

From:
To: [Planning](#)
Subject: Planning Application NYM/2022/0363
Date: 05 July 2022 22:39:58

Dear Mr Hill

Re: Planning Application NYM/2022/0363

Thank you for your correspondence, I do wish to submit further comments.

Regarding *public application form.pdf*

- Assessment of flood risk. The application says the site is not within an area at risk of flooding. The government website (Flooding and extreme weather) shows The Bryherstones Inn is at high risk from surface water flooding. Removing the current rough grassland and replacing it with cabins and lawns will make the flooding situation even worse. The water goes directly onto my low lying land.
- Biodiversity and Geological Conservation. I wrote in my previous letter about the work I have been doing to increase biodiversity on my land. The field adjoining the proposed development was in the process of becoming a wildflower meadow. Under the guidance of your Farming in Protected Landscapes Officer I set up a wildlife corridor which was completed in March. This was subsidised by NYM National Park Authority but still quite costly to me and planting 600 trees/shrubs in February was not an easy task.
The second part was to grow a wildflower meadow which would create new habitat and increase flora and fauna biodiversity. I have not pursued it since hearing about the planning application. The wildflowers would still be beautiful but there would be no benefit to habitats or wildlife generally with the disturbance caused by residents of cabins, camper vans and their dogs.
The public - biodiversity net gain calculations .xlsx and public - consultation responses.pdf (Zara Hanshaw Assistant Ecologist) both say there is no pond within 800m of the site. The pond pictured in my previous correspondence is fed by a natural spring, surrounded by trees and less than 4 metres from the proposed development. It is largely left alone but I have seen frogs/toads and newts in and around the pond. I don't think they are the rare Great Crested newts but they are still a joy to have on my property.
- Foul Sewage. The application says that foul sewage will be disposed of using the existing package treatment plant. The non mains drainage assessment form says there are currently 2 **occupiers** using the treatment plant and this will increase to 8. The treatment plant is also dealing with the foul waste from the numerous staff and customers of the pub every day. The water authority van is already out at least once a week to sort problems and the plant has overflowed into my field when too much demand was put on it.
- Waste Storage and Collection. The application says there are no plans to incorporate areas to store and aid the collection of any waste. The camper vans are already a nuisance using my bin or leaving rubbish on the car park as there are no facilities for them. It seems logical to them that the green bin would be recycling so the blue one is for non recyclables. I regularly have to move their rubbish including 'poo bags' from my blue bin to the green one. Rubbish on the pub car park shouldn't be my problem but it is when it blows onto my fields or in front of my house. Rubbish from 3 cabins adjoining my field would destroy the environment and be a danger to

animals.

- Vehicle Parking. The plan states the number of car parking spaces will not change despite part of the development using some of the gravel car park. Several cars already park on the grass verge in front of the pub at busy times. The road is on a hill, has numerous bends and has a 60 mph speed limit so crossing the road from their cars to the pub is already an accident waiting to happen. Less parking on the car park will increase the parking on the verge.

Again, I would appreciate someone coming to see the difficulties I am concerned about

Yours sincerely

David Cuthbertson

Danby Cottage
Newlands Road
Cloughton
YO13 0AR

From: Zara Hanshaw

Sent: 28 June 2022 10:22

To: Jill Bastow

Subject: RE: NYM/2022/0363 - Bryherstones Inn, Newlands Road, Cloughton

Hi Jill,

Thanks for your email.

I recommended a PEA predominately to gather further information on Great Crested Newts and bats. On our mapping system there are several ponds within 500m and multiple great crested newt records within the vicinity as well. The research undertaken by Langton *et al.*, (2001) states that Great Crested Newts generally stay within 500m of a breeding pond, and therefore land within 500m of the pond may support GCN. Additionally, this development will involve the demolition of stable buildings. From our records there bats within 1km and the habitat looks ideal for foraging and commuting. Therefore there is potential for bats to be roosting onsite. A PEA, as a simple phase 1 survey, is a baseline survey and would identify the suitability of the site for GCN, bats as well as any other ecological constraints. It would also ground truth the desk survey that I undertook. As you are aware, the planning authority requires certainty of the likely impacts of development on protected and priority species to make the development acceptable. Without this survey information, there would be no certainty.

However, I have reviewed the Small Site Metric that has been submitted. This details that there no ponds within 800m and therefore impacts on GCN can be scoped out. Additionally, the photo submitted appears to show the stable buildings have wooden construction, and would not be suitable for roosting bats. Therefore, the further information submitted is sufficient to rule these species out.

From the photographs submitted, it is possible that the habitat would be classed as “modified grassland” rather than vegetated garden, however, as these habitat have the same multiplier within the metric, this does not affect the BNG achieved. Additionally, in this case, as no enhancement of on-site habitat is proposed, no bespoke management measures are needed for the garden habitat. The metric does detail that the green roofs will be managed to “good” condition, in line with the condition assessment within the technical supplement, and this is defined as:

- Vegetation structure is varied, providing opportunities for insects, birds and bats to live and breed. A single structural habitat component / vegetation type should not account for more than 80% of the total habitat area
- There is a diverse range of flowering plant species, providing nectar sources for insects. These species may be either native, or non-native but beneficial to wildlife.
- No non-native invasive species are included within
- **Intensive green roofs** – have a minimum of 50% native and non-native wildflowers - 70%

of the roof area is soil and vegetation (including water features)

- **Biodiverse green roofs** - have a varied depth of 80 - 150mm at least 50% is at 150mm and is planted and seeded with wildflowers and sedums or is pre-prepared with sedums and wildflowers. To achieve Good condition some additional habitat, such as sand piles, logs etc should be present.

A management plan for the green roofs should be secured as a condition of any consent. I note that there is currently 36% BNG proposed at this level. If the roofs are only managed to moderate condition, then BNG will still be achieved. Additionally, an external lighting condition should be included.

I hope that helps.

Best wishes,

Zara Hanshaw ACIEEM

Assistant Ecologist

[\(she/her\)](#)

North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP

From:
To: [Planning](#)
Subject: NYM/2022/0363 - Removal of stables and erection of three timber lodges at Bryherstones Inn, Newlands Road, Cloughton
Date: 16 June 2022 12:16:30

Application for removal of stables and erection of three timber lodges to provide rooms ancillary to the Country Inn at Bryherstones Inn, Newlands Road, Cloughton

Commercial Regulation – Environmental Health

Having reviewed the above application I have no comments to make from an Environmental Health perspective.

Regards

Julie Peirson
Commercial Regulation Manager
Environmental Services
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

From:
To: [Planning](#)
Subject: Comments on NYM/2022/0363
Date: 14 June 2022 10:33:58

NYM/2022/0363 Remove stables and erect three timber lodges to provide rooms ancillary to country inn, Bryherstones, Newlands Road.

The above application has been considered by Cloughton Parish Council.

Concerns were expressed regarding 1] possible inaccurate plans since they implied Danby Cottage was part of the application site when to the best of Council's knowledge it was not within the applicant's ownership; 2] area of site used would be considerably more than that used by the stables resulting in an unacceptable intensification of use; 3] sewage system; 4] no screening of the proposed lodges from the site itself, only from the highway; 5] potential for disturbance of/impact on domestic enjoyment for occupiers of Newlands Cottage due to the proximity of the proposed lodges. Council therefore agreed to **object** to the application as submitted.

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J Marley (Mrs) CiLCA
Clerk to Cloughton Parish Council
Annan,
41 Scalby Road,
Burniston,
Scarborough

From:
To:
Cc: [Planning](#)
Subject: NYM/2022/0363
Date: 06 June 2022 16:22:20

Good afternoon Jill,

I have reviewed the documents submitted with this proposal. I note that no ecological information has been submitted. The proposed application will result in the demolition of a stable block, and the conversion of an area of land for use as a commercial holiday letting site with a three lodges and associated infrastructure. No information on the suitability of the habitats onsite to support species such as roosting bats or breeding birds has been provided. Additionally, there are records of roosting bats within 1km of the development, records of Great Crested Newts within 2km and several ponds within 500m. I therefore recommend that a Preliminary Ecological Appraisal (PEA) is completed, to assess the impact of the development on protected and priority species. This is needed prior to determination, as paragraph 99 of the ODPM states *“it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision”*.

Additionally, the recently adopted Environment Act 2021 states that all development should result in a 10% net gain for biodiversity. I therefore recommend that [the Natural England Small Sites Metric](#) is completed, to show how this development will provide enhancements for biodiversity. It should be noted that, whilst it is not essential that the metric is completed by a suitably qualified ecologist, the base requirement for this metric is that it must be completed by a ‘competent person’. This is defined as someone who; *“is confident in identifying habitats present on the site before the development AND identifying the management requirements for habitats which will be created or enhanced within the landscape design.”*

I also note that the applicant details that the lodges will be serviced by the existing package treatment plant, but no details on the capacity of this plant to support the increase number of residents is provided. I recommend that further information on the capacity of the existing tank is also provided.

Best wishes,

Zara Hanshaw ACIEEM
Assistant Ecologist
[\(she/her\)](#)

North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM22/0363**

Proposed Development: Application of three timberlodges to provide rooms ancillary to the Country Inn

Location: Bryherstones Newlands Road Cloughton

Applicant: Mr and Mrs Shipley

CH Ref: **Case Officer:** Kay Aitchison

Area Ref: 4/24/204 **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP

Date: 1 June 2022

FAO: Jill Bastow **Copies to:**

There are **no local highway authority objections** to the proposed development of three single bed lodges for holiday letting within the curtilage of the existing country inn. The site has a constructed access to the highway and has an off street car park

Signed:

Kay Aitchison

For Corporate Director for Business and Environmental Services

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

e-mail:

From: Miles Johnson
Sent: 26 May 2022 10:32
To: Jill Bastow
Subject: NYM/2022/0363

Dear Jill,

Thanks for your consultation on this applications for demolition of a small stable block and construction of three accommodation pods.

I have no particular historic environment concerns in this instance.

Kind Regards,

Miles

Miles Johnson
Head of Historic Environment

North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP