

From:
To: [Planning](#)
Subject: NYM/2019/0329/FL - erection of agricultural livestock building at Hogarth Hall, Boggle Hole Road, Fylingdales, Grid Reference 493115 501751
Date: 17 June 2019 15:52:10

Good Afternoon

Commercial Regulation – Environmental Health Scarborough Borough Council

Having reviewed the above application I have no comments to make from a commercial regulation perspective.

Kind regards

A. Ellmore

A. Ellmore MSc BSc (Hons) Cert. of CLM
Environmental Health Technical Officer
Commercial Regulation
Environmental Health Services
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
North Yorkshire
YO11 2HG

Web: www.scarborough.gov.uk

From:
To: [Planning](#)
Subject: RE: Hogarth Hall, Boggle Hole Road, Fylingdales, - NYM/2019/0329/FL
Date: 07 June 2019 15:16:38
Attachments: [image002.png](#)

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

yne@forestrycommission.gov.uk

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

Tel: 0300 067 4900

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: planning@northyorkmoors.org.uk [mailto:planning@northyorkmoors.org.uk]

Sent: 20 May 2019 14:48

To: FS, Yorkshire and North East Area

Subject: Hogarth Hall, Boggle Hole Road, Fylingdales, - NYM/2019/0329/FL

You have received this email from North York Moors National Park Authority (Planning Service) in relation to a planning matter at Hogarth Hall, Boggle Hole Road, Fylingdales, .

The attached correspondence contains important information; please retain it for your records.

If this is a consultation/re-consultation and you are set up with a log-in username and password, please click the link <http://tinyurl.com/z5qmn4j>

In any correspondence, please quote the Council reference number, which is included in the attached letter.

If you are a statutory consultee and would like to use electronic correspondence via our e-consultation site please contact the Planning Dept via email at planning@northyorkmoors.org.uk who will be happy to set you up with a log-in username and password..

If you cannot open the attachment you can download the following software free of charge:

- Microsoft Word Viewer for Word attachments.
- Adobe Reader for PDF attachments.



PRINCESS ROYAL
TRAINING AWARD
2018

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www.northyorkmoors.org.uk

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM19/329/FL**

Proposed Development: Application for erection of agricultural livestock building

Location: Hogarth Hall, Boggle Hole
Road, Fylingdales

Applicant: Mr and Mrs D and A Pattinson

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

Area Ref: 4/29/300L **Tel:**

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

To: North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 3 June 2019

FAO: Harriet Frank **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 impact on the publicly maintainable highway.

Consequently there are **no local highway authority objections** to the proposed development

Signed: <p style="text-align: center;"><i>Ged Lyth</i></p> <p><i>For Corporate Director for Business and Environmental Services</i></p>	Issued by: Whitby Highways Office Discovery Way Whitby North Yorkshire YO22 4PZ e-mail:
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**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Page 2 of 2

Application No:

NYM19/329/FL

From:
To: [Planning](#)
Subject: Responses to applications from Fylingdales Parish Council
Date: 31 May 2019 11:16:36

NYM/2019/0329/FL Application for erection of agricultural livestock building at Gogarth Hall, Boggle Hole Road, Fylingdales.

No objections to all of the above.

Virginia Ramsey.
(Parish Council Clerk)
Sent from [Mail](#) for Windows 10

From: [Elsbeth Ingleby](#)
To: [Harriet Frank](#)
Cc: [Planning](#)
Subject: NYM/2019/0329/FL - Hogarth Hall, Boggle Hole Road
Date: 29 May 2019 17:15:13

Dear Harriet,

No details are given in the application regarding how clean water from the roof will be separated from any dirty water arising from the shed due to the presence of livestock. Guttering funneling into a soakaway or similar would be appropriate.

If approved it should also be conditioned that any rubble, machinery or other debris within the vicinity of the new building that is to be cleared must be cleared by hand prior to construction. This is due to the small risk that great crested newt may be utilizing the area given the proximity of ponds and records in the wider area. If any newts are found, work must immediately cease and Natural England consulted for advice.

Best wishes,

Elsbeth

Elsbeth Ingleby MA_{Cantab} ACIEEM

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.