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**From:** Clerk at Fylingdales Parish Council

**Sent:** Monday, May 22, 2023 10:20 AM

**To:** Hilary Saunders

**Cc:** ; Hoyle, Dick  
; Sutterby, Claudia

**Subject:** Re: FW: FW: NYM/2022/0706 - The Wayfarer

Hi Hilary

The Councillors met on Wednesday 17 May, their response to the above application is as follows:

*Councillors have still been unable to match the drawings referenced with those available to view. However, the responses to our questions were helpful and the Council resolved by a majority vote to return the following comments.*

*In the light of the assurances given by the architect, the Parish Council has no further objections to the change of use of the former Wayfarer for as long as the owners are in residence to maintain their effective management of the B&B.*

*However, insofar as the changes to the front of the building are concerned, councillors felt:*

- *the proposed bifold doors would be out of keeping with neighbouring properties and the*

*original frontage retained.*

- *screening to the first floor balcony should be installed behind the existing railings rather than replace them.*

*This would help to maintain the current attractive street view in this historic area.*

Kind regards

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**From:** Tony Turner <**Sent:** Tuesday, May 16, 2023 3:28 PM

**To:** Hilary Saunders

**Subject:** Re: FW: NYM/2022/0706 - The Wayfarer

Hilary,

I am a little puzzled by some of the PC comments but will do my best to address the concerns raised.

1. Omission of the front outside area and adjustment of the red line to exclude the front outside area of the original application site was agreed with you in order to exclude works relating to the current outside seating area and enclosure. Had this area remained within the terms of the application you felt you would be unable to recommend approval. It was agreed therefore that the simplest course of action was to deal with the outside seating area as a separate, retrospective application bearing in mind those works have already been completed without the benefit of planning permission. The submitted details identifying the revised red line clearly exclude the outside seating area from the current application and contain the correct drawing reference numbers, ie drawings 2494:4revB, 2494:6revB, Block Plan revB and Site Identification Plan revA.
2. The original proposals to extend the front facing first floor balcony and create a first floor rear balcony have been omitted and are shown correctly revised on drawing 2494:6revB. I get the impression that perhaps some of the comments in this respect made by the PC are based on superseded drawings. For the avoidance of doubt I can confirm that the existing front balcony will not be extended, although there is a request included to change the type of balustrade around the balcony from metal to clear glass. Also, the originally proposed alterations to form the rear balcony have been omitted as shown on drawing 2494:6revB.
3. The potential for increased noise levels as a result of the change of use from a current restaurant with 40+ covers to an additional, single bedroom letting unit is very low indeed. I suggest that there will in fact be a marked reduction in potential for noise generation as a result of the proposed change of use. The proposed letting unit is designed to cater for just two people which compares favourably with the current use as a 40+ occupancy restaurant. Managing noise levels in holiday let properties is a matter which is normally included within the Terms and Conditions of Letting.

I trust this clarifies the points raised by the PC.

Regards,

Tony

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**A L Turner + Associates** 1 Loring Road Ravenscar Scarborough YO13 0LY

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**From:** Clerk at Fylingdales Parish Council

**Sent:** 10 May 2023 14:46

**To:** Hilary Saunders

**Cc:** ;  
Hoyle, Dick  
; Sutterby, Claudia

**Subject:** NYM/2022/0706 - The Wayfarer

Good Afternoon Hilary

Further to our telephone conversation last week, please accept the response below from Fylingdales Parish Council together with my apologies for the late submission.

Having considered the second amendment, the Councillors stand by their objections and feel this is a poorly thought out scheme which will affect the local community, immediate neighbours and the street scene detrimentally.

The current amendment is to:

1. “**omit** any reference to the front, outside area on this application”

and to

1. “apply separately for permission to retain the works that have been undertaken in that area”

The architect refers to block plan revision B and site identification plan revision (showing a reduction in the red line area)

He also refers to revised drawings:

2494:4B (ground floor plan) and 2494:6B (elevations) - **neither of the drawing attached have these numbers.**

The plans attached are:

1. 2494: DR4A (ground floor plan) which is identical to DWG 2504: 4A submitted on 13.02.23 but with all detail removed.

And

1. 2494 3/6 (again identical to an earlier drawing but with all detail removed).

It is difficult to make effective recommendations without positively identifiable plans and without clear detail in the accompanying statements.

This leaves us with a number of questions:

1. The amended statement only mention the omission of any **reference** to the front, outside area but does not give any reassurance that 'omission' is the same as 'withdrawal'. There is no detail about what has been withdrawn in the amendment or whether the reference is to the frontage of the building and the proposed alterations to the outside seating area or to the upstairs balcony (which was the subject of concern to councillors). The applicants **have** assured us that this means that the balcony at the front of the building will now be omitted from the plans.

**Has the proposed balcony at the front of the building actually been withdrawn from the plans? If so, should the plans and accompanying statements be adjusted to provide the detail required in terms of what has been withdrawn and what remains to fully clarify the applicants' intentions?**

1. The original plans showed a solid divide at ground floor level across the area at the front of the building, to provide separate outside seating areas for what had originally been plans for 2 self-contained letting units.

**Has this divide now been removed? Drawing 2494:DR4A indicates this as being still in place.**

1. There is no mention in the statement of amendment of what the plans now are in relation to the proposed balcony at the rear of the building, which was planned to extend 2.7m from the existing wall. One of the earlier objections was that this would give sightlines into neighbouring properties.

**Have plans for any rear balconies been withdrawn? If so, should this be clearly stated in the amendments?**

1. The plans refer to an intention to "apply separately for permission to retain the works that have been undertaken in that area" (ie at the front of the building).

**Where is there any detail of what work has already been carried out? The application document states clearly that no work has already been carried out. Is this an application to be submitted in the future?**

1. One of the concerns raised under consideration for neighbours was the potential for additional noise late into the evenings, particularly from self-contained letting units opening out onto the front of the building (here, through the bi-fold doors). When this building was used as a restaurant, noise

would have been governed by licensing laws which will no longer be applicable.

**What proposals are in place that will reassure neighbours adjacent and opposite that noise and disturbance levels will be properly controlled?**

The Councillors feel they would need more clarification on the points/questions raised before they would consider withdrawing their objection to this planning application.

Kind regards

Jude Wakefield

Parish Clerk and RFO

Fylingdales Parish Council

*Please note, the clerk works variable part time hours but is normally available Monday, Tuesday and Wednesday.*



**North York Moors**  
National Park

Jude Wakefield  
Parish Clerk and RFO  
Fylingdales Parish Council

*Please note, the clerk works variable part time hours but is normally available Monday, Tuesday and Wednesday.*

**From:** \_\_\_\_\_  
**To:** [Planning](#)  
**Subject:** Comments on NYM/2022/0706 - Case Officer Mrs Hilary Saunders - Received from Mrs Jude Wakefield at Fylingdales Parish Council, 38 Hinderwell Lane, Runswick Bay, Saltburn by Sea, TS13 5HR  
**Date:** 06 March 2023 13:03:12

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Fylingdales Parish Council Objection on the following grounds.

1. Balconies if extended as proposed, would be too intrusive as they would then have direct sight lines into the properties adjacent and opposite, including into bedrooms and bathrooms and routes from bathrooms to bedrooms. This would have a severe impact on those properties, in terms of the privacy of residents and their b&b guests.
2. The presence of balconies and outside seating areas would encourage guests to sit outside late into the evenings. Larger balconies would encourage larger groups. This exposes neighbours both adjacent and opposite to strong risk of noise from partying holidaymakers, which would be highly disruptive. Prior to change of use, the restaurant/bistro will have been governed by licensing laws, ensuring that groups seated outside are a) supervised and b) curtailed at a reasonable hour. Change of use would remove such controls. This has already become a major issue for local residents experiencing late night noise from partying guests in holiday accommodation.
3. There appears to be one kitchen for owners' personal use as well as for preparation of meals for guests. However, there is no internal route from the reception foyer to the guests' dining room and relaxation space except through the kitchen. Guests would have to pass through the kitchen or go outside and back in again to reach the dining area and patio seating. This would not be safe practice, especially in a B&B of this size. The number of people expected to pass through the kitchen would pose high health and safety risks as well as food hygiene risks.
4. There is no parking at the site or adjacent to the site. The additional number of guests would add to the parking problems already experienced in Robin Hoods Bay and would add to the general congestion on an already busy road at changeover times.
5. Plans appear to be incomplete. There doesn't seem to be any access to the self-contained ground floor unit. The front of the unit (patio) is boundaried by glass panels along the main road and across the patio, dividing the 2 seating areas. There is no option for a doorway into the unit from the entrance foyer or from the entrance at the back of the house as any entry point would lead directly into the sleeping area or shower room.
6. The proposed extended balconies are not in keeping with the general look/feel/ambience of the area, which preserves much of the original Victorian character and features.
7. The plans are inconsistent. Statements on the application form suggest that no work has yet been done. However, statements on the drawings indicate that planning permission is required retrospectively.
8. It is not clear from the application whether the change of use is for this to be to b&b accommodation or whether this is to become a house for multiple occupancy. If the latter, then there may be further implications for the local community.

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

Preferred Method of Contact is Email

Comment Type is Object with comments

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**From:** Steve Reynolds

**Sent:** 15 February 2023 11:47

**To:** 'Tony Turner' ; Hilary Saunders

**Cc:** Neil and Michelle Mossley

**Subject:** RE: FW: FW: New application post - NYM/2022/0706 - The Wayfarer, Station Road, Robin Hoods Bay - EHO

Hello Tony and Hilary

Thanks for the further information. Given the layout, and the window sizes provided, I am happy to confirm that I have no objections to the proposed use as a “holiday letting unit”.

Thanks

Steve Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM  
Residential Regulation Manager  
Scarborough Borough Council



**From:**  
**To:** [Planning](#)  
**Subject:** The Wayfarer, Station Road, Robin Hoods Bay - change of use of part of ground floor and creation of one holiday letting unit etc. NYM/2022/0706  
**Date:** 14 February 2023 12:13:21

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FAO Mrs Hilary Saunders

**The Wayfarer, Station Road, Robin Hoods Bay - change of use of part of ground floor and creation of one holiday letting unit etc. NYM/2022/0706**

I refer to your e-mail of the 14<sup>th</sup> February 2023 in respect of the above application. The “holiday letting unit” is unacceptable as the proposed sleeping area has no natural light or ventilation.

Thanks

Steve

Steve Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM  
Residential Regulation Manager  
Scarborough Borough Council

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



**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**

**Application No:** **NYM22/0706**

Application for change of use at ground floor level from restaurant to two holiday

**Proposed Development:** letting units, change existing window to door on the side elevation, formation of door

opening on the rear elevation, addition of balconies at first floor level to the front and

rear elevations and changes to windows and doors

**Location:** The Wayfarer, Station Road,  
Robin Hoods Bay

**Applicant:** Mr Neil Mossley

**CH Ref:** **Case Officer:** Ged Lyth

**Area Ref:** 4/29/576A **Tel:**

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

**To:** North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
YO62 5BP **Date:** 24 October 2022

**FAO:** Mr A Muir **Copies to:**

**Note to the Planning Officer:**

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

The proposals do not mention any parking facilities. The access to the property is via land which is not publicly maintainable highway and the LHA are assuming that the right of access established for the current use will remain for the proposed use. Although no vehicular facilities are indicated in respect of these premises, there are no highway objections in principle to the application because the proposed use is not anticipated to have any significant increase in traffic compared with the current potential

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

**NYM22/0706**

use. This application is made with the understanding that this application will be conditioned to remain ancillary to the main residence.

Consequently the Local Highway Authority recommends that the following **Conditions** are attached to any permission granted:

**Signed:**

***Ged Lyth***

*For Corporate Director for Business and Environmental Services*

**Issued by:**

Whitby Highways Office  
Discovery Way  
Whitby  
North Yorkshire  
YO22 4PZ

**e-mail:** \_\_\_\_\_

**From:**  
**To:** [Planning](#)  
**Subject:** NYM/2022/0706 - Comments  
**Date:** 26 October 2022 15:17:25

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FAO Mr A Muir

NYM/2022/0706 Application for change of use at ground floor level from restaurant to two holiday letting units, change existing window to door on the side elevation, formation of door opening on the rear elevation, addition of balconies at first floor level to the front and rear elevations and changes to windows and doors at The Wayfarer, Station Road, Robin Hoods Bay

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Environmental Health – Commercial Regulation

Having reviewed the above application I have no comments to make from a commercial regulation perspective

Regards

Adele

Adele Cook  
Environmental Health Officer  
Commercial Regulation  
Environmental Health Services  
Scarborough Borough Council

[www.scarborough.gov.uk](http://www.scarborough.gov.uk)

**From:**  
**To:** [Planning](#)  
**Subject:** Re: NYM/2022/0706  
**Date:** 27 October 2022 12:57:26

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Good Afternoon

The Councillors considered this application at their meeting on 19 October and objected on the same grounds as Steve Reynolds, Residential Regulation Manager, Scarborough Borough Council. They also felt this would be an overdevelopment of the property and could potentially cause parking problems. Many thanks.

Kind regards

Jude Wakefield  
Parish Clerk and RFO  
Fylingdales Parish Council

*Please note, the clerk works variable part time hours but is normally available Monday and Wednesday.*

**From:**  
**To:** [Planning](#)  
**Subject:** The Wayfarer, Station Road, Robin Hoods Bay - Change of use at ground floor level from restaurant to two holiday letting units etc. NYM/2022/0706  
**Date:** 06 October 2022 13:17:20

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FAO Mr A Muir

**The Wayfarer, Station Road, Robin Hoods Bay - Change of use at ground floor level from restaurant to two holiday letting units etc. NYM/2022/0706**

I refer to your e-mail of the 6<sup>th</sup> October 2022 in respect of the above application. I cannot support the proposals as they stand for the following reasons:

- 1 The route from the entrance to the lounge/kitchen of unit 1 passes through bedroom 2.
- 2 The route from the entrance to the lounge/kitchen of unit 2 passes through the bedroom.
- 3 The bedroom of unit 2 has no natural light or ventilation.

Thanks

Steve

Steve Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM  
Residential Regulation Manager  
Scarborough Borough Council