

From:
To: [Planning](#)
Subject: RE: Store Adjacent Kirkdale, Egton, - NYM/2019/0019/FL
Date: 30 April 2019 12:26:57
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.

From:
To: [Planning](#)
Cc: [Ailsa Teasdale](#)
Subject: NYM/2019/0019/FL - Store adjacent Kirkdale, Egton
Date: 25 April 2019 15:40:32

From Commercial Regulation – Environmental Health

NYM/2019/0019/FL

Application for Construction of extension, installation of 1 no window to west elevation, erection of a fence and siting of generator together with change of use of land to joinery business with ancillary storage (Use Class B2) (part retrospective) at Store Adjacent Kirkdale, Egton

Having considered the above planning application I have no further comments to add to my original consultation response of 22 February 2019.

Carol Cunningham
Environmental Health Officer
Commercial Regulation
Environmental Services
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG



North York Moors National Park Authority
Planning Consultation Form

Case Officer: Mrs Ailsa Teasdale
Application Number: NYM/2019/0019/FL

Site: Store Adjacent Kirkdale, Egton

Development Description: Construction of extension, installation of 1 no. window to west elevation, erection of fencing and relocation of generator together with change of use of building and land to mixed use of joinery business with ancillary storage (Use Class B2) (Operational 0730 - 1800 hrs Monday to Saturday and 0900 - 1400hrs Sunday), agricultural and equestrian (part retrospective)

Applicant: J Hallam Joinery

(Please Tick One Box Only)

The Parish/Town Council has **no objection** to this application

The Parish/Town Council **objects** to this application
(A reason **must** be given)

_____ NYMNPA _____
_____ 28 FEB 2019 _____

The Parish/Town Council **supports** this application
(A reason **must** be given)

Improves appearance and will reduce ambient noise
Supportive of local business / employment

Signed _____
On behalf of Egton Parish/Town Council

Date 26/02/2019

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

Please note that where the consultation period extends over a Bank Holiday an additional day is given for each Bank Holiday that falls within this period.

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM19/19/FL**

Application for Construction of extension, installation of 1 no. window to west elevation, erection of fencing and relocation of generator together with change of use

Proposed Development: of building and land to mixed use of joinery business with ancillary storage (Use Class B2) (Operational 0730 - 1800 hrs Monday to Saturday and 0900 - 1400hrs Sunday), agricultural and equestrian (part retrospective)

Location: Store Adjacent Kirkdale, Egton,

Applicant: J Hallam Joinery

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

Area Ref: 4/32/90L **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 26 February 2019

FAO: Ailsa Teasdale **Copies to:**

Note to the Planning Officer:

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:

The proposals are not expected to have any significant increase in the amount of traffic travelling to and from the publicly maintainable highway.
Therefore, there are **no local highway authority objections** to the proposed development

Signed:

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Page 2 of 2

Application No:

NYM19/19/FL

For Corporate Director for Business and Environmental Services | **e-mail:** _____

From:
To: [Planning](#)
Subject: NYM/2019/0019/FL - Store adjacent Kirkdale, Egton
Date: 22 February 2019 16:30:12

From: Commercial Regulation (Environmental Health)

NYM/2019/0019/FL

Application for construction of extension, installation of 1 no. window to west elevation, erection of fencing and relocation of generator together with change of use of building and land to mixed use of joinery business with ancillary storage (Use Class B2) (Operation 0730 – 1800 hrs Monday to Saturday and 0900 – 1400hrs Sunday), agricultural and equestrian (part retrospective) at Store adjacent Kirkdale, Egton

Having considered the above planning application I would comment as follows:

1. Having visited the site I have no objection in principle to the re-siting of the generator to the west side of the building as, in my opinion, it will be at a sufficient distance from residential properties in the locality and shielded by the main body of the building so as not to pose any significant noise issues. However the proposal to provide additional screening for the generator must be implemented to provide further sound attenuation.
2. Any increase in noise levels associated with a rise in productivity, as a result of the proposed extension and the recruitment of an additional employee, must be properly managed and I would recommend that the main door on the north elevation be kept closed during hours of operation.
3. In order to prevent harm to amenity I would recommend that the current hours of operation be retained, that is 08:00 to 17:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays and Bank Holidays. Any consideration to even a small relaxation of these operating hours, to 18:00 Monday to Friday for example, would require the submission of an acoustic report containing recommendations on noise mitigation measures, such as sound-proofing to the north wall.

Carol Cunningham
Environmental Health Officer
Commercial Regulation
Environmental Services
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG