

From:
To: [Planning](#)
Cc:
Subject: Fwd: FW: planning officer comms to NYMNPA re Abbey Farm Cottage
Date: 03 December 2019 12:57:03
Attachments: [Scan - Abbey Farm Plan.pdf](#)

Dear planning

Please find additional comment from Rosedale Parish Council.

Regards

Sally Brown
Clerk

----- Forwarded message

From:

Subject: RE: planning officer comms to NYMNPA re Abbey Farm Cottage
Importance: High

Additional comment regarding relation to the location of the goat shelter and the response we have received in relation to planning application: **NYM/2019/0725/FL**.

It seems to me that there has been little consideration as to the location of this building. Concern is raised regarding the impact the actual location has in an area of the valley that is what can only be described as "Prominent".

The following extract is taken from the policy wording and it is felt there should be further scrutiny of the design to minimise the impact to the area.

Development Policy 12 supports proposals for new agricultural buildings, tracks and

structures where there is a functional need for the building and its scale is commensurate

with that need; the building is designed for the purposes of agriculture; and the site is related

physically and functionally to existing buildings associated with the business unless there are

exceptional circumstances relating to agricultural necessity for a more isolated location.

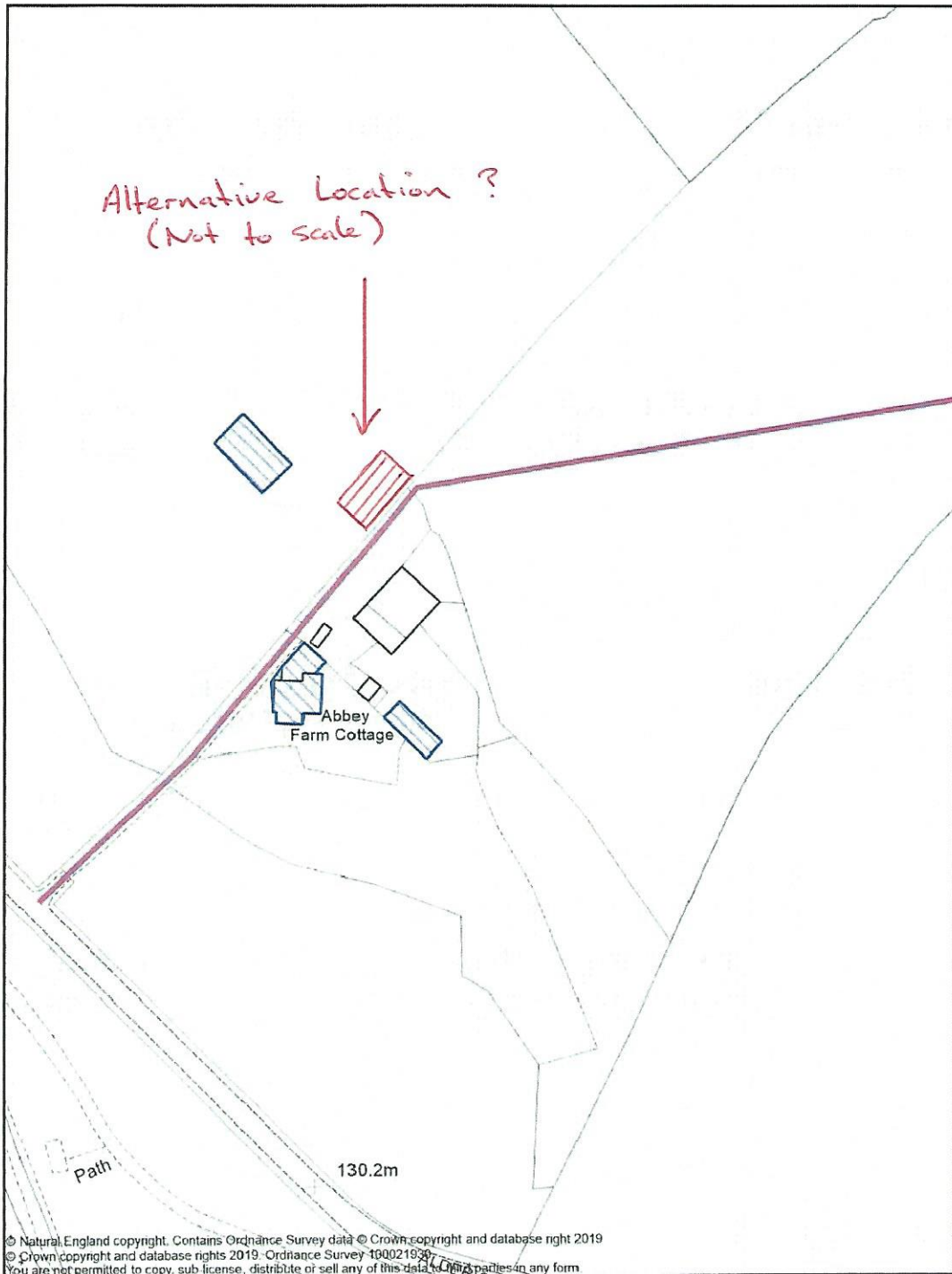
As you will see above, there must be "exceptional circumstances" to consider this

more isolated location of the field shelter.

The Council can see the need for the shelter, however do not see the need for it to be centrally located in an area of the field that has not had any previous development, nor has any “exceptional” reason why the goats couldn’t access it should it be located more discreetly in close proximity to the existing hedge and buildings. A copy of the plan with a “suggested” revised location in red that would hope will make the visual impact from Chimney Bank (one of the most prominent tourist focal and entry points to Rosedale) less intrusive on the natural environment. Surely the aim in development policy 3 is to “maintain and enhance the distinctive character of the National park” and make the development work for the owner.

Please see attached photos of the current location of the field shelter, and a possible suggestion of a revised location. It is suggested that for the small impact relocation would have to the owners and their business, the benefit for the wider enjoyment of the area is significant.

Councillors







From:
To: [Planning](#)
Subject: Response from Rosedale Parish Council
Date: 18 November 2019 11:46:56

Dear Sir/Madam

Please find below response to indicated planning applications from Rosedale Parish Council;

[NYM/2019/0725/FL](#) alterations to and change of use of garage to provide facilities for cheese production and additional bedroom/bathroom together with roofing over goat pen and use of land for the siting of 1 no. shepherds hut for holiday letting purposes Abbey Farm Cottage, Alder Carr Lane, Rosedale Abbey

The Council noted that this should be retrospective regarding the goat house due to the roofing already being in place. Validation of the NYMNPA planning applications indicates no request for additional building of “stabling” and in fact a CVC enquiry (NYM/2019/0068/CVC) February 2019 requests validation to the agricultural restriction placed reference NYM3/00107/11A/PA 1976 noting in the letter for validation of CVC that the existing buildings would be of use.

Further investigation into the supporting documentation indicated inconsistency between the documents and the header title within the planning notification including the need for a further pen when there are a number of existing buildings which could be used (reference CVC comment below).

“The land is excellent being well drained and providing quality grazing almost all year around and provide for the necessary expansion of the dairy herd. The buildings are of a perfect size to house an increased herd, separate the billy’s/bucks from the nannies/does, create a pristine dairy area with full refrigeration and create a cheese kitchen within the existing rooms within the house”

Clarification is also requested due to the reference of both existing caravans and the shepherds hut (Caravans on plans and the Shepherds Hut in the design statement) referred as to have been on site previously Within the drawings there is a number of areas where there is marked areas for future installation and development of non-static development. The Council is concerned that development of additional holiday let/caravan business contrary to the 1976 conditions

The application includes reference to the reason for the development to include both a teaching facility and also a letting facility (the inconsistency being initially that the additional bedroom would extend the personal property of the farmhouse but within the design statement the area is to be blocked from the main property for use by visitors experiencing life on a goat farm). The letting of the room for education purpose and running of the teaching establishment would contravene the 1976 restrictions on the property

The Council objects on the grounds of accuracy, the retrospective nature of the works already completed and included as request for future permission of development. Concern was also raised as to the development of the property for non-agricultural development of accommodation for learning workshops

Received by post after publication;

Proposed woodland -

Due to closing date for consultation the Council agreed to add this as an extraordinary item

The Council has no objection

Sally Brown

West View, Queen Street, Gillamoor YO62 7HU

Strictly no texts due to lack of mobile infrastructure

The Clerk works part time and your email may not be answered immediately if your message is urgent please contact by telephone.

The Parish Council will retain your email and contents therein for a period of 6 years. If you would like your details removing from the correspondence listing held by the Clerk please reply to this email requesting that your details are not retained by the Council.

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM/2019/0725/FL**

Proposed Development: Application for alterations to and change of use of garage to provide facilities for cheese production and additional bedroom/bathroom together with roofing over goat pen and use of land for the siting of 1 no. shepherds hut for holiday letting purposes

Location: Abbey Farm Cottage, Alder Carr Lane, Rosedale Abbey

Applicant: Birrell-Gray

CH Ref: **Case Officer:** Philip Sharp

Area Ref: **Tel:**

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

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

Date: 11 November 2019

FAO: **Copies to:**

There are **no local highway authority objections** to the proposed development.

Signed:

Philip Sharp

For Corporate Director for Business and Environmental Services

Issued by:

Kirby Misperton Highway Office
Beansheaf Industrial Park
Tofts Road
Kirby Misperton
YO17 6BG

From: [Victoria Franklin](#)
To: [Planning](#)
Subject: Bird and Bat Informatives
Date: 01 November 2019 15:16:02

If the following applications are approved please can a bat informative be included in the decision notice.

NYM/2019/

0725/FL

Kind regards,
Victoria

From: [Planning](#)
To: [Planning](#)
Subject: Comments on NYM/2019/0725/FL - Case Officer Mrs J Bastow - Received from David Smith - Ranger South at NYMNPA, via email: d.smith@northyorkmoors.org.uk
Date: 01 November 2019 13:59:53

The driveway to Abbey Farm Cottage is also public footpath 065 which runs directly alongside the proposed garage building development. This is a very popular and well used footpath.

Whilst I appreciate the existing garage doors open out onto the public footpath, I have some concerns about the proposed new external kitchen door being next to the footpath. Ideally, if the door could be relocated round the corner in the gable end wall this would have less impact on the footpath users, especially if the proposed business takes off and they start to run courses within the kitchen.

If the proposed development does go ahead then I'd like some reassurance that the footpath will not be obstructed in any way.

Also, I note there is no reference to car parking which could be an issue as the business develops in the future and attracts more visitors to the site.

Comments made by David Smith - Ranger South of NYMNPA
via email: d.smith@northyorkmoors.org.uk
EMail: d.smith@northyorkmoors.org.uk
Preferred Method of Contact is: Post

Comment Type is Comment
Letter ID: 533052

From: [Victoria Franklin](#)
To: [Planning](#)
Subject: Bird and Bat Informatives
Date: 01 November 2019 15:16:02

If the following applications are approved please can a bat informative be included in the decision notice.

NYM/2019/

0725/FL

Kind regards,
Victoria

Date: 29 October 2019
Our ref: 298828
Your ref: NYM/2019/0725/FL



North York Moors National Park Authority
planning@northyorkmoors.org.uk

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

Dear Mrs J Bastow

Planning consultation: Application for alterations to and change of use of garage to provide facilities for cheese production and additional bedroom/bathroom together with roofing over goat pen and use of land for the siting of 1 no. shepherds hut for holiday letting purposes

Location: Abbey Farm Cottage, Alder Carr Lane, Rosedale Abbey

Thank you for your consultation on the above dated 23 October 2019 which was received by Natural England on 23 October 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.

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 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 consultations@naturalengland.org.uk.

Yours sincerely

Matthew Dean
Consultations Team

Annex - Generic advice on natural environment impacts and opportunities

Sites of Special Scientific Interest (SSSIs)

Local authorities have responsibilities for the conservation of SSSIs under s28G of the Wildlife & Countryside Act 1981 (as amended). The National Planning Policy Framework (paragraph 175c) states that development likely to have an adverse effect on SSSIs should not normally be permitted. Natural England's 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 Natural England Open Data Geoportal. Our initial screening indicates that one or more Impact Risk Zones have been triggered by the proposed development, indicating that impacts to SSSIs are possible and further assessment is required. You should request sufficient information from the developer to assess the impacts likely to arise and consider any mitigation measures that may be necessary.

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.

Protected Species

Natural England has produced standing advice¹ 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. The list of priority habitats and species can be found here². 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.

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

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

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

England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

Protected landscapes

For developments within or within the setting of a National Park or Area of Outstanding Natural Beauty (AONB), we advise you to apply national and local policies, together with local landscape expertise and information to determine the proposal. The National Planning Policy Framework (NPPF) (paragraph 172) provides the highest status of protection for the landscape and scenic beauty of National Parks and AONBs. It also sets out a 'major developments test' to determine whether major developments should be exceptionally be permitted within the designated landscape. We advise you to consult the relevant AONB Partnership or Conservation Board or relevant National Park landscape or other advisor who will have local knowledge and information to assist in the determination of the proposal. The statutory management plan and any local landscape character assessments may also provide valuable information.

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Heritage Coasts are protected under paragraph 173 of the NPPF. Development should be consistent the special character of Heritage Coasts and the importance of its conservation.

Landscape

Paragraph 170 of the 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.

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 provides information including contact details for the National Trail Officer.

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).



NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

Premises: 00202239
Job: 1182676

Scarborough Fire Station
North Marine Road
Scarborough
North Yorkshire
YO12 7EY

When telephoning please ask for: J Butterfield

Tel:
Fax:

Email:

30 October 2019

Dear Sir or Madam

Justine Gallie, Abbey Farm Cottage, Alder Carr Lane, Rosedale Abbey, Pickering, YO18 8SD

FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 23 October 2019
Ref No: NYM/2019/0725/FL

Your communication has been dealt with as follows:

At this stage in the planning approval process the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority have no objection/observation to the proposed development. The North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the Fire Authority.

The majority of information we collect regarding business fire safety is non-personalised information, however any personal data we collect will be managed in accordance with our Privacy Notice which can be viewed on our website, www.northyorksfire.gov.uk/about-us/yourdata.

Under the Regulatory Reform Order 2005 we are obliged to publish a public register of enforcement action which can be viewed via our website, www.northyorksfire.gov.uk/about-us/key-documents/links-registers.

Abbey Farm Cottage
Alder Carr Lane
Rosedale Abbey
Pickering
YO18 8SD

Should you require further information please contact the officer whose name appears at the head of the letter.

Yours faithfully

J Butterfield