

From:

To:

Cc:

Subject: Re: NYM/2021/0999/FL

Date: 16 June 2022 13:26:40

Dear Mrs Saunders

The Parish Council met last night and discussed the above planning application.

It was an unusual situation as we currently only have 5 Councillors, 2 of whom had declared an interest and left the room during the discussion.

We were concerned that with only 3 Councillors able to vote that did not leave us quorate but, in this particular instance, we never will be so, a vote was taken and the majority of the Councillors that voted had no objection to this planning application.

If the planning department feel that a vote should not have been taken with a limited number of Councillors, please accept our response as 'no comments'.

Kind regards Jude Wakefield
Parish Clerk and RFO
Fylingdales Parish Council





NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

Premises: 00401789
Job: 1246708

Scarborough Fire Station
North Marine Road
Scarborough
North Yorkshire
YO12 7EY

When telephoning please ask for: Nick Mack

11 June 2022

Dear Hilary,

Quarterdeck, Covet Hill, Robin Hoods Bay, YO22 4SN

FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 23rd May 2022
Plans No: NYM/2021/0999/FL

Your communication has been dealt with as follows:

At this stage in the planning approval process the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority have no objection/observation to the proposed development. The North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the Fire Authority.

The majority of information we collect regarding business fire safety is non-personalised information, however any personal data we collect will be managed in accordance with our Privacy Notice which can be viewed on our website, www.northyorksfire.gov.uk/about-us/data/privacy-policies/.

Mrs Hialry Saunders
NYMNPA
The Old Vicarage,
Bondgate
Helmsley
YO62 5BP

Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives

www.northyorksfire.gov.uk

Under the Regulatory Reform Order 2005 we are obliged to publish a public register of enforcement action which can be viewed via our website, www.northyorksfire.gov.uk/about-us/financial/lists-and-registers/.

Should you require further information please contact the officer whose name appears at the head of the letter.

Yours faithfully

Nick Mack
Watch Manager
Business Fire Safety
Scarborough & Ryedale

Date: 25 January 2022
Our ref: 379160
Your ref: NYM/2021/0999/FL



Hilary Saunders, North York Moors National Park Authority

BY EMAIL ONLY

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

Dear Hilary,

Planning consultation: Application for stabilisation works to cliff together with construction of extension to tea hut to provide preparation/staff/storage areas.

Location: The Quarterdeck, Covet Hill, Robin Hoods Bay.

Thank you for your consultation on the above dated 22 December 2021

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 designated sites, and has no objection.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Robin Hood's Bay: Maw Wyke to Beast Cliff Site of Special Scientific Interest (SSSI)

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection. This SSSI covers the intertidal area, therefore, based on the plans provided it is unlikely that there will be direct impacts from this application on the SSSI.

Protected Landscapes – North York Moors National Park

The proposed development is for a site within a nationally designated landscape namely North York Moors National Park. 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 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to

determine whether the development should exceptionally be permitted within the designated landscape.

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

The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, will be a valuable contribution to the planning decision. 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.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

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

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me on

Yours sincerely

Laura Tyndall
Yorkshire and Northern Lincolnshire Area Team

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 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 to respond to 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 174 and 175). 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.

Protected Species

Natural England has produced [standing advice](#)¹ 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 Site of Special Scientific Interest 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 175 and 179 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](#)². 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](#).

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>

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 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 Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 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.

Natural England's [Biodiversity Metric 3.0](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 3.0](#) and is designed for use where certain criteria are met. It is available as a beta test version.

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).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 3.0](#) and is available as a beta test version.

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 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

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](#).

From:
To: [Planning](#)
Subject: NYM/2021/0999/FL FAO Mrs Hilary Saunders
Date: 06 June 2022 14:03:02

Dear Hilary,

Proposal **Application for stabilisation works to cliff together with construction of extension to tea hut to provide preparation/staff/storage areas**

Location **The Quarterdeck Cove Hill Robin Hoods Bay**

Thank you for giving North Yorkshire Police the opportunity to comment on this amended planning application. In relation to designing out crime, I have no comments to make regarding the proposal.

If I can be of further assistance, do not hesitate to contact me.

Kind regards

Richard

Mr Richard Ball, MPlan
Designing out Crime Officer
Police Station, Fulford Road, York, North Yorkshire, YO10 4BY

From:
To: [Planning](#)
Subject: Comments on NYM/2021/0999/FL - Case Officer Mrs Hilary Saunders - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,
Date: 01 June 2022 14:16:06

The Quarterdeck, Covet Hill, Robin Hood's Bay
NYM/2021/0999/FL – re-consult
Stabilization works to cliff together with construction of extension to tea hut to provide preparation/staff/storage areas.

Consultee response
Reviewing the amended plans, I have no comments and welcome the revisions.

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

Preferred Method of Contact is: Post

Comment Type is Comment
Letter ID: 588831

From:
To: [Planning](#)
Subject: RE: NYM/2021/0999/FL
Date: 25 May 2022 11:47:03
Attachments: [image001.png](#)

Good Morning NYMNP,

I would confirm I have no objections to the amendments to this application.

John Woodhead
Northern Area Engineer

Date: 25 January 2022
Our ref: 379160
Your ref: NYM/2021/0999/FL



Hilary Saunders, North York Moors National Park Authority

BY EMAIL ONLY

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

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Location: The Quarterdeck, Covet Hill, Robin Hoods Bay.

Thank you for your consultation on the above dated 22 December 2021

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Should the proposal change, please consult us again.

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|

Yours sincerely

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Yorkshire and Northern Lincolnshire Area Team

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From: [k](#)
To: [Planning](#)
Subject: Comments on NYM/2021/0999/FL - Case Officer Mrs Hilary Saunders - Received from Mrs Jude Wakefield at Fylingdales Parish Council, 38 Hinderwell Lane, Runswick Bay, Saltburn by Sea, Cleveland, TS13 5HR
Date: 31 January 2022 14:25:52

This application was considered by Fylingdales Parish Councillors at the FPC Meeting held on 19 January 2022. The Councillors felt that this application should be dealt with as two separate issues:

1. They supported stabilisation work to the cliffs.
2. They objected to the proposed extension to the tea hut as it was too wide and therefore too imposing on the Quaterdeck.

Comments made by Mrs Jude Wakefield of Fylingdales Parish Council, 38 Hinderwell Lane, Runswick Bay, Saltburn by Sea, Cleveland, TS13 5HR

Preferred Method of Contact is Email

Comment Type is Object with comments

From:
To:
Cc: [Planning](#)
Subject: NYM/2021/0999/FL - The Quarterdeck, Robin Hoods Bay
Date: 27 January 2022 14:46:51

Dear Hilary

This application involves regrading and stabilising the coastal slope behind the existing hut. This area appears to be adjacent to thick scrub and includes areas of coastal grassland which is a scarce and declining habitat. Whilst I appreciate the necessity behind the works, and the challenges in establishing appropriate vegetation within the steel and mesh framework required, I would wish for some planting of native, indigenous species to be conditioned to enable the site to be assimilated into the environment. As far as possible, existing turves and soils should be retained.

I note that Building Conservation have recommended the extension supports a green roof rather than extending the wave profile, and I would support this, provided that the green roof is established with a range of native, indigenous species suitable for coastal areas.

Some clearance of scrub and trees appears to be necessary to allow the cliff stabilisation to take place. In order to avoid impacting on nesting birds, please include a condition restricting the clearance of woody vegetation to outside the bird breeding season (which is March to August inclusive) unless checked immediately prior to clearance (within 48 hours) by a suitably qualified ecologist.

Best wishes

Elsbeth

Elsbeth Ingleby MA_{Cantab} ACIEEM

Ecologist

North York Moors National Park Authority

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP

From:
To: [Planning](#)
Subject: RE: NYM/2021/0999/FL
Date: 25 January 2022 17:26:54
Attachments: [image002.png](#)
[NYM20210999FL Natural England Response 25th January 2022.pdf](#)

Good afternoon,

Thank you for consulting Natural England on planning application NYM/2021/0999/FL in your email dated the 22nd December 2021. Please find attached our response letter for your consideration.

If you have any further questions about this consultation response, please do not hesitate to contact me.

Kind regards,
Laura

Laura Tyndall
Adviser
Sustainable Development
Yorkshire and Northern Lincolnshire Team
Lateral, 8 City Walk, Leeds, LS11 9AT

www.gov.uk/natural-england



We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

Natural England offers two chargeable services – The Discretionary Advice Service ([DAS](#)) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service ([PSS](#)) provides advice for protected species mitigation licence applications.

These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

From:
To: [Planning](#)
Subject: NYM/2021/0999/FL
Date: 20 January 2022 15:48:41

Application for stabilisation works to cliff together with construction of extension to tea hut to provide preparation/staff/storage areas at The Quarterdeck, Covet Hill, Robin Hoods Bay

Commercial Regulation – Environmental Health

Having reviewed the above application and supporting documents, I would make the following comments:

Although this is work of a temporary nature, there is no information provided on the precise methodology for carrying out the stabilisation work identifying what plant and machinery may be used, hours of work etc to be able to determine any nuisance potential from noise/vibration. I therefore request that a requirement is included asking for the noise impact on nearby residential development to be considered together with details of any proposed mitigation measures to prevent harm to amenity.

In addition, in extending the kiosk, ideally, consideration should be given to providing toilet accommodation on site.

Regards

Julie Peirson
Commercial Regulation Manager MCI^{EH} CEnvH
Environmental Services
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

From:
To: [Planning](#)
Subject: NYM/2021/0999/FL
Date: 11 January 2022 16:53:42

Good afternoon,

Thank you for consulting Natural England on planning application NYM/2021/0999/FL. Due to staff shortages/absence, we are unable to meet the current deadline, which was given as the 12th January 2022. Please can we request a 2-week extension to give a new deadline of 26th January 2022. Thank you.

Kind regards,
Laura

Laura Tyndall
Adviser
Sustainable Development
Yorkshire and Northern Lincolnshire Team
Lateral, 8 City Walk, Leeds, LS11 9AT

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Natural England offers two chargeable services – The Discretionary Advice Service ([DAS](#)) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service ([PSS](#)) provides advice for protected species mitigation licence applications.

These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

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From: planning@northyorkmoors.org.uk
To: [Planning](#)
Subject: Comments on NYM/2021/0999/FL - Case Officer Mrs Hilary Saunders - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,
Date: 07 January 2022 11:15:53

The Quarterdeck, Covet Hill, Robin Hood's Bay

NYM/2021/0999/FL

Stabilization works to cliff together with construction of extension to tea hut to provide preparation/staff/storage areas.

Consultee response:

Having reviewed this application I see no reason not to approve. Although, I do propose a couple of considerations for the applicant:

- A roofing alternative could be a 'green' roof, which could enable a more subtle blend with the surrounding embankment and encourage wildlife.
- A slimmer profile roof light with a flush edge, the Neo by the Roof Light Company is an example <https://www.therooflightcompany.co.uk/shop/neo>.

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

Comment Type is Comment
Letter ID: 580915

From:

Subject: RE: NYM/2021/0999/FL

Date: 23 December 2021 10:03:48

Good Morning NYMNP,

Having examined the application and the plans and statements therein I would confirm I have no objections to the proposals provided the applicant exercises due regard for the safety of the public using the "Quarterdeck" during the course of the works and he provides the Council with a Contractor Method Statement/Programme along with a copy of their indemnity insurance certificate prior to occupying any Council owned land.

Best Regards

John Woodhead

Northern Area Engineer