

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION-
ADDITIONAL/AMENDED INFORMATION**

Application No: **NYM18/310/FL**

Proposed Development: demolition of existing Filling Station and construction of Hotel comprising 7 no. letting rooms together with Tearoom and spa/beauty facility and associated parking and landscaping works

Location: Honey Bee Nest, Glaisdale

Applicant: Guy Bentley Ltd

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

Area Ref: 4/40/327A **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 16 April 2019

FAO: Ailsa Teasdale **Copies to:**

Note to the Planning Officer:

The Local Highway Authority has received further information since the issue of the recommendation dated

It is thus recommended that

Note to the Planning Officer:

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

The revised layout mentions a dropped kerblin on the edge of the carriageway. This is to help prevent surface water coming from uphill of the site, running down the carriageway and onto the site whilst been low enough to allow vehicles to drive over it. The kerblin, installed along the boundary between the highway and the site, would channel water along the edge of the road and prevent it from going onto the application site. This kerblin needs to extend from the lower corner of Honey Bee Nest to a point past the existing drive of Holmwood. This would also allow the surface of the upper parking areas to be constructed to drain away from the highway.

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Continuation sheet:

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The LHA acknowledges that the applicant has revised the location of the access to the lower parking area. The revised location needs to have a clear visibility splay to meet the current standards and this may require the pruning or removal of the shrubs and plants outside Honey Bee Nest.

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

HC-07 Private Access/Verge Crossings: Construction Requirements

Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the accesses to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements

c. The existing access shall be improved by installing a kerblines with a 25mm height splayed kerb face from Honey Bee Nest, downhill to tie in with the existing kerblines outside the neighbouring property.

f. That part of the access extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.

g. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with approved details and maintained thereafter to prevent such discharges

h. The final surfacing of any private access within one metre of the public highway shall not contain any loose material that is capable of being drawn on to the existing public highway.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

HI-07 INFORMATIVE

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

REASON

In accordance with policy # and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

2. HC-10 VISIBILITY SPLAYS

There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 43 metres measured along both channel lines of the major road from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

REASON

In accordance with policy number and in the interests of road safety.

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

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INFORMATIVE

An explanation of the terms used above is available from the Highway Authority.

Signed:

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

For Corporate Director for Business and Environmental Services

e-mail: _____

From:
To: [Planning](#)
Subject: RE: Honey Bee Nest, Glaisdale, - NYM/2018/0310/FL
Date: 12 April 2019 15:54:58
Attachments:

Dear Sir or Madam,

Thank you for seeking the Forestry Commission's advice about the impacts that this application may have on Ancient Woodland. As a non-statutory consultee, the Forestry Commission is pleased to provide you with the attached information that may be helpful when you consider the application:

- Details of Government Policy relating to ancient woodland
- Information on the importance and designation of ancient woodland

Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless "*there are wholly exceptional reasons and a suitable compensation strategy exists*" (National Planning Policy Framework paragraph 175).

We also particularly refer you to further technical information set out in Natural England and Forestry Commission's [Standing Advice on Ancient Woodland](#) – plus supporting [Assessment Guide and Case Decisions](#).

As a Non Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather we are including information on the potential impact that the proposed development would have on the ancient woodland.

These comments are based upon information available to us through a desk study of the case, including the [Ancient Woodland Inventory](#) (maintained by Natural England), which can be viewed on the [MAGIC Map Browser](#), and our general local knowledge of the area.

We hope these comments are helpful to you. If you have any further queries please do not hesitate to contact me.

Yours faithfully,

Serena Clifford

Y&NE Area Administration Officer
Forestry Commission
Yorkshire & North East Area
Foss House, King's Pool,
1-2 Peasholme Green,
York
YO1 7PX

Please note our new email address, please update your records.

www.gov.uk/forestrycommission

Protecting and expanding England's forests and woodlands, and increasing their value to society and the environment

A summary of Government policy on ancient woodland

[Natural Environment and Rural Communities Act 2006](#) (published October 2006).

Section 40 – “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.

[National Planning Policy Framework](#) (published July 2018).

Paragraph 175 – “*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*”.

[National Planning Practice Guidance](#) – Natural Environment Guidance. (published March 2014)

This Guidance supports the implementation and interpretation of the National Planning Policy Framework. This section outlines the Forestry Commission’s role as a non statutory consultee on “*development proposals that contain or are likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites (PAWS) (as defined and recorded in [Natural England’s Ancient Woodland Inventory](#)), including proposals where any part of the development site is within 500 metres of an ancient semi-natural woodland or ancient replanted woodland, and where the development would involve erecting new buildings, or extending the footprint of existing buildings*”

It also notes that ancient woodland is an irreplaceable habitat, and that, in planning decisions, **Plantations on Ancient Woodland Sites (PAWS) should be treated equally in terms of the protection afforded to ancient woodland in the National Planning Policy Framework**. It highlights the Ancient Woodland Inventory as a way to find out if a woodland is ancient.

[The UK Forestry Standard](#) (4th edition published August 2017).

Page 23: “Areas of woodland are material considerations in the planning process and may be protected in local authority Area Plans. These plans pay particular attention to woods listed on the Ancient Woodland Inventory and areas identified as Sites of Local Nature Conservation Importance SLNCIs”.

[Keepers of Time](#) – A Statement of Policy for England’s Ancient and Native Woodland (published June 2005).

Page 10 “The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland”.

[Natural Environment White Paper “The Natural Choice”](#) (published June 2011)

Paragraph 2.53 - This has a “renewed commitment to conserving and restoring ancient

woodlands”.

Paragraph 2.56 – “The Government is committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland sites”.

[Standing Advice for Ancient Woodland and Veteran Trees](#) (first published October 2014, revised November 2018)

This advice, issued jointly by Natural England and the Forestry Commission, is a material consideration for planning decisions across England. It explains the definition of ancient woodland, its importance, ways to identify it and the policies that are relevant to it.

The Standing Advice refers to an [Assessment Guide](#). This guide sets out a series of questions to help planners assess the impact of the proposed development on the ancient woodland.

[Biodiversity 2020: a strategy for England’s wildlife and ecosystem services](#) (published August 2011).

Paragraph 2.16 - Further commitments to protect ancient woodland and to continue restoration of Plantations on Ancient Woodland Sites (PAWS).

Importance and Designation of Ancient and Native Woodland

Ancient Semi Natural Woodland (ASNW)

Woodland composed of mainly native trees and shrubs derived from natural seedfall or coppice rather than from planting, and known to be continuously present on the site since at least AD 1600. Ancient Woodland sites are shown on Natural England’s Inventory of Ancient Woodland.

Plantations on Ancient Woodland Site (PAWS)

Woodlands derived from past planting, but on sites known to be continuously wooded in one form or another since at least AD 1600. They can be replanted with conifer and broadleaved trees and can retain ancient woodland features, such as undisturbed soil, ground flora and fungi. Very old PAWS composed of native species can have characteristics of ASNW. Ancient Woodland sites (including PAWS) are on Natural England’s Inventory of Ancient Woodland.

Other Semi-Natural Woodland (OSNW)

Woodland which has arisen since AD 1600, is derived from natural seedfall or planting and consists of at least 80% locally native trees and shrubs (i.e., species historically found in England that would arise naturally on the site). Sometimes known as ‘recent semi-natural woodland’.

Other woodlands may have developed considerable ecological value, especially if they have been established on cultivated land or been present for many decades.

Information Tools – The Ancient Woodland Inventory

This is described as provisional because new information may become available that shows that woods not on the inventory are likely to be ancient or, occasionally, vice versa. In addition ancient

woods less than two hectares or open woodland such as ancient wood-pasture sites were generally not included on the inventories. For more technical detail see [Natural England's Ancient Woodland Inventory](#). Inspection may determine that other areas qualify.

As an example of further information becoming available, Wealden District Council, in partnership with the Forestry Commission, Countryside Agency, the Woodland Trust and the High Weald AONB revised the inventory in their district, including areas under 2ha. Some other local authorities have taken this approach.

Further Guidance

[Felling Licences](#) - Under the Forestry Act (1967) a Felling Licence is required for felling more than 5 cubic metres per calendar quarter. Failure to obtain a licence may lead to prosecution and the issue of a restocking notice.

[Environmental Impact Assessment](#) - Under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended, deforestation which is likely to have a significant impact on the environment may also require formal consent from the Forestry Commission.

Planning

From: SM-NE-Consultations (NE)
Sent: 15 April 2019 07:42
To: Planning
Subject: NYM/2018/0310/FL Consultation Response

Dear Sir or Madam,

Our ref: 279810
Your ref: **NYM/2018/0310/FL**



Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 23 July 2018

The advice provided in our previous response applies equally to this **amendment** although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which **significantly** affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Yours faithfully

Alice Watson
Consultations Team
Natural England
Electra Way
Crewe Business Park
Crewe
Cheshire
CW1 6GJ

www.gov.uk/natural-england

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

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](#)

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YorkshireWater

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

Land Use Planning
Yorkshire Water Services Ltd
Midway
Western way
Bradford
BD6 2LZ

Tel:
Fax:

Your Ref: NYM/2018/0310/FL
Our Ref: U010555

4th April 2019

Dear Sir/Madam,

Land at Honey Bee Nest, Glaisdale - Application for demolition of existing Filling Station and construction of Hotel comprising 7 no. letting rooms together with Tearoom and spa /beauty facility and associated parking and landscaping works

Thank you for re-consulting Yorkshire Water regarding the above proposed development. We have the following additional comments:

Waste water

The drainage details submitted on drawing B099/1/4 (revision C) dated March 2019 are NOT acceptable to Yorkshire Water. Road frontage (ie surface water) should be discharged to soakaway and not the public foul sewer network. **For further information, the developer should contact our Developer Services Team**

Yours faithfully

Stephanie Walden
Land Use Planning Manager



From:
To: [Planning](#)
Subject: Honey Bee Nest, Glaisdale, - NYM/2018/0310/FL
Date: 01 April 2019 14:50:20

Application for demolition of existing Filling Station and construction of Bed and Breakfast accommodation, comprising up to 7 no. letting rooms with manager's accommodation together with Tearoom and spa/beauty facility and associated parking and landscaping works at Honey Bee Nest, Glaisdale, Grid Reference 478261 505465

As per email 25/01/2019

Commercial Regulation – Environmental Health

Having reviewed the above application I have the following comments to make from a commercial regulation perspective

Food Safety

If approved The Hotel would need to register with us as a Food Premises 28 days Prior to Opening via www.scarborough.gov.uk/foodregistration

Contaminated Land

As the site refers to Filling Station there is a high probability of part/ all of the site having petroleum / hydrocarbon contamination
(see link to Industry Profile)
<http://webarchive.nationalarchives.gov.uk/20140328161255/http://cdn.environment-agency.gov.uk/scho0195bjko-e-e.pdf>

Therefore initial desktop studies following BS10175 Investigation of Contaminated Sites by a suitable / competent geotechnical company should be undertaken and any remediation strategy based on their findings

Regards

Bryden Simpson
Chartered Environmental Health Practitioner
Commercial Regulation
Environmental Health Services
Scarborough Borough Council

From:
To: [Planning](#)
Subject: Planning Consultation NYM/2018/0310/FL Natural England Response
Date: 01 April 2019 10:47:21

Dear Sir or Madam,

Our ref: 278177

Your ref: NYM/2018/0310/FL

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 10 October 2018.

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Yours faithfully

Corben Hastings
Support Adviser, Operations Delivery
Consultations Team
Natural England
Hornbeam House, Electra Way
Crewe, Cheshire, CW1 6GJ

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From: [Elspeth Ingleby](#)
To: [Ailsa Teasdale](#)
Cc: [Planning](#)
Subject: NYM/2018/0310/FL - Honey Bee Nest, Glaisdale
Date: 31 January 2019 17:08:27

Hi Ailsa,

As discussed, I am happy for the contaminated land issues raised previously to be conditioned if approval is granted. The soakaways as detailed in the revised information are acceptable.

Thanks,

Elspeth

Elspeth Ingleby

Ecologist

North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Telephone: 01439 772700

Please note: I work 2 days per week on Ecology matters. My normal working pattern is Monday and Thursday.