

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM/2019/0744/FL**

Proposed Development: Use of land for the siting of 1 no. shepherds hut and wood fired bath together with associated parking for holiday letting use

Location: The Hawnby Inn at land north of Tancred House, Hawnby

Applicant: Mr T Storrar - Mexborough Estates

CH Ref: **Case Officer:** Vikki Orange

Area Ref: 3/56/77 **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 19 February 2020

FAO: Jill Bastow **Copies to:**

Revised response in relation to plans received by the local planning authority 03/02/2019 mitigating concerns raised in relation to visibility accessing/ egressing the application site.

Note to the Planning Officer:

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

HC-15 REVISED - PARKING SPACES TO REMAIN AVAILABLE FOR VEHICLE PARKING (NON-RESIDENTIAL)

Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on MEX/HUT/SP.100 for parking spaces and access shall be kept available for their intended purposes at all times.

Signed:

Vikki Orange

For Corporate Director for Business and Environmental Services

Issued by:

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

e-mail:

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM/2019/0744/FL

From: [Building](#)
To: [Planning](#)
Cc: [Jill Bastow](#)
Subject: land north of Tancred House, Hawnby - NYM/2019/0744/FL - AMENDED DETAILS
Date: 28 January 2020 14:38:07

We are pleased to see that the proposed hut will utilise existing parking arrangements associated with existing buildings in close proximity to the site rather than create new space(s) which will help to maintain the rural character and appearance of the Hawnby Conservation Area.

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CH Ref: **Case Officer:** Vikki Orange

Area Ref: 3/56/77 **Tel:**

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

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

Date: 12 December 2019

FAO: Jill Bastow **Copies to:**

Revised response: please disregard LHA response dated 15.11.19

Note to the Planning Officer:

Based on the documents provided and to ensure the safety of the travelling public refusal is recommended. There is currently limited visibility from the existing field access, by virtue of the dry stone walls at the the proposed access to the site. plans provided do not demonstrate improvements to visibility splay, 'pedestrian access only' or access upgrade/ surfacing to facillitate the intended purpose or servicing.

R3 VISIBILITY AT EXISITING ACCESS

The existing access, by which vehicles associated with this proposal would leave and re-join the County Highway is unsatisfactory since the required visibility of 45 metres x 2.4metres cannot be achieved at the junction with the County Highway and therefore, in the opinion of the Planning Authority, the intensification of use which would result from the proposed development is unacceptable in terms of highway safety

Consequently, the Local Highway Authority recommends that Planning Permission is **REFUSED** for the following reasons:

Signed: <p style="text-align: center;">Vikki Orange</p> <p><i>For Corporate Director for Business and Environmental Services</i></p>	Issued by: Kirby Misperton Highway Office Beansheaf Industrial Park Tofts Road Kirby Misperton YO17 6BG e-mail
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**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

NYM/2019/0744/FL

Application No:

From: [Planning](#)
To: [Planning](#)
Subject: Comments on NYM/2019/0744/FL - Case Officer Mrs J Bastow - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP, via email: building@northyorkmoors.org.uk
Date: 15 November 2019 15:50:15

This proposal seeks to erect 1 no. shepherds hut and an associated wood fire bath (hot tub) together with 1 no. parking space upon unused land within the Hawnby Conservation Area.

No objections are raised to the principle of the shepherd's hut where it can be screened by existing well established vegetation. The massing, design and location of the shepherd's hut means that it will cause less than substantial harm to the significance of the conservation area.

However, little information has been provided on the proposed parking area and in particular the amount of work needed to create an access to highway standards and use of materials etc. One of the Conservation Areas most noticeable features is its wide natural tree lined verges and as such concern is raised to the potential harm the parking area could have on this feature through the erosion of the rural character of the streetscene creating a suburban feel to the area. The application's Planning Supporting Statement suggests that the proposal for 1 no. parking space may be increased at a later date, potentially leading to the parking of multiple vehicles in this small space. On this basis, I would suggest that existing parking at the Inn is utilised and a simple footpath created to the proposed shepherd's hut.

While no objections are raised to the principle of the shepherd's hut in terms of harm to the appearance of the conservation area, some concern is raised with its remote location and the potential harm to the conservation area caused by increased levels lighting in particular. If this element of the application is to be approved, please condition a lighting scheme to be submitted for approval.

Comments made by Building Conservation of The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP
via email: building@northyorkmoors.org.uk
Phone: 01439 772700
Fax: 01439 770691
EMail: building@northyorkmoors.org.uk
Preferred Method of Contact is: Post

Comment Type is Object with comments
Letter ID: 533661

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CH Ref: **Case Officer:** Vikki Orange

Area Ref: 3/56/77 **Tel:**

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

To: North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 15 November 2019

FAO: Jill Bastow **Copies to:**

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

Signed:

Vikki Orange

For Corporate Director for Business and Environmental Services

Issued by:

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

e-mail:

Date: 15 November 2019
Our ref: 299967
Your ref: NYM/2019/0744/FL



planning@northyorkmoors.org.uk

BY EMAIL ONLY

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

T

Dear Mrs Bastow,

Planning consultation: Application for the siting of a shepherds hut and wood fired bath with associated parking for holiday letting use

Location: The Hawnby Inn at land north of Tancred House, Hawnby

Thank you for your consultation on the above dated 05 November 2019 which was received by Natural England on 05 November 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 .

Yours sincerely

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

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>

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).