

**From:**  
**To:** [Planning](#)  
**Subject:** Comments on NYM/2019/0200/FL  
**Date:** 12 May 2019 12:56:58

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## **Erect agricultural storage building with associated access track at land near Thorny Beck, Stubbs Lane, Staintondale**

This application has been considered by Staintondale Parish Council. While there were no objections to the principle of the development Councillors were concerned that there was insufficient screening of the south elevation (facing the Falcon Inn).

A couple of councillors also expressed concern regarding the increased rainwater run off due to the size of the concrete apron in relation to the building. Thorny Beck is in a dip and in times of heavy/prolonged rain the road can be impassable due to floodwater. Their worry was that the increased runoff would exacerbate the flood problem.

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J Marley (Mrs)  
Clerk to Staintondale Parish Council  
Annan,  
41 Scalby Road,  
Burniston,  
Scarborough

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



**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**

**Application No:** **NYM19/200/FL**  
**Proposed Development:** erection of agricultural storage building with associated access track  
**Location:** land near Thorny Beck, Stubbs Lane, Staintondale  
**Applicant:** Teydale Farming Limited

**CH Ref:** **Case Officer:** Kay Aitchison  
**Area Ref:** 4/27/202 **Tel:**  
**County Road No:** **E-mail:**

**To:** North York Moors National Park  
Authority  
The Old Vicarage  
Bondgate  
Helmsley  
YO62 5BP **Date:** 17 April 2019  
**FAO:** Hilary Saunders **Copies to:**

There are **no local highway authority objections** to the proposed development, the access track joins the highway at the site of the existing field gate.

**Signed:**

**Issued by:**

Whitby Highways Office  
Discovery Way  
Whitby  
North Yorkshire  
YO22 4PZ

*For Corporate Director for Business and Environmental Services*

**e-mail:**

**From:** [Mark Antcliff](#)  
**To:** [Planning](#)  
**Cc:** [Elspeth Ingleby](#)  
**Subject:** NYM/2019/0200/FL - land near Thorny Beck, Stubbs Lane  
**Date:** 16 April 2019 16:39:36

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Hilary

I called in and looked at this site today along with the Forestry Commissions Woodland Officer who wanted to establish the reasons for tree felling in the woodland over the last few years.

According to the landowner the earlier felling was undertaken by the previous owner. The more recent felling was apparently undertaken to provide clearance for the adjacent powerlines. This seems a reasonable requirement as the trees are fairly tall and there is evidence of them blowing down in places. There is no concern that this recent felling constitutes illegal felling.

The proposed concrete pad (currently levelled reclaimed building material by the look) is incorrectly mapped on the plans. These clearly show it extending into the wooded area which the landowner assured me was not the case. Spoil has been deposited within the original woodland footprint and we were told this is to be graded and revegetated. I would suggest that we ask that the plans be corrected.

The new access track from the road to the levelled area is just about far enough away from the trees to reduce potential impacts. I didn't calculate any root protection areas but my general assessment is that this is acceptable given the quality of the trees (plantation conifer). Adjacent to the hard standing area the trees are closer than would be recommended but are unlikely to be immediately effected, and here too these plantation trees only have a limited useful life.

Therefore in my view the direct impact on trees is relatively minor with any long term losses easily mitigated by new planting.

The landowner did say that he intended to carry out additional planting anyway to improve screening of the site. This was to be "Christmas trees"

If planning permission for this development is to be granted then I would suggest that you consider making it conditional on:

1. The area to the north of the actual concrete pad is replanted to restore the original woodland boundary. I would prefer this to be a mix of conifer and native broadleaves (or native broadleaves)
2. Additional tree planting is carried out to ensure that the development is robustly screened from viewpoints in the long term. This should not be reliant on conifers although a certain amount may be permissible given that there are significant areas of conifer plantation in the wider area. Native broadleaves only should be planted adjacent to the beck.

It wasn't appropriate to look any further than the site and the areas of past tree felling and so I didn't get to see the area further away that forms part of Elspeth's comments. As for tree issues there is no action that can be taken as the recent felling appears to be exempt due to the power lines. The landowner was reminded of the felling licence regulations and said he would do what was required if any further tree removal was

required.

Mark Antcliff  
Woodland Officer

**From:** [Mark Antcliff](#)  
**To:** [Planning](#)  
**Subject:** NYM/2019/0200/FL land near Thorny Beck, Stubs Lane, Staintondale  
**Date:** 11 April 2019 11:32:41

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## NYM/2019/0200/FL land near Thorny Beck, Stubs Lane, Staintondale

According to the supplied maps, our aeriels and google maps there appears to be an overlap between the proposed apron and the existing woodland. It also appears that there has been some felling of trees since the 2015 aerial photographs, although the reasons for this are unknown. As far as I can tell this felling is not part of any approved felling licence (but may have been carried out under an exemption). I will check with the Forestry Commission on this matter.

I would prefer that there was no loss of woodland area and would suggest that the access track, apron and buildings are all sited outside the root protection areas of any adjacent trees. I expect the adjacent trees will be important for screening purposes and therefore they should not be compromised by the works, and given sufficient space to grow to full maturity and beyond.

Mark Antcliff  
Woodland Officer

Date: 01 April 2019  
Our ref: 278108  
Your ref: NYM/2019/0200/FL



North York Moors National Park Authority  
[planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)

Hornbeam House  
Crewe Business Park  
Electra Way  
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CW1 6GJ

**BY EMAIL ONLY**

Dear Sir or Madam

**Planning consultation: Application for erection of agricultural storage building with associated access track**  
**Location: Land near Thorny Beck, Stubs Lane, Staintondale**

Thank you for your consultation which was received by Natural England on 27 March 2019

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.

#### **SUMMARY OF NATURAL ENGLAND'S ADVICE**

##### **NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Natural England's generic advice on other natural environment issues is set out at Annex A.

##### **European sites**

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

##### **Sites of Special Scientific Interest**

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

## Other advice

### **Sites of Special Scientific Interest Impact Risk Zones**

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on “Development in or likely to affect a Site of Special Scientific Interest” (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](https://data.gov.uk) website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to

Yours faithfully

Corben Hastings  
Consultations Team

## Annex A – Additional advice

Natural England offers the following additional advice:

### Landscape

Paragraph 170 of the National Planning Policy Framework (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 in order to respect 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 & 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.

### 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 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#)

Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

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. 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.

### Protected Species

Natural England has produced [standing advice](#)<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

### Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. 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, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and 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. List of priority habitats and species can be found [here](#)<sup>2</sup>. 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](#).

<sup>1</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>2</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>



### **Ancient woodland, ancient and veteran trees**

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 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 by planning authorities 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 SSSI or in exceptional circumstances.

### **Environmental enhancement**

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

### **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 other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

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

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer.

### **Biodiversity duty**

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).