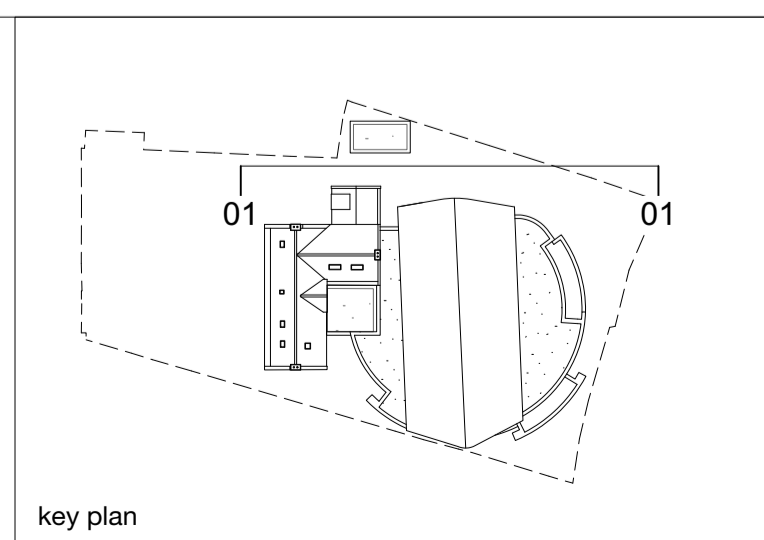
AMENDED



Elevation 01

revisions		
A	First Issue - issued for planning	07/04/2020

Material Key:	
1	York Stone
2	Clay tiles
3	Refurbished timber frame sash windows
4	Kempley Antique brick by Weinerberger
5	Anodized aluminium (bronze) glazing
6	VMZinc (pigmento red) roof
7	York stone coping/ surrounds/ reveals
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key plan

notes


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project	The Bay Tree
for	Elvington Park Limited
title	Proposed Elevations 01_B
scale	1:50 at A1 / 1:100 at A3
drawing no.	0180_488_PL_414

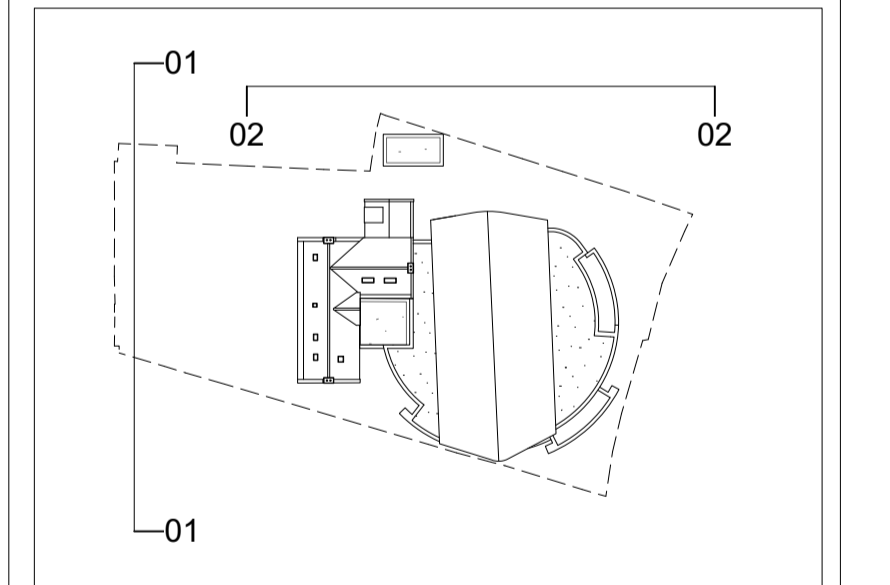


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Elevation 01

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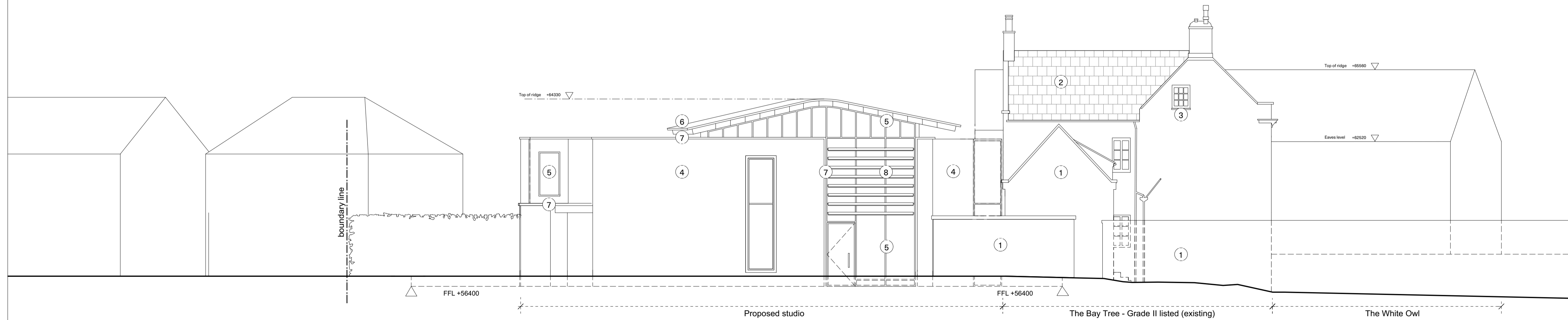


key plan

Material Key:

(1)	York Stone
(2)	Clay tiles
(3)	Refurbished timber frame sash windows
(4)	Kempley Antique brick by Weinerberger
(5)	Anodized aluminium (bronze) glazing
(6)	VMZinc (pigmento red) roof
(7)	York stone coping/ surrounds/ reveals
(8)	Anodised aluminium (bronze) fixed louvers

0 2 4 6 8 M



Elevation 02

NYMNP
 08/04/2020

AMENDED

project The Bay Tree
 for Elvington Park Limited
 title Proposed Street Elevations_B
 scale 1:100 at A1 / 1:200 at A3
 drawing no. 0180_488_PL_401



Subject:The Bay Tree NYM /2020/0087/FL

Date:Sun, 5 Apr 2020 18:58:09 +0100 (BST)

Dear Mrs. Bastow

I am writing to support the planning application for the recording studio in Robin Hood's Bay

.
I have lived in the area all my life and my children have all benefitted from the diverse music scene in the area. My youngest daughter plays with many local bands and in order for them to record any music they have to travel, a few times to London, and to Newcastle. All these meant overnight stays and travel costs as well as studio hire. For someone to be willing to fund and build a high spec recording studio to be used by all is a welcome change from purely tourist driven projects, and will add another dynamic to the Bay.

Kind regards Tess Sweeney.

Subject:REF: PLANNING NYM/2002/0087FL

Date:Sun, 5 Apr 2020 16:16:09 +0000

From:Kate Phillips

Dear Mrs Bastow,

I am writing in support of the proposed recording studio at The Bay Tree, Robin Hoods Bay. I have lived here for 30 years and have contributed to the local music scene by running a free session of live music at The Grosvenor Hotel for the past 21 years. This has brought many musicians of considerable standing to the area including Mark Knopfler of Dire Straits fame, with whom I have had a professional relationship since 1969. I feel a recording studio in the area would help boost the cultural status of our local scene greatly.

Yours faithfully,

Steve Phillips

Subject:Supporting proposed plans for recording studio Robin Hoods Bay

Date:Sun, 5 Apr 2020 19:41:27 +0100

From:Stephen Cooper

My name is Steve Cooper resident musician in Robin Hoods Bay, in this area we have a large community of musicians each with diverse and specific styles, they all have an output of creative material requiring quality recording facilities, without a doubt the proposed recording studio would be used not only for the community but certainly attract musicians nationally / internationally creating revenue for the local economy, I have seen the proposed plans, everything is of high quality and integrates carefully and sympathetically, Steve Cooper

Subject:Re: Bay Tree

Date:Mon, 6 Apr 2020 11:21:23 +0100

From:Stephen Mason

Hello

I have lived and worked in Robin Hoods Bay for over 27 years and have seen the village change in a lot of ways, some for the better some for the worse. The village throughout this time has always had a vibrant music scene, just as it has going back to the 1960s. With many musicians living in the area, many more visiting it and some hoping to settle here in the future. it the could only benefit the village and its community by having a world class recording studio, and it not just the village that would benefit, but the whole area.

Having helped run / currently running one of the pubs in the old village which has held many musical events in its history. We have been told of much support for this venture. We held a petition of support for the studio as did many of the businesses in Robin Hoods Bay and Fylingthorpe with our petition alone having between 50-75 signatures on it.

Yours sincerely
Stephen Mason

Ye Dolphin
King Street
Robin Hoods Bay

Niamh Sweeney

Subject:REF: PLANNING NYM/2020/0087/FL

Date:Sun, 5 Apr 2020 16:57:45 +0000

From:Kate Phillips

Please find below, letters of approval from:

1) MRS KATE ELAINE PHILLIPS

2) MR STEVE PHILLIPS

Both of Melrose House, Fylingthorpe

1)MRS KATE ELAINE PHILLIPS

Dear Mrs Bastow,

I would like to offer my support for the recording studio which is being planned for the Bay Tree in Robin Hoods Bay. I am a professional guitar repairer and a musician, and I run a musical instrument repair business from my workshop at home in Fylingthorpe. I am married to Steve Phillips, who today has also written to you offering his support (sent in previous email but also printed below). Robin Hoods Bay boasts a hive of creative and talented musicians and I believe this studio would not only benefit musicians local to the Bay and allow them to further their musical creativity , but it would also encourage people to become involved in music from schools or those who have wanted to begin a path in music. I believe having creative freedom in music is very important to peoples mental wellbeing, especially with todays current climate, and personally I believe that such a project that encourages music can only be beneficial to people.

Yours faithfully,

Mrs Kate Elaine Phillips,

Melrose House, Fylingthorpe

2) MR STEVE PHILLIPS

Dear Mrs Bastow,

I am writing in support of the proposed recording studio at The Bay Tree, Robin Hoods Bay. I have lived here for 30 years and have contributed to the local music scene by running a free session of live music at The Grosvenor Hotel for the past 21 years. This has brought many musicians of considerable standing to the area including Mark Knopfler of Dire Straits fame, with whom I have had a professional relationship since 1969. I feel a recording studio in the area would help boost the cultural status of our local scene greatly.

Yours faithfully,

Steve Phillips

Melrose House, Fylingthorpe

Mr Bob Butterfield,
Whitby Music Centre Administrator,
13 Falcon Terrace,
Whitby.

To Mrs Jill Bastow, Senior Planning Officer
North York Moors National Park Authority.

Dear Mrs Bastow,

I refer to the planning application relating to the old care home at the Bay Tree in Robin Hood's Bay and its conversion into a recording studio.

I am a peripatetic music teacher and conductor working in schools mainly in Fylingthorpe and Whitby. At Fyling Hall School, I teach woodwind and organise and lead an orchestra club. I also lead a Saturday music centre at Whitby, as part of North Yorkshire County Council's county music service. I was excited to learn of the proposed redevelopment of the old Bay Tree care home to turn it into a state of the art recording studio as this would offer an important performance and education facility that we do not currently have.

I have read the planning application and documents which are publicly available and note that not only will the proposed recording studio be for professional musicians and artists, it will also be available to use by local school and amateur music and community groups and importantly have the necessary size and capacity for this.

This would be a fantastic opportunity for aspiring local musicians and give them a real taste of what being a professional musician is like.

Whilst the facilities at Fyling Hall School where I teach are very good, they are of course only available to students at the school. The county music service is also highly commendable and although available to a wider cross-section of budding musicians, there is no substitute for having what could be a world class facility right on our doorstep. Young, aspiring musicians could use the facility which would provide, I understand, state of the art music and recording facilities and give them a real taste of the world of music and what being a professional musician is like.

For these reasons, and because in these uncertain times we desperately need facilities which both inspire and bring real economic value to an area, I wholeheartedly support the proposed development and planning application.

Yours sincerely,

Bob Butterfield

----- Forwarded Message -----

Subject:in Support of NYM/2020/0087/FL

Date:Sun, 5 Apr 2020 17:42:27 +0000

From:Brian G. Sweeney

FAO; Mrs J Bastow

Dear Mrs Bastow

The conversion of The Bay Tree, Robinhoods Bay , to a modern recording studio is an inspired idea. Whitby and particularly Robinhoods Bay, have for a long time, had a national reputation for good live music and quality musicians. The opportunity for musicians to have access to a state of the art recording facility in the area of Robinhoods Bay will enhance the reputation of the area , attract new talent and provide a venue for music culture to grow and thrive locally.

One can imagine that such a resource will be used not only by local talented musicians but will be available as a valuable educational resource bookable by local schools colleges and youth groups.

The North York Moors National Park Authority themselves point out , ‘From sea shanties to folk, and rhythm & blues to world music, the North York Moors coast has it covered. Venues are relaxed and low-key affairs, offering a range of acts to tantalise your taste buds. Why not stay longer, make your way down the coastline and sample some of these musical delights on your travels.’

The Bay Tree recording studio has the potential to attract to Robinhoods Bay a more diverse culture grow of individuals engaged in a range of local and world music genres. The development of greater diversity within the community is a strong positive for this venture , a key goal of National Park authorities across Britain.

The Plans for The Bay Tree are subtle, sympathetic and maintain the facade of the original building without compromising on usability of the space. Having the Studio in this location will have benefits for local businesses including guest houses and restaurants. Ultimately as the reputation of The Bay Tree studio grows it will also be a marketing platform for the area.

yours faithfully

Brian G Sweeney