

## Members Update Sheet

### Item 1 NYM/2018/0177/FL

**Please see separate circulated information received from the applicant in support of the application.**

Please note an amendment to the development description as follows:

erection of timber tea hut serving hot and cold refreshments and construction of **1.4 metre** high gabion basket retaining wall

Please note an amendment to condition 12 as follows:

12. LANDS00 No work shall commence on the installation of the stone gabion baskets until full details of stone to be used have been submitted to and approved in writing by the Local Planning Authority. The stone gabions shall then be installed in accordance with the approved details and shall be maintained in that condition in perpetuity. **For the avoidance of doubt, the height of the gabion wall shall not exceed 1.4m above the ground level where the cabin is to be sited.**

**Neil Purves, Willow Dene, Church Lane, Fylingthorpe** - Further Comments - Still have concerns that the planning application shows different heights for the proposed retaining gabion basket wall. This is relevant as the Scarborough Coastal Area Engineer will have looked at the plans showing a small wall at 1 metre, when in fact the height could be much more and much more excavation and a taller wall would be actually be built. The Coastal Engineer has asked for the digging to be kept at a minimum, but the plans show three baskets and to scale so a 1.8 metres high wall. The distance has actually been measured from the edge of the quarterdeck back to where the far edge of the wall would be at approx. 6 metres back and the actual height dug out comes out at over 2 metres. As the plan states the existing embankment is to stay and no removal of trees (there are small trees and bushes on the bank) and as the plans appear to show different heights I would ask that you look at the plans perhaps measure the slope and retaining height needed? It may well be that the plans are to take away more cliff and re profiling of the slope to make the 1 metre fit but if this is so there are trees, bushes and land drains on the coastal slope in a Conservation Area.

**Mrs Louise Shackleton, The Coffee Shack, 7 Laburnum Avenue, Robin Hoods Bay** - Additional Comments - I am wishing to highlight a matter regarding trees - the proposed site currently has a fairly substantial ash tree which has ash dieback disease, and a sea buckthorn which is large enough to be classed as a tree (the trunk measures a diameter of 11cm at a height of 1.5m). There is also a large Hawthorne which I feel may be affected during construction although it is sited slightly outside of the designated area for the building. I am only writing to highlight these trees as the applicant has clearly stated there are no trees on the site on his application.

### **Additional Background Information Received since the Agenda was Prepared**

The architect has confirmed the actual height of the gabion baskets, from his computer-generated model is 1.4m, made up of varying sized gabion baskets. This measurement is also the same when scaled off an A3 sized plan. Consequently, I have submitted an amended plan, showing this correction, together with a clearer note, showing which of the Scarborough Council owned benches are to be repositioned to the right (subject to written approval). You will see only one bench has a memorial plaque, the second does not. Naturally, the relatives and Parish Council would be consulted.

The letter sent from Cllr. Jane Mortimer, dated 8 June 2018 questions the Planning Committees knowledge and understanding of SSSI rated beaches and that dirty contaminated water from the proposed Tea Hut, will be discharged directly onto it. The handling of waste water is clearly noted on the plans and again within my documentation and states this is being pumped back up into the public sewer. Cllr. Mortimer also claims the whole of the contents of the Council owned bins ends up on the SSSI beach, when there is an off-shore wind; but this is a gross exaggeration. The slots on the bins face off shore, so the wind would compress the rubbish back into the bins, not discharge it. If indeed this is happening, I would urge Cllr. Mortimer, in her role as Borough Councillor to Scarborough, to have this situating addressed immediately, with her cleansing department.

The applicant has also submitted a graph showing the level of use of the Quarterdeck steps, with data collected from a tourist logger which is an infra-red beam fitted across the galvanised steps leading onto the Quarterdeck. The data submitted shows that between the 3 May 2018 and the 19 June 2018 this year, an average of 2,210 people per day passed up and down the steps, and between mid-May and August last year an average of 1,671 people per day used the steps. This shows that the Quarterdeck is not a place of tranquillity and reflection, remote from the hustle bustle of the main village; far from it. The photograph of the Quarterdeck submitted further demonstrates the number of people using it.

The main question the Planning Committee are being asked to decide is; do they consider the proposed Tea Hut too remote from the village? A map has been submitted which puts the actual distance into perspective; they are all in relatively close proximity, with the fish and chip shop only 45m away.

## **Item 2            NYM/2016/0457/FL**

Please note an amendment to condition 9 as follows:

9.            HWAY00    No part of the development shall be brought into use until the approved vehicle access improvements from the highway to the application site, including resurfacing and footpath improvements, parking, manoeuvring and turning areas approved under condition number 2:
  - a. have been constructed in accordance with the submitted drawing **(drawing number 11188-02 Rev E)**
  - c. are available for use unless otherwise approved in writing by the Local Planning Authority.Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times  
**For the avoidance of doubt this includes any areas of improving the vehicle access surface with rolled planings.**