

From:

Subject: RE: NYM/2024/0141, Two Gates, Prospect Field, Robin Hoods Bay

Date: 02 April 2024 11:19:55

Dear Planning,

The applicant is clearly fully aware of the Coastal Erosion/Landslip risks at this location and whilst re-siting the new build slightly further inland that risk still remains going forward and whilst I have no objections to the application the current and future owners of the property should be fully aware of the issues associated with owning a property/land in this area.

John Woodhead

Northern Area Engineer

From:

To:

Subject: Comments on NYM/2024/0141 - Case Officer Mrs Jill Bastow - Received from Mrs Jude Wakefield at Fylingdales Parish Council, 38 Hinderwell Lane, Runswick Bay, TS13 5HR

Date: 26 March 2024 09:50:51

The Parish Council met on 20 March and had no objections to this planning application.

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

Preferred Method of Contact is Email

Comment Type is No objection

NORTH YORKSHIRE COUNCIL

LOCAL HIGHWAY AUTHORITY CONSIDERATIONS and RECOMMENDATION



Application No: **NYM24/0141**

Proposed Development: demolition of existing house and garage and construction of replacement dwelling with detached garage, sauna building and gazebo

Location: Two Gates, Prospect Field, Robin Hoods Bay

Applicant: Mrs Wendy Deans

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

Area Ref: 4/29/726 **Tel:**

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

To: North York Moors National Park Authority **Date:** 21 March 2024

FAO: Jill Bastow **Copies to:**

The application to replace one dwelling with another is not expected to increase the amount of traffic using Prospect Field other than during the construction phase. It should be noted that Prospect Field is not highway maintainable at public expense. Therefore, there are no local highway authority objections to the proposed development

Signed:

Ged Lyth

For Corporate Director of Environment

Issued by:

Whitby Highways Office Discovery Way

Whitby

North Yorkshire

YO22 4PZ

e-mail:

From: SM-NE-Consultations (NE)
Sent: 19 March 2024 11:46
To: Planning
Subject: NE Response NYM/2024/0141
Attachments: NYM_2024_0141.pdf; Annex A to standard letters - Jan 24 FINAL 2.pdf

Our ref: 468847
Your ref: NYM/2024/0141

Dear Sir or Madam,

Planning consultation: Application for demolition of existing house and garage and construction of replacement dwelling with detached garage, sauna building and gazebo

Location: Two Gates, Prospect Field, Robin Hoods Bay

Thank you for your consultation on the above dated 8th March 2024

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.

Further information on when to consult Natural England on planning proposals is here- [Planning and transport authorities: get environmental advice on planning - GOV.UK \(www.gov.uk\)](#)

Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, we offer the further advice and references to Standing Advice.

Natural England advises Local Planning Authorities to use the following tools to assess the impacts of the proposal on the natural environment:

Impact Risk Zones:

Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone then Natural England will provide an auto-response email.

Standing Advice:

Natural England has published Standing Advice. Links to standing advice are in Annex A

If after using these tools, you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require Natural England's advice.

Further information on LPA duties relating to protected sites and areas is here- [Protected sites and areas: how to review planning applications - GOV.UK \(www.gov.uk\)](#)

Further guidance is also set out in Planning Practice Guidance on the natural environment [Natural environment - GOV.UK \(www.gov.uk\)](#) and on Habitats Regulations Assessment [Appropriate assessment - GOV.UK \(www.gov.uk\)](#)

Non detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Should the proposal change, please consult us again.

Yours faithfully,

Keanan Sweeney
Natural England
Consultation Service
Hornbeam House
Crewe Business Park, Electra Way,
Crewe, Cheshire, CW1 6GJ

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, whilst securing good results for the natural environment.

For further information on the Discretionary Advice Service see [here](#)

For further information on the Pre-submission Screening Service see [here](#)

Annex A –Natural England general advice

Protected Landscapes

Paragraph 182 of the [National Planning Policy Framework](#) (NPPF) requires great weight to be given to conserving and enhancing landscape and scenic beauty within Areas of Outstanding Natural Beauty (known as National Landscapes), National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 183 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering relevant development proposals. [Section 245](#) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities (including local planning authorities) to seek to further the statutory purposes of a National Park, the Broads or an Area of Outstanding Natural Beauty in England in exercising their functions. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The local planning authority should carefully consider any impacts on the statutory purposes of protected landscapes and their settings in line with the NPPF, relevant development plan policies and the Section 245 duty. The relevant National Landscape Partnership or Conservation Board may be able to offer advice on the impacts of the proposal on the natural beauty of the area and the aims and objectives of the statutory management plan, as well as environmental enhancement opportunities. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to development and its capacity to accommodate proposed development.

Wider landscapes

Paragraph 180 of the 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 and 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.

Biodiversity duty

The local planning authority has a [duty](#) to conserve and enhance biodiversity as part of its decision making. Further information is available [here](#).

Designated nature conservation sites

Paragraphs 186-188 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites. Both the direct and indirect impacts of the development should be considered. A Habitats Regulations Assessment is needed where there is a likely significant effect on a habitats site and Natural England must be consulted on '[appropriate assessments](#)'. Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via [Impact Risk Zones](#) or as standard or bespoke consultation responses.

Protected Species

Natural England has produced [standing advice](#) to help planning authorities understand the impact of particular developments on protected species. 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. A protected species [licence](#) may be required in certain cases.

Local sites and priority habitats and species

The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 180, 181 and 185 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature's recovery. 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,

Annex A –Natural England general advice

wildlife trust, geoconservation groups or recording societies. Emerging [Local Nature Recovery Strategies](#) may also provide further useful information.

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. A 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](#).

Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 180(d), 185 and 186. Major development (defined in the [NPPF glossary](#)) is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement is expected to be extended to smaller scale development in spring 2024. For nationally significant infrastructure projects (NSIPs), it is anticipated that the requirement for biodiversity net gain will be implemented from 2025.

Further information on biodiversity net gain, including [draft Planning Practice Guidance](#), can be found [here](#).

The statutory [Biodiversity Metric](#) should 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 the [Biodiversity Metric](#) and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph 186 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 74, 108, 124, 180, 181 and 186). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

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 the [Biodiversity Metric](#) and is available as a beta test version.

Further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain can be found in government [Planning Practice Guidance for the natural environment](#).

Ancient woodland, ancient and veteran trees

The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 186 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 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.

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 180 and 181). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England.

Annex A –Natural England general advice

Further information is contained in [GOV.UK guidance](#) Agricultural Land Classification information is available on the [Magic](#) website and the [Data.Gov.uk](#) website

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.

Green Infrastructure

Natural England's [Green Infrastructure Framework](#) provides evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the [15 Green Infrastructure Principles](#). The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate.

GI mapping resources are available [here](#) and [here](#). These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

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 urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 104 and 180 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.

Further information is set out in Planning Practice Guidance on the [natural environment](#)

From: Zara Hanshaw
Sent: 13 March 2024 17:04
To: Jill Bastow
Cc: Planning
Subject: NYM/2024/0141 Two Gates, Prospect Field, Robin Hoods Bay

Hi Jill,

No issues with this one. I would recommend that reasonable enhancements for biodiversity, such as bat or swift boxes, are included in the new building. If any external lighting is required, a dark skies friendly lighting condition should be included.

Best wishes,

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

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

From: Don Fundira <
Sent: 13 March 2024 14:16
To: Planning
Subject: NYM/2024/0141 Two Gates, Prospect Field, Robin Hoods Bay 24/00557/EHC100

Good afternoon

I have had a look at the above-mentioned planning application to demolish existing house and garages and replacement with new dwelling and adjacent garage and I recommend the following:

No demolition or construction work (Including deliveries to or from the site and sub-contractors) shall take on the site outside the hours of 08:00 and 18:00 Mondays to Fridays and 08:00 and 13:00 on Saturdays, and at no time on Sundays, Bank Holidays or Public Holidays unless otherwise agreed with the Local Planning Authority.

Reason: In the interest of residential amenity and reducing pollution.
Regards

Don Fundira BSc (hons)
Environmental HHealth Officer

North Yorkshire Council
Environmental Health Services
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

Web: www.northyorks.gov.uk

From:
To:
Subject: Two Gates, Prospect Field, Robin Hoods Bay - demolition of existing house and garage and construction of replacement dwelling with detached garage, sauna building and gazebo NYM/2024/0141
Date: 04 March 2024 11:05:37
Attachments: [image001.png](#)

FAO Mrs Jill Bastow

Two Gates, Prospect Field, Robin Hoods Bay - demolition of existing house and garage and construction of replacement dwelling with detached garage, sauna building and gazebo NYM/2024/0141

I refer to your e-mail of the 1st March 2024 in respect of the above application. I hereby confirm that I have no objections to the proposals on housing grounds.

Thanks

Steve

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

North Yorkshire Council
Housing Services
Town Hall
St Nicholas Street
Scarborough
YO12 2HG

