
From: Clerk at Fylingdales Parish Council

Sent: Thursday, July 20, 2023 5:43 PM

To: Emily Jackson

Subject: RE: New application post - NYM/2022/0775, Dolphin Hotel, King Street, Robin Hoods Bay - Parish

Good Afternoon Emily

The Councillors considered this planning application at last night Parish Council meeting and have no objections.

Kind regards

From:
To: [Planning](#)
Subject: Comments on NYM/2022/0775 - Case Officer Miss Emily Jackson - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP, via email:
Date: 17 July 2023 13:57:51

Amended plans:

The roofscape of Robin Hood's Bay is an important aspect of the character of the Conservation Area and therefore any interruption should be sensitively located taking into account wider views of the village, particularly from the sea and from the bank top. It is however considered that because of the tight-knit nature of the village, its topography, differing roof heights and the height of the vent which is shown as sitting much lower than the surrounding ridge heights, the proposed roof vent is unlikely to be seen from wider views.

No objections to the installation of vented slats to the upper sash of the existing window (no changes to the window opening or dimensions).

Overall, given the improvements made by removing the modern bay windows and reinstating a more traditional elevation, the overall impact is a positive one on the Robin Hood's Bay Conservation Area in accordance with the LB&CA Act.

It is hoped that the applicant will consider future enhancements to the ground floor window/door arrangement.

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: 607718

From:
To: [Planning](#)
Cc:
Subject: Re: NYM/2022/0775, Dolphin Hotel, King Street, Robin Hoods Bay
Date: 14 June 2023 12:11:25

Good Afternoon

This planning application was received after the Agenda for the Parish Councils next meeting (21/6) was published and cannot therefore be discussed until 19 July. Can we respectfully request an extension for providing our response please? Many thanks.
Kind regards Jude Wakefield, Parish Clerk and RFO, Fylingdales Parish Council

From: Clair Shields
Sent: 19 January 2023 13:48
To: Emily Jackson
Subject: RE: NYM\2022\ENQ\18638 - New app to register/validate

Thanks – details look fine. Please add conditions mentioned in original correspondence.

Thanks, Clair

From: Emily Jackson
Sent: 19 January 2023 12:45
To: Clair Shields
Subject: FW: NYM\2022\ENQ\18638 - New app to register/validate

Hi Clair,

Just doing the report for NYM/2022/0775 – Dolphin Hotel, Robin Hoods Bay and noticed that you'd looked at the attached cross-sectional window details at the pre-app stage?

Within the consultation comments for the application, it mentions the cross-sectional details haven't been uploaded - as these have now been uploaded – are you able to check the cross-sectional details are ok?

Thanks,
Emily

Miss Emily Jackson
Development Management Trainee
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Customer Services: 01439 772700
www.northyorkmoors.org.uk

Date: 13 January 2023

Our Ref: 416903

Your Ref: NYM/2022/0775



Emily Jackson
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
North Yorkshire, YO62 5BP.

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

BY EMAIL ONLY

Dear Miss Jackson

Planning Consultation: Removal of bay windows, installation of four windows and infilling of stonework.

Location: Dolphin Hotel, King Street, Robin Hoods Bay.

Thank you for the above consultation received by Natural England on 7th December 2022.

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 or landscapes.

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.

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 correspondence to

Yours sincerely

Paul Scott
Consultations 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. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on [Gov.uk](#) website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying [Good Practice Guide for Handling Soils in Mineral Workings](#).

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 are 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 on [Gov.uk](#).

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>

Annex A – Additional Advice

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 3.1](#) 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 3.1](#) 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 3.1](#) 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.

Annex A – Additional Advice

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: Deadline Extension Request FAO. Miss Emily Jackson [Re: NYM/2022/0775]
Date: 05 January 2023 16:40:38
Attachments: [image001.png](#)
[image002.png](#)

Dear Emily

Thank you for the above consultation. Due to workload pressures we were unable to provide a response by the deadline. We would therefore like to request an extension (in addition to the three days in lieu of public holidays over Christmas and New Year). A new deadline of at least seven days from today would be most helpful.

Thank you in advance and apologies for any inconvenience.

Kind Regards

Paul Scott

Consultations Team
Operations Delivery, Natural England
County Hall, Spetchley Road, Worcester, WR5 2NP.

Natural England staff are primarily working remotely to provide our services and support our customers and stakeholders.



consultations@naturalengland.org.uk | www.gov.uk/natural-england

Natural England offers two chargeable services: the [Discretionary Advice Service](#), which provides pre-application and post-consent advice on planning / licensing proposals to developers and consultants; and the [Pre-submission Screening Service](#) for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development; reduce uncertainty; the risk of delay and added cost at a later stage while securing good results for the natural environment.



A National Amenity Society

Miss Emily Jackson
Planning Case Officer
North York Moors National Park

4th January 2023

Dolphin Hotel, King Street, Robin Hoods Bay, YO22 4SH. Application No. NYM/2022/0775

Dear Miss Jackson,

Thank you for notifying The Council for British Archaeology (CBA) about the above case.

The CBA are broadly supportive of the alterations to the Dolphin Hotel proposed by this application. We recognise that the applicants have sought pre-application advice from your Authority's conservation team and altered their proposals in response. We fully support this approach.

The CBA's concern is that the author of the Heritage Statement for the Dolphin Hotel asserts that it is only the Kings Street elevation of the building that is listed. This fundamental misunderstanding of listing designations can lead to badly informed proposals for listed buildings. Therefore, for clarity, the CBA would like to highlight that the Listing descriptions identifies the building but does not articulate the sum of its significance. This is a common misconception. Many list descriptions are very brief and were written without even entering the building. This is why pasting the NHLE description falls short of the requirements of paragraph 194 of the NPPF to *"describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance."*

Not every aspect of a listed building will contribute to its significance. Assessing which elements of a site do make a valuable contribution also identifies those areas which don't and therefore where the opportunities are to make changes to a site without harming its significance. This assessment and understanding of a building is a crucial part of achieving informed changes to the historic environment.

The poorly constructed double bay windows on the New Road elevation of The Dolphin Hotel appear to be an inappropriate alteration made in the 20th century and certainly don't contribute to the significance of the building or the character and appearance of the conservation area. The CBA



support their replacement, as proposed, and happily defer to your conservation team in securing the appropriate materials for these works.

I would be most grateful if you could pass these comments on to the applicant's architect, who I assume to be the author of the Heritage Statement.

Kind Regards,

Catherine Bell. MA (cons), ACIfA
Listed Buildings Caseworker

The Council for British Archaeology (CBA) is the national amenity society concerned with protection of the archaeological interest in heritage assets. Local planning authorities have a duty to notify the CBA of applications for listed building consent involving partial or total demolition, under the procedures set out in, **Arrangements for handling heritage applications – notification To Historic England and National Amenity Societies and the Secretary of state (England) direction 2021.**

From:
To: [Planning](#)
Subject: Comments on NYM/2022/0775 - Case Officer Miss Emily Jackson - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,
Date: 08 December 2022 10:35:52

Support the alterations proposed which will bring about a substantial enhancement to the Robin Hood's Bay Conservation Area through the removal of the unattractive bay windows and installation of sash windows which are characterful feature of the Area and as such meet both local policies (SPI, ENV11), para's 197, 199, 206 of the NPPF as well as Section 72 of the LB&CA Act.

The supporting statement says that window details have been submitted ('DWG02 Proposed Arrangements A1) but these don't seem to have been uploaded. Please seek sectional details for approval prior to determination of this application.

In terms of conditions, please add the following to any approval:

1. Stone panel to be approved.
 2. Window reveals minimum of 60mm.
 3. No external trickle vents.
 4. Guttering to be fixed by gutter spikes (no fascia boarding).
 5. Metal guttering (not plastic).
- Plus window sectional details if not provided before determination.

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: 599296