

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM20/0022/FL**

Proposed Development: Application for variation of condition 2 (material amendment) of planning approval NYM/2015/0885/FL (allowed on appeal) to allow changes of the footprint and design of the log cabin/mobile unit, changes to the footprint, design and location of store and relocation of parking area

Location: paddock to the south of Wyke Lodge, Hodgson Hill, Staintondale

Applicant: Mr Keith Dobbie

CH Ref: **Case Officer:** Kay Aitchison

Area Ref: 4/24/159C **Tel:**

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

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

Date: 10 February 2020

FAO: Jill Bastow **Copies to:**

There are **no local highway authority objections** to the proposed amendment to condition 2 regarding the changes to the building footprint and carparking area, on the clear understanding that the previously applied highway conditions remain valid

Signed:

Kay Aitchison

For Corporate Director for Business and Environmental Services

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

e-mail:

From:
To: [Planning](#)
Subject: Comments on NYM/2020/0022/FL
Date: 07 February 2020 11:20:52

Vary condition 2 of NYM/2015/0885/FL to allow changes to footprint & design of log cabin/mobile unit, changes to footprint, design and location of store and relocation of parking area at paddock to south of Wyke Lodge.

This application has been considered by Cloughton Parish Council. Council is totally against the proposals since it considers they are totally unsuitable. Councillors recalled the applicant had difficulties marking out the correct footprints at the site visit for NYM/2015/0885/FL.

It is contended that as soon as the applicant became aware of the problem of being unable to find someone who could supply modular units with interlocking logs, he should have discussed the matter with the planning authority - not pressed on and erected what he 'thought' would do (hoping nobody would notice) and then submit a retrospective application.

The planning consent is for holiday use for no more than 150 days a calendar year - Council is intrigued to know what's going to happen to the chickens for the 215 days in the year when the property cannot legally be occupied.

From: [Elspeth Ingleby](#)
To: [Jill Bastow](#)
Cc: [Planning](#)
Subject: NYM/2020/0022/FL - paddock to the south of Wyke Lodge
Date: 05 February 2020 10:34:45

Dear Jill

The proposed development is relatively close to a known site of Great Crested Newt (GCN). Whilst the land in question is separated from the GCN site by a barrier (the road) there is still a small risk that GCN could be found on the site. To minimise any risk to this European protected species, it would be appropriate for a condition to be used (if the application is approved) to ensure ground works are carried out in a cautious way to prevent any harm from being caused.

Any works to move piles of rubble, logs or other loose materials should not take place between October and February (inclusive) when these sites may be used as refugia by hibernating newts. Between March and September, any works to clear vegetation must be carried out in stages to prevent causing harm to newts. All vegetation cleared should be cut to a minimum of 10cm of ground level first. The arisings should then be removed and the area left for at least 24 hours for newts to disperse before being cut to ground level. Machinery and vehicles must not be driven over vegetation higher than 10cm without the area first being cleared by the method described above.

Best wishes

Elspeth

Elspeth Ingleby MA_{Cantab} ACIEEM

Ecologist

North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Telephone: 01439 772700

From:
To: [Planning](#)
Subject: Wyke Lodge, Hodgson Hill, Staintondale
Date: 23 January 2020 15:47:58

Your ref: NYM/2020/0022/FL
Proposal: Application for variation of condition 2 (material amendment) of planning approval NYM/2015/0885/FL (allowed on appeal) to allow changes to the footprint and design of the log cabin/mobile unit, changes to the footprint, design and location of store and relocation of parking area at paddock
Address: Wyke Lodge, Hodgson Hill, Staintondale

With reference to the above planning application, we have no objection in principle to the granting of planning consent.

The applicant should be made aware that they may be required to hold a caravan site licence for this unit. Without seeing details of what is proposed to be installed on the site I cannot confirm one way or another.

Regards,

Stephanie Baines
Technical Officer (Residential Regulation Team)
Scarborough Borough Council

Office: Town Hall, St Nicholas Street, Scarborough, North Yorkshire, YO11 2HG

From:
To: [Planning](#)
Subject: RE: paddock to the south of Wyke Lodge, Hodgson Hill, Staintondale, - NYM/2020/0022/FL
Date: 20 January 2020 16:03:34

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.

If the planning authority takes the decision to approve this application, we may be able to give further support in developing appropriate conditions in relation to woodland management mitigation or compensation measures. Please note however that the Standing Advice states that
“Ancient woodland, ancient trees and veteran trees are irreplaceable. Consequently you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal.”

We suggest that you take regard of any points provided by Natural England about the biodiversity of the woodland.

We also assume that as part of the planning process, the local authority has given a screening opinion as to whether or not an Environmental Impact Assessment is needed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. If not, it is worth advising the applicant to approach the Forestry Commission to provide an opinion as to whether or not an Environmental Impact Assessment is needed under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended.

We hope these comments are helpful to you. If you have any further queries please do not hesitate to contact me.

Yours faithfully,

Inez Hein

Technical Support Officer- Yorkshire and North East Area

Working days Monday to Wednesday

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

All felling licence applications are now processed through [Felling Licence Online](https://www.gov.uk/forestrycommission). To register an account and start your application online, visit 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 January 2020 11:46
To: FS, Yorkshire and North East Area
Subject: paddock to the south of Wyke Lodge, Hodgson Hill, Staintondale, - NYM/2020/0022/FL

You have received this email from North York Moors National Park Authority (Planning Service) in relation to a planning matter at paddock to the south of Wyke Lodge, Hodgson Hill, Staintondale, .

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.



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