



National  
Trust

NYMNP

15/05/2019

## DESIGN & ACCESS STATEMENT

**To support an application for change of use of barn to camping  
bothy at Greenacres Barn, Staithes.**

### The Proposal

The proposal is to provide simple sleeping accommodation for 2 people on wooden benches with basic amenities. There will be no electric supply and therefore no lighting or heating. However there will be a water supply taken from a nearby mains source. A toilet and washing facility will be provided in a separate partitioned room within the building and there will be a water flush toilet discharging to a cesspool tank to remove the risk of any contamination to the land.

There is an owl roosting in the building so a barn owl nesting box will be installed as high up inside the building as possible and create a 1300x2500 opening for it on one of the gable ends.

New windows and a door will be fitted as shown on the drawings and the internal floor laid with a concrete pad. Externally a pedestrian access will be made through the existing fence from the adjacent footpath and a small area fenced off using stock fencing around the building to protect from any livestock using the fields in the future.

### Photographs



**Photograph 1 –  
showing the side  
elevation  
(Elevation D) and  
rear elevation  
(Elevation C)**



**Photograph 2 – showing the side elevation (Elevation D) and front elevation (Elevation A)**



**Photograph 3 – showing the front elevation (Elevation A)**

## **Pre-application advice**

Pre-application advice on the proposals was sought and a response was received from Mrs Ailsa Teasdale (Senior Planning Officer) on 6 March 2019 (Reference NYM/2019/ENQ/15157 & NYM/2019/ENQ/15153) (See Appendix A).

In accordance with the advice received, the proposal is largely in accordance with Development Policy 8 of the Local Development Framework which seeks to permit the conversion of traditional unlisted rural buildings for short term self-catering holiday accommodation, albeit the building is not set within a group of other buildings. In accordance with this policy, the building is structurally sound, capable of conversion and is of sufficient size to accommodate the proposed use without the need for any significant alterations or extensions. The proposal seeks to minimise levels of activity with the small scale proposal and does not require any new vehicular access or parking areas. A stock fence will be installed around the building to protect it from any livestock using the fields in the future.

Development Policy 14 seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking cycling or horse riding; where the development will not generate an increased level of activity; where it will make use of existing buildings and where proposals for new accommodation do not have an adverse impact on the character of the local area.

Access to the building will be on foot only and no additional parking provision is proposed. The property will be operated and managed to ensure that there is no adverse impact on any of the nearby properties. The building will be booked in advance only via the National Trust website. Access will be via a key safe and management procedures will be followed as per all National Trust properties. Visitors will be expected to take their rubbish away with them.

## **Ecology**

An Ecology Report has been produced which is included with the application with regard to Bat, Breeding Bird and Barn Owl. The report concludes that there was no evidence of any bat activity and therefore the risk of impact on bats resulting from the proposed works is negligible and no further survey would be required.

The report states that swallows have previously nested within the building and as such, works should be timed to avoid disturbance to nesting birds. Alternatively, checks should be made for nesting birds and works delayed in those areas of active nests until after the bird breeding season or once chicks have fledged.

The report acknowledges that a barn owl is roosting but not nesting within the building. The report sets out a method statement to minimise disturbance to the barn owl during works and permanent provision for barn owls will be included within the converted building. This includes a permanent internal barn owl nesting box to be

installed within the building. An external owl access hole will be located within the external gable wall and an easy-to-grip external exercise platform for fledglings to stand on outside the owl hole.

### **Overall assessment**

The proposal seeks planning permission for change of use of barn to camping bothy at Greenacres Barn, Staithes. We consider that the proposed development is consistent with national and local planning policy. The proposals seek to reuse a traditional rural building for the purposes of tourism development within the current extent of the existing building. Ecological mitigation measures with regard to barn owl activity have been incorporated into the design.

Accordingly, it is requested that planning permission is granted.

**Appendix A – Pre-application Advice**



# North York Moors National Park Authority

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**Andy Wilson**  
Chief Executive

Natasha Rowland  
National Trust  
Goddards  
27 Tadcaster Road  
York  
YO24 1GG

Your ref:

Our ref: NYM\2019\ENQ\15157  
& NYM\2019\ENQ\15153

Date: 6 March 2019

Dear Natasha Rowland

## **Pre-application advice for the change of use of two vacant barns into camping barns at Robin Hoods Bay & Staithes**

Thank you for your enquiry received 01 February 2019. Please accept my apologies for the slight delay in getting back to you with regard to this matter; this has been due to current workload.

I have now had the opportunity to consider your proposal and write to offer an in formal officer opinion in accordance with the policies of the NYM Local Development Framework. A full version of the text associated with this policy can be found at the link below:

<https://www.northyorkmoors.org.uk/planning/framework/Adopted-Core-Strategy-and-Development-Policies.pdf>

The policies most pertinent to this enquiry would be Development Policies 8 and 14.

Development Policy 8 of the Local Development Framework seeks to permit the conversion of traditional unlisted rural buildings which are situated within an existing group, for an employment use, short term self-catering holiday accommodation, residential annexe to an adjacent existing dwelling or long term/permanent residential letting units for local occupancy, where the building is of architectural or historic importance, and makes a positive contribution to the character of the area, is structurally sound, is of sufficient size to accommodate the proposed use without the need for significant alterations or extensions, is compatible in nature, scale and levels of activity with the locality, is of a high quality of design and does not required changes to the buildings curtilage or new vehicular access or parking areas.

Development Policy 14 seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment



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of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where the development will not generate an increased level of activity; where it will make use of existing buildings and where proposals for new accommodation do not have an adverse impact on the character of the local area.

You will see that the buildings do not fit comfortably within Development Policy 8 as they are not set within a group of other buildings; however the conversion principles of this policy offer details of best practice which should be followed. The proposals fit more comfortably within development policy 14, however the acceptability of the schemes will depend upon the design details and associated activity levels as a result of the proposal.

The scheme should be able to be accommodated within the existing buildings which will have to be proven to be structurally sound and capable of conversion. We would not support the building of a new structure in these locations. Bat surveys will also need to be submitted with any application. Access to the buildings would need to be on foot only and parking provision or the creation of a curtilage on site is unlikely to be supported. You would also have to detail how the site would operate and how it would be managed to ensure that there was no adverse impact on any of the nearby properties.

We would welcome further discussions on both building if you consider it viable to take the matters further. As this enquiry was in principle only I have offered the advice as it would be the same for each building, however as the buildings are located within different operational areas of the National Park, any future, site specific enquiries for the Staithes building should be directed to myself and the Robin Hoods Bay building to Harriet Frank.

I hope the above information is of assistance; however you will appreciate that this is an expression of officer opinion only and that a formal determination can only be made in response to the submission of a full planning application. Should you have any further questions please feel free to contact me again at the National Park Offices. My normal working hours are Tuesday to Thursday 9-5pm. Harriet works full time.

Yours sincerely



Mrs Ailsa Teasdale  
Senior Planning Officer

NYMNP

15/05/2019

**Bat, Breeding Bird and Barn Owl Scoping Survey,**

**Greenacres Barn, Staithes**

**May 2019**



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Bat, breeding bird and barn owl survey: Greenacres Barn, Staithes

2019

<b>Author</b>	Emma Telfer Grad CIEEM	
<b>Status</b>	<b>Date</b>	<b>Checked by:</b>
Final	02/05/2019	Ione Bateau MCIEEM

Bat, breeding bird and barn owl survey: Greenacres Barn, Staithes

2019

**Site:**

Greenacres Barn,  
Staithes,  
Scarborough,  
North Yorkshire

**Dates:**

Scoping survey: 10<sup>th</sup> April 2019

**Client:**

David Coope MRICS  
Senior Building Surveyor  
National Trust  
Goddards  
27 Tadcaster Road  
Dringhouses  
York

**Planning Authority:**

North Yorkshire Moors National Park Planning Authority

**Our ref:**

2019 - 690

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## **1 Summary**

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**A bat, breeding bird and barn owl scoping survey has been carried out on a stone barn near Staithes in North Yorkshire. Planning consent is being sought for its conversion into a bothy. No works to the roof are proposed.**

**During the survey, no evidence of any bat activity was found. The building is located within an area of poor-quality foraging habitat for bats, due to its open and exposed location and a lack of connectivity to any areas of higher quality habitat. The roof is new and is well-sealed. No crevices suitable for roosting bats were identified inside the building but there are a limited number of external masonry crevices. All crevices are at a low height and were easily accessible during the survey. A comprehensive inspection of all crevices revealed no sign of any use by bats. The risk of impact on bats resulting from the proposed works is, therefore, negligible and no further survey work will be required.**

**Swallows have nested within the building. We, therefore, recommend that work is timed to avoid disturbance to nesting birds. If this is not possible, then a check should be made prior to work for the presence of any nesting birds. If active nests are found, then work to those areas should be delayed until after the bird breeding season or once chicks have fledged.**

**A barn owl is roosting but not nesting within the building. Section 9 sets out a method statement to minimise disturbance to barn owl during works. Permanent provision for barn owls will be included within the converted building.**

## 2 Introduction

MAB Environment and Ecology Ltd was commissioned by the National Trust to undertake a bat, breeding bird and barn owl scoping survey on a stone barn 130m east of Greenacre farm to accompany a planning application for conversion of the building into a bothy for walkers. The site is located 130m east of Greenacre farm in the village of Staithes, North Yorkshire (NZ786186). The location of the site is shown on Figure 1.

The report was written by Emma Telfer Grad CIEEM of MAB Environment and Ecology Ltd.

The report's primary objective is to provide an impact assessment for the development on bats, define any necessary mitigation proposals, and to assess the requirement for a Protected Species Licence. A secondary objective is to assess potential impact on breeding birds.

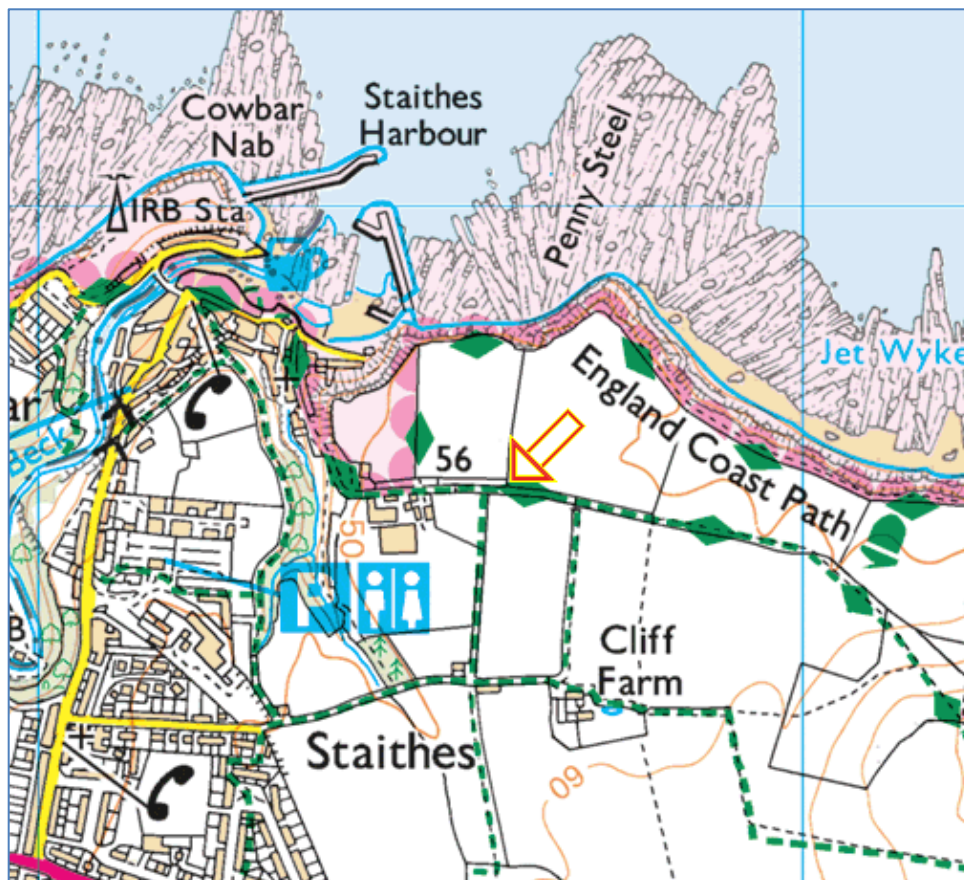


Figure 1: Site location.

### 3 Methodology

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#### 3.1 Desktop study

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3.1.1 Bat roost records for a 2km radius around the site were commissioned from the North Yorkshire Bat Group (NYBG).

3.1.2 Aerial imagery from Google Earth and 'MAGIC' government website were used to assess the location of the site and the surrounding habitat for value to bats. This includes proximity of the site to good bat foraging habitat such as woodland and water bodies and if the site is linked to such habitats by linear features like hedgerows, woodland edges or rivers which bats use to commute around the environment.

#### 3.2 Field survey

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3.2.1 The site was surveyed by Emma Telfer (ET) Grad CIEEM who has worked as an ecologist for MAB since 2014. She holds a Class Survey Licence WML-A34 (Bat Survey Level 2) registration number 2016-20709-CLS-CLS. Emma has received BCT training in surveying for bats and bat ecology and is also a trainee volunteer bat roost visitor. She also holds a Class Survey Licence for great crested newts WML CL08 (Level 1) registration number 2016-19422-CLS-CLS. The surveys were carried out in accordance with the Bat Conservation Trust, Bat Surveys for Professional Ecologists: Good Practice Guidelines (3<sup>rd</sup> edn).

3.2.2 The interior and exterior of the buildings were inspected during the day using halogen torches (500,000 candle power), binoculars, ladders, and a flexible endoscope (a Sea Snake LCD inspection scope). All normal signs of bat use were looked for, including bats, bat droppings, feeding waste, entry and exit holes, grease marks, dead bats, and the sounds / smells of bat roosts.

3.2.3 The buildings were assessed for their degree of potential to support roosting bats. This includes assessing the building design, materials and condition.

Colour code	Bat roost potential.	Roosting habitats	Commuting and foraging habitats
	Confirmed	Signs of roosting bats present (e.g. entry / exit points, accumulated bat droppings, visible bats).	
Red	High risk	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.	<p>Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge.</p> <p>High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland.</p> <p>Site is close to and connected to known roosts.</p>
Amber	Moderate risk	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only-the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).	<p>Continuous habitat connected to the wider landscape that could be used by bats for commuting such as a line of trees and scrub or linked back gardens.</p> <p>Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.</p>
Yellow	Low risk	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. Unlikely to be suitable for maternity or hibernation)	<p>Habitat that could be used by small numbers of commuting bats such as gappy hedgerow or unvegetated stream, but isolated, i.e. Not very well connected to the surrounding landscape by other habitat.</p> <p>Suitable but isolated habitat that could only be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.</p>
Green	Very low risk	All potential bat roost habitat <i>comprehensively</i> inspected and found to be clear of past or present bat usage.	
Grey	Negligible risk	Negligible habitat features on site likely to be used by roosting bats.	Negligible habitat features on site likely to be used by commuting or foraging bats.

**Table 1: Guidelines for assessing the suitability of proposed development sites for bats. Adapted from BCT Bat surveys for Professional Ecologists, Good Practice Guidelines 2016.**

3.2.4 All signs of breeding bird activity and barn owl (*Tyto alba*) activity were looked for. Signs looked for included white droppings, often vertical down walls or beams; active nests and nesting materials; (birds flying into and out of barns: generally, summer only); bird feathers, particularly swift (*Apus apus*), swallow (*Hirundo rustica*) and house martin (*Delichon urbica*), bird corpses, feeding waste (including pellets), and the sound/smell of birds.

## 4 Constraints

The surveys were not constrained.



## 5 Site Description

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A small, detached one-storey stone barn with a clay pantile roof, under a clay ridge.



Photo 1: Barn taken from south side.

## 6 Results

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### 6.1 Desktop study

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The surrounding landscape provides poor quality foraging habitat for bats. The area is rural, but the barn is situated in an open and exposed location, 170m from a coastal cliff face to the north. Land use inland is predominantly arable farming, with some grazing pasture. Higher quality foraging habitat is present to the west, within riparian woodland along Gun Gutter and Staithes beck which are 250m and 560m from the site. However, the site is poorly connected to these areas.

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Figure 2 Aerial view of the surrounding landscape.

### 6.1.2 Bat Group records

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A search of the bat records held by NYBG within a 2km search radius has not revealed any known roosts at this site. In 2011 a maternity roost of 35 common pipistrelle bats was recorded approx. 2 kilometres south of Greenacres barn in the village of Hinderwell, another roosting site consisting of 50 Common Pipistrelle was recorded in 1985 approx. 1.5 kilometres south west of Greenacres barn. A full table of results can be seen in Appendix 3.

## 6.2 Visual inspection

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The building is one storey. Walls are mostly stone with some sections of brick. The roof has a covering of clay pantiles under a clay ridge. The roof is underlined with a breathable membrane.

The roof is in excellent condition. Tiles are tight fitting. The ridge, lowest course of tiles and verges are sealed with mortar. There are no visible points of potential access under the roof for bats or birds.

Crevices are visible in external masonry, mainly under the eaves. All are at a low height. Crevices are generally shallow but some lead completely through the wall. Gaps were comprehensively inspected and none contained any bat droppings or other signs of use.

The building has open doorways and windows. Internally, there are signs of roosting barn owl; approx. 50 barn owl pellets, of varying age and some barn owl feathers were on the floor inside the building. There was an accumulation of pellets and droppings at the south end of the building, beneath roof beams.

Internal timbers are fairly new and in excellent condition. Roof beams sit on top of the wall and the gap between the end beam and gable wall at both ends is large and open. Where beam ends enter the wall the gap is sealed with mortar. Internal walls are rendered and no crevices suitable for roosting bats were identified internally. No signs of bat use were visible inside the building.

Site photographs



Photo 2: North gable



Photo 3: Eaves



Photo 4: External roof



Photo 5: Interior with barn owl pellets and streaking



Photo 6: Internal gable



Photo 7: Internal roof structure and bird droppings on beam.



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Photo 8: Grille over window



Photo 9: Swallow's nest



Photo 10: Internal roof and liner.

## 7 Discussion and analysis

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The risk of the building supporting a bat roost is very low. The barn is situated on a clifftop, in an open and exposed location, which offers limited bat foraging opportunities and is not connected to any areas of higher quality foraging habitat.

No points for- potential bat access under the roof were identified. There are crevices within external stonework, these are limited in number. All crevices were at a low height and easily accessible for inspection from the ground. Most were shallow, none lead into a wall cavity, and none contained any evidence of bat use such as droppings.

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The barn doors and window openings are uncovered, therefore internal access is available for both bats and birds. A comprehensive inspection of the interior found no evidence of bat use. Internal conditions were dry – the roof is in excellent condition and the building is undisturbed. We would therefore expect any internal evidence of bat use to be visible and well-preserved, if present. Additionally, internal crevices are very limited – internal timbers are new and sealed. Where gaps are present between beams and the walls and at wall tops, the spaces are generally wide and exposed making them unsuitable for roosting bats, and easily inspected with no bat signs visible.

The barn is occasionally being used by roosting barn owl; accumulations of barn owl pellets (approx. 50 in total) and also adult barn owl feathers were found on the floor beneath beams and a ledge on the south gable wall. The building does not provide any suitable barn owl nesting habitat.

Swallows have nested inside the building.

## **8 Impact assessment**

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The risk of impact upon bats or bat roosts is negligible.

There will be a reduction in available nesting sites for swallows and a risk of disturbance to nesting birds if work is carried out where active nests are present.

There will be a loss of an occasionally used barn owl roost.

## 9 Mitigation & Compensation

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### 9.1 Mitigation summary

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At least thirty days before work commences, a permanent barn owl roost/nesting box will be located in the building with access 3m above ground level, facing towards open countryside.

We recommend that work is carried out outside of the breeding bird season. If this timing is not possible, checks will be made immediately prior to works commencing for the presence of any active bird nests in areas affected by works. If any active nests are discovered, then, where possible, work to these areas should be carried out outside of the bird breeding season or once any chicks have fledged. We recommend that an open sided building such as a lean-to or store is created to provide replacement habitat for swallows; swallows require a covered nesting habitat into which they can fly.

### 9.2 Method Statement

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9.2.1 If work takes place within the bird breeding season, a pre-works check of the site should be undertaken before work commences to check for the presence of nesting birds. If any active nests are found, then work to those areas should be delayed until after any chicks have fledged.

9.2.2 A permanent internal barn owl nesting box will be installed within the building, to mitigate for the loss of barn owl nesting habitat. The nest box will be a deep nest box suitable for installation inside a barn or other building (Schwegler 23 Barn Owl Nest Box) or similar. Its location will be approved by the ecologist.

9.2.3 An external owl access hole, size 130mm x 250mm, will be located in the external gable wall approximately 3m above ground. There will be an easy-to-grip external exercise platform for fledglings to stand on outside the owl hole.



## 10 Information concerning bat protection and the planning system

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### 10.1 Relevant Legislation.

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All bat species are protected under the Wildlife and Countryside Act (WCA) 1981 (as amended), the Countryside and Rights of Way Act 2000 and the Habitat Regulations 2017.

Under the WCA it is an offence for any person to intentionally kill, injure or take any wild bat; to intentionally disturb any wild bat while it is occupying a structure or place that it uses for shelter or protection; to intentionally damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection; to be in possession or control of any live or dead wild bat, or any part of, or anything derived from a wild bat; or to sell, offer or expose for sale, or possess or transport for the purpose of sale, any live or dead wild bat, or any part of, or anything derived from a wild bat.

Under the Habitat Regulations 2017, it is an offence to (a) deliberately capture, injure or kills any wild animal of a European protected species (EPS), (b) deliberately disturb wild animals of any such species, (c) deliberately take or destroy the eggs of such an animal, or (d) damages or destroys a breeding site or resting place of such an animal. Deliberate disturbance of animals of a European protected species (EPS) includes in particular any disturbance which is likely to impair their ability (i) to survive, to breed or reproduce, or to rear or nurture their young; or (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong.

*Prosecution could result in imprisonment, fines of £5,000 per animal affected and confiscation of vehicles and equipment used.* In order to minimise the risk of breaking the law it is essential to work with care to avoid harming bats, to be aware of the procedures to be followed if bats are found during works, and to commission surveys and expert advice as required to minimise the risk of reckless harm to bats.

## 10.2 Licences.

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Where it is proposed to carry out works which will damage / destroy a bat roost or disturb bats to a significant degree, an EPS licence must first be obtained from the Natural England (even if no bats are expected to be present when the work is carried out). The application for a license normally requires a full knowledge of the use of a site by bats, including species, numbers, and timings. Gathering this information usually involves surveying throughout the bat active season. The licence may require ongoing monitoring of the site following completion of the works.

Licences can only be issued if Natural England are satisfied that there is no satisfactory alternative to the development and that the action authorised will not be detrimental to the maintenance of the population of the species at a favourable conservation status in their natural range.

## 10.3 Planning and Wildlife.

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The updated July 2018 National Planning Policy Framework (NPPF) has replaced PPS9 (Planning Policy Statement on Biodiversity and Geological Conservation) as the relevant national planning guidance in relation to ecological issues.

Paragraph 174 refers to the requirement of plans to “protect and enhance biodiversity and geodiversity” In order to do this, “plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”

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In paragraph 175 the NPPF indicates that “when determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) 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; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”

The accompanying ODPM / Defra Circular 06/2005 remains pertinent; circular 06/2005 is prescriptive in how planning officers should deal with protected species, see paragraphs 98 and 99:

The presence of a protected species is a material consideration when considering a proposal that, if carried out, would be likely to result in harm to the species or its habitat (see ODPM/Defra Circular, para 98)

LPA's should consider attaching planning conditions/entering into planning obligations to enable protection of species. They should also advise developers

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that they must comply with any statutory species protection issues affecting the site (ODPM/Defra Circular, para 98)

The presence and extent to which protected species will be affected must be established before planning permission is granted. If not, a decision will have been made without all the facts (ODPM/Defra Circular, para 99)

Any measures necessary to protect the species should be conditioned/planning obligations used, before the permission is granted. Conditions can also be placed on a permission in order to prevent development proceeding without a Habitats Regulations Licence (ODPM/Defra Circular, para 99).

The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances.

Further to NPPF and OPDM Circular 06/2005, Section 40 of the Natural Environment and Rural Communities Act (2006) states that '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'. Section 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

#### 10.4 Legislation in relation to barn owls

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Barn owls are afforded full protection under the Wildlife and Countryside Act, 1981. Their inclusion in Schedule One protects against wilful disturbance whilst an owl is at or near the nest, and makes it an offence to carry out any of the following actions:

- Killing or injuring a barn owl
- Catching a barn owl
- Taking or destroying any egg of a barn owl
- Damaging or destroying the active nest site with eggs or young or before eggs are laid
- Disturbing the dependent young of a barn owl
- Possessing, offering for sale or selling a barn owl (but see exceptions)
- Release or allow the escape of a barn owl into the wild (but see exceptions)

These actions are punishable by a maximum fine, upon conviction, of £5,000.

Nesting has been recorded in every month of the year.

Protection is also given under the Countryside and Rights of Way Act, 2000 against reckless disturbance whilst nesting.

Because of recent declines in numbers, and concern over their current status, barn owls are also listed in the EC Birds Directive and Appendix II of the Bern Convention. They are an Amber Listed species in “Birds of Conservation Concern” (RSPB).

## 11 References

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Altringham, John (2003). *British Bats*. The New Naturalist. Harper Collins.

BS42020. Biodiversity - Code of Practice for planning and development. British Standards Institution 2013.

Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System.

<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>

Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3<sup>rd</sup> edn). The Bat Conservation Trust, London.

Mitchell-Jones, A.J. & McLeish, A.P. (2004). *Bat Workers Manual*. JNCC

Mitchell-Jones, A.J. (2004). *Bat Mitigation Guidelines*. English Nature.

National Planning Policy Framework 2018:

<https://www.gov.uk/government/collections/revised-national-planning-policy-framework#revised-national-planning-policy-framework>

NYBG 2013 *Minimum Standards for Bat Surveys in North Yorkshire*

*Flow diagram for small applications needing bat surveys between October and April*

The Conservation of Habitats and Species Regulations 2017.

<https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>

UKBAP 1995. *UK Biodiversity Action Plan*. <http://www.ukbap.org.uk/>

RSPB (2009) Barn owls and the law:

[http://www.rspb.org.uk/advice/law/barn\\_owls\\_law/index.aspx](http://www.rspb.org.uk/advice/law/barn_owls_law/index.aspx)

The Barn Owl Trust (<http://www.barnowltrust.org.uk/>)

Barn Owl Trust (2012) *Barn Owl Conservation Handbook*, Pelagic Publishing, Exeter

## Appendix 1: Glossary of bat roost terms

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### *Bat Roost Definitions:*

**Day roost:** a place where individual bats, or small groups of males, rest or shelter in the day but are rarely found by night in the summer.

**Night roost:** a place where bats rest or shelter in the night but are rarely found in the day. May be used by a single individual on occasion or it could be used regularly by the whole colony.

**Feeding roost:** a place where individual bats or a few individuals rest or feed during the night but are rarely present by day.

**Transitional / occasional roost:** used by a few individuals or occasionally small groups for generally short periods of time on waking from hibernation or in the period prior to hibernation.

**Swarming site:** where large numbers of males and females gather during late summer to autumn. Appear to be important mating sites.

**Mating sites:** where mating takes place from later summer and can continue through winter.

**Maternity roost:** where female bats give birth and raise their young to independence.

**Hibernation roost:** where bats may be found individually or together during winter. They have a constant cool temperature and high humidity.

**Satellite roost:** an alternative roost found in close proximity to the main nursery colony used by a few individual breeding females to small groups of breeding females throughout the breeding season.



## **Appendix 2: Standard good working practices in relation to bats**

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Bats are small, mobile animals. Individual bats can fit into gaps 14-20mm wide. They can roost in a number of places including crevices between stonework, under roof and ridge tiles, in cavity walls, behind barge boards, in soffits and fascias and around window frames. Builders should always be aware of the potential for bats to be present in almost any small gap accessible from the outside in a building. The following guidelines are provided in order to reduce the risk of harm to individual bats.

- Roofs to be replaced, or which are parts of a building to be demolished, should be dismantled carefully by hand. Ridge tiles, roof tiles and coping stones should always be lifted upwards and not slid off as this may squash/crush bats.
- Re-pointing of crevices should be done between April and October when bats are active. Crevices should be fully inspected for bats using a torch prior to re-pointing.
- Any existing mortar to be raked should be done so by hand (not with a mechanical device).
- Look out for bats during construction works. Bats are opportunistic and may use gaps overnight that have been created during works carried out in the daytime.
- If any bats are found works should stop and the Bat Conservation Trust (0845 1300 228) or a suitably qualified bat ecologist should be contacted.

If it is necessary to pick a bat up always use gloves. It should be carefully caught in a cardboard box and kept in a quiet, dark place. The Bat Conservation Trust or a suitably qualified bat ecologist should be contacted.

Bat, breeding bird and barn owl survey: Greenacres Barn, Staithes

2019

**Appendix 3: NYBG bat roost records**

Species	Site	Grid ref.	Quantity	Date	Comment
Noctule Bat	Fern Farm, Dalehouse	NZ777178	1	14-Jul-07	In flight
Common Pipistrelle	Fern Farm, Dalehouse	NZ777178		14-Jul-07	Roost
Common Pipistrelle	NZ791192	NZ791192	1	02-Jun-07	In flight
Common Pipistrelle	NZ778192	NZ778192	1	02-Jun-07	In flight
Common Pipistrelle	NZ777180	NZ777180	1	02-Jun-07	In flight
Common Pipistrelle	NZ777180	NZ777180	1	02-Jun-07	In flight
Common Pipistrelle	NZ776178	NZ776178	1	02-Jun-07	In flight
Common Pipistrelle	NZ775179	NZ775179	1	02-Jun-07	In flight
Common Pipistrelle	NZ775179	NZ775179	1	02-Jun-07	In flight
Common Pipistrelle	26 Porret Lane, Hinderwell	NZ791168	35	02-Aug-11	Maternity roost
Common Pipistrelle	Location as grid reference	NZ775179	1	02-Jun-07	
Common Pipistrelle	Location as grid reference	NZ775179	1	02-Jun-07	
Common Pipistrelle	Location as grid reference	NZ776178	1	02-Jun-07	
Common Pipistrelle	Location as grid reference	NZ777180	1	02-Jun-07	
Common Pipistrelle	Location as grid reference	NZ777180	1	02-Jun-07	
Common Pipistrelle	Location as grid reference	NZ778192	1	02-Jun-07	
Common Pipistrelle	Location as grid reference	NZ791192	1	02-Jun-07	
Brown Long-eared Bat	Seaton Hall	NZ781178		2008	Transient roost
Brown Long-eared Bat	Beck Meetings, Ridge Lane, Dalehouse	NZ771180		15-Jul-85	Roost
Pipistrelle species	Bridgelands, Staithes Lane, Staithes	NZ780185		22-Jun-90	
Pipistrelle species	Staithes	NZ7818		22-Apr-85	
Pipistrelle species	Beck Meetings, Ridge Lane, Dalehouse	NZ771180	50	15-Jul-85	Roost
Unknown	The Old Mill, Dalehouse, TS13 5DT	NZ777180		23-Oct-87	Roost
Unknown	Bridgelands, Staithes Lane, Staithes	NZ780185		28-Aug-86	Roost
Unknown	Warp Mill, Staithes	NZ780182	1	24-Jun-03	Roost
Unknown	5 Dalehouse, Staithes	NZ776179		20-Jun-05	Bats in house
Unknown	Glenfield, 1 Palmer's Close, Staithes	NZ780183		01-Jul-05	Roost
Unknown	The Old Mill, Dalehouse, TS13 5DT	NZ777180		2006	Possible roost
Unknown	NZ778192	NZ778192	1	02-Jun-07	In flight
Unknown	NZ772179	NZ772179	1	02-Jun-07	In flight
Unknown	NZ770179	NZ770179	1	02-Jun-07	In flight
Unknown	Location as grid reference	NZ778192	1	02-Jun-07	
Unknown	Location as grid reference	NZ772179	1	02-Jun-07	
Unknown	Location as grid reference	NZ770179	1	02-Jun-07	

# Structural Appraisal

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## GREENACRES BARN STAITHES

### Overview

The structure is a small stone/brick barn of approximately 4.8m x 5.2m on plan with gables 4.0m tall. The structure is set into the ground where there is a slight incline to the north elevation. The interior walls are partly rendered and the floor consists of compacted earth.

The external walls are approximately 300mm thick and, with the exception of the upper parts of the gables ends, are constructed of regular coursed stone. To the south elevation a window opening has blocked up with blockwork and a course of bricks. To the east elevation a doorway has been blocked up with brickwork.

The roof of the structure is of new timber and pantile construction having been installed in 2018.



South and west elevations



North and west elevations

NYMNPA

14/06/2019

## **Existing defects**

To all external elevations there are open mortar joints and minor cracking to mortar which, if left unattended, will eventually result in deterioration of the stability of the walls. At present there is no evidence of lateral structural movement.

The timber lintels over the former and existing window openings are showing signs of decay which has led to slight movement of the stonework above. These are not causing any significant destabilisation of the structure as a whole but would need to be replaced/rebuilt as part of any future renovation.

To the south elevation there is a vertical crack of approximately 10mm width running from the left hand corner of the blocked up window to the ground. This has most likely been caused by slight sinking of the foundation stones in this area. The crack does not appear to be causing any movement in other parts of the structure. Metal ties should be fixed across the crack as part of future renovation works to prevent further movement.

To the west elevation there is evidence of a similar vertical crack which has previously been filled some time ago. Metal ties should be fixed across the crack as part of future renovation works to remove the risk of any future movement.

The internal render is generally in poor condition having been badly damaged by damp, thermal movement and general use of the structure.

## **Summary**

The structure is generally structurally sound with no significant defects. Those defects which have been identified can be effectively remedied as part of future renovation works.

David Coope MRICS  
Chartered Building Surveyor  
14<sup>th</sup> June 2019

NYMNPA

14/06/2019

## NORTH YORK MOORS NATIONAL PARK

## NON MAINS DRAINAGE ASSESSMENT FORM

*This form must be completed if your planning application includes proposals to use non mains drainage. Please complete and return 4 copies with your Planning Application (to enable prompt consultation with the appropriate bodies).*

In order that the suitability of these proposals can be assessed, the following information is required. All the relevant information requested must be supplied. Failure to do so may result in the Environment Agency objecting to your proposals until such time as the information is received, which means that your application will either be refused or not determined.

Location of the application site GREENACRES BARN, STAITHES

1. Please indicate distance to nearest mains drainage NOT KNOWN BUT MIN. 150m

2. Number of Occupiers of proposed development:

Full Time 0

Part Time 2

3. Number of previous occupiers (if applicable) N/A

4. What method of foul drainage is proposed (please tick the relevant box)

Septic Tank  Package Treatment Plant  Cess Pool

*If discharge to a soakaway is proposed please attach percolation test results, which should be carried out in accordance with BS 6297. You will need to have a percolation test carried out. For guidance on how to undertake this test, you may wish to seek advice from:*

The Environment Agency, Coverdale House, Aviator Court,  
Amy Johnson Way, Clifton Moor, York, YO3 4UZ.  
Tel: 01904 692296

*NB: If no results are provided, the Environment Agency may issue a prohibition notice preventing the use of the septic tank until such results are supplied.*

5. If a package treatment plant is proposed please supply details of plant manufacturer and model.  
*NB: A discharge consent may be required for discharge from a treatment plant to watercourse or soakaway. Please contact the Environment Agency for an application form if you have indicated that a treatment plant is to be installed.*

6. i) If a cess pool is proposed please indicate why this method has been chosen in preference to an alternative such as a package treatment plant or septic tank WITH A LOW INTERMITTENT LOAD ALTERNATIVES WOULD NOT TREAT SEWAGE EFFECTIVELY. ALSO REMOVES THE RISK OF ANY POLLUTION IN A SENSITIVE AREA.

ii) Please advise capacity of cess pool (minimum size 18 cubic metres) 1200 LITRE.