

From: planning@northyorkmoors.org.uk
To: [Planning](#)
Subject: Comments on NYM/2020/0885/FL - Case Officer Mrs J Bastow - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,
Date: 18 June 2021 09:53:15

Given the omission of works to the second floor I am better able to support this application. It is rather regretful for a flue, I understood that the builder had managed to find a way to install within the chimney. I note that the agent mentions it is a small flue on the plans received. At this stage it would seem reasonable to approve subject to the following conditions (sent to case officer)

Comments made by Building Conservation of The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Comment Type is Comment
Letter ID: 568607

From: planning@northyorkmoors.org.uk
Sent: 01 June 2021 19:19
To: Planning
Subject: Comments on NYM/2020/0885/FL - Case Officer Mrs J Bastow - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,

The proposed layout do not retail the floor plan as it is and this is the basis of my objection. The only bits that appear to be retained as is are those which have been altered in the past. So are of little values. The justification offered does not address the heritage concerns, and bases the justification on personal benefits which are not considered acceptable in terms of harm and the NPPF.

In the interest of progressing this matter I would suggest a site visit to discuss the matter in the building.

Comments made by Building Conservation of The Old Vicarage Bondgate Helmsley York
YO62 5BP

Comment Type is Request for a meeting
Letter ID: 567289

From:
To: [Planning](#)
Subject: NYM/2020/0885/FL -Maryondale Cottage and Chip Shop, Albion Street, Robin Hoods Bay
Date: 19 March 2021 14:03:37

From: Commercial Regulation (Environmental Health)

NYM/2020/0885/FL

Change of use of upper floors to dual (2 no. principal residence dwellings or 2 no. holiday cottages) together with relocation and replacement of extractor flue

Having reviewed the above planning application I have no objections, in principle, on environmental health grounds.

In order to prevent harm to amenity the extract ventilation system should be installed and maintained in accordance with the manufacturer's instructions. It should be fitted with a suitable method of filtration to minimise cooking odours in the vicinity.

Carol Cunningham
Environmental Health Officer
Commercial Regulation
Environmental Services
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

w: www.scarborough.gov.uk

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(Currently working from home)

Coronavirus: [Stay at home, Save lives](#)



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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No:	NYM20/0885/FL
Proposed Development:	Application for change of use of upper floors to dual use (2 no. principal residence dwellings or 2 no. holiday cottages) together with relocation and replacement of extractor flue
Location:	Maryondale Cottage and Chip Shop, Albion Street, Robin Hoods Bay
Applicant:	Mr I Ford and R Cuthbertson

CH Ref:	Case Officer: Ged Lyth
Area Ref: 4/29/700	
County Road No:	

To:	North York Moors National Park Authority The Old Vicarage Bondgate Helmsley YO62 5BP	Date:	4 January 2021
FAO:	Jill Bastow	Copies to:	

Note to the Planning Officer:

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

Although no vehicular facilities are indicated in respect of these premises, there are no highway objections in principle to the application because the surrounding public roads are controlled by a Traffic Regulation Order.

The Local Highway Authority recommends that the following **Informative** is attached to any permission granted:

MHi-S Doors Opening over the Highway

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM20/0885/FL

You are advised to ensure that any doors on elevations of the building(s) adjacent to the existing highway are constructed and installed such that they do not open over the public highway. Any future replacement doors and windows should also comply with these dimensions.

Signed:

Ged Lyth

For Corporate Director for Business and Environmental Services

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ



PLANNING APPLICATION PERMISSION DECISIONS

Full Parish Council meeting held on

Wednesday 16th December 2020 at 7pm via Zoom

1. Planning applications

These planning permissions were identified in the advertised agenda

Planning App. No.	Address	Detail of application	Council discussion motion
NYM/2020 /0935/FL	Hogarth Hall, Boggle Hole Road, Fylingdales	Application for erection of nine holiday lodges with associated internal access tracks, parking and landscaping works and creation of multi -use access tracks bypassing existing cottages (part retrospective)	The Council discussed this at length. They felt that it was a blot on the landscape, would create light pollution, damage to the landscape, there would be significant access and traffic issues and that the development would be seen from the right of way and thus affect the look of the area. The Council also felt proper planning should have been sought before any development. <ul style="list-style-type: none"> <i>Motion to strongly reject the planning application was proposed, seconded and unanimously agreed. Motion passed.</i>
NYM/2020 /0837/LB	Wesley Cottage, The Square, RHB	Listed Building consent for re-plastering works and reinstatement of staircase removed to facilitate the work	The Council discussed this at length. They felt the work was being done sympathetically and it was appropriate. <ul style="list-style-type: none"> <i>Motion to state 'No Objections' to the planning application was proposed, seconded and unanimously agreed. Motion passed.</i>

These planning permissions were identified in the Clerk's report

Planning App. No.	Address	Detail of application	Council discussion motion
NYM/2020 /0945/LB.	Darnholm, The Square, Robin Hoods Bay	Listed Building consent for internal alterations, installation of new and replacement dormer	The Council discussed this at length. The Councillors noted that there was scaffolding already in place and that some of the issues for the planning may have been caused by a lack of



Fylingdales Parish Council



... at the heart of the community, for the community...

NYM/2020 /0944/FL	Darnholm, The Square, Robin Hoods Bay	Alterations, installation of new and replacement dormer windows	<p>maintenance. They discussed that they would understand why the dormer should be replaced but that it should be at the same dimensions and look of the original – not to increase the size at all or the appearance.</p> <p>The Councillors agreed that while the property has two planning applications, they should be considered both at the same time and any decision to apply to both.</p> <p>The Chair asked for two motions:</p> <ul style="list-style-type: none"> • <i>Motion to state that the current dormer can be renovated and restored 'like for like' was proposed, seconded and unanimously agreed. Motion passed.</i> • <i>Motion to OBJECT to any new dormer on the site was proposed, seconded and unanimously agreed. Motion passed.</i>
NYM/2020 /0734/LB	Seascape, King Street, Robin Hoods Bay	Listed Building consent for erection of railings and gate to road side boundary and laying of stone flags to terrace	<p>The Council discussed this at length. They agreed that the application and the reasons did have specific reasons which would make the area look nicer be in line with what the community needs.</p>
NYM/2020 /0729/FL	Seascape, King Street, Robin Hoods Bay	Erection of railings and gate to road side boundary and laying of stone flags to terrace	<p>The Councillors agreed that while the property has two planning applications, they should be considered both at the same time and any decision to apply to both.</p> <ul style="list-style-type: none"> • <i>Motion to state 'No Objections' to the planning application was proposed, seconded and unanimously agreed. Motion passed.</i>
NYM/2020 /0885/FL.	Maryondale Cottage and Chip Shop, Albion Street, Robin Hoods Bay	change of use of upper floors to dual use (2 no. principal residence dwellings or 2 no. holiday cottages) together with relocation and replacement of extractor flue	<p>The Council discussed this at length. The Councillors felt as the building is in poor condition it was appropriate that it be brought back to a good standard. The Council was aware that the new extractor fan would be a lot quieter.</p> <p>The Councillors agreed that while the property has two planning applications, they should be</p>



NYM/2020 /0887/LB	Maryondale Cottage and Chip Shop, Albion Street, Robin Hoods Bay	Listed Building consent for relocation and replacement of extractor flue and internal alterations to enable use of upper floors as 2 no. principal residence dwellings or 2 no. holiday cottages	<p>considered both at the same time and any decision to apply to both.</p> <p>The Council stated they would prefer the development to be residential due to car parking issues but appreciate this can be only be a request not a stipulation</p> <ul style="list-style-type: none"> • <i>Motion to state 'No Objections' to the planning application was proposed, seconded and unanimously agreed. Motion passed.</i>
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2. Planning application at Middlewood Farm Holiday Park

The Clerk had previously in the Clerk Report had explained the current position.

From:
To: [Planning](#)
Subject: Comments on NYM/2020/0885/FL - Case Officer Mrs J Bastow - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,
Date: 17 December 2020 18:03:06

Can we please have an extension of time to allow for a site meeting?

Comments made by Building Conservation of The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Comment Type is Request for Extension of Time for Submission of Comments
Letter ID: 557864

Date: 18 December 2020
Our ref: 337347
Your ref: NYM/2020/0885/FL



North York Moors National Park Authority

BY EMAIL ONLY

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

Dear Mrs Bastow

Planning consultation: Application for change of use of upper floors to dual use (2 no. principal residence dwellings or 2 no. holiday cottages) together with relocation and replacement of extractor flue

Location: Maryondale Cottage and Chip Shop, Albion Street, Robin Hoods Bay

Thank you for your consultation on the above dated 11 December 2020 which was received by Natural England on 11 December 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.

European sites

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

Protected Landscapes – North Yorkshire and Cleveland Heritage Coast

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

Yours sincerely

Amy Knafler
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.

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 advice¹ 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 here². 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.

Protected landscapes

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

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

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 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).