

From:
To: [Planning](#)
Subject: FAO Mrs H Saunders Re: NYM/2023/0806
Date: 17 January 2024 17:38:59

Dear Mrs Saunders

In response to the applicants response to my comments, I'd like to clarify/correct the following points, however I can assure you that this time it will not be 8 pages: -

- It was the applicant's co-director and not the applicant who was one of the biggest complainers when the large wagon got stuck. He was trying to go buy milk for his business and if I recall correctly goto a hospital appointment. Therefore I do think he was totally correct to complain. Especially when the council and police refused to help the situation.
- We do not get our beach toys delivered to the shop. We used to and realised the vehicle was too big to be coming down the bank. We now get these delivered either to our home address in Scarborough or my fathers farm. I also believe that the other shops doing beach toys in lower RHB do the same for this reason.
- In regard to the traffic congestion I agree with Mr Kemp we see the worst of it outside of our shop and therefore we are accurately able to comment on how bad the situation is getting. 2 Transit / Sprinter vans can pass each other at several points in the village. The larger vehicles cannot be passed as easily and therefore cause more major issues.along with people with lower than average driving skills and those who just panic about the tightness of the road.
- I believe the applicant has underestimated the bulkiness of beach items and to carry them from Fisherhead to the premises would not be easy. Also the storage requirement to get a delivery once a year would be very large. In addition would a Luton Van be able to get up Fisherhead? The wall on the bridge has had to be repaired once due to a vehicle strike.

I can confirm that my position remains unchanged. I have **no objection** to The Tea Hut selling Beach Items. To solve the issues with potential traffic issues would the applicant be able to meet the delivery vehicle at the loading bay at the top of the bank opposite The Victoria Hotel as we do with many of our deliveries in larger vehicles.

I feel that I did not state my concern regarding traffic when a situation occurs due to this. I would not have any right to comment or complain as I had not raised the issue in the first place.

Best wishes,

Chris & Wendy
Muir Lea Stores

From:
To: [Planning](#)
Subject: Comments on NYM/2023/0806 - Case Officer Mrs Hilary Saunders - Received from Mr Chris Bancroft at Muir Lea Stores, Muir Lea Stores, New Road Robin Hoods Bay, Whitby, Whitby, United Kingdom, YO22 4SF
Date: 31 December 2023 09:49:57

When planning permission was granted for The Old Coastguards station to be turned into cafe a restriction was placed stating deliveries had to be before a certain time, I think 10 or 11 am if I recall correctly.

This obviously indicates you correctly assumed there is an issue in the area with traffic.

At present The Tea Hut as a take away cafe requires regular deliveries of small ish items which are normally delivered in smaller vans. Beach items are bulky items and as such as delivered in larger vans (normally Luton Vans) the last thing we need is more large vans coming into the village.

I have no objection to The Tea Hut selling these items but if permission is granted please would you consider the traffic issues in Lower Robin Hood's Bay.

I will send an email with photos of various traffic issues which have occurred in lower RHB.

Comments made by Mr Chris Bancroft of Muir Lea Stores, Muir Lea Stores, New Road Robin Hoods Bay, Whitby, Whitby, United Kingdom, YO22 4SF

Preferred Method of Contact is Email

Comment Type is No objections but comments

Muir Lea Stores

To be considered with application reference NYM/2023/0806

6 messages

Muir Lea Stores

31 December 2023 at 10:26

Further to my comments online please also note the following images: -

23/06/23



09/06/23



12/05/23



19/05/22 - Broken down stuck for 10 hours (The Applicant been one of the biggest complainers)



15/05/22



More photos of unknown dates in attachments

Also attached are emails to the parish council acknowledging there is a problem and to be date apart from a new sign nothing has been done. The sign has not improved the situation. The latest response from Highways was: -

"Dear Mr & Mrs Bancroft.

With regards to your further email on this matter, please see our responses below;

- What would happen if the emergency services needed to be down here while the road was blocked? Would the council be taking responsibility if anything happens due to any delays? Has a risk assessment been done in relation to this? (You cannot deny that you have been made aware of the issue and my several emails prove this)

The responsibility for any delays caused by a blocked vehicle would have to be taken by the driver who caused the obstruction. In your opinion you say that the signs don't work, but like all signs, speed restriction signs, bend signs, chevron marker signs etc, drivers chose whether to obey the signs or not. We cannot control the decisions an individual driver makes. A signs only "works" if drivers react appropriately to the messages. We work closely with the emergency services and if they ever have access concerns they discuss these with us. They have not raised concerns with us about access to Robin Hoods Bay.

- Has a risk assessment been undertaken in regard to wide / long vehicles striking the buildings on Laurel Corner?

Again, it is the drivers responsibility to be in control of their vehicle at all times, it is not the responsibility of North Yorkshire Council as the 'highways authority' to carry out risk assessments for every bend, hill, narrow section on every highway in the County. Drivers need to assess every situation they come to on the road and carry out dynamic risk assessments for each situation they approach. This is the very basis of driver education.

- Has a risk assessment been undertaken in regard to a brake failure occurring on Bay Bank? This has happened before with the JCB in the 90s. I feel it is only a matter of time before this happens again. The damage caused by either HGV would be a lot more serious than that caused by either a car or LGV.

If we did work based on a chance occurrence like a JCB with brake failure we would be looking at other roads before we did anything in Robin Hood's Bay

- Has the council got a plan to recover HGV if they do get stuck down here again because the size of recovery vehicle required would probably not be able to come down? Again is this included in any risk assessments?

You are talking about a scenario that would be due to a drivers negligence or incompetence – It would be for the owner of the vehicle or their insurance company to arrange recovery.

- On Saturday the Breezemont vehicle could have easily got wedged between The Old Drapery and Bay Fisheries, what would have happened then? The wagon burned its gearbox out and had to be recovered, luckily by this point it was at a point on Bay Bank where it wasn't causing a blockage to other cars and LGVs but would have still been blocking HGV or potentially any fire engine which could have needed to be down.

Unfortunately, the lower part of Robin Hoods' Bay neds to be services by vehicles other than cars.

What would you suggest? Should we close the lower part of Robin Hoods Bay to all traffic? I can imagine we would face lots of objections from the many businesses and residents if we proposed such measures.

The Highway Code is very clear about the responsibilities drivers have and what rules they need to follow.

As someone who has been involved in road safety, driver education and development for the majority of my career it is very frustrating when people don't take responsibility for their own actions and try to blame the local authority or somebody else. Every time a driver gets behind the wheel of a vehicle they are in charge of something that has the power to kill or seriously injury someone else, let alone damage a building or block the highway. The consequences of drivers acting irresponsibly can be devastating and life changing. Drivers need to follow the rules and advice in The Highway Code and pay attention to warning signs and restrictions on the network. The local authority spend public money trying to advise drivers but ultimately they have to decide to either take heed of the signs or simply ignore the advice and 'hope' it will be ok.

I am sorry that our answers may disappoint you both but we have spent a significant amount of officer time and money trying to stop drivers of long vehicles entering the lower part of Robin Hoods Bay. We have to balance the needs of all businesses and residents and if people arranging deliveries don't make it clear to their suppliers that access is limited then again we cannot be blamed when something goes wrong.

Kind regards,

Andrew

Mr Andrew Santon

Highways Customer Communications Officer"

Thank you for your time in considering this.

Best wishes,

Chris & Wendy
Muir Lea Stores

6 attachments



IMG-20230923-WA0002.jpeg
1452K



IMG20230915083531 (2).jpg
2394K



IMG-20220524-WA0007.jpeg
3510K



IMG-20211106-WA0003.jpeg
2384K

Mail Delivery Subsystem
To:

31 December 2023 at 10:26

The response from the remote server was:

Muir Lea Stores

Traffic

3 messages

Muir Lea Stores

22 October 2021 at 08:54

To:

Hi Jody

Please can you add traffic in lower bay to the next possible agenda of the parish council.

It's beyond ridiculous. It's beyond a joke. It's becoming impossible to run a business down here.

Chris

Jody Nightingale

22 October 2021 at 09:05

To: Muir Lea Stores

Hi Chris,

I will do, Highways department are looking into traffic calming at the top, but as usual its a matter of money.

Jody

[Quoted text hidden]

Chair, Fylingdales Parish Council

Muir Lea Stores

22 October 2021 at 09:34

To: Jody Nightingale

Hi Jody

Thank you.

I understand about the funding but it has been an issue for a long time which is just getting worse and the council don't seem to give a damn.

I'm not blaming the parish council because I know that you are aware of the problem. Your hands are tied due to the lack of action by Highways.

It's not helping that cars are still parked on the grass on fisherhead after the end of September which is creating more traffic up and down.

Thank you for your prompt response.

Chris

From:
To: [Planning](#)
Subject: Comments on NYM/2023/0806 - Case Officer Mrs Hilary Saunders - Received from Mr Andrew Ackers at 46 Convent Way, YO213Uf
Date: 01 January 2024 19:59:48

Objection

Over development in this area and not in keeping with the area especially as it is part of the national park. Original planning was subject to strict conditions and it would appear nothing has changed so why would the conditions change?

Comments made by Mr Andrew Ackers of 46 Convent Way, YO213Uf

Preferred Method of Contact is Email

Comment Type is Object with comments

From:

To:

Subject: Comments on NYM/2023/0806 - Case Officer Mrs Hilary Saunders - Received from Mr Stephen Yorke at NA, 8 Carron Crescent, Acomb Park, York, Yo24 2xy

Date: 01 January 2024 20:09:11

I would like to object to these variations as this extension was only supposed to be used as a prep area but it appears this is now not the case with freezers or fridges and merchandise now popping out of the building that will look unsightly and spoil the look of the area. I also feel this will further add to overdevelopment of this area.

Comments made by Mr Stephen Yorke of NA, 8 Carron Crescent, Acomb Park, York, Yo24 2xy

Preferred Method of Contact is Email

Comment Type is Object with comments

From:

To:

Subject: Comments on NYM/2023/0806 - Case Officer Mrs Hilary Saunders - Received from Mrs Yvonne Irving at 8 Laburnum Ave, Robin Hoods Bay, Whitby, North Yorkshire, YO224RR

Date: 19 December 2023 21:54:43

I would like to object to the variation of planning on the Quarterdeck. I believe that it was supposed to be just a tea-shed for the sale of snacks and drinks. No way was the planning given to ever sell merchandise. There is enough of this sort of thing sold everywhere in Bay. Please, do not allow the expansion of this shed to blight our coastline. What will the next variant of planning be, one has to ask.

Thankyou

Comments made by Mrs Yvonne Irving of 8 Laburnum Ave, Robin Hoods Bay, Whitby, North Yorkshire, YO224RR

Preferred Method of Contact is Email

Comment Type is Object with comments

From:

To:

Subject: Comments on NYM/2023/0806 - Case Officer Mrs Hilary Saunders - Received from Mr Graham Irving at 8, Laburnum Avenue, Robin Hoods Bay, Whitby, North Yorkshire, United Kingdom, YO22 4RR

Date: 19 December 2023 21:47:01

I wish to object to the planning application of the above. The initial planning application recieved over 40 objections that were ignored. I do believe that to disregard ALL the strict restrictions give on the initial planning is to make a mockery of planning applications and the code of planning held highly by National Parks in this beautiful village, I cannot see in any way the site of bright plastic toys/beachwear and memorabilia will in any way enhance our beautiful coastline.

The initial planning application was for a tea hut only and only while the owner lived at Beachome.If the owner left the residence, planning dictated it must be dismantled and returned to its original state. These variations should not be allowed.

Comments made by Mr Graham Irving of 8, Laburnum Avenue, Robin Hoods Bay, Whitby, North Yorkshire, United Kingdom, YO22 4RR

Preferred Method of Contact is Email

Comment Type is Object with comments