

From: Mark Antcliff
Sent: 14 August 2019 16:31
To: Jill Bastow
Cc: Elspeth Ingleby
Subject: RE: Valley View, Golden Grove - proposed log cabin NYM/2019/0398/FL

Hello Jill

The AIA is fine and providing its recommendations and the methods of implementing the development are followed I have no concerns.

Given that it's a small woodland it would be reassuring to have a condition that it is managed appropriately in perpetuity both for ecology, landscape and screening of the building. I appreciate that is quite a difficult thing to condition and I'm not sure we have a standard condition for it? I think we have done something similar in the past but I can't remember which applications.

I don't think a TPO is appropriate here

Thanks

Mark

From: Steve Reynolds
Sent: 26 July 2019 10:35
To: 'Barbara'; Mark Gratton; Jill Bastow
Subject: RE: Planning Application NYM/2019/0398/FL Golden Grove - Jill to discuss with Elspeth to return to septic tank plans

Hello Mr and Mrs Gratton

I am in receipt of your e-mails regarding the above; I am pleased that a mutually satisfactory solution has been reached. However, I want to clarify the context of my planning comments and the legislation in respect of discharges to watercourses.

When I am asked to comment on planning applications I have to consider whether or not there are any clear issues which would impinge on the legislation I enforce. Discharges to watercourses are dealt with by the Environment Agency so generally my comments would not cover this aspect. Irrespective of my comments any applicant has to comply with legislation in all aspects of any development whether this be Building Regulations or Environmental Permitting. My comments do not absolve the applicant of any responsibility for compliance.

In relation to the drainage system and septic tank this would have to comply with the Environmental Permitting legislation (enforced by the Environment Agency). The current position is that the Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2014 (which came into force on 1 January 2015) created what are called General Binding Rules (GBRs) for septic tanks or small sewage treatment plants for domestic use. The rules are basically designed to reduce the level of pollution from sewage in the watercourses and the criteria which have to be met are quite stringent. If the discharge can be disposed of by way of a soakaway then this would probably be a far cheaper option than a system capable of complying with the GBR's.

I hope this explains the position.

Thanks

Steve

Stephen Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM
Residential Regulation Manager
Scarborough Borough Council

www.scarborough.gov.uk

From: Barbara

Sent: 26 July 2019 10:15

To: Steve Reynolds; Mark Gratton; j.bastow@northyorkmoors.org.uk

Subject: Planning Application NYM/2019/0398/FL Golden Grove - Jill to discuss with Elspeth to return to septic tank plans

Hi Steve

I have just spoken to Jill who is looking to now return to the original septic tank and ground soakaway for sewage discharge for the new Log cabin at Valley View.

This would then confirm your opinion of no health risk from a septic tank discharge to the ground is correct and prevent any sewage discharge to Rigg Mill Beck/ Cock Mill Beck.

So no further action required. Jill will confirm this Tuesday / Wednesday.

Many thanks

Barbara and Mark Gratton

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM/19/398/FL**

Proposed Development: Application for siting of 1 no. log cabin with associated footpath for use as holiday accommodation together with construction of replacement domestic outbuilding

Location: Valley View, Golden Grove, Whitby,

Applicant: Lorraine Clissold

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

Area Ref: 4/31/144AB **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 15 July 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 previous application, NYM/14/469/FL, included information that the applicant had agreed to upgrade a piece of highway verge to provide a passing place. This was subsequently included as a condition that this work should occur. However, this does not appear to have happened.

Consequently the Local Highway Authority repeats and recommends that the following **Condition** is attached to any permission granted:

HC-07 (amended) Passing Place Construction Requirements

Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM/19/398/FL

material on the site until the passing place has been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements

a. The details of the passing place shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority

HI-07 INFORMATIVE

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

REASON

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

Signed:

Ged Lyth

For Corporate Director for Business and Environmental Services

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

e-mail: _____

From: Mark Antcliff
Sent: 09 July 2019 17:15
To: Jill Bastow
Cc: Elspeth Ingleby
Subject: RE: NYM/2019/0398/FL - Valley View, Golden Grove, Whitby

Jill

I would echo Elspeth's comments in respect of the wood which is recorded as Section 3 woodland. The aerial photography 2018 shows the woodland canopy in the area of the proposed cabin to be very close to continuous whereas the plan shows a significant clearing. Has there been any recent felling here or is the plan incorrect? The supplied photograph isn't very helpful in this respect and it would be better to have a more comprehensive set of images.

The cabin, path and potentially a new septic tank could all contribute to a loss of woodland habitat and there are no details of how this will be mitigated against or compensated for. I can see from the aerials that an earlier development has been undertaken in the same wood – it would be useful to assess the impact of this on the woodland in order to predict the possible effects of the current proposal.

There are no details of construction methods and the root protection areas of surrounding trees have not been mapped.

Mark Antcliff
Woodland Officer

From: Jill Bastow
Sent: 09 July 2019 10:24
To: Mark Antcliff
Cc: Elspeth Ingleby
Subject: FW: NYM/2019/0398/FL - Valley View, Golden Grove, Whitby

Morning Mark,

Before I respond to the agent requesting an ecological survey is there anything else you wish to request or comment on? There is a tree survey submitted and from my site visit the log cabin would be located clear of the trees.

Thanks, Jill

From: Elspeth Ingleby
Sent: 08 July 2019 16:09
To: Jill Bastow
Cc: Mark Antcliff; Planning
Subject: NYM/2019/0398/FL - Valley View, Golden Grove, Whitby

Dear Jill,

I have some concerns regarding this proposal.

Firstly the woodland in which the cabin is to be situated is of reasonably longstanding (150 years plus), if not designated ancient woodland, and the photographs provided demonstrate that there is a rich ground flora in the area with at least one ancient woodland indicator species (Dog's Mercury – *Mercurialis perennis*). A more detailed survey of the ground flora interest would be needed to ascertain the spectrum of species present, but it is reasonable to assume that a significant amount of the ground flora in this glade would be lost with the development proposed.

Secondly, it is proposed to use a (presumably new) septic tank to deal with foul sewage. No percolation test has been submitted or details given as to why the applicant has not considered the use of a package treatment plant which would greatly reduce the amount of pollutants of effluent from the tank. It is also not specified as to where the septic tank would be located and how it would be ensured that tree roots are not compromised by the installation or connections. The cabin is located only 30m from Rigg Mill Beck/Cock Mill Beck (both names are used I believe) which is an important spawning area for Atlantic Salmon and Sea Trout – important species in the area which are in decline – and thus preserving the water quality of this beck is of the utmost importance.

I would be interested to know Mark's views on this proposal regarding the arboreal interest, however in order to make a balanced judgement on the ecological aspects I will need to see an ecological survey of the site of the proposed cabin and more details regarding the proposed septic tank and its location (which should also be covered by the ecological survey).

Many thanks,

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.

From: [Elspeth Ingleby](#)
To: [Jill Bastow](#)
Cc: [Mark Antcliff](#); [Planning](#)
Subject: NYM/2019/0398/FL - Valley View, Golden Grove, Whitby
Date: 08 July 2019 16:09:01

Dear Jill,

I have some concerns regarding this proposal.

Firstly the woodland in which the cabin is to be situated is of reasonably longstanding (150 years plus), if not designated ancient woodland, and the photographs provided demonstrate that there is a rich ground flora in the area with at least one ancient woodland indicator species (Dog's Mercury – *Mercurialis perennis*). A more detailed survey of the ground flora interest would be needed to ascertain the spectrum of species present, but it is reasonable to assume that a significant amount of the ground flora in this glade would be lost with the development proposed.

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Many thanks,

Elspeth

Elspeth 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.

From:
To: [Planning](#)
Subject: Responses from Hawsker cum Stainsacre Parish Council
Date: 04 July 2019 09:34:06

NYM/2019/0398/FL Application for siting of 1 no. log cabin with associated footpath for use as holiday accommodation together with construction of replacement domestic outbuilding at Valley View, Golden Grove, Whitby.

And NYM/2019/0424 Application for construction of single storey side extension and conservatory at Valley View, Golden Grove, Whitby.

The Parish Council had no objections to these applications. Concerns were raised about the increase in traffic and the suggestion was made that perhaps an additional passing place is needed.

Regards,
Virginia Ramsey.

Sent from [Mail](#) for Windows 10

From:
To: [Planning](#)
Subject: RE: Valley View, Golden Grove, Whitby, - NYM/2019/0398/FL
Date: 25 June 2019 16:06:35
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](#)
Subject: Application for siting of a log cabin for use as holiday accommodation and construction of replacement domestic outbuilding at Valley View, Golden Grove, Whitby, Grid Reference 490723 508385
Date: 21 June 2019 15:59:41

FAO Harriet Frank

Application for siting of a log cabin for use as holiday accommodation and construction of replacement domestic outbuilding at Valley View, Golden Grove, Whitby, Grid Reference 490723 508385

Your ref: NYM/2019/0398/FL

I refer to your e-mail of the 21st June 2019 regarding the above application. I hereby confirm that I have no objections on housing or environmental health grounds.

Thanks

Steve

Stephen Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM
Residential Regulation Manager
Scarborough Borough Council

www.scarborough.gov.uk